

TOWNSHIP OF LOPATCONG
Council Meeting

6:30 PM Executive Session/7:30 pm Regular Session

May 5, 2021

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 Ledger and The Express-Times and by posting a copy on the bulletin board in the Municipal Building.”

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

Proclamation: Police Chief Garcia presented a Proclamation to Raymond McDonald Lopatcong School Crossing Guard.

Public Comment:

Lori Ciesla – Recreation Budget 2021.

John Betz - Resolution No. 21-65 – Explain.

Mike Bellfy – Update on Pool.

Old Business:

Minutes – Executive and Regular Sessions for March 31st and Executive Session for April 7, 2021. Roll call vote:

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

NAYS: None

2021 Municipal Budget – Public hearing and final adoption. CFO Browne reported appropriations amount to \$9,680,283.18 lower than 2020 budget with anticipated revenues at \$4,128,237.74 and \$5,552,045.84 to be raised in taxes. On a home assessed at \$231,000 the cost is approximately \$38.00 in total per year; less than a cent increase in local taxes amounting to \$20.00.

Motion to hold a public hearing by Council President Pryor, seconded by Mayor Mengucci. All in favor.

Lori Ciesla – asked for clarification on the amount on funds in the Recreation. She informed the Council that movies can be ordered and the bands are booked for the season.

Mike Bellfy – asked for clarity on the pool status.

Motion to close public hearing by Councilman Belcaro, seconded by Council President Pryor. All in favor.

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

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

NAYS: None

Mayor Mengucci informed Mr. Bellfy that a gentleman identified leaks in the pool and that he would be meeting a pool company tomorrow to also take a look at the pool.

New Business:

Resolution No. 21-64 –Accept Annual Audit for 2020 by signing Group Affidavit certifying review of, at a minimum, the Comments and Recommendations Sections.

R 21-64

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY CERTIFYING THE ANNUAL AUDIT FOR 2020

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

WHEREAS, the Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6 and a copy has been received by each member of the Governing Body; and

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

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

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

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

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

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

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

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

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, May 5, 2021.

Margaret B. Dilts, CMC

Motion to accept the Audit by Council President Pryor, seconded by Councilman Belcaro. Roll call vote:

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

NAYS: None

Resolution No. 21-65 – Supporting the Preferred Preliminary Plan for the NJ57/CR519 Intersection Project as prepared by the NJDOT and recommended by Board of County Commissioners. Commissioner Ciesla explained the 57/519 Intersection Project that this has been going on for 30 years and this project has been pushed off from its start date of 2023 to 2026.

R 21-65

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY IN SUPPORT OF THE PREFERRED PRELIMINARY PLAN FOR THE NJ 57/519 INTERSECTION PROJECT AS PREPARED BY THE NEW JERSEY DEPARTMENT OF TRANSPORTATION

WHEREAS, the Township of Lopatcong has been advised by the County of Warren that the NJ Department of Transportation that operational and safety improvements are needed that will entail the provision of turning lanes and shoulders, the replacement of bridges on NJ 57 and CR 519 and land acquisition to facilitate stormwater mitigation requirements; and

WHEREAS, the Township of Lopatcong and the County of Warren have been consulted on this project and agree that the work must be done; and

WHEREAS, this project is in its preliminary engineering phase with construction programmed for Fiscal Year 2024; and

WHEREAS, historically, this intersection has been one of the worst locations for crashes on the county road system and has been a high priority project to the County for approximately 30 years; and

WHEREAS, over the years both bridges have experienced deterioration and obsolescence to the extent that both must now be replaced; and

WHEREAS, the NJ Dept. of Transportation has presented a preferred preliminary plan alternative that is acceptable to the County of Warren.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey supports the preferred preliminary plan as presented by the NJ Dept. of Transportation and urges the Department to prioritize the project to ensure that it is completed before the bridges fall into further state of disrepair and to provide for the safe movement of traffic through the region.

CERTIFICATION

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Margaret B. Dilts, CMC

Motion to adopt by Council President Pryor, seconded by Councilman Belcaro. Roll call vote:
AYES: Councilman Belcaro, Councilman Palitto, Councilman Wright, Council President Pryor, Mayor Mengucci.

NAYS: None

Municipal Application – This is an online electronic payment process for tax and sewer payments. Motion to authorize CP, Councilman Wright.

Pavilion Rental Contracts – Season rental contracts. A season employee would be needed for preparation and cleanup of rentals. Clerk Dilts will handle the matter.

Marijuana – Opt In or Opt Out – Attorney Campbell discussed with the Council that New Jersey voters approved the legalizing of Marijuana called “cannabis” for adults at least 21 years of age. Attorney Campbell explained that by August 22nd of this year the Township must adopt an ordinance to either opt out or opt in. If you opt out, you will still have the ability to opt in sometime in the future but if you opt in there is a planning process and a commitment of five years.

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. 21-66 – Memorialize Temporary Appointment of Zoning Board Secretary.

R 21-66

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY TO APPOINT MARGARET DILTS AS TEMPORARY ZONING
BOARD OF ADJUSTMENT SECRETARY

WHEREAS, a vacancy has occurred in the position of Secretary to the Zoning Board of Adjustment; and

WHEREAS, Margaret Dilts has offered to fill the position temporarily until the position is filled; and

WHEREAS, Margaret Dilts will be paid the salary (prorated monthly) as stipulated in Resolution No. 20-33 only when applications are made and heard before the Board; and

WHEREAS, when the position is filled, Margaret Dilts will be paid her hourly rate of \$90.39 for instruction and assistance provided to the new secretary outside of her normal working hours.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, May 5, 2021.

Margaret B. Dilts, CMC

Resolution No. 21-67 – Authorize redemption of Tax Sale Certificate No. 2020-15 on Block 64, Lot 2 in the amount of \$605.75.

R 21-67

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE
NO. 2020-15 ON BLOCK 64, LOT 2

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 29, 2020, a lien was sold on Block 64, Lot 2 also known as 414 South Second Street for delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2020-15 was sold to US Bank Cust/Pro Cap 8/Pro Cap; and

WHEREAS, on April 6, 2021, the mortgage company for the property owner has satisfied the redemption amount on Certificate No. 2020-15 in the amount of \$605.75.

NOW, THEREFORE, BE IT RESOLVED on this 5th day of May, 2021 that the Chief Financial Officer is authorized to issue a check in the amount of \$605.75 for the redemption of Tax Sale Certificate No. 2020-15 to:

US Bank Cust/Pro Cap 8/Pro Cap
50 S 16th Street, 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, May 5, 2021.

Margaret B. Dilts, CMC

Resolution No. 21-68 – Authorize redemption of Tax Sale Certificate No. 2020-35 on Block 99, Lot 339 C1121 in the amount of \$729.25 and Premium of \$1,100.00.

R 21-68

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE
NO. 2020-035 ON BLOCK 99, LOT 339 C1121

WHEREAS, at the Lopatcong Township municipal Tax Sale held on December 29, 2020, a lien was sold on Block 99, Lot 339 C1121 also known as 1121 Highland Court for delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2020-035 was sold to US Bank Cust/Pro Cap 8/Pro Cap; and

WHEREAS, on April 6, 2021 the mortgage company for the property owner has satisfied the redemption amount on Certificate no. 2020-035 in the amount of \$729.25, Premium \$1,100.00.

NOW, THEREFORE, BE IT RESOLVED on this 5th day of May 2021, that the Chief Financial Officer is authorized to issue a check in the amount of \$729.25, Premium \$1,100.00 for the redemption of Tax Sale Certificate No. 2020-010 to:

US Bank Cust/Pro Cap 8/Pro Cap
50 S 16th Street, 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, May 5, 2021.

Margaret B. Dilts, CMC

Resolution No. 21-69 – Authorize redemption of Tax Sale Certificate No. 2017-031 on Block 85.05, Lot 4 in the amount of \$62,200.89.

R 21-69

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE NO. 2017-031 ON BLOCK 85.05, LOT 4

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 6, 2017, a lien was sold on Block 85.05, Lot 4 also known as 17 Sylvia Street for delinquent tax and sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2017-031 was sold to US Bank Cust BV002 Trst & Crdtrs; and

WHEREAS, on April 15, 2021, the mortgage company for the property owner has satisfied the redemption amount on Certificate No. 2017-031 in the amount of \$62,200.89.

NOW, THEREFORE, BE IT RESOLVED on this 5th day of May 2021, that the Chief Financial Officer is authorized to issue a check in the amount of \$62,200.89 for the redemption of Tax Sale Certificate No. 2017-031 to:

US Bank Cust BV002 Trst & Crdtrs
50 S 16th Street, 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, May 5, 2021.

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Vanguard Energy Partners, LLC – Approve contract for 2021 for Operation and Maintenance of Solar Panels in the amount of \$2852.53. An increase of \$137.45.

South Warren Municipal Alliance Grant – Authorize Mayor Mengucci to execute South Warren Municipal Alliance Grant.

John J. Durnin III Cash Bond – Authorize release of Cash Bond in the amount of \$2500.00 for work related to 212 Strykers Road as requested by Engineer Sterbenz.

Recreation Commission – Appoint Mr. and Mrs. Bellfy to the Recreation Committee.

Engineer Sterbenz – DOT Grant applications - second half of Baltimore. Met with Brian Weeks regarding the drainage of the ballfields at the park. There might be a clog in the drainage pipes. Brian will follow up. County is developing an agreement to deal with the sidewalks. Attorney Campbell also noted that she is working on the draft agreement.

Police Chief Garcia – Noted that Rt. 57 and 519 intersection – one of the worst intersections in the county; fatalities and other bad accidents. Announced officers will begin to have a recording device on them at all time beginning in the near future.

Mayor Mengucci – Noted that the Municipal Clerk will be leaving the end of the year and asked if the job should be advertised. Clerk noted that either way; the position is an appointed one so there is not an obligation. Mayor Mengucci asked the Clerk to advertise for the position.

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

Payment of Bills – Motion to approve payment of bills by Councilman Belcaro, seconded by Mayor Mengucci. Roll call vote:

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

NAYS: None

Audience Participation :

John Betz – Brakeley Gardens – asked for an update on the filing of the Rent Leveling Board. An ad can be placed in with the tax bills to advertise for board positions.

Lori Ciesla – New website will be live by the end of the month. She noted to Council that they could have a formal portrait of themselves taken to post on the website as well. Lori offered to attend the first Recreation meeting to go over what she did for the commission.

Motion to adjourn by Councilman Belcaro, seconded by Mayor Mengucci. All in favor.

Respectfully submitted,

Margaret B. Dilts, CMC
Clerk/Administrator

James E. Mengucci
Mayor