

TOWNSHIP OF LOPATCONG
Meeting Minutes
6:30 pm Executive/7:30 Regular Session

May 3, 2023

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 Warren County Zone and by posting a copy on the bulletin board in the Municipal Building.”

Present: Councilman Belcaro, Councilman McQuade, Councilman Palitto, Council President Wright, Mayor Mengucci. Also present were Attorney Lavery and Engineer Sterbenz.

Attorney Lavery discussed the Executive Session matters as listed on the agenda.

Public Comment – Agenda Items Only

John Betz – Rent Control Ordinance – Mold and lease questions.

Robert Bruce – Harwich Road – Connector Road Resolution

Donna Schneider – 26 Meadowview – Vacation of paper street

Teresa Chapman – Connector Road and Lopatcong Park – Questioned Exec. Session matter.

Old Business:

Ordinance No. 23-10 – Second reading and public hearing of Bond Ordinance to provide an Appropriation of \$400,000 for Preliminary Studies for the Development of Lopatcong Park in and By and Authorizing the Issuance of \$380,000 Bonds or Notes for Financing Park of the Appropriation. Motion to hold a public hearing by Councilman Belcaro, seconded by Council President Wright. All in favor. No comments from the public. Motion to close the public hearing by Council President Wright, seconded by Mayor Mengucci. All in favor.

ORDINANCE NO. 23-10

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$400,000 FOR PRELIMINARY STUDIES FOR THE DEVELOPMENT OF LOPATCONG PARK IN AND BY THE TOWNSHIP OF LOPATCONG, IN THE COUNTY OF WARREN, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$380,000 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 \$400,000. Such sum includes the sum \$20,000 as the down payment

(the “Down Payment”) required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments or capital improvement purposes.

SECTION 2:

In order to finance the additional cost of the Improvement not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$380,000 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 \$380,000 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

SECTION 3:

(a) The Improvements hereby authorized and the purposes for the financing of which said obligations are to be issued is in connection with the undertaking of preliminary studies for the development of Lopatcong Park, 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 \$380,000.

(c) The estimated cost of the Improvement is \$400,000 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 15 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 \$380,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$400,000 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:

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 \$380,000.

SECTION 10:

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 May 3, 2023 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 \$400,000 For Preliminary Studies For The Development Of Lopatcong Park In And By The Township Of Lopatcong, In The County Of Warren, New Jersey And Authorizing The Issuance Of \$380,000 Bonds Or Notes Of The Township For Financing Part Of The Appropriation.

Purpose(s): In connection with the undertaking of preliminary studies for the development of Lopatcong Park, 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: \$400,000

Bonds/Notes Authorized: \$380,000

Grants (if any) Appropriated: N/A

Section 20 Costs: \$400,000

Useful Life: 15 Years

M. Beth Dilts, Clerk

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

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

NAYS: None

2023 Budget Hearing and Adoption – Auditor Mooney explained this is a budget hearing and adoption. The State of New Jersey has granted this as Lopatcong is in a state examination year. The budget represents a two-cent increase to the local tax rate. On a house assessed at \$231,000 the increase is \$46.00 per year. What is driving this are some uncontrollable costs; pension increases and health benefits equaling \$170,000.00. CFO stated the total appropriations are \$11,190,070.51 with an anticipated revenue of \$5,274,484.14, leaving an amount to be raised by taxation of \$5,915,586.37. Motion to hold a public hearing by Council President Wright, seconded by Council President Palitto. John Betz – 225 Red School Lane – does this budget include funds that will be for studies of the Lopatcong Park development and in and by the park situation? Auditor Mooney said there is money in the budget if the project moves forward for the down payment on an ordinance. CFO Browne said \$15 million is the total amount of the project. Motion to close public hearing by Council President Wright, seconded by Councilman Belcaro. Motion to adopt the Budget for 2023 by Council President Wright, seconded by Councilman Palitto. Roll call vote:

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

NAYS: None

New Business:

Resolution No. 23-61A – Authorizing to submit a Grant Application and Execute a Grant Contact with the NJDOT for the Industrial Connector Road from Route US 22 to Strykers Road.

R 23-61A

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING TO SUBMIT A GRANT APPLICATION AND
EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF
TRANSPORTATION FOR THE INDUSTRIAL CONNECTOR ROAD FROM ROUTE U.S. 22
TO STRYKERS ROAD PROJECT

WHEREAS, Strykers Road is an inter-municipal collector roadway within Lopatcong Township that handles a high traffic volume; and

WHEREAS, the portion of Strykers Road south of Route 57 is used by motorists to travel between Route 57 and Route 22; and

WHEREAS, the portion of Strykers Road south of Route 57 is being used extensively by trucks; and

WHEREAS, the use of Strykers Road south of Route 57 by motorists including trucks has impacted the intersections of Route 519 and Strykers Road and Route 22 and Route 519; and

WHEREAS, the intersection of Route 22 and County 519 had the second highest number of crashes for a particular County roadway location in the 2021 calendar year per the Warren County Road System Traffic Crash Data and Road Safety Assessment Report for the 2021 calendar year prepared and issued by the Warren County Engineering Department in August 2022; and

WHEREAS, it would be in the interest of Lopatcong Township and other local government agencies including the County if traffic could be directed to Route 22 via another route to avoid Route 519; and

WHEREAS, the Township seeks to design and construct an industrial connector road between Strykers Road and Route 22 to reduce congestion on Route 519 particularly at the Route 22 – Route 519 intersection; and

WHEREAS, the industrial connector road is proposed to utilize a portion of an existing industrial roadway and meet at the Route 22 – Rand Boulevard signalized intersection, which was recently constructed;

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

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as LTPF-2023-Industrial Connector Road from Rou-00111 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, RMC, 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 the Lopatcong Township Council at its meeting on Wednesday, May 3rd, 2023.

Margaret B. Dilts, MMC
Township Clerk/Administrator

Motion to adopt this Resolution by Council President Wright, seconded by Mayor Mengucci.

Roll call vote:

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

NAYS: None

Ordinance No. 23-11 – First reading of Bond Ordinance Providing an Appropriation of \$560,000 for Various Capital Improvements in and by the Township of Lopatcong the County of Warren, New Jersey and Authorizing the Issuance of \$531,500 Bonds or Notes of the Township of Lopatcong for Financing Part of the Appropriation.

ORDINANCE NO. 23-11

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$560,000 FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF LOPATCONG, IN THE COUNTY OF WARREN, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$531,500 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 11:

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 \$560,000, such sum includes \$28,500 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 12:

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 \$531,500 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 \$531,500 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

SECTION 13:

(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
1. Acquisition of various equipment for the Fire Department, including but not limited to structural gear, SCBA bottles, nozzles, hoses, headsets and imaging cameras, all as shown on and in accordance with the plans and specifications thereon on file in the office of the Clerk and hereby approved.	\$70,000	\$66,500	5 Years
2. Acquisition of radar units for the Police Department, 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.	15,000	14,250	5 Years
3. Various acquisitions and improvements for the Department of Public Works, including acquisition of mason dump trucks and generator and improvements to Department of Public Works parking lots, all as shown on and in accordance with the plans and specifications thereon on file in the office of the Clerk and hereby approved.	475,000	450,750	9.52 Years
TOTAL ALL PURPOSES	\$560,000	\$531,500	

(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 \$531,500.

(c) The estimated cost of the Improvement is \$560,000 which amount represents the initial appropriation made by the Township.

SECTION 14:

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 15:

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 16:

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 8.83 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 \$531,500 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 17:

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 18:

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 \$531,500.

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

NOTICE OF PENDING BOND ORDINANCE

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Lopatcong, in the County of Warren, State of New Jersey, on May 3, 2023. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Municipal Building, 232 South 3rd Street, in the Township of Lopatcong, on June 7, 2023 at 7:30 o'clock PM. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: Bond Ordinance Providing An Appropriation Of \$560,000 For Various Capital Improvements In And By The Township Of Lopatcong, In The County Of Warren, New Jersey And Authorizing The Issuance Of \$531,500 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, headsets and imaging cameras; Acquisition of radar units for the Police Department; and Various acquisitions and improvements for the Department of Public Works, including acquisition of mason dump trucks and generator and improvements to Department of Public Works parking lots.

Appropriation: \$560,000

Bonds/Notes Authorized: \$531,500

Grants (if any) Appropriated: N/A

Section 20 Costs: \$40,000

Useful Life: 8.83 Years

M. Beth Dilts, Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

Motion to adopt this Ordinance on first reading by Councilman Belcaro, seconded by Councilman Wright. Roll call vote:

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

NAYS: None

Ordinance No. 23-12 – First reading of Bond Ordinance Providing an Appropriation of \$1,025,000 for Various Road Improvements and Authorizing the Issuance of \$713,102 in Bonds or Notes for Financing Part of the Appropriation.

ORDINANCE NO. 23-12

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$1,025,000 FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE TOWNSHIP OF LOPATCONG, IN THE COUNTY OF WARREN, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$713,102 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 \$1,025,000, such sum includes the sum of (a) \$117,338.50 expected to be received as a grant from the New Jersey Department of Transportation in connection with the improvement described in Section 3(a)(1); (b) \$144,560 expected to be received as a grant from the New Jersey Department of Transportation in connection with the improvement described in Section 3(a)(2); and (c) \$49,999.50 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 \$713,102 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 \$713,102 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

SECTION 14:

(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
1. Construction of sidewalks including curb ramps, curbing, driveways, drainage crosswalks and lawn restoration on the north side of Upper Belvidere Road between North First Street and Willdew Avenue, 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.	\$275,000	\$143,102	10 Years
2. Improvement of Belview Road between Strykers Road and County Route 519, including milling, resurfacing, striping, drainage, guiderail and restoration, 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.	450,000	285,000	10 Years
3. Improvement of Jade Lane North of Haze Way, including milling, resurfacing, drainage structure repairs and retrofits, sanitary sewer repairs and retrofits, curb ramp construction and restoration, 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.	300,000	285,000	10 Years
TOTAL ALL PURPOSES	\$1,025,000	\$713,102	

(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 \$713,102.

(c) The estimated cost of the Improvement is \$1,025,000 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 \$713,102 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$325,000 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 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 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 \$713,102.

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

NOTICE OF PENDING BOND ORDINANCE

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Lopatcong, in the County of Warren, State of New Jersey, on May 3, 2023. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Municipal Building, 232 South 3rd Street, in the Township of Lopatcong, on June 7, 2023 at 7:30 o'clock PM. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: Bond Ordinance Providing An Appropriation Of \$1,025,000 For Various Capital Improvements In And By The Township Of Lopatcong, In The County Of Warren, New Jersey And Authorizing The Issuance Of \$713,102 Bonds Or Notes Of The Township For Financing Part Of The Appropriation

Purpose(s): Construction of sidewalks including curb ramps, curbing, driveways, drainage crosswalks and lawn restoration on the north side of Upper Belvidere Road between North First Street and Willdew Avenue; Improvement of Belview Road between Strykers Road and County Route 519, including milling, resurfacing, striping, drainage, guiderail and restoration; and Improvement of Jade Lane North of Haze Way, including milling, resurfacing, drainage structure repairs and retrofits, sanitary sewer repairs and retrofits, curb ramp construction and restoration.

Appropriation: \$1,025,000

Bonds/Notes Authorized: \$713,102

Grants (if any) Appropriated: \$117,338.50 expected to be received as a grant from the New Jersey Department of Transportation in connection with the construction of sidewalks on the north side of Upper Belvidere Road between North First Street and Willdew Avenue and \$144,560 expected to be received as grant from the New Jersey Department of Transportation in connection with the improvement of Belview Road between Strykers Road and County Route 519.

Section 20 Costs: \$325,000

Useful Life: 10 Years

M. Beth Dilts, Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

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

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

NAYS: None

Ordinance No. 23-13 – First reading to Amend the Rent Control Ordinance to Add Mold as a Health, Safety and Welfare Condition and to Require Landlords to provide Hard Copies of Leases to Tenants.

ORDINANCE NO. 2023-13

AN ORDINANCE TO AMEND THE RENT CONTROL ORDINANCE TO ADD MOLD AS A HEALTH, SAFETY, AND WELFARE CONDITION AND TO REQUIRE LANLORDS TO PROVIDE HARD COPIES OF LEASES TO TENANTS

WHEREAS, the Mayor and Township Council of the Township of Lopatcong, County of Warren, New Jersey, had previously adopted an Ordinance on June 16, 1982 which was published on June 24, 1982 and thereafter was subsequently amended on December 15, 1982 and published on December 23, 1982; and

WHEREAS, the current Rent Control Ordinance provides certain protections to renters within the Township of Lopatcong; and

WHEREAS, the Township wishes to amend the Rent Control Ordinance to expand the protections afforded to renters.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Council of the Township of Lopatcong, County of Warren and State of New Jersey that the Rent Control Ordinance be amended as follows:

Section 173-10 Increases due to hardship or improvements.

A. Financial hardship

...

(4) The Board may refuse to grant a hardship increase if the property is not in substantial compliance with the state and local building codes. "Substantial compliance" means 90% qualitatively free of code violations and free of all conditions that threaten health, safety and welfare, including, but not limited to, mold, lack of heat, hot water or electrical hazards.

Section 173-19.1 Information to be given to all tenants.

A landlord renting to a tenant shall be required to provide a hard copy of the lease to the tenant when the parties first enter into a lease, when the landlord and tenant enter into a new lease, or when the landlord and tenant enter into a lease renewal. The failure of the landlord to do so shall constitute a violation of this chapter.

Section 2:

All sections of the Chapter that are unchanged shall remain as is.

Section 3:

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

Section 4:

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

Section 5:

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 for first reading at the regular meeting of the Council of the Township of Lopatcong held on May 3, 2023 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, 2023 at 7:30 PM, or as soon thereafter as the Township Council may hear this Ordinance, at 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.

Motion by Mayor Mengucci to adopt, seconded by Councilman Palitto. Roll call vote:
AYES: Councilman Belcaro, Councilman McQuade, Councilman Palitto, Council President Wright, Mayor Mengucci.
NAYS: None

Consent Agenda:

Motion to adopt the Consent Agenda by Councilman Palitto, seconded by Mayor Mengucci. Roll call vote:
AYES: Councilman Belcaro, Councilman McQuade, Councilman Palitto, Council President Wright, Mayor Mengucci.
NAYS: None

R 23-78

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 nineteen on the Consent Agenda.

1. Resolution – Authorize redemption of Tax Sale Certificate No. 2021-021 on Block 107, Lot 5 in the amount of \$854.95, Premium \$1,500.00.
2. Resolution – Authorize redemption of Tax Sale Certificate No. 2021-022 on Block 115.06, Lot 20 C0284 in the amount of \$1,960.65, Premium \$400.00.
3. Resolution – Authorize redemption of Tax Sale Certificate No. 2020-048 on Block 117, Lot 1 in the amount of \$12,564.87, Premium \$100.00.
4. Resolution – Authorize redemption of Tax Sale Certificate No. 2020-052 on Block 129, Lot 32 in the amount of \$2,399.56, Premium \$1,500.00.
5. Resolution – Authorize refund of Tax Overpayment on Block 2, Lot 31.03 in the amount of \$3,195.84.
6. Resolution – Authorize refund of Tax Overpayment on Block 86, Lot 101 in the amount of \$3,013.51.
7. Resolution – Authorize refund of Tax Overpayment on Block 99, Lot 399 C0313 in the amount of \$1,243.26.
8. Resolution – Authorize Sewer Credit on Block 106, Lot 42 in the amount of \$74.80.
9. Resolution – Appoint Judge Gerald Shammy as Judge for the unexpired term through 12/31/2024.
10. Resolution – Memorialize hire of Michelle Forniciari as Account Clerk in the Tax Collector's office.
11. Resolution – Approve pay rates for municipal employees – Removed.
12. Resolution – Award Bid to Topline Construction for Drainage Structure and Sidewalk Repairs in the amount of \$96,287.45.
13. Resolution – Award Bid to Riverview Paving, Inc., for Baltimore Street Roadway Improvements in the amount of \$266,500.43.
14. Township Logo – Have a graphic artist re-do the Township Logo for approximately \$150.00.
15. Appointment of Kermit Hartman, Jr. to the Planning Board by Mayor Mengucci.
16. Approve quote from JamFam Productions for supplying equipment, sound system, food trucks, etc. in the amount of \$5,600.00.

17. Approve quote from Largo Paving, LLC in the amount of \$5750.00 for work to be completed at the Lopatcong Park in and around benches and back stop areas.
18. Approve Raffle License applications for Pohatcong PTA.
19. Resolution to approve Temporary Municipal Budget for 2023.

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, 2023.

Margaret B. Dilts, MMC

LIHWAP Agreement – Authorize Mayor Mengucci to execute Dept. of Community Affairs LIHWAP Agreement for low-income sewer bill assistance.

Municipal Electronic Checks – Authorize Mayor Mengucci to execute Agreement with Municipality to accept electronic checks via website.

Deiter Bros. Authorize Contract with Deiter Bros. for Preventative Maintenance in the amount of \$3,200.00 for two years.

Resolution No. 23-79 – Establish by Rider for Outside Employment of Off-Duty Municipal Officers Trust Fund, LFN 2000-14.

R 23-79

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY REQUESTING PERMISSION TO ESTABLISH THE DEDICATION BY RIDER FOR OUTSIDE EMPLOYMENT OF OFF-DUTY MUNICIPAL OFFICERS TRUST FUND, LFN 2000-14

WHEREAS, permission is required from the Director of the Division of Local Government Services for the approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimate in advance; and

WHEREAS, N.J.S.A. 40A:4-39 provides the Director of the Division of Local Government Services may approve expenditures or money by dedication by rider.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lopatcong as follows:

1. The Township Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures under provision of N.J.S.A. 40A:4-39, for Outside Employment of Off-Duty Municipal Officers Trust created in accordance with the provisions of LFN2000-14.
2. The Municipal Clerk is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

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, 2023.

Margaret B. Dilts, MMC

Resolution No. 23-80 – Approve Item of Revenue and Appropriation under N.J.S.A. 40A:4-87 to include NJ Dept of Environmental Protection 2023 Stormwater Assistance Grant of \$15,000.00 into the Budget.

R 23-80

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 the 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 2023.

In the sum of \$15,000.00 – NJ Department of Environmental Protection.

BE IT FURTHER RESOLVED that the like sum of \$15,000.00 – 2023 Stormwater Assistance Grant

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, 2023.

Margaret B. Dilts, MMC

Resolution No. 23-81 – Approve Street name.

R 23-81

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY PERMITTING THE NAMING OF A PRIVATE STREET/RIGHT-OF-WAY UTILIZED FOR ACCESS BY THE OWNERS OF THE ASPHALT PLANT ON LOT 6 IN BLOCK 100

WHEREAS, a private street within a right-of-way known as Lot 6.08 in Block 100 was constructed as part of the development of the asphalt plant on Lot 6 in Block 100; and

WHEREAS, the developer of the asphalt plant refers to this private street as Godfrey's Way; and

WHEREAS, the developer of the asphalt plant would like to have the name of the street approved by the Township; and

WHEREAS, the Township Council of the Township of Lopatcong has no issues with the street name of Godfrey's Way.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lopatcong that the private street within a right-of-way known as Lot 6.08 in Block 100 is hereby permitted to be named as Godfrey's Way; and

BE IT FURTHER RESOLVED, that the street identification sign installed following this approval shall be in compliance with the Manual on Uniform Traffic Control Devices (MUTCD) and Township requirements; and

BE IT FURTHER RESOLVED, that the developer shall submit shop drawings on the new signage to the Township Engineer for review and approval prior to ordering materials and installing the street identification sign; and

BE IT FURTHER RESOLVED, that all costs associated with the design and construction of this signage shall be borne by others and not the Township.

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 the Township Council at a meeting held on May 3, 2023.

Margaret B. Dilts, MMC

Vanguard Energy Partners Maintenance Contract – Contract renewal for solar array systems.

Resolution No. 23-82 - Authorize Redemption of Tax Sale Certificate No. 2020-040 on Block 108, Lot 24 in the amount of \$7,026.53, Premium \$21,300.00.

R 23-82

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE NO. 2020-040 ON BLOCK 108, LOT 24

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 29, 2020a lien was sold on Block 108, Lot 24 also known as 248 Stonehenge Drive for delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2020-040 was sold to US Bank Custodian for Actlien Holding; and

WHEREAS, on April 14, 2023 the Certificate No. 2020-040 has been satisfied in the amount of \$7,026.53, Premium \$21,300.00.

NOW, THEREFORE, BE IT RESOLVED on this 3rd day of May 2023 that the Chief Financial Officer is authorized to issue a check in the amount of \$7,026.53, Premium \$21,300.00 for the redemption of Tax Sale Certificate No. 2020-040 to:

US Bank Custodian for Actlien holding
50 South 16th Street, 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 the Township Council at a meeting held on May 3, 2023.

Margaret B. Dilts, MMC

Resolution No. 23-83 - Correct Tax Account for Block 2, Lot 31.03.

R 23-83

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX ACCOUNT FOR
BLOCK 2, LOT 31.03

WHEREAS, per Resolution 22-74 dated May 4, 2022, the Tax Collector was to adjust the tax account to cancel taxes for 3rd and 4th Quarter of 2022 due to a tax-exempt status (disabled veteran) and issue a refund in the amount of \$1,887.56 for an overpayment of taxes; and

WHEREAS, per Resolution 23-58 dated March 1, 2023 the Tax Collector, Tax Assessor and CFO were authorized to cancel 1st and 2nd Quarter of 2023; and

WHEREAS, per Resolution 23-67 dated April 5, 2023, authorized the CFO to issue a refund in the amount of \$3,195.84 due to an overpayment of taxes; and

WHEREAS, it has been found that resident of Block 2, Lot 31.03, 1047 Belvidere Road was applying for a Veteran Deduction, not an Exemption in 2022.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey do hereby authorize the Tax Collector to correct the tax account moving it from a tax-exempt status to taxable for 2022-2023. The CFO and Tax Assessor are hereby authorized to make the necessary adjustments to reflect this correction.

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 the Township Council at a meeting held on May 3, 2023.

Margaret B. Dilts, MMC

Resolution No. 23-84 Authorize redemption of Tax Sale Certificate No. 2020-038 on Block 99, Lot 387 C0525 in the amount of \$2,389.83, Premium \$1,600.00.

R 23-84

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE
NO. 2020-038 ON BLOCK 99, LOT 387 QUALIFICATION C0525

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 29, 2020 a lien was sold on Block 99, Lot 387 Qualification C0525 also known as 525 Goldfinch Terrace for delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2020-038 has been satisfied in the amount of \$2,389.83, Premium \$1,600.00.

NOW, THEREFORE, BE IT RESOLVED on this 3rd day of May 2023, that the chief Financial Officer is authorized to issue a check in the amount of \$2,389.83, Premium \$1,600.00 for the redemption of Tax Sale Certificate No. 2020-038 to:

US Bank Custodian for Actlien Holding
50 South 16th Street, 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 the Township Council at a meeting held on May 3, 2023.

Margaret B. Dilts, MMC

Resolution No. 23-85 – Authorizing redemption of Tax Sale Certificate No. 2022-020 on Block 86.03, Lot 6 in the amount of \$3,343.10, Premium \$3,800.00.

R 23-85

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE
NO. 2022-020 ON BLOCK 86.03, LOT 6

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 15, 2022, a lien was sold on Block 86.03, Lot 6 also known as 45 Meadowview Drive for delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2022-020 was sold to EVOLVE Bank and Trust; and

WHEREAS, on April 26, 2023, the Certificate no. 2022-020 has been satisfied in the amount of \$3,343.10, Premium \$3,800.00.

NOW, THEREFORE, BE IT RESOLVED on this 3rd day of May 2023, that the Chief Financial Officer is authorized to issue a check in the amount of \$3,343.10, Premium \$3,800.00 for the redemption of Tax Sale Certificate No. 2022-020 to:

EVOLVE Bank & Trust
6070 Poplar Ave., Suite 200
Memphis, TN 38119

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 the Township Council at a meeting held on May 3, 2023.

Margaret B. Dilts, MMC

Resolution No. 23-86 - Authorize redemption of Tax Sale Certificate No. 2020-011 on Block 42, Lot 10 in the amount of \$2,545.25, Premium \$1,100.00.

R 23-86

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE
NO. 2020-011 ON BLOCK 42, LOT 10

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 29, 2020 a lien was sold on Block 42, Lot 10 also known as 625 Rugby Road for delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2020-011 was sold to Arthur Frustaci; and

WHEREAS, on April 19, 2023, the Certificate No. 2020-011 has been satisfied in the amount of \$2,545.25, Premium \$1,100.00.

NOW, THEREFORE, BE IT RESOLVED on this 3rd day of May 2023, that the Chief Financial Officer is authorized to issue a check in the amount of \$2,545.25, Premium \$1,100.00 for the redemption of Tax Sale Certificate No. 2020-011 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 the Township Council at a meeting held on May 3, 2023.

Margaret B. Dilts, MMC

Resolution No. 23-87 – Authorize refund for a Tax Overpayment for Block 133, Lot 35 in the amount of \$2,178.88.

R 23-87

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO ISSUE A REFUND FOR A TAX OVERPAYMENT FOR BLOCK 133, LOT 35

WHEREAS, Block 133, Lot 35 qualified as tax exempt (disabled veteran) on August 8, 2022; and

WHEREAS, per resolution 22-185 dated December 7, 2022, the Tax Collector was to adjust the tax account to cancel taxes for the 4th quarter of 2022, the 1st and 2nd quarter of 2023 and issue a refund in the amount of \$2,090.22 for an overpayment of 2022 Taxes; and

WHEREAS, it has been found that the 1st and 2nd quarter 2023 taxes have indeed not been cancelled and as a result, the residents mortgage company has paid forcing an overpayment of \$2,178.88 for the 1st quarter of 2023.

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 authorize the Tax Collector to cancel the 1st and 2nd quarter taxes, as well as the CFO to process a refund in the amount of \$2,178.88 to:

Michael and Paige Blakely
20 Byron Drive
Phillipsburg, NJ 08865

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council at a meeting held on May 3, 2023.

Margaret B. Dilts, MMC

Resolution No. 23-88 – Statute of Limitations on Tax, Sewer Bills.

R 23-88

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN, STATE OF NEW JERSEY REGARDING THE ENFORCEMENT OF THE SIX YEAR STATUTE OF LIMITATIONS ON MUNICIPAL TAX, WATER AND SEWER BILLS

WHEREAS, a former Township employee had converted monies paid for taxes, water and sewer bills to her own use; and

WHEREAS, occasionally, members of the public appear to advise that one or more of their accounts were paid but not properly credited; and

WHEREAS, there is a six (6) year statute of limitations that applies to municipal tax, water and sewer bills; and

WHEREAS, the Township Council believes that six years is more than enough time to discover a billing irregularity; and

WHEREAS, the Township Council of the Township of Lopatcong believes it is in the best interests of the taxpayers to abide by the six (6) year statute of limitations.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lopatcong that, moving forward, it will abide by the six (6) year statute of limitations with regard to municipal tax, water and sewer bills.

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 the Council at a meeting held on May 3, 2023.

Margaret B. Dilts, MMC

Announcement – Special Council Meeting on May 17th 6:30 Exec. Session/7:00 pm Regular Session. Lopatcong Park Master Plan discussion.

Council Reports-

Councilman McQuade – No report.

Councilman Belcaro – No report.

Councilman Palitto – Cleanup for the town was April 22nd. Special thanks to Robyn George for organizing the event. Councilman Palitto suggested installing “no littering” signs on Strykers Road.

Council President Wright – Noted the okay from the County regarding the signs. Properties on Rt. 22 have placed “no parking” signs on their property; old Bell and Howell. Coopers still has cars and trucks and their 90 days is up so they will be cited again.

Mayor Mengucci – Read a letter addressed to Mayor and Council. A non-resident Bob Conklin thanked the DPW Superintendent Brian Weeks and Joe DiMassi for their assistance over the years storing his boat in the pavilion. He had nice thoughts about both employees. Thanked the Boy Scouts for coming and it was noted by their Scout Master that their attendance was for community service and badges.

Engineer Sterbenz – Advised the Council that the award of a contract was approved by the NJDOT for Riverview Paving to begin the project. Bids were opened today for the sidewalk project and a report will be forthcoming. Belview Road Project will be moving forward due the approved 2023 Budget.

Department Reports – Motion by Councilman Belcaro, seconded by Councilman Palitto. All in favor.

Payment of Bills – Motion by Mayor Mengucci to pay the bills, seconded by Council President Wright. Roll call vote:

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

NAYS: None

Audience Participation:

Robert Bruce – 11 Harwich Road – Noted he made a request for information from the Greenwich Police Dept. for number of truck stops that had been made and violations last month and thought the chief would have provided a report. Discussed the connector road to which Engineer Sterbenz provided further information such as design and length and about six properties where land had to be acquired. The grant would provide funds to study and design. The road would avoid trucks going to Rt. 519.

Donna Schneider – 26 Meadowview Road – What vendor did the fireworks get awarded to? How much are you paying? No award and \$10,000 was put into the budget for this year. Asked again about Meadowview Drive and why that paper street? A discussion ensued wherein Ms. Schneider and Councilman McQuade discussed who initiated the request for the vacation of the street.

Teresa Chapman – Thanked Engineer Sterbenz for the detailed explanation of the connector road. Asked about how the lands would be acquired.

John Betz – Asked about having a Rent Leveling Board Meeting this month. Mentioned some items to be discussed.

Paul Spam – Brakeley Gardens – Introduced himself and mentioned the kinds of things he is facing as a new renter.

Richard Merker - 1400 Belvidere Road – Talked about the truck issues on Belvidere Road. Has questions about the sidewalk project as well. Engineer Sterbenz will address this with Mr. Merker.

John Kecherson – 38 Jade Lane – Acknowledge the trucks on Belvidere Road. Read aloud a statement of the meeting about the connector road, asked about the strong steps Council took to eliminate warehouses. Talked about the minutes from a Pohatcong meeting and what was stated in them.

Brian Weeks – Spoke to Council about the service for the generators. He is using P3 Services for the Municipal Building is switching out Engines Inc. for Henry's Generator Service. Wants to contract them for one year and re-evaluate for next year.

Vicky Wyatt – Uniontown Road. Heard that Zohn Industrial Park is going to be in court. Is that correct? Wanted to know if it was open to the public. Asked about Belview Road being widened. The bridge belongs to the county and Engineer Sterbenz will let them know the schedule for the resurfacing.

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

Respectfully submitted,

Margaret B. Dilts, MMC
Clerk/Administrator

James E. Mengucci
Mayor

