

TOWNSHIP OF LOPATCONG  
Council Meeting

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

July 6, 2022

---

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 McQuade, Councilman Palitto, Council President Wright, Mayor Mengucci. Also, present were Attorney Campbell and Engineer Sterbenz.

**Public Comment:**

John Betz – Explain Ordinance No. 22-07.

**Old Business:**

**Minutes** – Approve June 2<sup>nd</sup> Executive and Regular Sessions and June 15<sup>th</sup> Special Meeting. Motion by Councilman Palitto, seconded by Councilman McQuade. Roll call vote:  
AYES: Councilman McQuade, Councilman Palitto, Council President Wright, Mayor Mengucci.  
NAYS: None

**Ordinance No. 22-05** – Bond Ordinance second reading and public hearing to provide an appropriation of \$416,000 for various capital improvements and in and by the Township of Lopatcong in the County of Warren, New Jersey and authorizing the issuance of \$391,000 Bonds or Notes for financing part of the appropriation. Motion to hold a public hearing by Council President Wright, seconded by Councilman Palitto. All in favor. No comments. Motion to close public hearing by Councilman Palitto, seconded by Council President Wright. All in favor.

**ORDINANCE NO. 2022-05**

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$416,000 FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF LOPATCONG, IN THE COUNTY OF WARREN, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$391,000 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 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 \$416,000, such sum includes \$25,000 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 \$391,000 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 \$391,000 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 various equipment for the Fire Department, including but not limited to structural gear, SCBA bottles, nozzles, hoses and headsets, all as shown on and in accordance with the plans and specifications thereon on file in the office of the Clerk and hereby approved.	\$51,000	\$47,000	5 Years
Acquisition of various equipment for the Police Department, including but not limited to patrol rifles and duty-off duty weapons, 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.	45,000	40,000	5 Years
Improvements to various municipal properties, including but not limited to renovation of the Municipal Building front entrance, basketball courts and parking lots, 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 vehicles and equipment for the Department of Public Works, including loader, tractor and 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.	\$220,000	\$209,000	15 Years
<b>TOTAL ALL PURPOSES</b>	<b>\$416,000</b>	<b>\$391,000</b>	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvement is \$391,000.

(c) The estimated cost of the Improvement is \$416,000 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 12.77 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 \$391,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$40,000 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 \$391,000.

**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 6, 2022 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 \$416,000 For Various Capital Improvements In And By The Township Of Lopatcong, In The County Of Warren, New Jersey And Authorizing The Issuance Of \$391,000 Bonds Or Notes Of The Township For Financing Part Of The Appropriation

**Purpose(s):** Acquisition of various equipment for the Fire Department, including but not limited to structural gear, SCBA bottles, nozzles, hoses and headsets; Acquisition of various equipment for the Police Department, including but not limited to patrol rifles and duty-off duty weapons; Improvements to various municipal properties, including but not limited to renovation of the Municipal Building front entrance, basketball courts and parking lots; and Acquisition of vehicles and equipment for the Department of Public Works, including loader, tractor and back hoe.

**Appropriation:** \$416,000

**Bonds/Notes Authorized:** \$391,000

**Grants (if any) Appropriated:** N/A

**Section 20 Costs:** \$40,000

**Useful Life:** 12.77 Years

M. Beth Dilts, Clerk

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

AYES: Councilman McQuade, Councilman Palitto, Council President Wright, Mayor Mengucci

NAYS: None

**Ordinance No. 22-06** – Bond Ordinance second reading and public hearing to provide an appropriation for various road improvements in and by the Township of Lopatcong, County of Warren and State of New Jersey and authorizing the issuance of \$574,000 Bonds or Notes for financing part of the appropriation. Motion to hold a public hearing by Council President Wright, seconded by Mayor Mengucci. All in favor. Donna Schneider inquired as to what roads. Motion to close public hearing by Council President Wright, seconded by Councilman McQuade. All in favor.

### **ORDINANCE NO. 22-06**

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$750,000 FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE TOWNSHIP OF LOPATCONG, IN THE COUNTY OF WARREN, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$574,000 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 \$750,000. Such sum includes the sum of (a) \$141,000 from the New Jersey Department of Transportation and (b) \$35,000 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 \$574,000 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 \$574,000 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 (between Red School Lane and Strykers Road), Stonehenge Drive (between Pudding Stone Way and Buckley Hill Drive) and Jade Lane, 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 \$574,000.

(c) The estimated cost of the Improvement is \$750,000 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 \$574,000 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 \$574,000.

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**

**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 6, 2022 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 \$750,000 For Various Road Improvements In And By The Township Of Lopatcong, In The County Of Warren, New Jersey And Authorizing The Issuance Of \$574,000 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 (between Red School Lane and Strykers Road), Stonehenge Drive (between Pudding Stone Way and Buckley Hill Drive) and Jade Lane, 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: \$750,000

Bonds/Notes Authorized: \$574,000

Grants (if any) Appropriated: \$141,000 from the New Jersey Department of Transportation

Section 20 Costs: \$225,000

Useful Life: 10 Years

M. Beth Dilts, Clerk

Motion to adopt this Ordinance by Councilman Palitto, seconded by Mayor Mengucci. Roll call vote:

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

NAYS: None

**Ordinance No. 22-07** – First reading to Repeal and Replace Article III of Chapter 203 of the Code of the Township of Lopatcong entitled "Excavations and Openings", and Establish a New Article III.

**ORDINANCE NO. 2022-07**

**TOWNSHIP OF LOPATCONG  
WARREN COUNTY, NEW JERSEY**

**AN ORDINANCE TO REPEAL AND REPLACE ARTICLE III OF CHAPTER 203 OF  
THE CODE OF THE TOWNSHIP OF LOPATCONG ENTITLED " EXCAVATIONS  
AND OPENINGS", AND ESTABLISH A NEW ARTICLE III**

**BE IT ORDAINED** by the Township Council of the Township of Lopatcong, County of Warren, State of New Jersey, that Article III of Chapter 203 entitled "Excavations and Openings" consisting

of Sections 203-12 through 203-22.1 be and hereby is repealed in its entirety and replaced with the following new Article III as follows:

## **Section 1**

### **ARTICLE III EXAVACATIONS AND OPENINGS**

#### **Section 203-12 Permit Required.**

No person, persons, partnership, association or corporation shall excavate, dig, test drill, tunnel, construct or reconstruct or otherwise disturb any public street, road, highway, curb, sidewalk, culvert, utility structure or other public improvement or facility located within any public right-of-way, easement, or property of the Township of Lopatcong, for the purpose of laying, changing, repairing, connecting, constructing or maintaining any water, gas, sewer pipe, or any electric, telephone, telegraph pipes or conduits, or for any other purpose whatsoever, without first having obtained a permit from the Township , in accordance with the rules and procedures specified herein.

#### **Section 203-13 Permit Duration.**

- A. Permit duration. Permits shall be valid for one year from the date issued. After said date, the permit will be void and a new permit must be obtained. If an extension is necessary to complete all work included under the permit, a request in writing must be made to the Township.
- B. Permit extensions. A permit may be renewed or extended for a period of time not to exceed the total time of the original permit, upon request of the permittee and upon payment of a new fee.
- C. Permits issued under the provisions of this regulation are not transferable.
- D. Revocation of permits. Permits may also be revoked at any time if it is found by the Township that the permittee has failed to comply with the provisions of this regulation or the permit, provided that written notice has been given to the permittee of such failure and that the permittee has failed to correct the defect. If, after permit revocation, it becomes necessary for the Township to either complete the work or to refill and repair the opening, the cost of such work by the Township will be recovered through the performance guaranty which was posted by the permittee.

#### **Section 203-14 Exemptions.**

- A. The provisions of this regulation shall not apply to work involved within the rights-of- way of roads or easements owned, regulated and within the responsibility of the County of Warren or the State of New Jersey, or their various departments, bureaus or agencies.
- B. The provisions of this regulation shall not apply to the installation, erection, replacement or maintenance of wood utility poles for electric distribution, telephone or telegraph installations, nor to such other appurtenances such as stub poles, anchors, guys or ground lines, incidental to these poles, where such poles and appurtenances belong to any of the franchised public utility companies operating within the County.

#### **Section 203-15 Application Requirements.**

- A. Applications for street opening permits shall include the following information:

- (1) Street opening application form. Application forms shall be obtained from the Township Clerk or Township Engineer.
  - (2) Plan or sketch showing the location of the proposed work in relation to existing streets; existing facilities such as pavement, curbing, sidewalk, driveways, drainage facilities and utilities in the work area; and details of the proposed work including limits and depth of excavation, proposed facilities, and trench restoration details.
  - (3) Estimate of quantities and cost of the work and estimate of days to complete in half day increments.
  - (4) Application fee and escrow deposit.
  - (5) Performance guaranty.
  - (6) Certificate of insurance.
- B. The application shall include the name of the individual, firm, partnership, corporation or utility company for whom the work is being performed. The application shall be signed by a duly authorized officer or agent of the company for whom the work is being performed.
- C. The application and supporting documents shall be submitted to the Township Clerk.
- D. The Township Engineer shall be the issuing authority for street opening permits. Upon receipt of an application for a street opening permit, the Township Engineer shall submit one copy of the application to the Township Attorney for review.

- E. Upon completion of his review, the Township Engineer shall notify the applicant either that the application is approved or denied along with reasons for the denial. If, however, additional information is deemed necessary to complete his review, the Township Engineer shall notify the applicant of the additional information which is required to be submitted.
- F. A copy of the street opening permit shall be maintained on the work site by the contractor/permittee for inspection upon request by the proper authorities.
- G. All applicants granted a street opening permit shall be responsible for properly conducting the work in accordance with the requirements of this chapter.

**Section 203-16 Application and Escrow Fees.**

A. Application fees

- (1) 0 to 50 sf. \$50.00
- (2) 51 to 300 sf. \$300.00
- (3) Over 300 sf. \$500.00

B. Inspection escrows

- (1) 0 to 50 sf. \$750.00 per day (\$375.00 per half day)
- (2) 51 to 300 sf. \$750.00 per day (\$375.00 per half day)
- (3) Over 300 sf. \$750.00 per day (\$375.00 per half day)

Separate checks shall be required for application and escrow fees.

**Section 203-17 Performance guaranty.**

- A. A performance guaranty in the amount equal to 120% of the construction cost estimate shall be provided as security for the faithful performance of all work. The performance guaranty shall be a certified check, bank draft, irrevocable letter of credit or performance bond. Surety company bond forms meeting the requirement of the State of New Jersey are acceptable. The performance guaranty will be returned to the applicant upon successful completion of all work and acceptance by the Township . If all work is not completed in conformance with the permit requirements, the Township may, at its option, use the performance guaranty to complete all work affecting the Township facility.
- B. Public utilities. Public utility corporations of the State of New Jersey may, in lieu of the above performance guaranty, file a corporate bond on a yearly basis in an amount of \$10,000.00.

Such corporation bond would cover all construction operations of the public utility corporation within the Township, thereby exempting said utility from the necessity to file performance guaranties for individual opening projects. However, such public utility corporations, operating under the terms and protection of a corporate bond, will still be required to make application for each opening permit, to file the application fee and to pay all costs to the Township.

#### **Section 203-18 Maintenance Guaranty.**

- A. Upon satisfactory completion of the work, the permittee shall provide a maintenance guaranty in the amount of 5% of the final construction cost to be in effect for a minimum period of one year. The maintenance guaranty shall be a certified check, bank draft, letter of credit or maintenance bond.
- B. Public utility corporations of the State of New Jersey may, in lieu of providing a maintenance guaranty for each project, provide a blanket guaranty or warranty in lieu of a maintenance bond.

#### **Section 203-19 Insurance.**

- A. The permittee/contractor who will actually be performing the work shall continuously maintain insurance and other security for adequate protection of all his work from damage and shall protect the Township's property from damage, injury or loss arising in connection with the contract. The permittee/contractor shall completely indemnify the Township in regard to any such damage, injury or loss. The permittee/contractor shall take all necessary precautions for the safety of personnel on the work site and shall comply with all applicable provisions of federal, state and municipal safety laws and building codes to prevent accidents or injury to persons on, about or adjacent to the premises where, the work is being performed. The permittee/contractor shall erect and properly maintain at all times, as required by the conditions and progress of the work, all necessary safeguards for the protection of workmen and the public. If it becomes necessary for the permittee/contractor, either as principal or by agent or employee, to enter upon the premises or property of the Township in order to construct, erect, inspect, make delivery, or remove property hereunder, the permittee/contractor hereby covenants and agrees to take, use, provide and make all proper, necessary and sufficient precautions, safeguards, and protection against the occurrence of happenings of any accidents, injuries, damages or hurt to any person or property during the progress of the work herein covered, and to be responsible for and to indemnify and hold harmless the Township from the payment of all sums of money by reason of all, or any, such accidents, injuries, damages, or hurt that may happen or occur upon or about such work.
- B. The permittee/contractor who will actually be performing the work shall procure and maintain:
  - (1) Worker's compensation and employer's liability insurance in conformance with all statutory requirements prescribed by law, which shall be maintained in force during the life of this permit by the permittee/contractor, covering all employees engaged in performance of this permit in accordance with the applicable statute.

(2) General liability insurance with limits of not less than \$1,000,000 for any one person and \$1,000,000 for any one accident for bodily injury and \$300,000 aggregate for property damage shall be maintained in force during the life of the permit by the permittee/contractor. The permittee/contractor shall procure and maintain an umbrella or excess policy with limits of not less than \$5,000,000 for any one person or any one accident for bodily injury unless a lesser limit is approved by the Township. In the event more than one insured is named in the policy, a cross-liability endorsement shall be included which provides that the employees of each of the named insured are not excluded under the policy in respect to claims that are made against other named insured.

(3) Automobile liability insurance covering permittee/contractor for claims arising from owned, hired and no-owned vehicles with limits of not less than \$1,000,000 for any one person and \$1,000,000 for any one accident for bodily injury and \$500,000 each accident for property damage, shall be maintained in force during the life of this permit by the permittee/contractor.

C. Lesser insurance coverages may be allowed for projects with moderate or medium liability exposure in accordance with the Township's insurance coverage guidelines. Major or high hazard projects undertaken may require higher limits and specific coverages as recommended by the Township's insurance agent.

D. A thirty-day notice of cancellation provision shall be provided.

E. Certificates of the required insurance as listed above shall be submitted with the Township of Lopatcong and the Township Engineer listed as additional insureds.

F. Public utilities and municipalities may submit insurance certificates on an annual basis.

### **Section 203-20 Street openings in new pavement.**

Whenever the governing body enacts any ordinance or resolution providing for the reconstruction or resurfacing of any street, the Township Engineer shall promptly mail a written notice thereof to all owners of utilities within said street. Such notice shall notify the utility owner that street opening permits for said street will not be issued for a period of five years after the date of enactment of the ordinance or resolution. The notice shall also advise that any application for street opening permits in said street shall be promptly submitted in order that the excavation work can be done prior to the street being repaved. During the five-year period no street opening permit shall be issued to excavate a newly reconstructed or resurfaced street unless, in the judgment of the Township, an emergency, as described in this chapter, exists which makes it essential that the street opening permit be issued.

### **Section 203-21 Emergency openings.**

In the event of an emergency in which a sewer, water main, gas line or other conduit breaks or bursts such as to endanger the property, life, health or safety of any individual, the person, firm or corporation owning such line, without first applying for a street opening permit, shall immediately notify the Township Engineer and then take proper action to cure or remedy the hazardous situation. After remedying the immediate situation, the person or firm owning the utility line shall apply for a street opening permit in accordance with the provisions of this chapter within 48 hours of the repair. The owner shall not proceed with any permanent repair until he has first obtained a street opening permit.

### **Section 203-22 Construction and inspection procedures.**

- A. Work schedule. No work on this permit shall be performed on Saturdays, Sundays or legal holidays. The Township may waive this requirement only if it is in the Township's best interest for public safety or construction conditions that warrant job continuation.
- B. Accident prevention. The permittee/contractor shall take all necessary precautions to ensure safety at all times with all construction-related activities. The U.S. Department of Labor, Occupational Safety and Health Administration (OSHA) Regulations 29 CFR, shall be complied with at all times. The permittee's/contractor's attention is particularly directed to the requirements of the current Construction Safety Code promulgated by the New Jersey Department of Labor and Industry, Bureau of Engineering and Safety. Article 3.6 of the Construction Safety Code states the requirements regarding reporting of accidents involving injury, loss of life and property damage. Failure to comply with applicable safety standards will result in appropriate action by the Township to ensure that safety is maintained on the project.
- C. Maintenance and protection of traffic. The permittee/contractor shall be responsible for maintenance and protection of traffic during construction along or adjacent to the roadway. The current edition of the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD), U.S. Department of Transportation (USDOT), and all amendments thereto, shall govern the maintenance and protection of traffic during construction. The Township may specify that the permittee/contractor prepare a traffic control plan to ensure the safe and expeditious movement of traffic through work zones. Applicants shall contact the State Police for traffic control input and/or assistance at least 72 hours prior to the commencement of work.
- D. Commencement of work. Prior to the commencement of work, the permittee/contractor shall call the New Jersey One-Call Damage Prevention System (1-800-272-1000) for the mark out of all underground utilities. At least 24 hours before the permittee/contractor plans to commence work under a street opening permit, the permittee/contractor shall advise the Township Engineer that the work is to start. The permittee/contractor shall also contact the Township's department of public works for the mark out of any Township owned facilities.
- E. Supervision. The permittee/contractor shall have a qualified supervisor at the site of the opening work during all working hours.
- F. Inspection. The Township Engineer shall be responsible for inspection of the work. All



materials, including excavated materials, are subject to inspection and approval by the Township. Where the planned opening will be made through, adjacent to or near another existing public utility facility, the permittee/contractor shall notify said utility company, whose representative shall be given access to the construction to observe and inspect that portion of the work involving said utility facility.

- G. Protection of private property. Prior to starting work on the opening, it shall be the responsibility of the permittee/contractor to advise each nearby or adjacent property owner whose property will be temporarily inconvenienced or disturbed by the project when the work will be commenced and what effect the work will have on the owner's use of his property. The permittee/contractor will be solely responsible for any damage, inconvenience or disruption to nearby or adjacent properties, and will hold the Township harmless from any claims arising from the conduct of work. It will be the permittee's/contractor's obligation and responsibility to arrange for any rights of entry or easements needed. The permittee/contractor shall not store tools, machinery, materials, dirt or debris on private property. The permittee/contractor shall not use water, electricity, telephone or other private facilities without first obtaining permission from the property owner.
- H. Conduct of the work. The work shall be done in an efficient and workmanlike manner and in accordance with the plans and specifications, using proper tools, machinery, materials and manpower to affect a quality and expeditious job. Failure to perform in a manner satisfactory to the Township according to the standards set forth herein may result in revocation of the permit. Where the Township Engineer deems it necessary for the protection of the public, or to proper installation of the permittee's facilities, he may order a cessation of work by the permittee/contractor pending such action by the governing body, provided that such cessation order may in no event exceed eight days in duration. Except under emergency conditions, all work will be conducted between the hours of 7:00 a.m. and 7:00 p.m. or dusk, whichever comes first.
- I. Maintenance of opening. After the permanent repair has been completed and approved by the Township's Engineer, the permittee shall be responsible for maintaining the opening for a period of 12 months. This work shall include refilling, compacting, repaving, repairing damage, restoring turf or shrubbery, as necessary. The permittee's maintenance bond shall be released at the end of the twelve-month maintenance period, subject to the satisfactory condition of the opening.
- J. Street closings. The permittee/contractor shall not close or obstruct any streets, sidewalks, alleys or passageways unless specifically authorized by the Township . Prior to the actual closing, the permittee/contractor shall also notify the Township Engineer and Fire Chief of the anticipated dates and duration of the closing. No material whatsoever shall be placed or stored in streets, alleys or passageways. The permittee/contractor shall conduct its operations so as to interfere as little as possible with the use ordinarily made of any roads, streets, driveways, alleys, sidewalk facilities, etc., near enough to the work to be affected thereby.

K. Cleanliness. If dust, dirt, air pollution, poor housekeeping or detrimental material are allowed to exist, occur or continue as a result of the work to the point where the public is unduly inconvenienced or disturbed, in the opinion of the Township, the Township may stop the work until the condition is corrected. Streets are to be kept broom-cleaned on a daily basis. If dust persists, streets may be required to be hosed clean. The Township may direct the permittee/contractor to spread dust-inhibiting chemicals.

### **Section 203-22.1 Construction Standards.**

- A. Aboveground Utilities. All aboveground utility installations should be in accordance with the standards established by the New Jersey Department of Transportation for utility accommodation in Chapter 25 of the New Jersey Administrative Code. Utility companies shall contact the Township prior to poles being relocated or new poles installed to make sure that installations will not conflict with future road improvements.
- B. Removal of Existing Features. The existing pavement, blacktop or concrete shall be cut in a straight line or lines, prior to any subsurface excavation, which shall be confined to the area between the cuts. If pavement, curbing, sidewalk, or other surface construction becomes damaged, ragged or zig-zagged when it comes time to repave or replace the facility, the edges shall be cut or recut in a straight line or lines to the satisfaction of the Township, in general parallel with the lines of the excavated trenches and in a width sufficient to accommodate the entire excavation and to create a smooth finished appearance when the construction is completed.
- C. Curbs, Sidewalks, Driveways, etc. Where the opening involves cutting through existing curbs, sidewalks, driveways and any other surface structures, the permittee/contractor shall rebuild or replace such surface structures as closely as possible duplicating the original as to dimensions, grade, appearance and materials. Curbs, sidewalks, concrete aprons and other miscellaneous concrete structures shall be reconstructed with NJDOT Class "B" concrete air-entrained.
- D. Existing Pipes, Utilities, Subsurface Structures. Any existing subsurface pipes, utility lines, drains, foundations, abutments, inlets or other structures that may be disturbed, damaged, or removed during the necessary opening work are to be replaced, reconstructed or repaired under the direction of the Township and the appropriate officials of the utility company whose facility may be involved. Such replacement, reconstruction or repair shall be made using materials, methods and standards of workmanship as specified by the Township, or, in the case of a public utility facility, to the standards imposed by said utility. Caution and care shall be exercised by the permittee/contractor not to disturb such existing structures or facilities exposed by the opening and found to be in or adjacent to the opening.
- E. Tunneling. In cases where it becomes necessary to resort to tunneling operations to accomplish the opening work in a most practical way, then the backfill in such tunnel shall be rammed soil composed of a mixture by volume of one part cement to six parts of aggregate material such as sand or three-quarter-inch quarry blend stone. Tunneling shall be permitted only with the approval of the Township and when the need for tunneling is indicated on the application for permit. Jacking or drilling is not considered to be tunneling.

F. Jacking and Drilling. Jacking and drilling will be permitted when the need is indicated and when the applicant's engineer certifies that in his opinion other existing structures or utilities will not be disturbed or damaged thereby.

G. Blasting. No blasting shall be allowed unless the Township is notified in advance. Blasting and the use of explosives shall be permitted provided that all aspects of blasting and the use and storage of explosives shall, at all times, be in accordance with the provisions of the Explosives Act (N.J.S.A. 21: 1A-i28 et seq.).

H. Surplus Materials. The permittee/contractor shall remove all surplus or unusable fill, debris and other materials from the job site at his own expense. The area shall be cleaned up and restored at the end of the work, to the satisfaction of the Township . Machinery, vehicles and tools of the permittee/contractor shall be promptly removed from the job site when the work has been completed.

I. Excavation.

(1) The trench shall be excavated along the lines designated on the approved plans and to a depth sufficient to provide cover over the mains of not less than four feet, except where greater or lesser depths of cover are shown on the detailed plans or are necessary due to the existence of utilities or to connect to existing lines. The trench shall be not less than one foot and no more than two feet wider at the bottom than the outside diameter of the pipe. Where the trench is excavated at any place below the proper grade, excepting at joints, it shall be refilled to grade with sand or loam and thoroughly compacted.

(2) No more than 100 feet of trench will be opened in advance of the utility installation, unless permitted by the Township Engineer. All open trenches shall be backfilled by the end of the work day.

(3) The material excavated shall be laid compactly on the side of the trench and kept trimmed up so that it will be of as little inconvenience as possible to the traveling public and to adjoining tenants. Where the streets are paved, the paving material shall be kept separate from the other materials excavated. All streets shall be kept open for travel unless otherwise approved by the Township.

J. Sheeting and Bracing.

(1) The permittee/contractor is solely responsible for the safety of the job site. The permittee/contractor shall furnish, put in place and maintain such sheeting and bracing, etc., as may be required to support the sides of the excavation and to prevent any movement of earth which could in any way diminish the width of the excavation below that necessary for proper construction.

- (2) All trenching operations will comply with Occupational Safety and Health Administration (OSHA) regulations 29 CFR 1926.1. Safety requirements and precautions for excavations will be implemented prior to that work being commenced.

K. Temporary Trench Plating.

- (1) All temporary trench plating shall be designed to carry all legal highway loads. The plating shall be properly supported and anchored to prevent all movement. All plating intended to be left in place overnight shall be recessed into the adjoining pavement so that the top surface of the plating is flush with the pavement.
- (2) Construction signs will be installed on both approaches warning the motorists of the temporary plating and that it is slippery when wet.

L. Backfilling.

- (1) Backfilling for utility improvements in pavement areas and shoulders or within five feet of the edge of any proposed pavement will be with dense graded aggregate base placed in six-inch lifts. Each layer shall be compacted with flat-face mechanical tampers to 95% minimum dry density. If the pipe area is not to be paved, the dense graded aggregate will be filled to the finished pavement grade.
- (2) The only methods of compacting the backfill material permitted shall be mechanical compaction in lifts as specified. Consolidation will not be acceptable as a method to achieve the soil densities specified.
- (3) The Township may require or perform soil density checks at randomly chosen lifts. Density testing will be performed at the completion of the compaction effort. Compaction requirements will be strictly enforced. The cost for compaction testing shall be the responsibility of the permittee.

M. Trench Restoration.

- (1) Bituminous concrete and bituminous surface treated pavements. In bituminous concrete and bituminous surface treated pavements, the trench area will be restored with a five-inch bituminous concrete base course and a two-inch bituminous concrete surface course. In areas where the pavement is thicker than six inches, additional bituminous base shall be placed to the depth of the existing pavement. The bituminous concrete repair shall extend at least six inches outside the limits of the trench.
- (2) Portland cement concrete pavements.

- a) In Portland cement concrete pavements and in roads with Portland cement concrete bases, the pavement shall be replaced with the same materials and in the same thickness. When the trench opening is within five feet of a transverse joint, the remaining section of the slab shall be removed and replaced.
- b) Care shall be taken to protect expansion joint dowels. Dowels shall be straightened after concrete removal, if disturbed. The existing expansion joint material shall be replaced prior to placing new concrete.
- c) Existing subgrade is to be brought back to proper grade and properly compacted. Any soft areas are to be removed and replaced with proper material.
- d) If the slab removal ends prior to a joint, number five bars, 18 inches long, are to be drilled and grouted in the center of the slab. Bar spacing will be six inches from the slab edge and 12 inches between bars. The new slab reinforcing steel shall be number four bars, 12 inches on center longitudinally and number four bars, 24 inches on center transversely (minimum of two), set approximately three inches below the top of the finished slab.

(3) Repaving required.

Milling and repaving shall be required when the opening in the pavement (continuous or separate), spans a distance measured along the center line of the lesser of 200 feet or a distance of 60% of roadway centerline as determined by the Township Engineer. The width of the paving shall be half the width of the road if the work did not cross the center line and the full width of the road if the work crossed the center line or the road width is 15 feet or less. The permittee/contractor shall provide adequate traffic control measures until the pavement has cooled.

(4) Restoration of private roadways and driveways.

Repairs and restoration within a Township easement on private property shall be performed in accordance with the requirements of this Chapter and is subject to review and approval by the Township Engineer.

N. Unimproved Shoulder Areas.

- (1) Trenches outside the pavement which are required to be backfilled with dense graded aggregate base material shall be brought up to the finished shoulder grade and uniformly compacted.
- (2) Trenches not requiring dense graded aggregate may be backfilled with suitable material and properly compacted. The final four inches to six inches of the trench shall be backfilled with topsoil, compacted, seeded, fertilized and mulched.

- O. Temporary surfacing. Pending the actual repaving or reconstruction operations stated above, the permittee/contractor shall provide a temporary pavement or surface over the compacted refilled opening, of such material as shall be directed by the Township. The permittee shall maintain, refill and temporarily repave said surface from time to time as may be required by the Township until a permanent pavement has been constructed to provide a properly graded traveling surface.
  
- P. All improvements shall be constructed in accordance with the New Jersey Department of Transportation Standard Specifications for Road and Bridge Construction, as currently amended.

**Section 203-22.2 Violations and Penalties.**

- A. Violations. Any person or persons, firm or corporation violating any section of this regulation which results in damage to or obstruction of any public road, gutter, storm drain, ditch, basin, inlet or culvert shall be responsible for all expenses incurred by the Township for repairing said damage, removing said obstruction in addition to the penalties herein provided.
  
- B. Penalties. Any person or persons, firm or corporation violating any section of this regulation shall, upon conviction thereof, be subject to a fine not to exceed \$500 or imprisonment for a period not to exceed 90 days, or both. Each and every day that said violation continues shall constitute a separate and specific violation.

## **Section 2**

**Severability.** The various parts, sections and clauses of this Ordinance are hereby declared to be servable. 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.

Any Ordinance, or portion thereof, not specifically amended, revised or supplemented by the foregoing shall remain in full force and effect.

## **Section 4**

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

This Ordinance shall take affect after final passage and publication in the manner prescribed 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 Wednesday, July 6, 2022 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 Thursday, August 3, 2022 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, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Margaret B. Dilts, CMC

Motion to adopt this Ordinance on first reading by Mayor Mengucci, seconded by Council President Wright. Roll call vote:

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

NAYS: None

**Comcast Cable TV Franchise** – Public Hearing – Members of Comcast spoke at the meeting and answered questions. Mr. Rob Clifton, Sr. Director of Government Affairs for Comcast Cable in New Jersey read aloud a statement that included noting the application was filed in March to provide service to Lopatcong. Comcast is a Pennsylvania based company founded in 1963 and headquartered in Philadelphia; the largest provider in the United States. Process includes the application for the franchise served and upon the close of the public hearing, the Township will have 30 days to issue a Consent Ordinance or Resolution of denial. Mr. Clifton sent over the ordinance to the attorney for review. The time frame is flexible but would like to move the

process as fast as possible. The Consent Ordinance is simply a right-of-way. It does not obligate the municipality to do anything than allow them to run their plan along the right-of-way. Once the Municipal Consent Ordinance is received, a petition for Certificate of Approval from the Board of Public Utilities would be needed by the cable operator to service a municipality in New Jersey.

Mayor Mengucci – asked to confirm the channel lineup.

Councilman Wright – how long will this process take? Mr. Clifton confirmed this is a two-year process.

Robyn George – 34 Raleigh Court – asked what cables would be run; direct underground cables or aerial, running fiber and bandwidth to be offered.

John Betz – Brakeley Gardens – access to apartment complexes/right-of-way.

Lori Ciesla – noted she was a County Commissioner and the broadband falls under her and she is spearheading this. There are several problems in Warren County – around here it is an affordability issue particularly for folks in Phillipsburg and also speed. Ms. Ciesla confirmed downloads are 50 to 6,000 for downloads and uploads are 10 to 6,000. She ask if the \$30 for 100 could be offered in Lopatcong. It was confirmed by Mr. Clifton that as long as it is in the tariff it would be offered everywhere. Mr. Clifton confirmed there are other programs as well. It was also noted business fees vary.

Brian Weeks – asked about tree maintenance regarding trees. Answer – depending on the situation and there will be a 24/7 number available to contact a technician.

**New Business:**

**Resolution No. 22-97** – Approve Treatment Works Application for Bridge Point 78.

R 22-97

**RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A TREATMENT WORKS APPROVAL PERMIT APPLICATION TWA-1 FOR BRIDGE POINT 78 PHASE III-STRYKERS ROAD -BLOCK 99, LOT 6**

WHEREAS, the Township Engineer and Township Attorney have reviewed and approved an application for a New Jersey DEP Treatment Works Approval Permit for Bridge Point 78 Phase III-Strykers Road in Block 99, Lot 6 in the Township of Lopatcong; and

WHEREAS, the Council of the Township of Lopatcong has considered the recommendation of the Township Sewer Engineer, the Township Engineer and Township Attorney to execute Form TWA-1 for approval to extend sanitary sewers and connect the extension to a local private pump station developed by Strykers Road Associates located on Strykers Road; and

WHEREAS, any and all potential developments from this connection be documented and resolved between the parties.

NOW, THEREFORE BE IT RESOLVED, by the Council of the Township of Lopatcong, County of Warren and State of New Jersey do hereby authorize the execution of the NJDEP Treatment Works Approval Permit application for Bridge Point 78 Phase III-Strykers Road-Block 99, Lot 6.

**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 6, 2022.



Margaret B. Dilts, CMC  
Clerk/Administrator

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

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

NAYS: None

**Phillipsburg Truck Route** – Designating Lock Street at Four-Ton Weight Restriction.

R 22-121

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY IN SUPPORT OF DESIGNATING LOCK STREET AT FOUR (4)-  
TON WEIGHT RESTRICTION

WHEREAS, the Town of Phillipsburg is seeking approval from New Jersey Department of Transportation for designated truck route within their town; and

WHEREAS, the roadway known as Lock Street is located jointly within the Township of Lopatcong, Township of Pohatcong and Town of Phillipsburg; and

WHEREAS, the Town of Phillipsburg seeks to restrict Lock Street to trucks under 4 tons; and

WHEREAS, the Township of Lopatcong has formally requested the Town of Phillipsburg to address truck traffic impacting Lopatcong Township including use of Lock Street; and

WHEREAS, New Jersey Department of Transportation require support of designated truck routes when weight restrictions are proposed for roads that are jointly operated and maintained; and

WHEREAS, the Township of Lopatcong upon approval of New Jersey Department of Transportation will weight restrict portions of Lock Street through amending Township codes; and

WHEREAS, by the Township Council hereby authorizes the Township Clerk and Mayor to provide a copy of the resolution and letters of support to the Town of Phillipsburg on behalf of the Township in order to effectuate the same.

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 6, 2022.

Margaret B. Dilts, CMC

Motion to adopt proposed route by Council President Wright, seconded by Mayor Mengucci.

Roll call vote:

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

NAYS: None

**Consent Agenda:**

Clerk Dilts added a pavilion rental need authorization for a Social Affairs Permit for their function. The ABC and Chief of Police have approved their document submission as well.

Motion to approve by Council President Wright, seconded by Councilman McQuade. Roll call vote:

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

NAYS: None

R 22-120

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING CONSENT AGENDA FOR COUNCIL'S CONSIDERATION

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey do hereby approve and authorize a Consent Agenda to move routine items of business requiring no discussion; and

WHEREAS, there are listed Items one through twenty on the Consent Agenda.

1. Resolution authorizing Mayor Mengucci to execute Grant for Belview Road Improvement Project.
2. Resolution requesting approval of Item of Revenue and Appropriation N.J.S.A. 40A:4-87.
3. Resolution to Correct the Tax Account for Block 90, Lot 11.
4. Resolution to Correct the Sewer Account for Block 104, Lot 37.
5. Resolution to Correct the Tax Account for Block 120, Lot 1.
6. Resolution to Correct Sewer Account for Block 15, Lot 11.
7. Resolution to Sewer Account for Block 47, Lot 9.
8. Resolution to authorize redemption of Tax Sale Certificate No. 2020-053 on Block 131, Lot 12 in the amount of \$22,044.95, Premium \$6,100.00.
9. Resolution to authorize redemption of Tax Sale Certificate No. 2021-014 on Block 95, Lot 19 in the amount of \$7,683.26.
10. Resolution to authorize redemption of Tax Sale Certificate No. 2020-054 on Block 135, Lot 4 in the amount of \$5,921.87, Premium \$1,600.00.
11. Resolution to authorize redemption of Tax Sale Certificate No. 2020-039 on Block 106, Lot 6 in the amount of \$1,225.57, Premium \$1,200.00.
12. Resolution to authorize redemption of Tax Sale Certificate No. 2020-036 on Block 99, Lot 374 C0731 in the amount of \$12,448.72, Premium \$1,700.00.
13. Resolution to authorize redemption of Tax Sale Certificate No. 2021-071 on Block 99, Lot 128, C0088 in the amount of \$1,785.16.
14. Resolution to authorize redemption of Tax Sale Certificate No. 2021-029 on Block 116.14, Lot 4 C0034 in the amount of \$470.75, Premium \$700.00.
15. Resolution to issue a refund for a Tax Overpayment for Block 58.01, Lot 3 in the amount of \$1,031.62.
16. Resolution to issue a refund for a Tax Overpayment for Block 99, Lot 399 C0313 in the amount of \$730.57.
17. Resolution to hire Police Officer Jesse Steinmetz per Certification of Eligibles OL220462 as recommended by Police Chief Garcia.
18. Resolution to join Hunterdon County Educational Services Commission Cooperative Pricing System.
19. Resolution authorizing public property for sale.
20. Resolution to authorize Alcoholic Beverage Control Social Affairs Permit to Lama Phillipsburg Chapter in conjunction with Pavilion Contract Rental for July 16<sup>th</sup>, 2022.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey approve and authorize this Consent Agenda to move routine items of business that require no discussion.

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 6, 2022.

Margaret B. Dilts, CMC

**Resolution No. 22-98** - Authorize Mayor Mengucci to execute Grant for Belview Road Improvement Project.

R 22-98

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE BELVIEW ROAD IMPROVEMENT PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Lopatcong, County of Warren and State of New Jersey formally approves the grant application for the above state project.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2023-Belview Road Improvement Project-00194 to the New Jersey Department of Transportation on behalf of the Township of Lopatcong.

BE IT FURTHER RESOLVED that the Mayor and Municipal 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.

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 6, 2022.

Margaret B. Dilts, CMC

**Resolution No. 22-99** - Request approval of Item of Revenue and Appropriation N.J.S.A. 40A:4-87.

R 22-99

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 and municipality when such item shall have been made available by law and the amount was not determined at the time of 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 2022.

In the sum of \$21,705.10 – NJ Environmental Protection Agency.

BE IT FURTHER RESOLVED that the like sum of \$21,705.10 – Clean Communities 2022.

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 6, 2022.

Margaret B. Dilts, CMC

**Resolution No. 22-100** - Correct the Tax Account for Block 90, Lot 11.

R 22-100

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 90, LOT 11

WHEREAS, the Township of Lopatcong has been provided with a receipt for a tax payment for Block 90, Lot 11 which was not applied to the taxpayer's tax account; and

WHEREAS, the taxpayer has been unable to find copies of receipt for all payments he made; however, there is sufficient evidence to support the allegation that the former tax collector tampered with this tax payer's account; and

WHEREAS, the Township has reviewed records from the taxpayer and agree that the account should be made current as of 4<sup>th</sup> quarter of 2017.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to credit the tax account for Block 90, Lot 11 so that it is current through the 4<sup>th</sup> quarter of 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, July 6, 2022.

Margaret B. Dilts, CMC

**Resolution No. 22-101** - Correct the Sewer Account for Block 104, Lot 37.

R 22-101

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE SEWER ACCOUNT FOR BLOCK 104, LOT

37

WHEREAS, the Township of Lopatcong has been provided with a receipt for a sewer payment for Block 104, Lot 37 which was not applied to the taxpayer's sewer account; and

WHEREAS, the taxpayer has been unable to find copies of receipt for all payments he made; however, there is sufficient evidence to support the allegation that the former tax collector tampered with this sewer payer's account; and

WHEREAS, the Township has reviewed records from the taxpayer and agree that the account should be made current as of 4<sup>th</sup> quarter of 2016.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to credit the sewer account for Block 104, Lot 37 so that it is current through the 4<sup>th</sup> quarter of 2016.

#### 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 6, 2022.

Margaret B. Dilts, CMC

**Resolution No. 22-102** - Correct the Tax Account for Block 120, Lot 1.

R 22-102

#### RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 120, LOT 1

WHEREAS, the Township of Lopatcong has been provided with a receipt for a tax payment for Block 120, Lot 1 which was not applied to the taxpayer's tax account; and  
WHEREAS, the taxpayer has been unable to find copies of receipts for all payments he made; however, there is sufficient evidence to support the allegation that the former tax collector tampered with this taxpayer's account; and

WHEREAS, the Township has reviewed records from the taxpayer and agree that the account should be made current as of 1<sup>st</sup> quarter of 2018.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to credit the tax account for Block 120, Lot 1 so that it is current through the 1<sup>st</sup> quarter of 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, July 6, 2022.

Margaret B. Dilts, CMC

**Resolution No. 22-103** - Correct Sewer Account for Block 15, Lot 11.

R 22-103

#### RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE SEWER ACCOUNT FOR BLOCK 15, LOT 11

11

WHEREAS, the Township of Lopatcong has been provided with receipts for sewer payments for Block 15, Lot 11 which was not applied to the taxpayer's sewer account; and

WHEREAS, the taxpayer has been unable to find copies of receipts for all payments he made; however, there is sufficient evidence to support the allegation that the former tax collector tampered with this sewer payer's account; and

WHEREAS, the Township has reviewed records from the taxpayer and agree that the account should be made current as of 1<sup>st</sup> quarter of 2018.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to credit the sewer account for Block 94, Lot 16 so that it is current through the 1<sup>st</sup> quarter of 2020.

#### 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 6, 2022.

Margaret B. Dilts, CMC

**Resolution No. 22-104** – Correct Sewer Account for Block 47, Lot 9.

R 22-104

#### RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE SEWER ACCOUNT FOR BLOCK 47, LOT 9

WHEREAS, the Township of Lopatcong has been provided with a receipt for a sewer payment for Block 47, Lot 9 which was not applied to the taxpayer's sewer account; and

WHEREAS, the taxpayer has been unable to find copies of receipts for all payments he made; however, there is sufficient evidence to support the allegation that the former tax collector tampered with this sewer payer's account; and

WHEREAS, the Township has reviewed records from the taxpayers and agrees that the account should be made current as of 1<sup>st</sup> quarter 2018.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lopatcong, hereby authorizes the Township Tax Office to credit the sewer account for Block 47, Lot 9 so it is current through the 1<sup>st</sup> quarter of 2020.

#### 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 6, 2022.

Margaret B. Dilts, CMC

**Resolution No. 22-105** - Authorize redemption of Tax Sale Certificate No. 2020-053 on Block 131, Lot 12 in the amount of \$22,044.95, Premium \$6,100.00.

R 22-105

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE  
NO. 2020-053 ON BLOCK 131, LOT 12

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 29, 2020, a lien was sold on Block 131, Lot 12 also known as 13 Kyle Drive for delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2020-053 was sold to US Bank Cust/Pro Cap 8/Pro Cap; and

WHEREAS, on May 29, 2022, mortgage company for the property owner has satisfied the redemption amount on Certificate no. 2020-053 in the amount of \$22,044.95, Premium \$6,100.00.

NOW, THEREFORE, BE IT RESOLVED on this 6<sup>th</sup> day of July 2022, that the Chief Financial Officer is authorized to issue a check in the amount of \$22,044.95, Premium \$6,100.00 for the redemption of Tax Sale Certificate No. 2020-053 to:

US Bank Cust/Pro Cap 8/Pro Cap  
50 S 16<sup>th</sup> 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 6, 2022.

Margaret B. Dilts, CMC

**Resolution No. 22-106** - Authorize redemption of Tax Sale Certificate No. 2021-014 on Block 95, Lot 19 in the amount of \$7,683.26.

R 22-106

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE  
NO. 2021-014 ON BLOCK 95, LOT 19

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 14, 2021, a lien was sold on Block 95, Lot 19 also known as 876 Strykers Road for delinquent tax; and

WHEREAS, this lien known as Tax Sale Certificate No. 2021-014 was sold to Cristiana T C/F SE1/FIRST TRUST; and

WHEREAS, on May 29, 2022, the property owner has satisfied the redemption amount on Certificate No. 2021-014 in the amount of \$7,683.26.

NOW, THEREFORE, BE IT RESOLVED on this 6<sup>th</sup> day of July 2022 that the Chief Financial Officer is authorized to issue a check in the amount of \$7,683.26 for the redemption of Tax Sale Certificate No. 2021-014 to:

Christiana T C/F SE1/FIRST TRUST  
P.O. Box 5021  
Philadelphia, PA 19111-5021

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 6, 2022.

Margaret B. Dilts, CMC

**Resolution No. 22-107** - Authorize redemption of Tax Sale Certificate No. 2020-054 on Block 135, Lot 4 in the amount of \$5,921.87, Premium \$1,600.00.

R 22-107

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE  
NO. 2020-054 ON BLOCK 135, LOT 4

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 29, 2020, a lien was sold on Block 135, Lot 4 also known as 16 Lauren Lane for delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2020-054 was sold to US Bank Custodian for ActLien Holding; and

WHEREAS, on June 22, 2022, the mortgage company for the property owner has satisfied the redemption amount on Certificate No. 2020-054 in the amount of \$5,921.87, Premium \$1,600.00.

NOW, THEREFORE, BE IT RESOVLED on this 6<sup>th</sup> day of July 2022, that the Chief Financial Officer is authorized to issue a check in the amount of \$5,921.87, Premium \$1,600.00, for the redemption of Tax Sale Certificate No. 2020-054 to:

US Bank Custodian for ActLien Holding  
50 S 16<sup>th</sup> 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 6, 2022.

Margaret B. Dilts, CMC

**Resolution No. 22-108** - Authorize redemption of Tax Sale Certificate No. 2020-039 on Block 106, Lot 6 in the amount of \$1,225.57, Premium \$1,200.00.

R 22-108

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE  
NO. 2020-039 ON BLOCK 106, LOT 6

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 29, 2020, a lien was sold on Block 106, Lot 6 also known as 30 Wexford Court for delinquent sewer; and



WHEREAS, this lien known as Tax Sale Certificate No. 2020-039 was sold to Arthur Frustaci;  
and

WHEREAS, on June 2022, the mortgage company for the property owner has satisfied the redemption amount on Certificate No. 2020-039 in the amount of \$1,225.57, Premium \$1,200.00.

NOW, THEREFORE, BE IT RESOLVED on this 6<sup>th</sup> day of July 2022, that the Chief Financial Officer is authorized to issue a check in the amount of \$1,225.57, Premium \$1,200.00 for the redemption of Tax Sale Certificate No. 2020-039 to:

Arthur Frustaci  
712 Rugby Road  
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 6, 2022.

Margaret B. Dilts, CMC

**Resolution No. 22-109** - Authorize redemption of Tax Sale Certificate No. 2020-036 on Block 99, Lot 374 C0731 in the amount of \$12,448.72, Premium \$1,700.00.

R 22-109

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE  
NO. 2020-036 ON BLOCK 99, LOT 374 C0731

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 29, 2020, a lien was sold on Block 99, Lot 374 C0731 also known as 731 Brandywine Way for delinquent tax/sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2020-036 was sold to US Bank Custodian for ActLien Holding; and

WHEREAS, on September 20, 2021, the mortgage company for the property owner has satisfied the redemption amount on Certificate No. 2020-036 in the amount of \$12,448.72, Premium \$1,700.00.

NOW, THEREFORE, BE IT RESOLVED on this 6<sup>th</sup> day of July 2022, that the Chief Financial Officer is authorized to issue a check in the amount of \$12,448.72, Premium \$1,700.00 for the redemption of Tax Sale Certificate No. 2020-036 to:

US Bank Custodian for ActLien Holding  
50 S. 16<sup>th</sup> Street, Suite 2050  
Philadelphia, PA 19102-3513

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 6, 2022.

Margaret B. Dilts, CMC

**Resolution No. 22-110** - Authorize redemption of Tax Sale Certificate No. 2021-071 on Block 99, Lot 128, C0088 in the amount of \$1,785.16.

R 22-110

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE  
NO. 2021-017 ON BLOCK 99, LOT 128 C0088

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 14, 2021, a lien was sold on Block 99, Lot 128 C0088 also known as 88 Overlook Drive for delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2021-017 was sold to Arthur Frustaci; and

WHEREAS, on June 29, 2022, the mortgage company for the property owner has satisfied the redemption amount on Certificate No. 2021-017 in the amount of \$1,785.16.

NOW, THEREFORE, BE IT RESOLVED on this 6<sup>th</sup> day of June 2022, that the Chief Financial Officer is authorized to issue a check in the amount of \$1,785.16 for the redemption of Tax Sale Certificate No. 2021-017 to:

Arthur Frustaci  
712 Rugby Road  
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 6, 2022.

Margaret B. Dilts, CMC

**Resolution No. 22-111** - Authorize redemption of Tax Sale Certificate No. 2021-029 on Block 116.14, Lot 4 C0034 in the amount of \$470.75, Premium \$700.00.

R 22-111

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE  
NO. 2021-029 ON BLOCK 116.14, LOT 4 C0034

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 14, 2021, a lien was sold on Block 116, Lot 4 also known as 34 Limerick Lane for delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate no. 2021-029 was sold to US Bank Cust/Pro Cap 8/Pro Cap; and

WHEREAS, on June 22, 2022, the mortgage company for the property owner has satisfied the redemption amount on Certificate No. 2021-029 in the amount of \$570.75, Premium \$700.00.

NOW, THEREFORE, BE IT RESOLVED on this 6<sup>th</sup> day of July 2022, that the Chief Financial Officer is authorized to issue a check in the amount of \$570.75, Premium \$700.00 for the redemption of Tax Sale Certificate No. 2021-029 to:

US Bank Cust/Pro Cap 8/Pro Cap  
50 S 16<sup>th</sup> 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 6, 2022.

Margaret B. Dilts, CMC

**Resolution No. 22-112** - Issue a refund for a Tax Overpayment for Block 58.01, Lot 3 in the amount of \$1,031.62.

R 22-112

#### RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO ISSUE A REFUND FOR A TAX OVERPAYMENT FOR BLOCK 58.01, LOT 3

WHEREAS, Block 58.01, Lot 3 qualified as tax exempt (disabled veteran) on April 22, 2022; and

WHEREAS, the Tax Collector has adjusted the tax account to cancel taxes for the 2<sup>nd</sup> quarter of 2022; and

WHEREAS, before the Tax Collector could make the adjustment on the account for the 1<sup>st</sup> quarter 2022, payment was made in the amount of \$1,031.62; and

WHEREAS, the homeowner's payment in the amount of \$1,031.62 should be refunded to the property owner.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lopatcong hereby authorizes a refund in the amount of \$1,031.62 to: Debra & Joseph M. Stefano, 410 South First Street, Phillipsburg, New Jersey.

#### 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 6, 2022.

Margaret B. Dilts, CMC

**Resolution No. 22-113** - Issue a refund for a Tax Overpayment for Block 99, Lot 399 C0313 in the amount of \$730.57.

R 22-113

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY TO ISSUE A REFUND FOR A TAX OVERPAYMENT FOR  
BLOCK 99, LOT 399 C0313

WHEREAS, Block 99, Lot 399 C0313 qualified as tax exempt (disabled veteran) on March 25, 2022; and

WHEREAS, the Tax Collector has adjusted the tax account to cancel taxes for the 2<sup>nd</sup> quarter of 2022; and

WHEREAS, before the Tax Collector could make the adjustment on the account for the 2<sup>nd</sup> quarter 2022, payment was made in the amount of \$730.57; and

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lopatcong hereby authorizes a refund in the amount of \$730.57 to: Robert R. Sr. & Susan Agans, 313 Clover Court, Stewartsville, NJ 08886.

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 6, 2022.

Margaret B. Dilts, CMC

**Resolution No. 22-114** - Hire Police Officer Jesse Steinmetz per Certification of Eligible OL220462 as recommended by Police Chief Garcia.

R 22-114

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIING HIRE OF JESSE E. STEINMETZ AS POLICE  
OFFICER IN THE POLICE DEPARTMENT PURSUANT TO CERTIFIED LIST FROM  
CIVIL SERVICE COMMISSION OL 220462

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey hereby authorize the appointment of Jesse E. Steinmetz full-time in the Police Department pursuant to Certified List of Eligibles from the Civil Service Commission; and

WHEREAS, Jesse Steinmetz will receive a salary and benefits according to the Collective Bargaining Agreement; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that Jesse Steinmetz be appointed as Police Officer full-time in the Police Department pursuant to a Certified List of Eligibles OL 220462 from the Civil Service Commission and shall receive a salary and benefits pursuant to the Collective Bargaining Agreement.

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 6, 2022.

Margaret B. Dilts, CMC

**Resolution No. 22-115** - Join Hunterdon County Educational Services Commission Cooperative Pricing System.

RESOLUTION FOR MEMBER PARTICIPATION  
IN A COOPERATIVE PRICING SYSTEM

A RESOLUTION AUTHORIZING THE TOWNSHIP OF LOPATCONG  
TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

R 22-115

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Hunterdon County Educational Services Commission, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on July 6, 2022 the governing body of the Township of Lopatcong, County of Warren, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

**TITLE**

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Lopatcong.

**AUTHORITY**

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

**CONTRACTING UNIT**

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

**EFFECTIVE DATE**

This resolution shall take effect immediately upon passage.

**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, July 6, 2022.

Margaret B. Dilts, CMC

**Resolution No. 22-116** – Property Tax Sale.

Resolution 2022-116

RESOLUTION AUTHORIZING THE SALE OF CERTAIN LAND  
AND PROPERTY NO LONGER NEEDED FOR PUBLIC USE  
BY THE TOWNSHIP OF LOPATCONG PURSUANT TO N.J.S.A. 40A:12-13(B).

**WHEREAS**, the Township of Lopatcong is the owner of certain vacant undersized lands within the Township; and

**WHEREAS**, the Township Council of the Township of Lopatcong does hereby determine that the lands and properties set forth in Schedule A are no longer needed for public use; and

**WHEREAS**, the Township desires to make available for sale in accordance with the Local Lands and Buildings Law; and

**WHEREAS**, N.J.S.A. 40A:12-13(b) requires the Township to provide the owner or owners of any real property contiguous to such real property the right to prior refusal to purchase such land.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Lopatcong, in the County of Warren State of New Jersey, as follows:

1. The lands listed on the attached Schedule A shall be offered for private sale to the contiguous property owners pursuant to the statute.
2. A minimum bid for each property is listed on Schedule A.
3. All contiguous property owners shall receive a letter from the Township offering the property for sale at the minimum bid price. Contiguous property owners shall be instructed to submit a sealed offer to the Township no later than July 28, 2022 with their highest and best offer.
4. The Township shall consider all offers at its August 3, 2022 meeting and at that time select the highest bidder for each property. The Township reserves the right to reject all bids for a property or remove a property or properties from Schedule A at any time prior to the award of the contract.
5. The winning bidders shall be given one week to deposit 10% of their purchase price with the Township and execute a contract for sale.
6. It shall be a condition of the sale that the lots purchased be merged by the tax assessor into the purchasers existing contiguous lot.

I, Margaret B. Dilts, Clerk of the Township of Lopatcong, County of Warren, do hereby certify that the foregoing is a true and exact copy of the resolution adopted by the Township of Lopatcong Council on July 6, 2022.

Margaret B. Dilts  
Township Clerk

**SCHEDULE A**

<b>Block</b>	<b>Lot</b>	<b>Location</b>	<b>Minimum Bid</b>
2	18	Belvidere Road	\$500
5	2	1087 River Road	\$1,000
17	5	309 N. Prospect Street	\$1,000
84	8	415 S. Fifth Street	\$1,000
95	18.01	Strykers Road	\$500

\*Any lot purchased must be merged with adjacent property.

**Resolution No. 22-117** - Alcoholic Beverage Control Social Affairs Permit to Lama Phillipsburg Chapter in conjunction with Pavilion Contract Rental for July 16<sup>th</sup>, 2022.

R 22-117

**RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING A SOCIAL AFFAIRS PERMIT TO LAMA  
PHILLIPSBURG CHAPTER**

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey have received an application for a Social Affairs Permit by Lama Phillipsburg Chapter; and

WHEREAS, Manuel Camunas has engaged in a contract to rent the Lopatcong Pavilion located in the Municipal Park at 9 Willdew Avenue for July 16<sup>th</sup>, 2022 for the Lama Phillipsburg Chapter for their event; and

WHEREAS, Manuel Camunas has applied to the Alcoholic Beverage Control Commission for a Social Affairs Permit to be able to serve alcoholic beverages; and

WHEREAS, an endorsement by the Chief of Police, the Municipal Clerk and the Mayor and Council of the Township of Lopatcong is required for the ABC to issue Social Affairs Permit No. 524330 to be used on July 16<sup>th</sup> from 1:00 pm to 6:00 pm; and

WHEREAS, both the Chief of Police and Municipal Clerk have met with Mr. Camunas and authorize this event.

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 applications for the Social Affairs Permit No. 524330 has been authorized.

**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 6, 2022.

Margaret B. Dilts, CMC

**Council Reports:**

Councilman McQuade – No report.

Councilman Palitto – Movies at the Park – thanks to Kayla. Community Day rain date is scheduled for September 17<sup>th</sup> and Town wide Yard Sale is scheduled on September 24<sup>th</sup>. Mayor noted the Cleanup is October 8<sup>th</sup> and Clerk Dilts stated Shred Event is September 24<sup>th</sup> as well.

Council President Wright – requested that a revision be made to Chapter 161 for licensing food trucks. The time to cease is 6:30 pm. This should be changed to 9:00 pm from Memorial Day through Labor Day. Council President Wright suggested hiring a special officer too for truck enforcement and will be discussing this further with Chief of Police, Garcia.

Chief Garcia – noted this is a great idea for an officer to deal directly with truck traffic. He made contact with Warren County Engineering and spoke to them about signage specifically for County Route 646. The way the sign is worded right now, enforcement cannot be made. The County Engineer Joe D’Souza will get in touch with the state and to see if updated signage can be acquired so enforcement can be made. Greenwich Township has also been in contact. National Night Out is Tuesday, August 2<sup>nd</sup> from 5:00 pm to 8:00 pm. Patrolman Steve Gabos has been working hard on putting this event together.

Council President Wright – reiterated the fact that the signage is very important so our Police Officers can deal with these trucks.

Attorney Campbell – noted that a vote is needed for the food truck amendment. Motion by Mayor Mengucci, seconded by Council President Wright. Roll call vote:  
AYES: Councilman McQuade, Councilman Palitto, Council President Wright, Mayor Mengucci.  
NAYS: None

Attorney Campbell – noted that authorization was necessary for action discussed in Executive Session regarding the DPW. Motion by Mayor Mengucci, seconded by Councilman Palitto. Roll call vote:  
AYES: Councilman McQuade, Councilman Palitto, Council President Wright, Mayor Mengucci.  
NAYS: None

Attorney Campbell – asked Council to adopt resolutions of hire for the Municipal Court Judge and Municipal Court Prosecutor. Motion by Mayor Mengucci, seconded by Council President Wright. Roll call vote:  
AYES: Councilman McQuade, Councilman Palitto, Council President Wright, Mayor Mengucci.  
NAYS: None

R 22-118

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPOINTING PADRAIG P. FLANAGAN TO THE UNEXPIRED TERM OF WILLIAM MENNEN AS JUDGE FOR LOPATCONG MUNICIPAL COURT FOR THE TERM REMAINING JULY 2022-2024

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey appoint Padraig P. Flanagan as Judge of the Township of Lopatcong; and

WHEREAS, Padraig P. Flanagan has been appointed to the unexpired term of William Mennen; and

WHEREAS, the term shall expire on December 31, 2024.

WHEREAS, Padraig P. Flanagan shall be paid a salary as established in the current Salary 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 Padraig P. Flanagan is appointed to the unexpired three-year term as Municipal Judge for the Township of Lopatcong through December 31, 2024 at a salary established in the Salary 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, July 6, 2022.

Margaret B. Dilts, CMC

R 22-119

#### RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPOINTING JOHN J. CALECA, III AS PROSECUTOR FOR THE LOPATCONG TOWNSHIP COURT

WHEREAS, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that John J. Caleca, III be appointed Prosecutor for the Township of Lopatcong for the year 2022 at a salary established in the Salary Ordinance/Resolution.

This appointment is made without competitive bidding as a professional service under the provision of the Local Public Contracts Law as provided in N.J.S.A. 40A:11-5 because said office requires services performed by persons qualified to practice recognized professions and it is not possible to obtain competitive bids.

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 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, July 6, 2022.

Margaret B. Dilts, CMC

Mayor Mengucci – Thanked Township Attorney Katrina Campbell for representing the Township for 16 years for her service and professionalism in the job.

Engineer Sterbenz – Will have a report on Ordinance 22-06 at the next meeting. The Park Planner will be setting forth some recommendations and will communicate them just as soon as they are available.

**Department Reports** – Motion by Council President Wright, seconded by Mayor Mengucci. All in favor.

**Payment of Bills** – Mayor Mengucci made a motion to approve payment of bills, seconded by Council President Wright. Roll call vote:

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

#### **Audience Participation** –

Michael Turner – 14 Spring Run Lane – and Louis Cueva 15 Spring Run Lane – their properties are at the end of a cul-de-sac on Spring Run Lane and property line defined in Lopatcong and Greenwich Township border beyond which is an 18-acre corn field in Greenwich Township

owned by John Hawrylo who resides in Texas. Between the two properties on Lot 7 is an easement owned by Mr. Hawrylo that was dedicated for future road expansion of Spring Run Lane. Mr. Hawrylo wants to use that dedicated easement to construct a driveway through Lopatcong Township property to reach his property. He received a driveway zoning variance in August 2021 but that specifically stated that the ZBOA was “mindful of its limited jurisdiction in this matter” and that they “were not the proper forum to adjudicate the applicants right to construct a driveway within the dedicated right of way area”. Mr. Hawrylo showed up on the property and cut down some bushes to display a for sale sign in his field and stated that he had a driveway permit and this was his property and was taking possession. Mr. Hawrylo has a permit issued by the Township Engineer in March of 2022 but they were not sure how that was granted. The Zoning Variance stipulated resolution 2C the “applicant shall obtain all other municipal approvals for utilizing the dedicated right of way that may be required”. Asked what approval has been granted to Mr. Hawrylo by Lopatcong Township to use the easement for purposes other than the dedicated purpose in the property owner’s deed which the status of Mr. Hawrylo’s ability to construct a driveway through Lot 7 property at this time and what are the avenues available to the property owner given this situation. June 9<sup>th</sup> there was a preliminary resolution, July postponed, and signed approved in August.

Engineer Sterbenz – Explained that Mr. Hawrylo’s engineer addressed all the comments having to do with the construction plans for the driveway so he got a road opening permit and driveway permit issued as a result of that. However, the August 12<sup>th</sup> resolution requires him to come to Council at the next meeting to get approval to use this unimproved right of way before he starts construction of the driveway. After finding out about the August 12th resolution today, the matter has been deferred to the Township Attorney.

Attorney Campbell reviewed both resolutions and basically, there was a mix-up of the Zoning Board and it is a signed resolution coming from the Board. That was the older resolution and since then, a new copy was produced and there is another condition. Engineer Sterbenz will send a letter to Mr. Hawrylo to stop because you cannot put a driveway in until an appearance before the Council and approval is granted.

Mr. Turner – Noted he would like an opportunity for their attorney to comment and discuss their objection to that.

Attorney Campbell – Noted that if they have an attorney and there is something to submit, do so ahead of time for Council’s and her office to review.

1004 Deerhaven Terrace – Mr. Harwelik – He said he was here to get a resolution regarding his property taxes. So, there was, several years ago, there was some tax issues and he was one of the folks that to bring in documents to get the issue resolved. He was working extensively with the tax clerk Daniele and had not yet received a confirmation. He believed it might be from Attorney Campbell. She had mentioned an attorney would send out a letter once because her system shows that I am up-to-date but I have yet to receive that letter. He said he didn’t know how the process works.

Attorney Campbell said typically what happens there is an error that needs to be corrected which would generate an resolution to correct the error. Attorney Campbell noted she would check with Daniele and again asked if it was up to date.

Mr. Harwelik said it was up-to-date. He said we are all at zero but he is worried that he still gets delinquency notices. Daniele had told him that on December 13<sup>th</sup>, 2021 she told him to wait a quarter and after that, he should be good. So, then a notice came in June, the second quarter already. Her system said he was good but there is this mysterious letter.

Attorney Campbell said she will check on this.

Robyn George – Raleigh Court – Shade Tree Commission Chair Person – She announced that the grant was submitted to the State of New Jersey in the amount of approximately \$46,000.00 to

do a tree inventory. The proposals we received to do our budgetary estimate included the cost to do a complete inventory of the Township Street trees and also, we've asked for an inventory of the stormwater -spillway within 15 feet of the property line to identify any risk trees. Jade Lane, in particular, have trees in the spillway that are a risk to homes. The inventory will include an inventory, a risk assessment, insect and disease investigation, a planning recommendation and a five-year maintenance plan. She thanked Engineer Sterbenz for his assistance.

Harvey Walters – S. Third Street – asked how many more warehouses are proposed for Lopat.

Attorney Campbell said there are two in litigation that applied on Strykers Road.

Wendy Parcell – Ice Cream Truck – she was present the 9pm but asked if it could be extended into October and limit it to dusk and to play 161-12 g – needs to play the ice cream music. Mayor Mengucci made the motion to amend the original motion to include music and extension to October till dusk, seconded by Council President Wright. All in favor.

Donna Schneider – Meadowview Drive – questioned the Planning Board stating Council approves the sewer. Is that the case because they were not sure last month that that was actually the case? Specifically, NFI tapping into Berry Plastic and taking down a cooling tower would all be approved by the Council, correct?

Engineer Sterbenz – The Council created a sewer service area in the Township by submitting the request to the Dept. of Environmental Protection and getting an approval for a sewer service area. NFI property is not in the sewer service area, so if they want to service that property, they are going to submit a request to the governing body and get an approval for that.

Attorney Campbell - Noted they submitted one and were denied.

Donna Schneider – Treatment works for Bridge, were they in the area?

Attorney Campbell – Yes.

Donna Schneider – Okay, so that's why, that's why that was approved because of that, okay. So, they're in it but you still had to approve it tonight?

Attorney Campbell – Yes, paperwork was properly submitted. Now goes to Phillipsburg.

Donna Schneider – Agenda was not posted until late today. Was there an issue? It's weird that when I look at the minutes there some from 2017 and some not from 2017. All of 18 totally not there. 2019 there is no agendas. 2020 there is a month that has no agenda.

Council President Wright – We'll get it square, promise you that.

John Kecherson – Jade Lane – Just to expand on the videos, it took two weeks. It takes seconds to post a video to a website. Asked for brief status of the illegal truck stops.

Mayor Mengucci – Indicated there are no illegal truck stops and Clerk Dilts explained the update – violations are issued, they are in the court. To a point you are right.

John Kecherson – Pointed out this matter goes back to December 29<sup>th</sup>.

Council President Wright – The Judge rules; the Judge makes the decision.

John Kecherson – Consistently hear at one of the meetings he came to, heard warehouses can't be built out there but hear that the redevelopment plan to being developed. Pohatcong meeting minutes indicate a done deal.

Council President Wright – Stated Pohatcong is going through with the project to build warehouses with or without us.

Mayor Mengucci – They own more of that property than we do.

John Kecherson – So, half would be theirs and half ours and the property behind the mall is 20% Pohatcong and 80% Lopatcong. A third question – took a look at the redevelopment plan looking specifically at that field – why are we condemning that field? Why are we saying that field needs to be developed?

Mayor Mengucci – We have not had any warehouses proposed there.

John Kecherson – So, where are the warehouses proposed there?

Mayor Mengucci – So far, Pohat.

John Kecherson – What's the status of the development plan?

Attorney Campbell – We're still working on it. In light of what Pohat's doing, we have to take that into consideration.

John Kecherson – Is that being done by a third party?

Attorney Campbell – The town has a planner.

John Kecherson – When will the public know what's in that plan?

Attorney Campbell – The Council doesn't have the plan.

Mayor Mengucci – We don't have the plan yet so.

John Kecherson – Frustrating, every single minutes from the Pohat Council talks about how Lopatcong has all these plans for warehouses and we come up here time, after time, after time and you guys say there's no plans for warehouses – somebody is not telling the truth. Pohatcong is telling him you're lying.

Council President Wright – I don't know what they're doing; I have no idea. We haven't even seen our plan yet.

Talking over each other.

Judy Liptak – 47 Kyle Drive – Thanked the Mayor for acknowledging at the last Planning Board meeting that we do have a truck problem. Happy there is a plan in place. Adding another officer is a great plan. Understands that in redevelopment zones it is up to our Council if a warehouse can be built. Hopes this Council has now decided but you hear our frustrations because we're hearing this is a done deal. Don't allow it; do something else with that land. Hope we try harder.

Attorney Campbell – Noted that it is not that easy to say they can't do that.

Judy Liptak – I believe you had a book that you had referenced about what roads in the Township permit trucks and asked to revisit that and look at our roads to maybe to reroute trucks so they can't be on neighborhood roads, better signage.

Mayor Mengucci – It is a double edge sword between the trucks and cultivating businesses coming into the Township. The high school gets tractor trailers, the Brass Rail gets tractor trailers so, how many roads do you want to shut off?

Attorney Campbell – You talk about fighting hard but there's fighting hard and then wasting tax dollars and getting sued when you already know right out of the gate that you're going to get sued and lose.

Judy Liptak – I think the county has some deep pockets that they can help.

Attorney Campbell – It is our pockets.

Judy Liptak – The county commissioners have not spoken up on warehouses and how their helping our towns.

Attorney Campbell – Have you been on social media? Letter are being written to the editor in the newspaper.

Lori Ciesla – 12 Meadowview Drive – Signage on Rt. 646; she will reach out to the engineer to make sure you get whatever signs you need. As far as, Jason talks about what he does with NJTPA, what is being done with the NJDOT; all towns are trying to work together but the problem in the county is we cannot move all trucks from that road because we do not have an alternate at this point so that's part of the problem. As far as your website goes, when they did meetings and the county is the same way, inside the event they put the link to the videos so you actually have to go into the event to find the video; if you want to change that, you would have to call them and get a change order and they will charge you.

Ms. Ciesla wished Attorney Campbell the best of luck in her new position. We have all learned a lot from Katrina and thanked her for everything she taught her and have done for Lopatcong. As a County Commissioner she thanked her for all she has done for the county preservation of land especially.

Brian Weeks – Talked about an equipment purchase of a new backhoe. Researched the co-ops and Source Well came up the cheapest with delivery timeframe of 8 to 9 months before receiving the new one. The zero turns have to be replaced as well; Hunterdon County Co-op. It was noted that the funds have been budgeted in both 2019 and 2022 per CFO Browne.

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

Respectfully submitted,

Margaret B. Dilts, CMC  
Clerk/Administrator

James E. Mengucci  
Mayor



