

TOWNSHIP OF LOPATCONG
REGULAR MEETING

6:30 pm

January 16, 2019

The Regular 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.

A Prayer 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, Mayor Mengucci. Also present were Attorney Campbell and Engineer Sterbenz.

Attorney Campbell reported the Council was in Executive Session for one hour. Council added two additional items to the Consent Agenda: Item No. 12 - Approve Attorney to draft an agreement with Berry Plastics and Item No. 13 – Approve amendment to LAA Addendum No. 2.

Public Comments – Agenda items only – none

Business:

Resolution No. 19-22 - Reappoint Sewer Engineer.

R 19-22

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPOINTING DAN MADDEN OF JMT, INC. AS TOWNSHIP
SEWER ENGINEER FOR THREE YEAR TERM

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey has determined that it is in the best interest of the Township to appoint Dan Madden of JMT, Inc.; and

WHEREAS, Dan Madden is hereby retained as Township Engineer for a three-year term from January 1, 2019 through December 31st, 2021.

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

This Resolution shall take effect immediately.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a Meeting held on Wednesday January 16, 2019.

Margaret B. Dilts, CMC

South Sixth Street – Request for homeowner to install gas line at this property. Although the roads were just repaved, the Engineer will approve their permit and then approach Elizabethtown Gas about the installation in the road.

Consent Agenda:

Direct Deposit Request – Approve exemption for Township employee from Direct Deposit Policy.

Zucarro, Inc. – Authorize payment of invoice submitted in the amount of \$68,375.00 for roadwork completed on Belview Road.

Resolution No. 19-29 – Authorizing Transfer Between the 2018 Budget Appropriation Reserves

R 19-29

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING TRANSFER BETWEEN THE 2018 BUDGET APPROPRIATION RESERVES

WHEREAS, various 2018 bills have been presented for payment this year, which bills represent obligations of the prior fiscal year and were not covered by order number and/or recorded at the time of transfers between the 2018 Budget in the last two months of 2018; and

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward after the close of the fiscal year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from the unexpended balances to those which are expected to be insufficient during the first three months of the succeeding year.

NOW, THEREFORE, BE IT RESOVLED by the Council of the Township of Lopatcong, County of Warren and State of New Jersey (2/3 of the majority of the full membership concurring herein) that the transfers in the amount of \$44,000.00 be made between the 2018 Budget Appropriation Reserves as follows:

ACCOUNT:	FROM:	TO:
OTHER EXPENSES		
Legal Services	\$21,000.00	
Buildings & Grounds	\$23,000.00	
OTHER EXPENSES		
First-Aid Organization		\$4,000.00
Road Maintenance		\$39,000.00
Telephone		\$500.00
Fire Company		\$500.00
Total	\$44,000.00	\$44,000.00

CERTIFICATION

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Margaret B. Dilts, CMC

Resolution No. 19-30 – Deduct Meter Credit for Block 110, Lot 19.

R 19-30

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING A REFUND OF A DEDUCT METER CREDIT FOR BLOCK 110, LOT 19

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

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

WHEREAS, the Tax Collector has applied the deduct credit to the account for Block 110, Lot 19, also known as 82 Puddingstone Way; and

WHEREAS, the property owner of Block 110, Lot 19 has requested that the credit balance of \$397.36 be refunded to him.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Collector's office to make an adjustment of \$397.36 to the account.

BE IT FURTHER RESOLVED on this 16th day of January 2019, that the Chief Financial Officer is authorized to issue a check in the amount of \$397.36 for the refund of the deduct meter credit to:

Carlos E. Correa
82 Pudding Stone Way
Phillipsburg, NJ 08865

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, January 16, 2019.

Margaret B. Dilts, CMC

Resolution No. 19-31 – Authorize redemption of Tax Sale Certificate No. 2016-016 in the amount of \$4,999.35 including interest on Block 70, Lot 4.

R 19-31

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO REDEEM TSC 2016-016 FOR BLOCK 70, LOT 4

WHEREAS, TSC 2016-016 was redeemed on October 24, 2017 in the amount of \$1,116.03, Premium \$1,400.00; however, the payment was never submitted to the lienholder and a resolution of redemption was not adopted by the Township Council; and

WHEREAS, the property owner received a pre-foreclosure notice from the lienholder on October 24, 2018; and

WHEREAS, the Tax Collector contacted the lien holder and was supplied with an affidavit of subsequent payment in the amount of \$1,864.14 which was not recorded in the tax system; and

WHEREAS, as a result of the failure to process the redemption properly, additional interest of \$619.18 have accrued on this lien and must be paid to successfully redeem this lien; and

WHEREAS, the amount to redeem TSC 2016-016 is \$4,999.35. This total is made up of \$1,116.03 that was paid in October of 2017 to redeem the lien, \$1,864.14 in additional subsequent payments made by the lienholder, \$619.18 in interest that has accrued since October 2017 and a \$1,400.00 Premium.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Lopatcong hereby authorizes to pay \$4,999.35 made payable to:

US Bank Cust BV002
50 S. 16th St., Suite 2050
Philadelphia, PA 19102-2513

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, January 16, 2019.

Margaret B. Dilts, CMC

Resolution No. 19-32 – Authorize redemption of Tax Sale Certificate No. 2015-025 in the amount of \$19,966.79 including interest on Block 116.14, Lot 2 C0032.

R 19-32

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO REDEEM TSC 2015-025 FOR BLOCK 116.14, LOT 2 C0032

WHEREAS, TSC 2015-025 was redeemed on December 2, 2015 in the amount of \$6,474.75, Premium \$11,600.00; however, the payment was never submitted to the lienholder and a resolution of redemption was not adopted by the Township Council; and

WHEREAS, the property owner received a pre-foreclosure notice from the lien holder on December 13, 2018; and

WHEREAS, the Tax Collector contacted the lienholder and was supplied redemption figure of \$8,366.79, Premium \$11,600.00 required to redeem the lien; and

WHEREAS, as a result of the failure to process the redemption properly, additional interest of \$1,892.04 have accrued on this lien and must be paid to successfully redeem this lien; and

WHEREAS, the amount to redeem TSC 2015-025 is \$19,966.79. This total is made up of \$6,474.75 that was paid in December 2015 to redeem the lien, \$1,892.04 in interest that has accrued since December 2015 and a \$11,600.00 Premium.

NOW, THEREFORE, BE IT RESOVLED that the Township Council of the Township of Lopatcong hereby authorizes to pay \$19,966.79 made payable to:

US Bank Cust BV001 Trst & Crdts
50 S. 16th St., Suite 1950
Philadelphia, PA 19102-2513

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, January 16, 2019.

Margaret B. Dilts, CMC

Resolution No. 19-33 – Authorize redemption of Tax Sale Certificate No. 2017-010 in the amount of \$1,685.25 on Bock 23, Lot 13.

R 19-33

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE NO. 2017-010 ON BLOCK 23, LOT 13

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 6, 2017, a lien was sold on Block 23, Lot 13 known as 583 Belvidere Road for 2016 delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2017-010 was sold to US Bank Cust for Pro Cap 7, First Trust Bank; and

WHEREAS, on April 19, 2018, the property owners have satisfied the redemption amount on Certificate No. 2017-010 in the amount of \$1,685.25.

NOW, THEREFORE, BE IT RESOLVED on this 16th day of January 2019, that the Chief Financial Officer is authorized to issue a check in the amount of \$1,685.25 for the redemption of Tax Sale Certificate No. 2017-010 to:

US Bank Cust for Pro Cap 7 First Trust Bank
50 S. 16th St., Suite 2050
Philadelphia, PA 19102

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, January 16, 2019.

Margaret B. Dilts, CMC

Resolution No. 19-34 – Authorize redemption of Tax Sale Certificate No. 2016-008 in the amount of \$669.21 and Premium of \$400.00 on Block 40, Lot 12.

R 19-34

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE
NO. 2016-008 ON BLOCK 40, LOT 12

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on October 11, 2016, a lien was sold on Block 40, Lot 12 also known as 710 Charles Road for 2015 delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2016-008 was sold to US Bank Cust for Pro Cap 4 & Crdtrs; and

WHEREAS, on April 4, 2018 the property owners have satisfied the redemption amount on Certificate No. 2016-008 in the amount of \$669.21, Premium \$400.00.

NOW, THEREFORE, BE IT RESOLVED on this 16th day of January 2019 that the Chief Financial Officer is authorized to issue a check in the amount of \$1,069.21 for the redemption of Tax Sale Certificate No. 2016-008 to:

US Bank Cust for Pro Cap 4 & Crdtrs
50 S. 16th St., Suite 2050
Philadelphia, PA 19102

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, January 16, 2019.

Margaret B. Dilts, CMC

Resolution No. 18-153 – Amended – Correct error on Block 80, Lot 5.

R 18-153 – Amended

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	\$1,446.52

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

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, January 16, 2019.

Margaret B. Dilts, CMC

Resolution No. 19-35 – Correct Tax Account for Block 77, Lot 15.

Resolution No. 19-36 – Cancel balances no longer necessary – Ordinance No. 2016-04 in the amount of \$10,166.00.

R 19-36

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING CANCELLATION OF CAPITAL IMPROVEMENT BALANCES NO LONGER NEEDED

WHEREAS, certain Capital appropriation ordinances have funding that are no longer necessary; and

WHEREAS, it is necessary to formally cancel said balances to Capital Improvement Fund.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lopatcong, County of Warren and State of New Jersey, that the following unexpended balances be cancelled:

Ordinance No. 2016-04 North Prospect Street Sewer Relocation Project - \$10,166.00

CERTIFICATION

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Berry Plastics Corp. – Attorney Campbell authorized to draw up contract for hookup fees and submission of data for sewer billing, etc. as discussed with Engineer Sterbenz.

LAA Addendum No. 2 – Council authorized Attorney Campbell to amend the Addendum for 2018 to provide a \$5,000 contribution and add that the LAA provide Council with quarterly financial statements.

Payment of Bills – Motion to authorize by Councilman Belcaro, seconded by Councilman Wright. Roll call vote:

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

NAYS: None

Audience Participation:

Bob Sampson – 29 Jade Lane – Followed up with Council from last meeting wherein he spoke about the LAA and how to move forward. He asked to confirm that two councilmen would be present at the LAA meeting. Mayor Mengucci said he personally met with Kenny and told him that he would like the financial report provided four times per year, not once. Mayor Mengucci offered to check with Mr. Herzer and find out where he is at. The next meeting is the 28th of January at 8:00 pm. Councilman Wright will attend the meeting with Councilman Palitto.

John Betz – 225 Red School Lane – Questioned Council about the placement of transmitters around the town – 5 G transmitters. Verizon – agreement to place nodes around the town.

Brian Weeks – 208 S. Seventh Street – He noted that he had a problem in his own house - phone wise – he was told they are down to the last line coming into his home. At this point he can't have a landline any longer.

Jim Stout – 1206 Belvidere Road – Asked about the sidewalks. Mayor Mengucci stated this project was a dead issue but they will be discussing this project with Phillipsburg and Lopatcong school boards.

Lori Ciesla – 12 Meadowview Drive – Asked if the wireless router could be upgraded or a booster attached. Recreation will hold a meeting on the 28th before the LAA meeting to decide on Community Day. Progressing on Music at the Park already and might have to increase the proposed budget. The LAA has bylaws and welcomes complaints. She indicated their attorney will be at the next meeting also. She said all the financials will be at the next meeting.

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

Respectfully submitted,

Margaret B. Dilts, CMC
Clerk/Administrator

James E. Mengucci
Mayor