

TOWNSHIP OF LOPATCONG
Council Meeting

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

July 7, 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 Wright, Council President Pryor, Mayor Mengucci. Also, present were Attorney Campbell and Engineer Sterbenz.

Public Comment: None

Old Business:

Minutes – April 7th, 2021 Executive and Regular Sessions and May 5th, 2021 – Regular Session. Motion to approve by Councilman Wright, seconded by Councilman Palitto Roll call vote:

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

NAYS: None

Ordinance No. 2021-04 – Second reading and public hearing on Bond Ordinance providing an appropriation of \$355,400 for various Capital Improvements in and by the Township of Lopatcong and authorizing the issuance of \$335,400 Bonds or Notes for financing part of the appropriation. Motion to hold a public hearing by Councilman Wright, seconded by Council President Pryor. All in favor. No comments from the public. Motion to close the public hearing by Councilman Palitto, seconded by Councilman Wright. All in favor.

ORDINANCE NO. 21-04

**BOND ORDINANCE PROVIDING AN APPROPRIATION
OF \$355,400 FOR VARIOUS CAPITAL IMPROVEMENTS IN
AND BY THE TOWNSHIP OF LOPATCONG, IN THE
COUNTY OF WARREN, NEW JERSEY AND
AUTHORIZING THE ISSUANCE OF \$335,400 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 \$355,400, such sum includes \$20,000 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 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 \$335,400 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 \$335,400 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 vehicles and equipment for the Department of Public Works, including loader tractor back hoe, all as shown on and in accordance with the plans and specifications thereon on file in the office of the Clerk and hereby approved.	\$120,000	\$114,000	15 Years
Acquisition of various equipment for the Fire Department, including but not limited to pagers, ventilation fans and replacement of garage door opener, all as shown on and in accordance with the plans and specifications thereon on file in the office of the Clerk and hereby approved.	40,000	38,000	5 Years
Improvements to various municipal properties, including but not limited to improvements to basketball courts and parking lots at municipal complex, including all work and materials necessary therefor and incidental thereto, all as shown on and in accordance with the plans and specifications thereon on file in the office of the Clerk and hereby approved.	100,000	95,000	15 Years
Acquisition of various equipment for the Police Department, including but not limited to mobile/portable radios, including all work and materials necessary therefor and incidental thereto, all as shown on and in accordance with the plans and specifications thereon on file in the office of the Clerk and hereby approved.	95,400	88,400	5 Years
TOTAL ALL PURPOSES	\$355,400	\$335,400	

(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 \$335,400.

(c) The estimated cost of the Improvement is \$355,400 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 11.19 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 \$335,400 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$35,000 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 \$335,400.

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 July 7, 2021 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 \$355,400 For Various Capital Improvements In And By The Township Of Lopatcong, In The County Of Warren, New Jersey And Authorizing The Issuance Of \$335,400 Bonds Or Notes Of The Township For Financing Part Of The Appropriation

Purpose(s): Acquisition of vehicles and equipment for the Department of Public Works, including loader tractor back hoe; Acquisition of various equipment for the Fire Department, including but not limited to pagers, ventilation fans and replacement of garage door opener; Improvements to various municipal properties, including but not limited to improvements to basketball courts and parking lots at municipal complex; Acquisition of various equipment for the Police Department, including but not limited to mobile/portable radios.

Appropriation: \$355,400

Bonds/Notes Authorized: \$335,400

Grants (if any) Appropriated: N/A

Section 20 Costs: \$35,000

Useful Life: 11.19 Years

M. Beth Dilts, Clerk

Motion to adopt this Ordinance by Council President Pryor, seconded by Mayor Mengucci. Roll call vote:

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

NAYS: None

Ordinance No. 21-05 – Second reading and public hearing on Bond Ordinance providing an appropriation of \$650,000 for various Road Improvements in and by the Township of Lopatcong and authorizing the issuance of \$513,100 Bonds or Notes for financing part of the appropriation. Motion to hold a public hearing by Councilman Wright, seconded by Councilman Palitto. All in favor. John Betz asked what road would be considered. Lori CieslaMotion to close the public hearing by Council President Pryor, seconded by Councilman Wright. All in favor.

ORDINANCE NO. 21-05

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$650,000 FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE TOWNSHIP OF LOPATCONG, IN THE COUNTY OF WARREN, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$513,100 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 \$650,000. Such sum includes the sum of (a) \$106,900 from the New Jersey Department of Transportation and (b) \$30,000 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 \$513,100 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 \$513,100 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 Belview Road, Anna Place, Stonehenge Drive (between Pudding Stone Way intersections) and Charles Road, including traffic stripping, curbing, milling and paving, 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 \$513,100.

(c) The estimated cost of the Improvement is \$650,000 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 10 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 \$513,100 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$225,000 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 \$513,100.

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

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 July 7, 2021 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 \$650,000 For Various Road Improvements In And By The Township Of Lopatcong, In The County Of Warren, New Jersey And Authorizing The Issuance Of \$513,100 Bonds Or Notes Of The Township For Financing Part Of The Appropriation.

Purpose(s): For various road improvements, including but not limited to Belview Road, Anna Place, Stonehenge Drive (between Pudding Stone Way intersections) and Charles Road, including traffic stripping, curbing, milling and paving, 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.

Appropriation: \$650,000

Bonds/Notes Authorized: \$513,100

Grants (if any) Appropriated: \$106,900 from the New Jersey Department of Transportation

Section 20 Costs: \$225,000

Useful Life: 10 Years

Motion to adopt Ordinance No. 21-05 by Councilman Wright, seconded by Council President Pryor. Roll call vote:

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

NAYS: None

Ordinance No. 21-07 – Second reading and public hearing to Prohibit the Operation of Any Class of Cannabis Businesses within its Geographical Boundaries and Amend Chapter 243 Zoning and Land Use, Article XIII General Regulations creating Section 65.3 Prohibited Uses to Add Cannabis Businesses to the List of Prohibited Uses. Motion to hold a public hearing by Councilman Wright, seconded by Councilman Palitto. All in favor. No comments from the public. Motion to close the public hearing by Councilman Wright, seconded by Council President Pryor. All in favor.

ORDINANCE NO. 21-07

SECOND NOTICE OF AN ORDINANCE

NOTICE is hereby given that a regular meeting of the Township Council of the Township of Lopatcong, County of Warren and State of New Jersey, held on Wednesday, July 7, 2021 at the Municipal Building, 232 South Third Street, Phillipsburg, New Jersey, the following Ordinance was presented and passed on the final reading. The Ordinance was then ordered to be published according to law by title only.

AN ORDINANCE OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN, STATE OF NEW JERSEY PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDED CHAPTER 243 “ZONING AND LAND USE,” ARTICLE XIII “GENERAL REGULATIONS,” CREATING SECTION 65.3 “PROHIBITED USES,” OF THE CODE OF THE TOWNSHIP OF LOPATCONG TO ADD CANNABIS BUSINESSES TO THE LIST OF PROHIBITED USES.

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

Margaret B. Dilts, CMC

Motion to adopt Ordinance No. 21-04 by Councilman Wright, seconded by Council President Pryor. Roll call vote:

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

NAYS: None

Resolution No. 21-83 – Establish pay rates.

R 21-83

RESOLUTION TO ESTABLISH PAY RATES FOR MUNICIPAL EMPLOYEES FOR THE YEAR 2021

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey shall set a two percent 2% raise (effective July 1, 2021) for the job titles as listed below. Titles marked with an * did not receive a two percent raise.

NOW, THEREFORE, BE IT RESOLVED that the following pay rates will be used during 2021 to compensate municipal employees:

	SALARY	HOURLY
*MAYOR	\$5,230.00	
*COUNCILPERSON	\$2,960.00	
TOWNSHIP CLERK – Margaret Dilts	\$138,021.14	
*TOWNSHIP ADMINISTRATOR – Margaret Dilts	\$15,600.00	
ELECTION BOARD CLERK – Margaret Dilts	\$1,545.71	

*PLANNING BOARD SECRETARY – Margaret Dilts	\$12,070.66	
*BOARD OF ADJUSTMENT SECRETARY – Patricia Segeda	Up to \$6,000.00	
*RENT LEVELING BOARD –	\$4,359.62	
CHIEF FINANCIAL OFFICER – Kimberley Browne	\$122,038.92	
TAX ASSESSOR – Robert Sweeney	\$41,955.07	
TAX/SEWER COLLECTOR - Daniele Lattig	\$65,794.90	
SUPERINTENDENT OF PUBLIC WORKS – Brian Weeks	\$89,809.81	
*MUNICIPAL COURT JUDGE – William Mennen	\$31,497.60	
*MUNICIPAL PROSECUTOR – Christopher Troxell	\$20,155.20	
MUNICIPAL COURT ADMINISTRATOR – Kristin Glinko	\$68,978.52	
*EMERGENCY MANAGEMENT OFFICIAL – Jason Garcia	\$2,065.19	
*DEPUTY EMERGENCY MANAGEMENT OFFICIAL – Patrick Rivoli	\$1,326.00	
*HERBICIDE LICENSE OPERATOR	\$2,000.00	
*CLEAN COMMUNITIES COORDINATOR	\$2,000.00	
SENIOR PAYROLL CLERK – Jennifer Patricia		\$30.22/Hr.
ANIMAL CONTROL REGISTRAR – Jennifer Patricia		\$18.00/Hr.
CUSTODIAN MUNICIPAL BUILDING – William Noto		\$18.56/Hr.
CUSTODIAN MUNICIPAL BUILDING – Heidi Shackleford		\$18.56/Hr.
MUNICIPAL COURT SECURITY – Michael Clancy		\$126.31/Session
RECORDS TECHNICIAN – Kathryn DeStefano		\$23.36/Hr.
*POLICE MATRON – Kathryn DeStefano		\$25.00/Hr.
SCHOOL CROSSING GUARDS		\$16.62/Hr.
CLASS III POLICE OFFICER-Donald Obley		\$26.01/Hr.
SENIOR PUBLIC WORKS REPAIRER – Joseph Bichler		\$35.86/Hr.
SENIOR PUBLIC WORKS REPAIRER – Joseph DiMassi		\$32.91/Hr.
PUBLIC WORKS REPAIRER – Brian Race		\$32.59/Hr.

LABORER – Scott Tettermer		\$25.00/Hr.
LABORER – Christopher Gara		\$25.00/Hr.
ACTING SUPERVISOR OF PUBLIC WORKS		\$1.00/Hr.
*PARK SEASONAL MAINTENANCE		\$20.00/Hr.
CONSTRUCTION OFFICIAL/BUILDING SUB-CODE OFFICIAL – John Fritts		\$45.90/Hr.
TECHNICAL ASSISTANT TO CONSTRUCTION OFFICIAL – Eileen Apple		\$26.37/Hr.
FIRE SUB-CODE OFFICIAL/FIRE PREVENTION – Kevin Maguire		\$40.00/Hr.
FIRE SUB-CODE OFFICIAL – Thomas Reynolds		\$40.00/Hr.
PLUMBING SUB-CODE OFFICIAL – Valentine DeSanto		\$40.00/Hr.
ELECTRICIAL SUB-CODE OFFICIAL – Paul Esposito		\$40.00/Hr.
ZONING OFFICIAL – Andrew Melendez		\$35.70/Hr.

NOW, THEREFORE, BE IT RESOLVED that the Township of Lopatcong, County of Warren and State of New Jersey, approve a two percent increase for employees as listed above.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, July 7, 2021.

Margaret B. Dilts, CMC

Motion to adopt this Resolution by Councilman Wright, seconded by Mayor Mengucci. Roll call vote:

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

New Business:

Ordinance No. 21-08 – First reading of an Ordinance to Amend, Revise and Supplement Chapter 227 “Vehicles and Traffic”, including Section 37B relative to Handicap Parking for Private Residences – eliminate Handicapped Parking Stall at 235 Aurora St.

ORDINANCE NO. 21-08

ORDINANCE OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN, STATE OF
NEW JERSEY TO AMEND, REVISE AND SUPPLEMENT CHAPTER 227 "VEHICLES
AND TRAFFIC", INCLUDING SECTION 37B RELATIVE TO
HANDICAPPED PARKING FOR PRIVATE RESIDENCES

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

WHEREAS, there is a need to amend provisions in Section 227-37B to eliminate an on-street handicap parking stall at 235 Aurora Street as a handicapped person no longer lives in the residence at 235 Aurora Street; and

NOW THEREFORE, BE IT ORDAINED by the Council of the Township of Lopatcong, County of Warren and State of New Jersey that Chapter 227 "Vehicles and Traffic", Section 37B be amended, revised and supplemented as follows:

SECTION 1

Section 227-37B of the Code relative to handicap parking on streets for private residences shall be amended to eliminate the on-street handicapped parking stall established for William Kowalchuk at 235 Aurora Street known as Block 20 Lot 13.

SECTION 2

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

SECTION 3

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

SECTION 4

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

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Township of Lopatcong held on July 7, 2021 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Council to be held on August 4, 2021 at 7:30 p.m. or as soon thereafter as the Township Council may hear this Ordinance at the Municipal Building, 232 South Third Street, Phillipsburg, NJ at which time all persons interested may appear for or against the passage of said Ordinance.

Margaret B. Dilts, CMC

Motion to adopt Ordinance No. 21-08 by Council President Pryor, seconded by Mayor Mengucci. Roll call vote:

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

NAYS: None

Resolution No. 21-84 – Award contract to Foveonics Imaging Technologies not to exceed \$15,000 to digitize Township records through the Educational Services Commission of New Jersey Co-op Agreement No. 65MCESCCPS.

RESOLUTION NO. 2021-84

**AUTHORIZE CONTRACT IN THE AMOUNT OF \$15,000
WITH FOVEONICS IMAGING TECHNOLOGIES FOR
DOCUMENT IMAGING SERVICES UNDER THE COOPERTIVE
PRICING SYSTEM # 65MCESCCPS**

WHEREAS, Pursuant to N.J.S.A 40A:11-11 and N.J.A.C. 5:34-7, the Council of the Township of Lopatcong has authorized the use of the Educational Services Commission of New Jersey Cooperative Pricing System to contract with various vendors for goods and services; and

WHEREAS, N.J.S.A 40A:11-11 permits the award of a contract without the necessity of competitive bidding; and

WHEREAS, The Township of Lopatcong is in need of document imaging services; and

WHEREAS, Foveonics Imaging Technologies is an authorized vendor under Agreement #65MCESCCPS; and

WHEREAS, Foveonics Imaging Technologies has submitted a proposal, dated March 4, 2020, for document imaging services; and

WHEREAS, the Chief Financial Officer has certified the funds are available for this purpose and appropriated the amount of \$15,000.00 for digitizing of Township records.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lopatcong, County of Warren and State of New Jersey that a contract with Foveonics Imaging Technologies under Education Services Commission of New Jersey Cooperative Pricing System #65MCESCCPS in hereby approved.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, July 7, 2021.

Margaret B. Dilts, CMC

Motion to adopt this Resolution by Council President Pryor, seconded by Councilman Wright.
Roll call vote:

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

NAYS: None

Ordinance No. 21-09 – Establish position of Deputy Supervisor of the Department of Public Works. This item was pulled from the Agenda.

Resolution No. 21-85 – Support of the Scenic Byway through Lopatcong Township. This item was tabled on motion by Council President Pryor, seconded by Mayor Mengucci. Council President Pryor noted this has been discussed and objected to in the past by both the Council and

the Planning Board. The County has offered to meet with the Council and gain a better understanding of this. Warren County Planning Board Director Dave Dech said there is a July 12th meeting set up through WebEx which Council can participate and he will send information to the Clerk. Council voted all in favor to table.

Resolution No. 21-86 - Award contract under NJ State Pricing Contract No. T3063 to Route 23 Auto mall for the purchase of a 2022-F600 Chassis 4x4 SD Regular Cab 169” WB DRW XL (F6L) in the amount of \$111,977.00. Tabled on motion by Council President Pryor, seconded by Councilman Wright. All in favor.

Debilitated Properties - Discussion surrounding debilitated properties within the Township. Report these properties to the Zoning and Building Depts. Three properties the Mayor had in mind; one is behind and owned by the care center, the old Morrie’s Acres property and a milk house on the Santini Farm.

Consent Agenda:

Motion to approve Consent Agenda by Councilman Wright, seconded by Mayor Mengucci. Roll call vote:

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

NAYS: None

Resolution No. 21-87 – Authorize refund for a Tax Overpayment for Block 86.04, Lot 16 in the amount of \$1,912.61.

R 21-87

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AMENDING RESOLUTION NO. 20-134 TO ISSUE A REFUND
FOR A TAX OVERPAYMENT FOR BLOCK 86.04, LOT 16

WHEREAS, on October 7, 2020, the Township Council of the Township of Lopatcong approved Resolution No. 20-134 granting a disabled veteran tax exemption on Block 86.04, Lot 16 with an approval date of September 11, 2020; and

WHEREAS, the resident has supplied a copy of his deed dated May 29, 2020 and requested that his tax exemption be amended to reflect the date of the deed; and

WHEREAS, the Township Council wishes to honor the tax exemption reflective of the date of the deed; and

WHEREAS, the tax collector has calculated the amount of the overpayment from May 29, 2020 to September 11, 2020 to be \$1,912.61.

NOW, THEREFORE, BE IT RSOLVED that the Township Council of the Township of Lopatcong hereby authorizes a refund in the amount of \$1,912.61 to: Mark J & Cindy L Gonzalez, 11 Dinah Drive, 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, July 7, 2021.

Margaret B. Dilts, CMC

Resolution No. 21-88 – Authorize redemption of Tax Sale Certificate No. 2020-034 on Block 99, Lot 276C1250 in the amount of \$4,254.08 and Premium of \$3,300.00.

R 21-88

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE
NO. 2020-034 ON BLOCK 99, LOT 276 C1250

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 29, 2020, a lien was sold on Block 99, Lot 276 C1250 also known as 1250 Fairview Circle for delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2020-034 was sold to US Bank Cust/Pro Cap 8/Pro Cap; and

WHEREAS, on June 30, 2021 the mortgage company for the property owner has satisfied the redemption amount on Certificate No. 2020-034 in the amount of \$4,254.08, Premium \$3,300.00.

NOW, THEREFORE, BE IT RESOLVED on this 7th day of July, 2021, the Chief Financial Officer is authorized to issue a check in the amount of \$4,254.08, Premium \$3,300.00 for the redemption of Tax Sale Certificate No. 2020-034 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, July 7, 2021.

Margaret B. Dilts, CMC

Resolution No. 21-89 – Authorize Redemption of Tax Sale Certificate No. 2020-045 on Block 116.10, Lot 8 C0138 in the amount of \$2,401.81.

R 21-89

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE
NO. 2020-045 ON BLOCK 116.10, LOT, 8 C0138

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 29, 2020, a lien was sold on Block 116.10, Lot 8 C0138 also known as 138 Limerick Lane for delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2020-045 was sold to US Bank Cust/Pro Cap 8/Pro Cap; and

WHEREAS, on June 18, 2021, the mortgage company for the property owner has satisfied the redemption amount on Certificate No. 2020-45 in the amount of \$2,401.81.

NOW, THEREFORE, BE IT RESOLVED on this 7th day of July 2021, that the Chief Financial Officer is authorized to issue a check in the amount of \$2,401.81 for the redemption of Tax Sale Certificate No. 2020-045 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, July 7, 2021.

Margaret B. Dilts, CMC

Lopatcong Website – Authorize payment to Lori Ciesla for Website training by Granicus in the amount of \$1200.00.

Resolution No. 21-90 – Approve award from New Jersey Dept. of Law and Public Safety for SFY21 Body-Worn Camera Grant in the amount of \$24,456.00.

R 21-90

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO AWARD GRANT FROM NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY FOR SFY21 BODY-WORN CAMERA GRANT IN THE AMOUNT OF \$24,456.00

WHEREAS, the State of New Jersey Department of Law and Public Safety in accordance with the provisions of P.L. 2020, c. 142, N.J.S.A. 40A:14-118.3-5 and the Attorney General Law Enforcement Directive No. 2015-1 has awarded the Township of Lopatcong Police Department a grant for SFY21 Body-Worn Camera Grant; and

WHEREAS, the Grant State Award No. 21-BWC-238 was awarded on the Date 6/29/2021 for the Award Period of January 1, 2021 – December 31, 2025; and

WHEREAS, the State Account No. BFY21-100-066-1020-495 does identify the State amount and any in-kind or cash match as follows:

State: \$24,456.00

Match: \$0

Total \$24,456.00

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey does accept the Award for the purpose described in the application.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, July 7, 2021.

Margaret B. Dilts, CMC

Resolution No. 21-91 – Approve estimated Tax Bills.

RESOLUTION NO. 21-91

**RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING THE MUNICIPAL TAX COLLECTOR TO
PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 19094,
C 72**

WHEREAS, due to the late adoption of the State of New Jersey's budget the County Board of Taxation is unable to certify the tax rate at this time and the municipal Tax Collector will be unable to mail the tax bills on a timely basis;

WHEREAS, the municipal Tax Collector in consultation with the municipal Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lopatcong, in the County of Warren and the State of New Jersey on this 7th day of July 2021 as follows:

1. The Municipal Tax collector is hereby authorized and directed to prepare and issue estimated tax bills for the municipality for the third installment of 2021 taxes. The Tax Collector shall proceed and take such actions as permitted and required by P.L. 1994, c72 (N.J.S.A. 54:4- 66.2 and 54:4-66.3).
2. The estimated tax levy for 2021 is hereby set at \$27,906,380.39.
3. In Accordance with law the third installment of 2021 taxes shall not be subject to interest until the later of; the grace period or the twenty-fifth calendar day after the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date which interest may begin to accrue.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, July 7, 2021.

Margaret B. Dilts, CMC

Resolution No. 21-92 – Submit Grant Application to the Dept. of Transportation for the Baltimore Street Improvement Project.

R 21-92

**RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF
NEW JERSEY TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT
WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE BALTIMORE
STREET IMPROVEMENT PROJECT**

NOW, THEREFORE, BE IT RESOLVED that Council of the Lopatcong Township of Lopatcong formally approves the grant application for the above state project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Lopatcong and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

On this day of , 21

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grants agreement and approves the execution of the grant agreement as authorized by the resolution above.

CERTIFICATION

Margaret B. Dilts, CMC

Councilman Palitto – Reported that a meeting was held last Tuesday between the Recreation Committee and EDAC. The meeting went very well – a lot of good ideas. There's going to be a Rec. meeting next Wednesday at the pavilion. Community Day is scheduled for September 4. Town wide Garage Sale is September 18th.

NAYS: None

Attorney Campbell – Two items from Executive Session that require action – approve the Employee Manual in its current form- some additional changes may be made. Changes to vacation and sick time, added Cannabis to the employee Drug Policy and a CDL medical requirement along with some page number changes. Motion by Councilman Wright, seconded by Mayor Mengucci. Roll call vote:

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

NAYS: None

Attorney Campbell noted the second item to approve the Chief's Contract – Motion by Councilman Wright, seconded by Mayor Mengucci. Roll call vote:

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

NAYS: None

Engineer Sterbenz – Reported on the road program that it would be best if the Township approached the road work in the spring of next year. Some of the work can be completed this fall; drainage structure repairs and sanitary sewer repairs and handicap ramps. The cost of the asphalt is high right now

Police Chief Garcia – Last year there was no National Night Out but it will be held this year on August 3rd from 5:00 to 8:00 pm at the pavilion.

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

Payment of Bills – Motion to approve by Council President Pryor, seconded by Councilman Palitto. Roll call vote:

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

NAYS: None

Audience Participation:

John Betz – 225 Red School Lane. Brakeley Gardens tenants' organization is under the Rent Control Program in Lopatcong and about three years or more there is not an active Board. Attorney Campbell noted that the Council is going to appoint two members from the Council – Councilman Palitto and Councilman Belcaro to sit on the Rent Board until volunteers are appointed. Motion to appoint two Council members by Councilman Palitto, seconded by Mayor Mengucci. Roll call vote:

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

NAYS: None

Lori Ciesla – 12 Meadowview Drive – Spoke to Council about a park planner and if the drainage problems on the fields would be included in the plan. The next Scenic Byway Meeting is July 12th. Thanked the Council with regard to the Health and Wellness Field Day for turning on equipment to store the food which then was sent to the Food Bank.

Tom Discafani – Lives in Rosehill on Youngs Road. Asked if anyone was interested in a Baseball League. Asked the Council to reconsider ordinances regarding regulations for walking dogs in the park.

Joe DiMassi – 254 Lows Hollow Road and DPW employee. Wanted to circle back to what was said about the raises. I didn't hear you mention a percentage that you were giving and I also heard you say from July and asked if there was back pay back to January for all employees across the Board. Mayor said 2% from July.

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

Respectfully submitted,

Margaret B. Dilts, CMC
Clerk/Administrator

James E. Mengucci
Mayor

