

TOWNSHIP OF LOPATCONG
COUNCIL MEETING
7:00 pm

May 3, 2017

The Council Meeting of the Lopatcong Township Council was called to order by Mayor McKay. The meeting was held in the Municipal Building located at 232 S. Third St., Phillipsburg, New Jersey 08865.

A moment of silence was offered followed by the Oath of Allegiance.

Present – Councilman Belcaro, Councilman Palitto, Councilman Wright, Council President Pryor, Mayor McKay. Also present were Attorney Campbell and Engineer Sterbenz.

Motion to come out of Executive Session by Councilman Belcaro, seconded by Councilman Palitto. All in favor.

Resolution No. 17-59 - Attorney Campbell reported that Council was in Executive Session for approximately 50 minutes. The topics of discussion are as listed on the agenda. Personnel Matter, Attorney/Client Privilege – Contractual matter regarding Planning Board, Attorney/Client Privilege – Planning Board concerns and Litigation – Affordable Housing.

Mayor McKay stated “adequate notice of this meeting has been provided indicating the time and place of the meeting in accordance with Chapter 231 of the Public Laws of 1975 by advertising a Notice in The Star Gazette and The Express-Times and by posting a copy on the bulletin board in the Municipal Building.”

Public Comments – Agenda items only. No comments.

Old Business:

Minutes – Executive Sessions and Regular Session for April 5, 2017 and Special Budget Workshop for April 13, 2017. Motion by Council President Pryor, seconded by Councilman Palitto. Roll call:

AYES: Councilman Belcaro – April 13, 2017, Councilman Palitto, Councilman Wright – April 5, 2017, Council President Pryor, Mayor McKay

NAYS: None

ABSTAIN: Councilman Belcaro – April 5, 2017, Councilman Wright – April, 13, 2017

FSHC – Affordable Housing Litigation Settlement –

Attorney Campbell – This is the second half of the settlement the Affordable Housing Litigation FSHC – Fair Share Housing Center who is the adverse party to the Township. You already settled the first half of the lawsuit with Larken which you approved about a month or two ago. This is the second half – Fair Share wouldn't settle with you until you settled with Larken so you did that. This is all still subject to a fairness hearing in the court as well as approval of a housing plan and some (inaudible) so this is the first step before we move on and start sending it to the court and to the Planning Board.

Motion by Council President Pryor, seconded by Councilman Wright. Roll call vote:

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

NAYS: None

New Business:

Ordinance No. 2017-03 – First reading to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank.

**ORD. 2017-03
CALENDAR YEAR 2017**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 0.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Lopatcong in the County of Warren finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$201,780.29 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Council hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Lopatcong, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Township of Lopatcong shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$201,780.29 and that the CY 2017 municipal budget for the Township of Lopatcong be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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 May 3, 2017, 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 June 7, 2017 at 7:30 pm or as soon thereafter as the Township Council may hear this Ordinance in the Municipal Building, 232 S. 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 by Council President Pryor, seconded by Councilman Belcaro. Roll call vote:
AYES: Councilman Belcaro, Councilman Palitto, Councilman Wright, Council President Pryor,
Mayor McKay.
NAYS: None

Introduce 2017 Budget – CFO Bernie Re noted that two workshop sessions were held to come up with a budget together. An increase will be less than two penny's; 1.97. That includes additional items. Council President Pryor noted that excess revenue generated in the Sewer Utility Budget being moved to the General Fund has been cut - \$250,000.00 the first year, last year \$150,000.00 and this year \$125,000.00 and the hope is to continue to reduce this. Motion by Mayor McKay, seconded by Council President Pryor. All in favor.

Ordinance No. 2017-02 – First reading to require Large Hardened Buildings to Install Radio Booster Equipment to Support Interior Radio Communications with Law Enforcement Officer, Firefighters and Emergency Medical Personnel when Radio Communication Deficiencies Exist.

ORDINANCE 2017 - 02

AN ORDINANCE OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN, STATE OF NEW JERSEY CREATING CHAPTER §136 TO REQUIRE LARGE HARDENED BUILDINGS TO INSTALL RADIO BOOSTER EQUIPMENT TO SUPPORT INTERIOR RADIO COMMUNICATIONS WITH LAW ENFORCEMENT OFFICERS, FIREFIGHTERS AND EMERGENCY MEDICAL PERSONNEL (EMERGENCY FIRST RESPONDERS) WHEN RADIO COMMUNICATIONS DEFICIENCIES EXIST

WHEREAS, in emergency situations, including natural and manmade disasters, it is essential that radio communications, which will insure access to emergency services personnel including police, fire, emergency medical service, and other first responders, be maintained in all locations within the community; and

WHEREAS, of particular importance is to require that such communications be available to and from “large hardened buildings”, including malls, office, business, and retail centers, hotels, condominiums and apartments, medical facilities and training centers; and

WHEREAS, the Lopatcong Township Council finds that it is essential that an Ordinance requiring large hardened buildings to install radio communications equipment which will insure access to emergency services personnel including police, fire, emergency medical service, and other first responders be enacted.

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

In-Building Radio Communication Specifications

§136-1 General

Unless as otherwise provided, no person shall maintain, own, erect, or construct any building or structure (or any part thereof) or cause the same to be done which fails to support adequate radio coverage for public safety entities including, but no limited to, police officers, firefighters and EMS workers.

§136-2 Exceptions

This section shall not apply to single family, residential buildings or any building 35 feet high or less as long as none of the aforementioned buildings make primary use of metal or concrete construction or contain below grade storage or parking areas. For purposes of this section,

parking structures are included in the definition of “building”. Stair shafts are included in the definition of “all parts of a building”, but elevator shafts may be excluded.

Buildings constructed prior to the implementation of this section shall not be required to comply with public safety radio coverage provisions of this section. However, should the exempted structures undergo renovation, restoration, or significant modification to the original structure, exemption from the provisions of this ordinance shall not apply.

§136-3 Minimum Signal Strength Out of a Building

A minimum signal strength of -95dBm received by the agency’s radio system when transmitted from all areas of the building. For purposes of this section, 90% building coverage is considered to be all areas of the building.

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§136-5 Technical Criteria Maintained by the Agency

The agency shall maintain a document of technical information specific to their requirements. This document shall contain (as a minimum): the frequencies required, the location and effective radiated power (ERP) of radio sites used by the in-building system, the maximum propagation delay (in microseconds) and other supporting technical information.

§136-6 Amplification Systems Allowed

Buildings and structures which cannot support the required level of radio coverage shall be equipped with a radiating cable system and/or a distributed antenna system (DAS) with FCC certified single boosters (aka bi-directional amplifiers) or systems otherwise approved by the agency in order to achieve the required adequate radio coverage.

§136-7 Battery Systems

The active components of the installed system or systems shall be capable of operating on an independent battery system for a period of at least twelve (12) hours without external power input. The battery system shall automatically charge in the presence of an external power input.

§136-8 Signal Booster Requirements

If used, signal boosters shall meet the following requirements as well as any other requirements determined by the agency:

- A) All signal booster components shall be contained in one NEMA4 type, waterproof cabinet. Permanent external filters and attachments are not permitted.
- B) The battery system shall be contained in one NEMA4 type, waterproof cabinet.
- C) The system shall include automatic alarming of malfunctions of the signal booster and battery system. Any resulting alarm shall be transmitted to the agency's designated recipient by means of specified by the agency including, but not limited to, automatic standard telephone dial-up circuit, TCP/IP network circuit, RS232 interface, etc.
- D) FCC certification prior to installation. Pending FCC certification is not acceptable.
- E) All signal boosters must be compatible with both analog and digital communications simultaneously at the time of installation. The agency will provide the maximum acceptable propagation delay.
- F) Only equipment that is pre-approved by the agency may be used. This section cannot be used by the agency to limit equipment to one manufacturer.

§136-9 Approval Prior to Installation

No amplification system capable of operating on frequencies licensed to the agency by the FCC shall be installed without prior coordination and approval of the agency. This is a FCC requirement.

§136-10 Testing and Proof of Compliance

Each owner shall submit at least one In-Building Coverage Test:

- A) Acceptance testing prior to occupancy of any newly constructed building.
 - B) Whenever structural changes occur (including additions to buildings) that would materially change the original field performance tests.
 - C) Annually.
 - D) When repairs or alterations are made to the amplification systems. The performance test shall demonstrate that adequate radio coverage is available in all required areas of the building.
- At the conclusion of the testing, a report shall be submitted to the agency which shall verify compliance with section NNN.1.

§136-11 Acceptance Test Procedure

When an in-building radio system is required, it will be the buildings owner's responsibility to have the radio system tested to ensure that two-way coverage on each floor of the building is a minimum of 90% upon completion of installation. Each floor of the building shall be divided into a grid of approximately 20 equal areas. A maximum of two nonadjacent areas will be allowed to fail the test. In the event that three of the areas fail the test, the floor may be divided into 40 equal areas in order to be more statistically accurate. A maximum of four non-adjacent areas will be allowed to fail the test. After the 40-area test, if the system continues to fail, it will be the building owner's responsibility to have the system altered to meet the 90% coverage requirement. The test shall be conducted using a calibrated portable radio of the latest brand and model used by the agency talking through the agency's radio communication system. A test

location approximately in the center of each grid area will be selected for the test, then the radio will be enabled to verify two-way communications to and from the outside of the building through the agency's communication system. Once the test location has been selected, prospecting for a better spot within the grid area will not be permitted. The gain values of all amplifiers shall be measured and the test measurement results shall be kept on file with the building owner so the measurements can be verified each year during the annual tests. In the event that the measurement results become lost, the building owner will be required to rerun the acceptance test to reestablish the gain values. As part of the installation, a spectrum analyzer or other suitable test equipment shall be utilized to ensure spurious oscillations are not being generated by the subject signal booster due to coupling (lack of sufficient isolation) between the input and output antenna systems. This test will be conducted at the time of installation and subsequent annual inspections.

§136-12 Annual Tests

When an in-building radio system is required, it shall be the building owner's responsibility to have all active components of the system, such as signal boosters, power supplies, and backup batteries, tested to a minimum of once every 12 months. Signal boosters shall be tested to ensure that the gain is the same as it was upon initial installation and acceptance. Backup batteries and power supplies shall be tested under load of a period of one hour to verify that they will properly operate during an actual power outage. If the battery exhibits symptoms of failure within the one-hour test period in the opinion of the agency's representative, the test shall be extended for additional one-hour periods until the integrity of the battery can be determined. All other active components shall be checked to determine that they are operating within the manufacturers specifications for the intended purposes.

§136-13 Field Testing

Police and Fire Personnel shall at any time have the right to enter onto the property to conduct its own field testing to be certain that a required level of radio coverage is present.

§136-14 Minimum Qualification of Personnel

- A) The minimum qualification of the system designer and lead installation personnel shall include:
- B) A valid FCC issued General Radio Operators License
- C) Certification of in-building system training issued by a nationally recognized organization, school, or a certificate issued by the manufacturer of the equipment being installed.

The agency may waive these requirements upon successful demonstration of adequate skills and experience that is satisfactory to the agency.

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or

invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

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

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

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced to pass on the first reading meeting of the Township Council of the Township of Lopatcong held on May 3, 2017 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 June 7, 2017 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.

Beth Dilts, Municipal Clerk
Township of Lopatcong

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

Security Equipment – Municipal Building – Approve purchase of Security Cameras for north side of the Municipal Building at \$850.00, Police Intercom System \$815.00, Clerk’s Office Release for Front Door at \$300.00 and Clerk’s Office Door Release at \$1160.00. Motion by Councilman Wright, seconded by Councilman Belcaro. Roll call vote:
AYES: Councilman Belcaro, Councilman Palitto, Councilman Wright, Council President Pryor, Mayor McKay.
NAYS: None

Finance Committee Report –

Council President Pryor indicated that the Township is audited at the end of the year, at the conclusion of the audit report is a list of recommendations by our auditor concerning areas in the financial system and the accounting system that need improvement. There are recommendations from the 2015 audit. The 2016 audit is not complete yet. There were 12 recommendations in 2015 and acknowledged a great deal of difficulty in 2015 and 2016; turn over in CFO’s, gaps, some work that really wasn’t what was needed. Bernie Re came in November and really had the last two or three months for him to try and correct these things in 2016. The 2015 audit had 12 recommendations and went through each one.

Resolution No. 17-60 – Authorize Emergency Temporary Appropriations of 2017 Operating Budget in the amount – Current Fund \$1,327,856.00 and Sewer Operating \$240,500.00.

R 17-60

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS OF 2017 OPERATING BUDGET FOR THE TOWNSHIP OF LOPATCONG

WHEREAS, an emergent condition has arisen with the respect to the timely adoption of the 2017
Municipal

Budget and certain contracts, commitments or payments are to be made prior to the final adoption of the 2017 Municipal Budget and no adequate provision has been made in the 2017 temporary budget for the aforesaid purposes, and

WHEREAS, N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose to add to the temporary budget, and

WHEREAS, the total emergency temporary appropriation resolutions (not including temporary debt appropriations) adopted in the year 2017 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total:

Current Fund \$1,327,856.00
Sewer Operating \$240,500.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, in the County of Warren, State of New Jersey, with not less than two-thirds of all the members thereof affirmatively concurring, that in accordance with the provisions of N.J.S.A 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made for the titles of the appropriations in the amounts indicated below.
2. That said emergency temporary appropriations will be provided for in the 2017 Municipal Budget under the titles indicated.

	<u>CURRENT FUND:</u>			
10510022	Admin & Exec-Admin OE	2,000.00	10525211	Emergency Mgt. S&W
10510120	Postage	900.00	10526060	First-Aid Organ. OE
10510220	Computer Services	4,000.00	10526449	Fire Co.-Delaware Pk
10511010	Mayor & Council S&W	2,630.00	10527511	Prosecutor's Office S&W
10512010	Administration S&W	29,000.00	10529066	Roads S&W
10512020	Administration OE	5,000.00	10531070	Roads OE
10513010	Finance S&W	25,000.00	105375099	Blding & Grounds S&W
10513020	Finance OE	8,500.00	10543036	Blding & Grounds OE
10513521	Audit Services	12,750.00	10534011	Animal Control S&W
10514510	Revenue Adm S&W	1,500.00	10537126	Parks & Playgrounds OE
10514528	Revenue Adm OE	4,000.00	10537412	Pool S&W
10515010	Assessment S&W	5,850.00	10537436	Pool OE
10515331	Assessment OE	2,900.00	10544022	Garbage & Trash OE
10515541	Legal OE	9,000.00	10544622	Electricity OE
10516521B	Engineering OE	8,000.00	10544821	Telephone OE
10518327	Planning Board OE	2,017.00	10544999	Gas-Propane/Natural
10518511	Zoning Bd Of Adjust S&W	500.00	10546021	Fire Hydrant Service
10518525	Zoning Bd Of Adjust OE	1,250.00	10547120	Water
10519610	Blding Sub-Code S&W	20,000.00	10547520	Gasoline
10519692	Blding Sub-Code OE	250.00	10547120	PERS
10520011	Zoning Officer S&W	1,500.00	10547520	PFRS
10521021	Liability Insurance	23,000.00	10549011	Court S&W
10521520	Workers Compensation	26,000.00	10549023	Court OE
10519819	Fire Safety S&W	4,205.00	10547220	Social Security

10520111	Rent Board S&W	350.00	10680121	Highlands Grant
10520124	Rent Board OE	4,000.00	10693620	Interest on Notes
10522021	Grp Insurance OE	150,000.00	10693720	Pay't on Notes
10524010	Police S&W	250,000.00		
10524020	Police OE	28,000.00		

SEWER UTILITY OPERATING FUND:

7650110	Salaries and Wages	14,200.00		
7650136	Other Expenses	225,000.00		
7654021	Social Security	1,300.00		

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, May 3, 2017.

Margaret B. Dilts, CMC

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

Social Media Policy Amendment – Attorney Campbell explained this was a request by Police Chief Garcia at the last meeting. A one paragraph addition to the policy just says that the Police Dept. can have a Facebook page and the Chief would be in charge of the contents posted. And Council has the authority to take something off the page if necessary. The notifications would be public service announcements. Motion by Councilman Belcaro, seconded by Council President Pryor. All in favor.

Proclamation – “A Day of Prayer” – Motion to approve by Councilman Belcaro, seconded by Mayor McKay. Council President Pryor presented an alternative proclamation for Council’s consideration. The Warren County NDP Task force is a privately funded group. They organize observances but he felt the theme went well beyond what the legislation deals with.

A PROCLAMATION FOR A DAY OF PRAYER

WHEREAS, President Truman signed a joint resolution declaring that “The President shall set aside and proclaim a suitable day each year, other than a Sunday, as a National Day of Prayer, on which the people of the United States may turn to God in prayer and meditation at churches, in groups, and as individuals”; and

WHEREAS, Congress established Public Law 100-307 in 1988 to direct the President to set aside and proclaim the first Thursday in May in each year as a “National Day of Prayer”; and

WHEREAS, the 66th observance of the National Day of Prayer will be held on Thursday, May 4, 2017.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Lopatcong invites the citizens of our Township to participate in accordance with their own faiths, practices and consciences, and that those who choose to participate in whatever manner give thanks for our many freedoms and blessings.

Roll call vote:-

AYES: Councilman Belcaro, Mayor McKay

NAYS: Councilman Palitto, Councilman Wright, Council President Pryor

Council President Pryor made a motion to issue a proclamation for “A Day of Prayer” as I just read, seconded by Councilman Wright.

Roll call vote:

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

NAYS: None

Memorandum of Understanding – Police Dept. and Norwescap regarding community service projects. Motion by Council President Pryor, seconded by Councilman Wright. All in favor.

Consent Agenda:

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

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

NAYS: None

Vanguard Operations and Maintenance Proposal – Renew contract for solar panel maintenance at a rate of \$2523.60 for 2017.

Eurofins/QC Contract – Renew pool water testing at a rate of \$38.50 for the 2017 pool season.

Fire Company Memberships – Approve membership to Delaware Park Engine Co., No. 1 for Braden Moore, Shawn Campbell and Kyle Nolan to Strykers Fire House No. 2 as recommended by Fire Chief Pisciotto.

Resolution No. 17-61 – Authorize Change Fund for Pool Gate/Snack Bar/Recreation Program in the amount of \$700.00.

R 17-61

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING CHANGE FUND FOR POOL/GATE/SNACK
BAR AND RECREATION PROGRAM

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey want to make available a small quantity of currency for Pool/Snack Bar and Recreation Program; and

WHEREAS, these funds are to be carried on the municipality's balance sheet as an asset and checks are to be written on the general checking amount.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey do hereby approve this Change Fund in the amount of \$700.00 for Pool Snack Bar/Gate Office and Recreation Program.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, May 3, 2017.

Margaret B. Dilts, CMC

Resolution No. 17-62 – Authorize redemption of Tax Sale Certificate No. 2015-021 and Premium in the amount of \$48,452.98 on Block 95, Lot 18.

R 17-62

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REFUND OF REDEMPTION MONIES TO
OUTSIDE LIENHOLDER ON BLOCK 95, LOT 18

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on September 23, 2015, a lien was sold on Block 95, Lot 18 also known as 880 Strykers Road for 2014 taxes; and

WHEREAS, this lien, known as Tax Sale Certificate No. 2015-021 was sold to FWDSL & Associates LP for a Premium of \$23,000.00; and

WHEREAS, property owners have satisfied the redemption amount on Certificate No. 2015-021 in the amount of \$25,452.98.

NOW, THEREFORE, BE IT RESOLVED, on this 3rd day of May 2017 that the Chief Financial Officer be authorized to issue a check in the amount of \$48,452.98 for the redemption of Tax Sale Certificate No. 2015-021 and Premium to:

FWDSL & Associates LP
17 W Cliff Street
Somerville, NJ 08876

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, May 3, 2017.

Margaret B. Dilts, CMC

Resolution No. 17-63 – Authorize redemption of Tax Sale Certificate No. 2016-006 in the amount of \$563.64 on Block 16, Lot 14.

R 17-63

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE NO. 2016-006 ON BLOCK 16, LOT 14

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on October 12, 2016, a lien was sold on Block 16, Lot 14 also known as 19 Park Square for 2015 delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2016-006 was sold to Arthur Frustaci at 18%; and

WHEREAS, ERA Duke Realtors, manager for property owners has satisfied the redemption amount on Certificate No. 2016-006 in the amount of \$563.64.

NOW, THEREFORE, BE IT RESOLVED on this 3rd day of May 2017 that the Chief Financial Officer is authorized to issue a check in the amount of \$563.64 for the redemption of Tax Sale Certificate No. 2016-006 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, May 3, 2017.

Margaret B. Dilts, CMC

Resolution No. 17-64 – Authorize redemption of Tax Sale Certificate No. 2016-001 in the amount of \$1,451.46 on Block 2, Lot 33.

R 17-64

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE
NO. 2016-001 ON BLOCK 2, LOT 33

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on October 12, 2016, a lien was sold on Block 2, Lot 33 also known as 1001 Belvidere Road for 2015 delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2016-001 was sold to US Bank Cust For Pro Cap 4 & Creditors at 18%; and

WHEREAS, Midwest Loan Services, mortgage holder for property owners, has satisfied he redemption amount on Certificate No. 2016-001 in the amount of \$1,451.46.

NOW, THEREFORE, BE IT RESOLVED, on this 3rd day of May 2017, that the Chief Financial Officer is authorized to issue a check in the amount of \$1,451.46 for the redemption of Tax Sale Certificate No. 2016-001 to:

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

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, May 3, 2017.

Margaret B. Dilts, CMC

Announcement - 50th Anniversary Pool Celebration – May 27, 2017.

Council Reports:

Councilman Wright – Lori Ciesla representing the Recreation Committee noted that the Ribbon Cutting will be held at 12 noon. She informed the public about all the festivities of the day. Admission will be free that day.

Council President Pryor – Noted that there has been no more progress on the rain gardens. Rutgers did come out and do a survey but not sure of their schedule at this point. Asphalt plant appeal was decided on April 18th. Hopefully that is the end of the divisive issue in the town. The Appellate Division upheld the trial court decision. He suggested the decision be posted on the website without comment.

Last meeting, Council talked about contacting Senator Doherty relative to the traffic issues relating to the Ingersoll Rand site. Council President Pryor spoke to the Senator's aide and he is aware of the issue and has the correspondence he was copied on and the last letter included previous pieces of correspondence. They did want to talk to Debra Hirt who is the Community Relations Liaison for the DOT. The objective would be to have Senator Doherty write a letter of support.

The LAA Contract has a couple more revisions. Attorney Campbell said the LAA approved the President to sign the agreement with a few changes Brian Weeks came up with at the last minute.

The LAA Golf Outing is June 8th at the Architects Golf Club.

Councilman Palitto – Regarding the Board of Education is posting newsletters on their website and their Health and Wellness Fair at the Middle School on May 23rd. Mrs. Roncoroni had

handouts for both events. She invited Council to the promotion ceremony for 8th grade graduates on June 15th.

Councilman Belcaro – Reported the DPW is out mowing and performing other spring related work.

Mayor McKay – Reported he had little things. One regret with the budget was the Mayor's Wellness was not funded and the Environmental Commission was funded for \$500.00. He had received several letters in support of various versions of the Phillipsburg Library merger or cooperative effort or whatever, um, and people asked that we come up, it be brought up at the meeting if we had some time. I'm wondering if this is something that should be put in a pueblo side

Member Pryor – If I may, I mean I read the statute; there is a referendum and then it comes later; it comes after the Council's decision. I don't think we're ready for that yet. I'm prepared to do my own analysis which I would share with everybody. Everybody's invited to do their own independent analysis and I think Council has the obligation to sort through it first

McKay – Yes

Pryor – to decide if this is good or bad for us

McKay – Right I mean you could have people start their own and then try to petition for one but I don't know if that's gonna happen.

Pryor – It won't matter the buck stops here.

McKay – Yeah, well I just thought I'd bring it up to your attention that people are waxing nostalgic about the current situation. Let's see what else we got.

Engineer Report – Engineer Sterbenz had two things to report – Safe Routes to School Grant from the DOT was awarded to Lopatcong. There involves proof of eligibility. The State of New Jersey wants to know if the Township can handle the Federal Aid Grant. We have to meet with the DOT in Mt. Arlington and hold a kick off meeting to be deemed eligible. Beth would have to attend this meeting also as a local responsible party. Council authorized this meeting on motion by Council President Pryor, seconded by Councilman Belcaro. Roll call vote:

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

NAYS: None

Also noted was Council President Pryor will attend also. Engineer Sterbenz noted this would likely be before Memorial Day. Clerk Dilts noted she would be out of town from the 17th to the 26th of May. Engineer Sterbenz will set this up with the DOT.

Phillipsburg High School Roadway Improvement Project will, again, begin to finish the work remaining on the project. The contractor and Engineer Sterbenz will work that out. The Freeholders adopted a resolution to adopt the school speed zone adjacent to the high school entrance. The contractor will install the signage.

Police Report – Provided by Chief Garcia. Announced Operation Take Back on April 29th took a lot of medications off the shelf and disposed of – 20 lbs. of medications. In contact with DEA to get a permanent drop box at the municipal building. Phillipsburg Mall is holding a First Responders Day and that is scheduled for May 20 from 10 am to 3 pm.

Engineer Sterbenz noted that the Chief of Police provided all the accident reports on Rt. 22 over the last two years at the location – 47 accidents recorded; 28 westbound and 19 eastbound. There will be a spike in traffic as Ingersoll Rand gets redeveloped including truck traffic. These statistics were included in the letter to the DOT.

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

Payment of Bills - \$3,273,641.72. Motion to approve payment of bills by Council President Pryor, seconded by Councilman Wright. Roll call vote:

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

NAYS: None

Audience Participation:

John Betz – Brakeley Gardens – 180 million people are insured by their employer provided health care systems. That was said by a congressman. That number of 180 million is always rotating around by who is employed and who isn't. He wants accessible health care for all Americans.

Joe Imhoff – Aurora Street – Spoke about the National Day of Prayer and noted his wife Judy is the Warren County Coordinator. It is the 66th annual observance. Community Service at Shappel Park will be held at noon tomorrow.

Lori Ciesla - Thanked the Council for amending the prayer to be all inclusive of all religions. Veterans will hold the Candlelight Ceremony on May 28th which will be held in the evening at the Lopatcong Park. Car Wash fundraiser at the Fire House on Saturday 12 to 3 pm in an effort to benefit a family locally who suffered a tragedy. Motion to approve by Councilman Belcaro, seconded by Council President Pryor. All in favor.

Mayor McKay asked when the day was set for electronics pickup. Clerk Dilts informed him that it is at our cleanup every year. Council President Pryor said the county delayed this; having trouble getting a contractor to do it.

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

Respectfully submitted,

Margaret B. Dilts
Clerk/Administrator

Thomas M. McKay
Mayor

