

TOWNSHIP OF LOPATCONG  
MEETING MINUTES

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

September 6, 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

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

Motion to return to Regular Session by Council President Wright, seconded by Councilman McQuade. All in favor. Mayor Mengucci asked for a motion to act on No. 13 under Executive Session. Motion by Council President Wright, seconded by Mayor Mengucci. Roll call vote: AYES: Councilman McQuade, Councilman Palitto, Council President Wright, Mayor Mengucci.  
NAYS: None

**Presentation: Block 100, Lot 2.03 & 3 – Devimy Lopat - Area in Need of Redevelopment**  
Joe Mizrahi, principle, was present to present the proposed development for Block 100, Lot 2.03 and 3 – 1011 Rt. 22. Property is deemed in need of redevelopment and proposing a WAWA fueling station with convenience store, a quick service restaurant and a self-storage building. Part of this redevelopment would include making the fourth leg of the intersection of Rt. 22 and Rand Blvd. There would be a possible extension of Rand to Stryker in the future.

**Public Comment – Agenda Items Only.**

John Betz – Brakeley Garden Apartments – Asked about No. 6 under Consent Agenda.

Judy Liptak – Kyle Drive – Questioned No. 11 under Executive Session regarding sewer rates, No. 2 under Old Business – weight restrictions on local roads, No. 5, 6 and 14 under Consent Agenda.

Donna Schneider – Meadowview Drive – Block 86, Lot 1.01 – asked the location. Inquired as to Condition No. 3? Asked about the paper street between 30 and 32 Meadowview Drive. Asked about the procedure.

Robert Bruce – 11 Harwich Rd. – No. 14 and No. 2. Asked where he could get existing sketch of proposed road.

Mr. Cuningham – Block 86, Lot 1.01 – A letter will be addressed to him regarding Condition No. 3.

**Old Business:**

Minutes – Executive and Regular Sessions for July 5, 2023 and August 2, 2023. Motion to approve by Council President Wright, seconded by Councilman McQuade. Roll call vote: AYES: Councilman McQuade, Councilman Palitto, Council President Wright, Mayor Mengucci.

NAYS: None

Ordinance No. 23-19 – Second reading and public hearing to Supplement Chapter 227 entitled “Vehicles and Traffic” to Add Section 227-20A “Vehicles Over Designated Gross Weight Rating (GVWR) Excluded from Certain County Streets.

ORDINANCE NO. 2023-19

SECOND NOTICE OF AN ORDINANCE

NOTICE is hereby given that a regular meeting of the Township Council of the Township of Lopatcong, County of Warren and State of New Jersey, held on Wednesday, September 2, 2023 at the Municipal Building, 232 South Third Street, Phillipsburg, New Jersey, the following Ordinance was presented and passed on the final reading. The Ordinance was then ordered to be published according to law by title only.

**ORDINANCE OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 227 TITLED “VEHICLES AND TRAFFIC” TO ADD SECTION 227-20A “VEHICLES OVER DESIGNATED GROSS VEHICLE WEIGHT RATING (GVWR) EXCLUDED FROM CERTAIN COUNTY STREETS**

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

Margaret B. Dilts, MMC

**Consent Agenda:**

Motion to adopt Consent Agenda by Council President Wright, seconded by Councilman McQuade. Roll call vote:

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

NAYS: None

R 23-144

**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 sixteen on the Consent Agenda.

1. Resolution – Award Non-Fair and Open Contract to Titan Mobile Shredding.

2. Resolution – Award Non-Fair and Open Contract to LMR Disposal.
3. Authorize Mayor Mengucci to execute Contract with the County regarding grant funds awarded to SWMA July 1, 2023 through June 30, 2024.
4. Resolution – Cancel Municipal Finance Balance of \$263.55.
5. Resolution – Approve Item of Revenue from Local Recreational Improvement Grant in the 2023 Budget in the amount of \$82,000.00.
6. Resolution – Approve Item of Revenue from NJ Dept. of Community Affairs Lead Grant Assistance Program in the 2023 Budget in the amount of \$4,500.00.
7. Phillipsburg High School requesting permission to use the Park Parking Lot on October 12<sup>th</sup> and 19<sup>th</sup>. A Certificate of Insurance will be forthcoming.
8. Appoint Heather Hufford to Recreation Committee.
9. Authorize payment to Tilcon in the amount of \$68,947.44 for work completed on portion of Stonehenge Drive.
10. Authorize payment to Key Tech in the amount of \$1,910.00 for work completed on Baltimore Street Improvement Project.
11. Resolution – Authorize redemption of Tax Sale Certificate No. 2020-042 in the amount of \$47,452.16 on Block 115.03, Lot 12 C0224.
12. Resolution – Authorize redemption of Tax Sale Certificate No. 2021-002 in the amount of \$31,230.24, Premium \$45,100.00.
13. Resolution – Authorize redemption of Tax Sale Certificate No. 2020-056 in the amount of \$7,257.49, Premium \$1,200.00.
14. Resolution – Memorialize hire of Class II Police Officer Eliezer Cortes.
15. Authorize payment for the Lopatcong Football Field Scoreboard in the amount of \$13,705.00.
16. Approve Junior Memberships for Louie J. Carrion and Felix M. Torres to the Delaware Park Engine Co., No. 1 per Fire Chief Lou LaFord.

#### 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, September 6, 2023.

Margaret B. Dilts, MMC

Resolution No. 23-135 – Award Contract to Titan Mobile Shredding.

R 23-135

#### RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO AWARD A CONTRACT TO TITAN MOBILE SHREDDING FOR SHREDDING SERVICES

WHEREAS, the Township Council of the Township of Lopatcong, County of Warren and State of New Jersey recognizes the need to have a shredding event for the community to utilize such services; and

WHEREAS, the Titan Mobile Shredding submitted a proposal for an amount of \$1,200.00; and

WHEREAS, said services are exempt from public bid under the Local Public Contract Laws N.J.S.A. 40A:11, et. Seq., as being below the bid threshold of \$44,000 because Lopatcong has a Qualified Purchasing Agent (QPA); and

WHEREAS, the Township is desirous of awarding the contract for mobile shredding to Tital Mobile Shredding.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lopatcong that the Mayor and Clerk are hereby authorized to enter into an agreement with Tital Mobile Shredding for shredding 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, September 6, 2023.

Margaret B. Dilts, MMC

Resolution No. 23-136 – LMR Disposal – Fall Cleanup.

R 23-136

#### RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO ACCEPT QUOTE FROM LMR DISPOSAL FOR THE TOWNSHIP ANNUAL FALL-CLEANUP

WHEREAS, the Township Council of the Township of Lopatcong County of Warren and State of New Jersey holds a fall-cleanup annually; and

WHEREAS, LMR Disposal has submitted a quote for cleanup services:

Trash Containers - \$250 per haul, \$85 per ton  
Scrap Metal Containers - \$345 per haul  
Scrap revenue goes back to Lopatcong Township  
Electronic Containers  
\$2,065.00 per container

WHEREAS, said services are exempt from public bid under the Local Public Contract Laws N.J.S.A. 40A:11, et. Seq., as being below the bid threshold of \$44,000 because Lopatcong has a Qualified Purchasing Agent (QPA); and

WHEREAS, the Township has accepted the quotation for services to be paid for through Clean Communities Grant, Recycling Grant and the 2023 Operating Budget.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lopatcong that the Mayor and Clerk are hereby authorized to proceed with services provided by LMR for the annual fall cleanup.

#### 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, September 6, 2023.

Margaret B. Dilts, MMC

**South Warren Municipal Alliance** - Authorize Mayor Mengucci to execute Contract with the County regarding grant funds awarded to SWMA July 1, 2023 through June 30, 2024.

Resolution No. 23-137 – Cancel Municipal Finance Balance of \$263.55.

R 23-137

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CANCEL MUNICIPAL FINANCE BALANCES

WHEREAS, there appears on the records of the Municipal Finance Office old outstanding checks; and

WHEREAS, the following outstanding check is stale and should be cancelled.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that the following outstanding check be and hereby cancelled.

CURRENT ACCOUNT CHECK NO.	AMOUNT
4170 DATED 12/7/2022	\$263.55

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, September 6, 2023.

Margaret B. Dilts, MMC

**Resolution No. 23-138** – Approve Item of Revenue from Local Recreational Improvement Grant in the 2023 Budget in the amount of \$82,000.00.

R 23-138

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. 40:A 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 or 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 Service to approve the insertion of an item of revenue in the budget of the year 2023.

In the sum of \$82,000.00 is available from NJ Department of Community Affairs.

BE IT FURTHER RESOLVED that the like sum of \$82,000.00 is hereby appropriated under the caption of Local Recreational Improvement Grant – 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, September 6, 2023.

Margaret B. Dilts, MMC

**Resolution No. 23-139** – Approve Item of Revenue from NJ Dept. of Community Affairs Lead Grant Assistance Program in the 2023 Budget in the amount of \$4,500.00.

R 23-139

#### 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 or 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 \$4,500.00 is available from NJ Department of Community Affairs.

BE IT FURTHER RESOLVED that the like sum of \$4,500.00 is hereby appropriated under the caption of Lead Grant Assistance Program – 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, September 6, 2023.

Margaret B. Dilts, MMC

**Phillipsburg High School Cross Country Events** - requesting permission to use the Park Parking Lot on October 12<sup>th</sup> and 19<sup>th</sup>. A Certificate of Insurance will be forthcoming.

**Recreation Committee** - Appoint Heather Hufford to Recreation Committee.

**Stonehenge Drive Road Project** - Authorize payment to Tilcon in the amount of \$68,947.44 for work completed on portion of Stonehenge Drive.

**Baltimore Street Improvement Project** - Authorize payment to Key Tech in the amount of \$1,910.00 for work completed on Baltimore Street Improvement Project.

**Resolution No. 23-140** – Authorize redemption of Tax Sale Certificate No. 2020-042 in the amount of \$47,452.16 on Block 115.03, Lot 12 C0224.

R 23-140

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE  
NO. 2020-042 ON BLOCK 115.03, LOT 12 QUALIFICATION C0224

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 29, 2020, a lien was sold on Block 115.03, Lot 12 Qualification C0224 also known as 224 Windmill Court for delinquent taxes and sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2020-042 was sold to PROCAP 8 FBO Firstrust Bank; and

WHEREAS, on August 21, 2023, the Certificate No. 2020-042 has been satisfied in the amount of \$47,452.16.

NOW, THEREFORE, BE IT RESOLVED on this 6<sup>th</sup> day of September 2023, that the Chief Financial Officer is authorized to issue a check in the amount of \$47,452.16 for the redemption of Tax Sale Certificate No. 2020-042 to:

Procap 8 FBO Firstrust Bank  
P.O. Box 774  
Fort Washington, PA 19034-0774

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, September 6, 2023.

Margaret B. Dilts, MMC

**Resolution No. 23-141** – Authorize redemption of Tax Sale Certificate No. 2021-002 in the amount of \$31,230.24, Premium \$45,100.00.

R 23-141

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE  
NO. 2021-002 ON BLOCK 30, LOT 2

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 14, 2021, a lien was sold on Block 30, Lot 2 also known as 1309 Belvidere Road for delinquent taxes; and

WHEREAS, this lien known as Tax Sale Certificate No. 2021-002 was sold to WSFS as Cust for Tower DB XI Trust 2021-1; and

WHEREAS, on August 3, 2023, the Certificate No. 2021-002 has been satisfied in the amount of \$31,230.24, Premium \$45,100.00.

NOW, THEREFORE, BE IT RESOLVED on this 6<sup>th</sup> day of September 2023, that the Chief Financial Officer is authorized to issue a check in the amount of \$31,230.24, Premium \$45,100.00 for the redemption of Tax Sale Certificate no. 2021-002 to:

WSFS as Cust for Tower DB XI Trust 2021-1  
P.O. Box 71540  
Philadelphia, PA 19176-1540

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, September 6, 2023.

Margaret B. Dilts, MMC

**Resolution No. 23-142** – Authorize redemption of Tax Sale Certificate No. 2020-056 in the amount of \$7,257.49, Premium \$1,200.00.

R 23-142

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE  
NO. 2020-056 ON BLOCK 139, LOT 18

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 29, 2020, a lien was sold on Block 139, Lot 18 also known as 51 Haze Way for delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2020-056 was sold to PROCAP 8 FBO Firstrust Bank; and

WHEREAS, on August 8, 2023, the Certificate No. 2020-056 has been satisfied in the amount of \$7,257.49, Premium \$1,200.00.

NOW, THEREFORE, BE IT RESOLVED on this 6<sup>th</sup> day of September 2023, that the Chief Financial Officer is authorized to issue a check in the amount of \$7,257.49, Premium \$1,200.00 for the redemption of Tax Sale Certificate No. 2020-056 to:

Procap 8 FBO Firstrust Bank  
P.O. Box 774



Fort Washington, PA 19034-0774

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, September 6, 2023.

Margaret B. Dilts, MMC

**Resolution No. 23-143** – Memorialize hire of Class II Police Officer Eliezer Cortes.

R 23-143

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZE HIRE OF ELIEZER CORTES PART-TIME AS  
CLASS II POLICE OFFICER IN THE POLICE DEPARTMENT

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey hereby authorize the hire of one part-time, on-call, Class II Police Officer in the Police Department; and

WHEREAS, Eliezer Cortes shall be paid according to the Salary Ordinance; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey hereby approve the hire of Eliezer Cortes part-time as Class II Police Officer on call in the Police Department.

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, September 6, 2023.

Margaret B. Dilts, MMC

**Lopatcong Football Field Scoreboard** - Authorize payment for the Lopatcong Football Field Scoreboard in the amount of \$13,705.00.

**Delaware Park Engine Co., No. 1** - Approve Junior Memberships for Louie J. Carrion and Felix M. Torres to the Delaware Park Engine Co., No. 1 per Fire Chief Lou LaFord.

**Announcement** – Townwide Yard Sale - September 9, Shred Event - September 23 and Fall Cleanup - September 30.

**Council Reports:**

Councilman McQuade – No report.

Councilman Palitto – Thanked everyone involved with Community Day – it was a great success. Noted a second request for “No Littering” signs to be placed on Strykers Road.

Council President Wright – Also noted that Community Day was wonderful.

Mayor Mengucci – Reported that Community Day was a great success.

Harvey Walters – 325 S. Third Street – Asked about the lot on Baltimore Street where there are multiple vehicles parked. Mayor Mengucci indicated that this is being addressed.

Donna Schneider – Spoke about Comcast and has seen comments on various social media. Engineer Sterbenz addressed the matter that they would be back in for a meeting to address those complaints. Asked about the name of the business using the Berry facility.

Judy Liptak – Kyle Drive - Noted the problems she has witnessed with Comcast.

John Betz – Brakeley Gardens Apt. – asked if complaints were coming in.

Brian Weeks – Reported Truck No. 128 has been marked for out of commission.

Chief of Police Garcia – Provided a monthly Traffic Report to the public.

Robert Bruce – 11 Harwich Rd. Asked about the parking on the K&S site.

Motion to adjourn the meeting by Council President Wright, seconded by Mayor Mengucci. All in favor.

Respectfully submitted,

Margaret B. Dilts, MMC  
Clerk/Administrator

James E. Mengucci  
Mayor