

TOWNSHIP OF LOPATCONG  
MEETING MINUTES  
6:30 PM Executive Session/7:30 pm Regular Session

June 5, 2024

The Regular Meeting of the Lopatcong Township Council was called to order by Mayor Wright. 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 Wright 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 Marinelli, Councilman McQuade, Council President Palitto, Mayor Wright. Also, present were Attorney Lavery and Engineer Wisniewski.

Motion to return to Regular Session by Councilman Marinelli, seconded by Councilman McQuade. All in favor.

Attorney Lavery summarized Executive Session Items one through five.

**Old Business:**

**Minutes** – Approve Executive and Regular Sessions for May 1, 2024 on motion by Councilman Belcaro, seconded by Councilman McQuade. Roll call vote:

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

NAYS: None

**Ordinance No. 24-10** – Second reading and public hearing to Amend, Revise and Supplement Chapter 172 to include schedule for Placement and Storage of Refuse Containers on Collection Day. Motion to hold a public hearing by Council President Palitto, seconded by Councilman Belcaro. All in favor.

Motion to close public hearing by Councilman Belcaro, seconded by Councilman McQuade. All in favor.

ORDINANCE NO. 2024-10

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, June 5, 2024 at the Municipal Building, 232 South Third Street, Phillipsburg, New Jersey, the following Ordinance was presented and passed on the final reading. The Ordinance was then ordered to be published according to law by title only.

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF  
LOPATCONG, WARREN COUNTY, NEW JERSEY AMENDING AND**

**SUPPLEMENTING CHAPTER 172, REFUSE CONTAINERS AND DUMPSTERS, OF  
THE CODE OF THE TOWNSHIP OF LOPATCONG**

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

Motion to adopt this Ordinance by Council President Palitto, seconded by Councilman Marinelli.  
Roll call vote:

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

NAYS: None

**2024 Budget Hearing and Adoption** – Mayor Wright asked for a motion to hold a public hearing. Motion by Council President Palitto, seconded by Councilman McQuade. All in favor.

CFO 2024 Budget – Total appropriations are \$12,536,409.40. Projected miscellaneous revenues totaling \$6,472,501.79 and amount to be raised is \$6,063,907.61 – this represents a little over 2-cent increase from last year in the budget.

Public Comment – Bob Bruce – 11 Harwich – Under New Business there's at least the one ordinance talking about appropriations for capital improvements and issuance of bonds and notes which continues – is that all of that calculated into that budget? CFO Browne explained it is in the Capital Plan. This is just the mechanism for spending but Lopatcong has not borrowed on any of this and does not foresee borrowing on this until the project really gets going either the end of this year or next year.

Motion to adopt the 2024 Budget by Councilman Marinelli, seconded by Council President Palitto. Roll call vote:

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

NAYS: None

**Audit** - John Mooney stated that everything tied to the penny in the collector's office and everything tied to the penny in the CFO's office and both offices agreed with one another – in 15 plus years this has never happened before. There are no official recommendations in the audit – very clean audit. Best year they have seen in a very long time. First clean audit was in 2019 with no recommendations.

This is the best financial condition this town has been in since he has been associated – 15 plus years. He also stated we are in the strongest position in the last 15 years as well. Current Fund cash position is very strong – roughly around \$8 million dollars in cash.

Fund Balance - We've used the money we collected over the years to put into down payment money for the park without increasing taxes to get that money. It is expected that we will have 5 ½ million going into next year.

Sewer Operating – Strong cash balance as well - \$3.3 million – up about \$700,000.00 from last year. We have weaned from taking sewer money to transfer to the current fund budget to meet expenses.

Reserves: Storm Recovery, Accumulated Absences and pending Tax Appeal Reserves are very healthy at over \$150,000 each one. This is important because we have a bond rating coming up – when we go out to do the park bonds, we will have to have an official statement and SMP or Moody’s will want to see all of our financials in the official statement – rating will be based on the official statement. They will want to see how we will sustain ourselves for the future; they will look at the reserves we have for the rainy days. Auditor Mooney state Lopatcong should come in at a very high rating – AA+. This provides a better interest rate for the Township. Only 25 triple A (AAA) ratings in the state. There is a possibility for Lopatcong – our size would be the only holdback.

**Resolution No. 24-81** – Approve 2023 Annual Audit – Sign Group Affidavit having reviewed the Recommendations and Comment Section. Motion to approve by Council President Palitto, seconded by Councilman Belcaro. Roll call vote:

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

NAYS: None

R 24-81

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY CERTIFYING THE ANNUAL AUDIT FOR 2023

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2023 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6 and a copy has been received by each member of the Governing Body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of the certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, a failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27bB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Township of Lopatcong, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of the Resolution and the required affidavit to said Board to show evidence of said compliance.

#### 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, June 5, 2024.

Margaret B. Dilts, MMC

**Shared Service Agreement – Town of Phillipsburg – Code and Inspection Services.** Motion to authorize Mayor Wright to execute by Councilman Marinelli, seconded by Councilman McQuade. Roll call vote:

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

NAYS: None

#### **New Business:**

**Ordinance No. 24-11 –** First reading of Bond Ordinance providing an Appropriation of \$932,500 for Various Capital Improvements in and by the Township of Lopatcong and Authorizing the Issuance of \$807,975 in Bonds and Notes for Financing Park of the Appropriation.

#### **ORDINANCE NO. 24-11**

#### **BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$932,500 FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF LOPATCONG, IN THE COUNTY OF WARREN, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$807,975 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 \$932,500, such sum includes the sum of \$82,000 to be received as a Local Recreation Improvement Grant from the New Jersey Department of Community Affairs in connection (the “Grant”) with the improvement in Section 3(a)(5) and the sum of \$42,525 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 and the Grant, negotiable bonds of the Township are hereby authorized to be

issued in the principal amount of \$807,975 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 \$807,975 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements authorized and the purposes for which obligations are to be issued are as follows:

Improvements	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Useful Life
1. Acquisition of various equipment for the Fire Department, including but not limited to SCBA bottles, ventmaster saws, turnout gear, hoses, natural gas detectors, ladder belts and thermal 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.	\$69,000	\$65,550	5 Years
2. Acquisition of office furniture and barcode reader 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.	48,500	46,075	5 Years
3. Various acquisitions and improvements for the Department of Public Works, including acquisition of mason dump truck and improvements to Department of Public Works parking lots, including all work and materials necessary therefor and incidental thereto, all as shown on and in accordance with the plans and specifications thereon on file in the office of the Clerk and hereby approved.	365,000	346,750	10 Years
4. Acquisition of a construction vehicle for the Building Department, all as shown on and in accordance with the plans and specifications thereon on file in the office of the Clerk and hereby approved.	50,000	47,500	5 Years
5. Improvements to various municipal properties, including but not limited to a Sally Port addition to the Police Department for security purposes and installation of Pickleball Courts, 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.	400,000	380,000	15 Years

Improvements	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Useful Life
<b>TOTAL ALL PURPOSES</b>	<b>\$932,500</b>	<b>\$807,975</b>	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvement is \$807,975.

(c) The estimated cost of the Improvement is \$932,500 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 10.88 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 \$807,975 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$125,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds or grant monies received for the purpose described in Section 3 of this Ordinance shall be used for financing said Improvement by application thereof either to direct payment of the cost of said Improvement or to the payment or reduction of the authorization of the obligations of the Township authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvement shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this Bond Ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 10:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvement prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the cost of the Improvement is \$807,975.

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 June 5, 2024. 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 3<sup>rd</sup> Street, in the Township of Lopatcong, on July 3, 2024 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 \$932,500 For Various Capital Improvements In And By The Township Of Lopatcong, In The County Of Warren, New Jersey And Authorizing The Issuance Of \$807,975 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 SCBA bottles, ventmaster saws, turnout gear, hoses, natural gas detectors, ladder belts and thermal imaging cameras; Acquisition of office furniture and barcode reader for the Police Department; Various acquisitions and improvements for the Department of Public Works, including acquisition of mason dump truck and improvements to Department of Public Works parking lots; Acquisition of a construction vehicle for the Building Department; and Improvements to various municipal properties, including but not limited to a Sally Port addition to the Police Department for security purposes and installation of Pickleball Courts.

Appropriation: \$932,500

Bonds/Notes Authorized: \$807,975

Grants (if any) Appropriated: \$82,000 to be received as a Local Recreation Improvement Grant from the New Jersey Department of Community Affairs.

Section 20 Costs: \$125,000

Useful Life: 10.88 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 Mayor Wright. Roll call vote:  
AYES: Councilman Belcaro, Councilman Marinelli, Councilman McQuade, Council President Palitto, Mayor Wright.  
NAYS: None

**Ordinance No. 24-12** – First reading of Bond Ordinance providing an Appropriation of \$17,000,000.00 for Improvements to the Lopatcong Park in and by the Township of Lopatcong and Authorizing the Issuance of \$16,150,000.00 in Bonds and Notes for Financing Park of the Appropriation.

## **ORDINANCE NO. 24-12**

### **BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$17,000,000 FOR IMPROVEMENTS TO LOPATCONG PARK IN AND BY THE TOWNSHIP OF LOPATCONG, IN THE COUNTY OF WARREN, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$16,150,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.**

BE IT ORDAINED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LOPATCONG, IN THE COUNTY OF WARREN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

#### SECTION 12:

The improvement described in Section 3 of this Bond Ordinance (the “Improvement”) is hereby authorized to be undertaken by the Township of Lopatcong, in the County of Warren, New Jersey (the “Township”) as a general improvement. For the said Improvement there is hereby appropriated the amount of \$17,000,000. Such sum includes the sum \$850,000 as the down payment (the “Down Payment”) required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments or capital improvement purposes.

#### SECTION 13:

In order to finance the additional cost of the Improvement not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$16,150,000 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 \$16,150,000 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

#### SECTION 14:

(a) The Improvements hereby authorized and the purposes for the financing of which said obligations are to be issued is for improvements to Lopatcong Park, which includes but is not limited to, pool and bath house, four season pavilion, field house, concessions stand, open air pavilion and site work, 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 \$16,150,000.

(c) The estimated cost of the Improvement is \$17,000,000 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 17.37 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 \$16,150,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$2,500,000 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 \$16,150,000.

SECTION 21:

This Bond Ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

**PUBLIC NOTICE**

**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 June 5, 2024. 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 3<sup>rd</sup> Street, in the Township of Lopatcong, on July 3, 2024 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 \$17,000,000 For Improvements To Lopatcong Park In And By The Township Of Lopatcong, In The County Of Warren, New Jersey And Authorizing The Issuance Of \$16,150,000 Bonds Or Notes Of The Township For Financing Part Of The Appropriation

Purpose(s): For improvements to Lopatcong Park, which includes but is not limited to, pool and bath house, four season pavilion, field house, concessions stand, open air pavilion and site work, 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: \$17,000,000

Bonds/Notes Authorized: \$16,150,000

Grants (if any) Appropriated: N/A

Section 20 Costs: \$2,500,000

Useful Life: 17.37 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 Mayor Wright, seconded by Council President Palitto. Roll call vote:

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

NAYS: None

**Ordinance No. 24-13** – First reading to Amend Chapter 199 of the Code of the Township of Lopatcong entitled “Stormwater Management” to Reflect Amendments to the New Jersey Stormwater Management Rules at N.J.A.C. 7:8, adopted July 17, 2023.

Ordinance No. 24-13

Ordinance to Amend Chapter 199 of the Code of the Township of Lopatcong Entitled “Stormwater Management” to Reflect Amendments to the New Jersey Stormwater Management Rules at N.J.A.C. 7:8, adopted July 17, 2023

WHEREAS, The Township of Lopatcong has a Stormwater Management Ordinance pursuant to the requirements in N.J.A.C. 7:8, and its Municipal Stormwater Permit; and

WHEREAS, the Stormwater Control Ordinance is subject to changes when the State amends N.J.A.C. 7:8; and

WHEREAS, the State of New Jersey amended its Stormwater Management Rules at N.J.A.C. 7:8 on July 17, 2023; and

WHEREAS, the municipalities in the State of New Jersey are required to amend their Stormwater Control Ordinances to align with the updated Stormwater Management Rules at N.J.A.C. 7:8 on or before July 17, 2024; and

WHEREAS, the Township adopted Ordinance #2020-15 entitled “Stormwater Management” on December 28, 2020, which is to be repealed and replaced with this ordinance; and

NOW THEREFORE BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN, AND STATE OF NEW JERSEY THAT ORDINANCE #2020-15 OF THE TOWNSHIP OF LOPATCONG, ENTITLED “STORMWATER MANAGEMENT”, IS REPEALED AND REPLACED BY A NEW CHAPTER 199 OF THE CODE OF THE TOWNSHIP OF LOPATCONG ENTITLED, “STORMWATER MANAGEMENT” AS FOLLOWS:

**Chapter 199 – Stormwater Management**

**§199-1. Scope and Purpose:**

A. Policy Statement

Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for green infrastructure, water quality, quantity, and groundwater recharge.

## B. Purpose

The purpose of this ordinance is to establish minimum stormwater management requirements and controls for “major development,” as defined below in §199-2.

## C. Applicability

1. This ordinance shall be applicable to all site plans and subdivisions for the following major developments as defined in §199-2 that require preliminary or final site plan or subdivision review:
  - i. Non-residential major developments and redevelopment projects; and
  - ii. Aspects of residential major developments and redevelopment projects that are not preempted by the Residential Site Improvement Standards at N.J.A.C. 5:21 et seq.
2. This ordinance shall also be applicable to all major developments undertaken by the Township of Lopatcong and other governmental entities.
3. Applicability of this ordinance to major developments shall comply with last amended N.J.A.C. 7:8-1.6, incorporated herein by reference.

## D. Compatibility with Other Permit and Ordinance Requirements

Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

### **§199-2. Definitions:**

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions used in this ordinance shall be the same as the last amended Stormwater Management Rules at N.J.A.C. 7:8-1.2, incorporated herein by reference and the definitions below.

#### **CARBONATE ROCK AREA**

An area where rock consisting chiefly of calcium and magnesium carbonates, such as limestone and dolomite has been identified.

#### **CURRENT DEFICIT AREA**

Any United States Geological Survey 14-digit Hydrologic Unit Code subwatershed area that is identified in the Highlands Regional Master Plan as having negative net water availability, meaning that existing consumptive and depletive water uses exceed the capacity of the groundwater supply to sustain.

#### **HIGHLANDS OPEN WATERS**

All springs, wetlands, intermittent and ephemeral streams, perennial streams and bodies of surface water, whether natural or artificial, located wholly or partially within the boundaries of the Highlands Region, but shall not mean swimming pools.

**KARST**

A distinctive topography that indicates solution of underlying carbonate rocks (such as limestone and dolomite) by surface water or groundwater over time, often producing surface depressions, sinkholes, sinking streams, enlarged bedrock fractures, caves, and underground streams.

**MAXIMUM EXTENT PRACTICABLE**

Designing stormwater management systems so that all reasonable opportunities for using nonstructural stormwater practices are exhausted and a structural BMP is implemented only where absolutely necessary.

**MITIGATION**

An action by an applicant providing compensation or offset actions for onsite stormwater management requirements where the applicant has demonstrated the inability or impracticality of strict compliance with the stormwater management requirements set forth in N.J.A.C. 7:8, in an adopted regional stormwater management plan, or in this local ordinance, and has received a waiver from strict compliance from the municipality. Mitigation shall include the implementation of the approved mitigation plan within the same drainage area where the subject project is proposed, or a contribution of funding toward a municipal stormwater control project, or provision for equivalent treatment at an alternate location, or any other equivalent water quality benefit as approved by the municipality.

**MUNICIPALLY IMPORTANT GROUNDWATER RECHARGE AREA**

Preserved or constrained lands that cannot be developed or built upon under current regulations. These areas have recharge rates above the median recharge rate for the subwatershed in which they are located; meaning they provide 40% or greater total recharge volume for the subwatershed. Constrained lands are comprised of undeveloped lands within the Highlands open water buffer as well as moderately and severely constrained steep slopes. Preserved lands are those that are permanently preserved by local, county, state, federal or nonprofit entities.

**MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)**

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by the Township of Lopatcong or other public body, and is designed and used for collecting and conveying stormwater.

**REDEVELOPMENT**

Land-disturbing activity that results in the creation, addition, or replacement of impervious surface area on an already developed or disturbed site. Redevelopment includes, but is not limited to, the expansion of a building footprint, addition or replacement of a structure, replacement of impervious surface area that is not part of a routine maintenance activity, and land disturbing activities related to structural or impervious surfaces. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety.

**REGIONAL MASTER PLAN**

The Highlands Regional Master Plan or any revision thereof adopted by the Highlands Water Protection and Planning Council pursuant to N.J.S.A. 13:20-8.

**NONEXEMPT PROJECT**

Any project not eligible for an exemption from the Highlands Water Protection and Planning Act Rules, pursuant to N.J.A.C. 7:38-2.3.

**STORM DRAIN INLET**

An opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.



### **§199-3. Design and Performance Standards for Stormwater Management Measures:**

- A. This section establishes design and performance standards for stormwater management measures for major development intended to minimize the adverse impact of stormwater runoff on water quality and water quantity and loss of groundwater recharge in receiving water bodies. Design and performance standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5, incorporated herein by reference.
- B. Nonexempt projects as defined at §199-2 shall be subject the following additional requirements below as applicable.
  1. Nonexempt projects located in a current deficit area. Where the project is located in a current deficit area as identified in Exhibit A, the project shall demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures provide for enhanced recharge standards set forth in §199-3B.3 below.
  2. Nonexempt projects located in a municipally important groundwater recharge area. Where the project is located in a municipally important groundwater recharge area as identified in Exhibit B, the following standards shall apply:
    - a. Where disturbance is permitted in accordance with this subsection, it shall be limited to no greater than 15% of the municipally important groundwater recharge area on the site and shall preferentially be sited on that portion of municipally important groundwater recharge area that has the lowest groundwater recharge rates.
    - b. Where disturbance to the municipally important groundwater recharge area is permitted, the project shall demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures provide for enhanced recharge standards set forth in §199-3B.3 below.
  3. Enhanced recharge standards. Nonexempt projects that are subject to the enhanced recharge requirements by §199-3B.1 or 2 above, shall apply the following standards, either:
    - a. Recharge 125% of the percentage of the average annual preconstruction groundwater recharge volume for the site; or
    - b. In addition to complying with the infiltration requirements of §199-3A, retain on-site with no discharge the stormwater quality design volume (SWQDv), defined as the runoff from the 1.25-inch, two-hour rainfall event. Where meeting the infiltration requirement will not result in retention of the full SWQDv, the major development shall retain any additional volume to meet the requirements of this section through additional infiltration, or through evapotranspiration or capture and on-site reuse of rainfall.
  4. Stormwater shall not be recharged in carbonate rock areas, where surficial or subsurface karst features have been identified and recharge facilities cannot be designed in a manner that would eliminate the concentrated subsurface release of stormwater. (Note: The mere presence of carbonate bedrock does not constitute a karst feature.)
  5. The design engineer shall assess the hydraulic impact on the groundwater table and design the site so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high-water table so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems and other subsurface structures in the vicinity or down gradient of the groundwater recharge area.
  6. Mitigation required for nonexempt projects.
    - a. In lieu of on-site recharge, the applicant shall be responsible for providing mitigation of the groundwater recharge volume in the required amount. The applicant should provide mitigation within the following areas, in order of priority:
      - i. The same development site where feasible;

- ii. The same HUC14 subwatershed; or
    - iii. An interrelated HUC14 subwatershed where no feasible option exists in the same HUC14 subwatershed.
  - b. If none of the above options are feasible or achievable, then the applicant shall comply with the mitigation requirements set forth in §199-3C.
- C. Mitigation required for nonexempt projects. A waiver from strict compliance with the requirements of the Municipal Stormwater Ordinance shall be approved by the municipality only in those cases where an applicant has demonstrated the inability to strictly comply with any standard of the Municipal Stormwater Ordinance. A waiver from strict compliance for such projects can only be obtained if the applicant agrees to undertake a suitable mitigation measure identified in the mitigation section of the municipality's stormwater management plan. In such cases, the applicant must submit a mitigation plan detailing how the project's failure to strictly comply will be compensated. In cases where a waiver is granted, an applicant should provide mitigation, if possible and/or practical, within the same drainage area within which the subject project is proposed, or contribute funding toward a municipal stormwater control project, or provide for equivalent treatment at an alternate location, or provide for another equivalent water quality benefit, in lieu of implementing the required stormwater control measures on their specific site.

**§199-4. Solids and Floatable Materials Control Standards:**

- A. Site design features identified under §199-3 above, or alternative designs in accordance with §199-3 above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see §199-4A.2 below.
1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
    - a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
    - b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension. Note that the Residential Site Improvement Standards at N.J.A.C. 5:21 include requirements for bicycle safe grates.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

    - c. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
  2. The standard in §199-4A.1 above does not apply:
    - a. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;

- b. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
- c. Where flows from the water quality design storm as specified in the last amended Stormwater Management rules at N.J.A.C. 7:8 et seq. are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
  - i. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
  - ii. A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

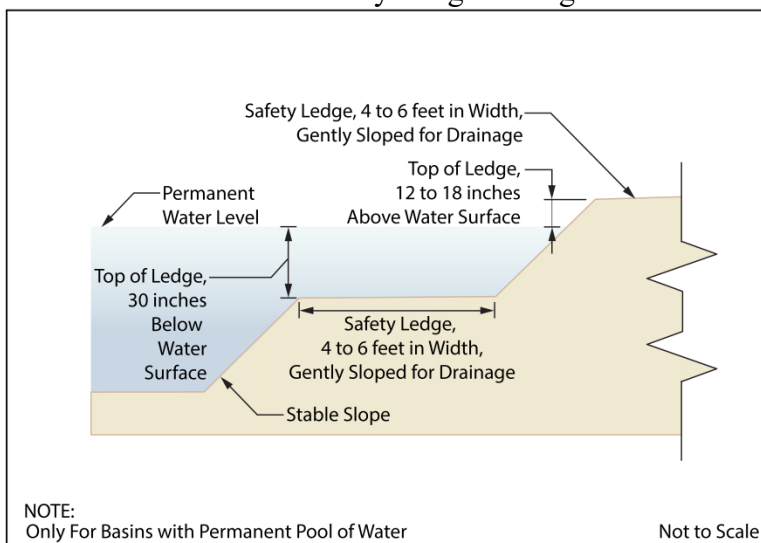
- d. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- e. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

**§199-5. Safety Standards for Stormwater Management Basins:**

A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basin. Safety standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-6, incorporated herein by reference.

B. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



**§199-6. Requirements for a Site Development Stormwater Plan:**

A. Submission of Site Development Stormwater Plan

- 1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for

the Site Development Stormwater Plan at §199-6C below as part of the submission of the application for approval.

2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit three (3) copies of the materials listed in the checklist for site development stormwater plans in accordance with §199-6C of this ordinance.

#### B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

#### C. Submission of Site Development Stormwater Plan

The following information shall be required:

##### 1. Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

##### 2. Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

##### 3. Project Description and Site Plans

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

##### 4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of §199-3 is being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

##### 5. Stormwater Management Facilities Map

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- a. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
  - b. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.
6. Calculations
- a. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in §199-3 of this ordinance.
  - b. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high-water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.
7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of §199-7.

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in §199-6C.1 through §199-6C.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

**§199-7. Maintenance and Repair:**

A. Applicability

Projects subject to review as in §199-1C of this ordinance shall comply with the requirements of §199-7B and §199-7C.

B. General Maintenance

1. Maintenance for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5.8, incorporated herein by reference.
2. Stormwater facilities shall be constantly maintained by the owner or association to assure continual functioning of the system at design capacity and to prevent the health hazards associated with debris buildup and stagnant water. Maintenance responsibilities, inspection schedules and tasks will be clearly shown in the proposed plan. In no case shall water be allowed to remain in any facility long enough to trigger a mosquito breeding disease or cause any other type of health problem. The maintenance plan must include inspection routines to reduce the potential for extensive, difficult, and costly remedial or emergency maintenance efforts, including inspection checklists. Inspection checklists may address such items as:

- (1) Obstruction of inlet devices by trash and debris;
  - (2) Evidence of erosion, sedimentation or instability;
  - (3) Malfunctioning of valves, gates, locks, access hatches or equipment;
  - (4) Deteriorated conduit outlet or seepage around outlet;
  - (5) Cracks or other deterioration of inlets, outlets, pipes, and conduits;
  - (6) Inadequate draining, clearing or clogging of control devices;
  - (7) Trimming, cutting or mowing of vegetation as required;
  - (8) Erosion and debris in emergency spillways and/or filter strips;
  - (9) Deterioration of downstream channels/conduits;
  - (10) Invasive or noxious weeds out of character with those specified;
  - (11) Saturated conditions or standing water;
  - (12) Animal burrowing; and
  - (13) Vandalism or other non-specified occurrences.
3. The following requirements of N.J.A.C. 7:8-5.8 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department:
- a. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation; and
  - b. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
4. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.
- C. Beginning on January 31, 2019, the party responsible for maintenance identified under §199-7B.1 above shall make annual submissions to the municipality, no later than January 31, containing excerpts of the detailed log of all preventative and corrective maintenance that was performed for the prior calendar year for all structural stormwater measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders.
- D. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

### **§ 199-8. Private storm drain inlet retrofitting requirements:**

#### A. Purpose.

This chapter requires the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the

Township of Lopatcong so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**B. Prohibited conduct.**

No person in control of private property (except a residential lot with one single-family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

- a. Already meets the design standard below to control passage of solid and floatable materials; or
- b. Is retrofitted or replaced to meet the standard in § 199-11C below prior to the completion of the project.

**C. Design standard.**

Storm drain inlets identified in § 199-11B above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see § 199-11C(3) below.

1. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

- a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
- b. A different grate, if each individual clear space in that grate has an area of no more than seven square inches or is no greater than 0.5 inch across the smallest dimension. Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

2. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven square inches, or be no greater than two inches across the smallest dimension.

3. This standard does not apply:

- a. Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
- b. Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
  - i. A rectangular space 4 5/8 inches long and 1 1/2 inches wide (this option does not apply for outfall netting facilities); or
  - ii. A bar screen having a bar spacing of 0.5 inch.
- c. Where flows are conveyed through a trash rack that has parallel bars with one-inch spacing between the bars; or
- d. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New-Jersey-Register-listed historic property.

**E. Enforcement.**

This chapter section shall be enforced by the municipal engineer of the Township of Lopatcong.

F. Violations and penalties.

Any person(s) who is found to be in violation of the provisions of this chapter shall be subject to a fine not to exceed \$100 for each storm drain inlet that is not retrofitted to meet the design standard.

**§199-9. Penalties:**

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the following penalties:

A. Fines.

1. Any violation of any provision of this chapter shall be punishable by a fine not to exceed \$2,500 for each offense and/or imprisonment for a term not exceeding 90 days. The following individuals shall be subject to potential punishment:
  - a. The owner, general agent, contractor, or occupant of a building, premises, or part thereof where such a violation has been committed or does exist; and
  - b. Any agent, contractor, architect, engineer, builder, corporation, or other person who commits, takes part, or assists in the violation.
2. Each day that a violation continues shall constitute a separate and distinct offense.
3. The imposition of penalties herein shall not preclude the municipality or any other person from instituting an action to prevent an unlawful construction, reconstruction, alteration, repair, conversion, or use, or to restrain, correct or abate a violation, or to prevent the illegal occupancy of a building, land, or premises.

B. Injunctive relief. In addition to the foregoing, the municipality may institute an action for injunctive relief.

**Section Two** - Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

**Section Three** - This Ordinance shall be in full force and effect immediately upon approval by the County Review Agency, or sixty (60) days from the receipt of this Ordinance by the Warren County Planning Board if the Warren County Planning Board, as County Review Agency, should fail to act.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced for first reading at a meeting of the Council of the Township of Lopatcong, County of Warren and State of New Jersey to be held on Wednesday June 5, 2024 and will be considered for adoption upon second and final reading at a regular Township meeting to be held at 7:30 pm or shortly thereafter on Wednesday July 3, 2024.

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Beth Dilts, MMC  
Township Clerk/Administrator

Motion to adopt this Ordinance on first reading by Councilman McQuade, seconded by

Roll Call vote:



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

**Coventry Realty, LLC** – Request for forgiveness on late charge on 1<sup>st</sup> quarter tax payment in the amount of \$38.50. Motion to deny request by Mayor Wright, seconded by Council President Palitto. Roll call vote:  
AYES: Councilman Marinelli, Councilman McQuade, Council President Palitto, Mayor Wright.  
NAYS: Councilman Belcaro

**Consent Agenda:**

Clerk Dilts added the House of Wine and Liquor will be added to No. 2.

**Resolution No. 24-81** - Motion to adopt the Consent Agenda by Councilman Marinelli, seconded by Council President Palitto.

R 24-81

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 twelve on the Consent Agenda.

1. Resolution to correct Block 102, Lot 6.01.
2. Resolution to Renew Liquor Licenses for term 7/1/2024 thru 6/30/2025 for Strykers Golf and Hospitality, LLC.
3. Resolution – Approve Chapter 159 Item of Revenue to be inserted into the 2024 Budget – ARPA Firefighter Grant in the amount of \$40,000.00.
4. Resolution – Approve Chapter 159 Item of Revenue to be inserted into the 2024 Budget – Recycling Tonnage Grant in the amount of \$3,225.42.
5. Resolution – Approve Chapter 159 Item of Revenue to be inserted into the 2024 Budget – Clean Communities Grant - \$27,651.32.
6. Resolution – Approve Refund for Tax Overpayment for Block 46, Lot 9 due to a Disabled Veteran Exemption in the amount of \$1,018.78.
7. Resolution – Authorize Redemption of Tax Sale Certificate No. 2021-009 on Block 85, Lot 2 in the amount of \$158,938.03, Premium \$189,000.00.
8. Resolution to appoint Brian Race Assistant Public Works Superintendent per Civil Service Eligible List.
9. Resolution to Renew membership with Statewide Insurance Fund and Authorize Mayor Wright to execute the Indemnity and Trust Agreement.
10. Resolution to memorialize hire of Terri Bisci as Deputy Municipal Clerk and Deputy Municipal Registrar.
11. Resolution to memorialize hire of Patty Segeda as Keyboarding Clerk and Animal Registrar.
12. Resolution to memorialize hire of Randy Piazza as Purchasing Agent.

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, June 5, 2024.

Margaret B. Dilts, MMC

**Resolution No. 24-82** – Correct Block 102, Lot 6.01.

R 24-82

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY TO CORRECT PROPERTY TAX RECORDS FOR BLOCK 102  
LOT 6.01

**WHEREAS**, on or about December 13, 2021, the County of Warren subdivide property in the Township of Lopatcong and recorded said subdivision with the Warren County Clerk on December 17, 2021 in Deed Book 3224, Page 305; and

**WHEREAS**, on or about June 8, 2022 Mark S. Skibinski purchased one of the subdivided parcels and record the deed of purchase on or about June 13, 2022 with the Warren County Clerk in Deed Book 3270, Page 6; and

**WHEREAS**, a clerical error was made whereas the subdivided properties were not taxed separately by the Township of Lopatcong's Tax Assessor; and

**WHEREAS**, the property owner of Block 102 Lot 6.01 was being assessed for the value of the additional property Block 102 Lot 6.; and

**WHEREAS**, the Township Council of the Township of Lopatcong finds it in the best interest of the Township and the resident owner of Block 102 Lot 6.01 to correct the property tax records and assessment to properly represent that tax assessment for each property; including removing any past-due taxes and or liens on the property that were improperly assessed.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lopatcong that Mayor and Clerk that the Township Tax Assessor is authorized to correct the property tax assessments for Block 102 and Lot 6.01 to correctly represent the taxes owned on the subject property since the date of subdivision.

**BE IT FURTHER RESOLVED**, by the Township Council of the Township of Lopatcong that the Mayor and Clerk and all other municipal employees are hereby authorized to take the necessary actions to effectuate this resolution.

**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 is a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, June 5, 2024.

Margaret B. Dilts, MMC

**Resolution No. 24-83** – Renew Liquor License for term 7/1/2024 thru 6/30/2025 for Strykers Golf and Hospitality, LLC.

R 24-83

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF CERTAIN LIQUOR  
LICENSES

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey have received the following applications for liquor license renewal:

Strykers Golf and Hospitality, LLC., License No. 2115-33-003-008

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that the applications for renewal of the above-named liquor license holders be approved pursuant to N.J.S.A. 33: 1-12-26 from July 1, 2024 to June 30, 2025.

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, June 5, 2024.

Margaret B. Dilts, MMC

**Resolution No. 24-84** – Approve Chapter 159 Item of Revenue to be inserted into the 2024 Budget-ARPA Firefighter Grant in the amount of \$40,000.00.

R 24-84

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:A4-87 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 2024.

In the sum of \$40,000.00 is available from NJ Department of Community Affairs

BE IT FURTHER RESOLVED that the like sum of \$40,000.00 is hereby appropriated under the caption of ARPA Firefighter Grant – 2024.

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, June 5, 2024

Margaret B. Dilts, MMC

**Resolution No. 24-85** – Approve Chapter 159 Item of Revenue to be inserted into the 2024 Budget-Recycling Tonnage Grant in the amount of \$3,225.42.

R 24-85

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 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 2024

\$3225.42 NJ ENVIRONMENTAL PROTECTION

BE IT FURTHER RESOLVED that the like sum of \$3225.42 is hereby appropriated to Recycling Tonnage Grant – 2024.

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, June 5, 2024.

Margaret B. Dilts, MMC

**Resolution No. 24-86** – Approve Chapter 159 Item of Revenue to be inserted into the 2024 Budget – Clean Communities Grant \$27,651.32.

R 24-86

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 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 2024.

In the sum of \$27,651.32 – NJ Environmental Protection Agency.

BE IT FURTHER RESOLVED that the like sum of \$27,651.32 – Clean Communities 2024

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, June 5, 2024.

Margaret B. Dilts, MMC

**Resolution No. 24-87** – Approve Refund for Tax Overpayment for Block 46, Lot 9 due to a Disabled Veteran Exemption in the amount of \$1,018.78.

R 24-87

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO ISSUE A REFUND FOR A TAX OVERPAYMENT FOR BLOCK 46 LOT 9 DUE TO A DISABLED VETERAN EXEMPTION

WHEREAS, the Tax Assessor has approved a Disabled Veteran Exemption to the property owner of Block 46, Lot 9 on 4/29/2024; and

WHEREAS, the 2<sup>nd</sup> Quarter 2024 property taxes will be partially credited in the amount of \$1,018.78 as well as cancelling taxes for Quarter 3 and Quarter 4 of 2024 due to the exempt status; and

WHEREAS, the homeowner for the property paid the 2<sup>nd</sup> Quarter 2024 taxes in the amount of \$1,503.12 on May 3, 2024 resulting in an overpayment.

NOW, THEREFORE, BE IT RESOLVED on this 5<sup>th</sup> day of June 2024, that the Mayor and Council of the Township of Lopatcong hereby authorize the Chief Financial Officer a refund in the amount of \$1,018.78 to: Deborah E. Hayes, 200 Rosehill Avenue, 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, June 5, 2024.

Margaret B. Dilts, MMC

**Resolution No. 24-88** – Authorize Redemption of Tax Sale Certificate No. 2021-009 on Block 85, Lot 2 in the amount of \$158,938.03, Premium \$189,000.00.

R 24-88

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE NO. 2021-009 ON BLOCK 85, LOT 2

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 14, 2021, a lien was sold on Block 85, Lot 2 also known as 1000 Coventry Drive for delinquent taxes; and

WHEREAS, this lien known as Tax Sale Certificate No. 2021-009 was sold to WSFS as Cust for Tower DB XI Trust 2021-1; and

WHEREAS, on May 9, 2024, the Certificate No. 2021-009 has been satisfied in the amount of \$158,938.03, Premium \$189,000.00.

NOW, THEREFORE, BE IT RESOLVED on this 5<sup>th</sup> day of June 2024, that the Chief Financial Officer is authorized to issue a check in the amount of \$158,938.03, Premium \$189,000.00 for the redemption of Tax Sale Certificate No. 2021-009 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, June 5, 2024.

Margaret B. Dilts, MMC

**Resolution No. 24-89** – Appoint Brian Race Assistant Public Works Superintendent per Civil Service Eligible List.

R 24-89

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY APPOINTING BRIAN RACE TO CIVIL SERVICE TITLE  
ASSISTANT PUBLIC WORKS SUPERINTENDENT PER CERTIFICATION OF ELIGIBLES  
PM2045F

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey promoted Brian Race to title Assistant Public Works Superintendent; and

WHEREAS, the appointment was made through the New Jersey Civil Service System as an in-house promotion; and

WHEREAS, the New Jersey Eligible Roster ranked Brian Race as No. 1 with an effective date of 5/30/2024.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey officially appointed Brian Race to the Title of Assistant Public Works Superintendent on June 5, 2024.

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, June 5, 2024.

Margaret B. Dilts, MMC

**Resolution No. 24-90** – Renew membership with Statewide Insurance Fund and Authorize Mayor Wright to execute the Indemnity and Trust Agreement.

R 24-90

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO JOIN (RENEW) MEMBERSHIP WITH STATEWIDE INSURANCE FUND EFFECTIVE JANUARY 1, 2024 THROUGH JANUARY 1, 2027

WHEREAS, a number of local units have joined together to form the Statewide Insurance Fund (“Fund”), a joint insurance fund, as permitted by N.J.S.A. 40A:10-36, et seq.; and

WHEREAS, Township of Lopatcong (“Local Unit”) has complied with relevant law with regard to the acquisition of insurance; and

WHEREAS, the statutes and regulations governing the creation and operation of joint insurance funds contain elaborate restrictions and safeguards concerning the safe and efficient administration of such funds; and

WHEREAS, the LOCAL UNIT has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

WHEREAS, the LOCAL UNIT agrees to be a member of the FUND for a period of three (3) years, effective from January 1, 2024 terminating on January 1, 2027 at 12:01 a.m. standard time; and

WHEREAS, the LOCAL UNIT has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the LOCAL UNIT does hereby agree to join the Statewide Insurance Fund; and

BE IT FURTHER RESOLVED that to the extent required by law, the Local Unit shall provide notice of the Indemnity and trust Agreement and such other documents signifying the membership in the FUND as required by the FUND’S Bylaws and to deliver same to the Administrator of the FUND with the express reservation that said documents shall become effective only upon the LOCAL UNIT’S admissions to the FUND following approval of the FUND by the New Jersey Department of Banking and Insurance.

ATTEST:

By: \_\_\_\_\_

\_\_\_\_\_

Title: \_\_\_\_\_

\_\_\_\_\_  
Vote: Ayes: Councilmen Belcaro, Marinelli, McQuade, Council President Palitto, Mayor Wright.  
Nays: None

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, June 5, 2024.

Margaret B. Dilts, MMC

Clerk/Administrator

**Resolution No. 24-91** – Memorialize the hire of Terri Bisci as Deputy Municipal Clerk and Deputy Municipal Registrar.

R 24-91

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPOINTING A DEPUTY MUNICIPAL REGISTRAR

WHEREAS, in accordance with NJSA 26:8-17, 26:8-17, the local registrar, immediately upon acceptance of the appointment, shall appoint a deputy to assist in the normal, day-to-day operation of the office and whose duty shall be to act in the registrar's stead in case of absence, disability or death of the registrar. In case of death of the local registrar the deputy shall act as local registrar until a new local registrar has been appointed and qualified; and

WHEREAS, the Township of Lopatcong recognizes Terri Bisci in the position of Deputy Municipal Registrar; and

WHEREAS, Terri Bisci will become certified as a CMR as training becomes available beginning in 2024; and

WHEREAS, Terri Bisci shall be paid a salary pursuant to the Salary Ordinance at a rate of \$2500.00 per year.

NOW, THEREFORE, BE IT RESOLVED By the Governing Body of the Township of Lopatcong, County of Warren and State of New Jersey acknowledges the appointment of Terri Bisci as the Deputy Municipal Registrar effective June 5, 2024.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk, 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, June 5, 2024.

Margaret B. Dilts, MMC

**Resolution No. 24-92** – Appoint Terri Bisci as Deputy Municipal Clerk.

R 24-92

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY MEMORIALIZING THE FULL-TIME HIRE OF TERRI BISCI AS DEPUTY MUNICIPAL CLERK AND DEPUTY REGISTRAR OF VITAL STATISTICS

WHEREAS, the Township of Lopatcong, County of Warren and State of New Jersey filled the position of Deputy Municipal Clerk and Deputy Registrar of Vital Statistics in the Municipal Clerk's Office by hiring Terri Bisci; and

WHEREAS, Terri Bisci will be required to obtain the Registered Municipal Clerks License and Certified Municipal Registrar's License within a three-year period; and

WHEREAS, Terri Bisci will also hold the position of secretary to both the Shade Tree Commission and Sewer Appeal Board; and

WHEREAS, Salaries for these positions are outlined in the Township's Salary Ordinance; and

WHEREAS, Benefits to be provided to Terri Bisci are outlined in the Lopatcong Employee Policy and Procedure Manual.

NOW, THEREFORE, BE IT RESVOLVED that the full-time hire of Terri Bisci as Deputy Municipal Clerk and Deputy Registrar of Vital Statistics as well as Secretary to the Shade Tree



Commission and Sewer Appeal Board was authorized by the Mayor and Council at the Council Meeting held on May 1, 2024 and are hereby memorialized by the adoption of this Resolution.

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, June 5, 2024.

Margaret B. Dilts, MMC  
Clerk/Administrator

**Resolution No. 24-93** – Memorialize hire of Patty Segeda as Keyboarding Clerk and Animal Registrar.

R 24-93

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY MEMORIALIZING THE FULL-TIME HIRE OF PATTY SEGEDA AS KEYBOARDING CLERK, ANIMAL REGISTRAR AND SECRETARY TO THE RENT LEVELING BOARD

WHEREAS, the Township of Lopatcong, County of Warren and State of New Jersey filled the position of Keyboarding Clerk, Animal Registrar and Rent Leveling Board Secretary in the Municipal Clerk's Office by hiring Patty Segeda; and

WHEREAS, Patty Segeda will be required to take classes toward the Registered Municipal Clerks License; and

WHEREAS, Patty Segeda will also hold the position of secretary to the Rent Leveling Board and Animal Registrar; and

WHEREAS, Salaries for these positions are outlined in the Township's Salary Ordinance; and

WHEREAS, Benefits to be provided to Patty Segeda are outlined in the Lopatcong Employee Policy and Procedure Manual.

NOW, THEREFORE, BE IT RESVOLVED that the full-time hire of Patty Segeda as Keyboarding Clerk, Animal Registrar and Secretary to the Rent Leveling Board was authorized by the Mayor and Council at the Council Meeting held on May 1, 2024 and are hereby memorialized by the adoption of this Resolution.

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, June 5, 2024.

Margaret B. Dilts, MMC  
Clerk/Administrator

**Resolution No. 24-94** – Memorialize hire of Randy Piazza as Purchasing Agent.

R 24-94

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY MEMORIALIZING THE FULL-TIME HIRE OF RANDY PIAZZA

AS PURCHASING AGENT, WEBSITE COORDINATOR AND ADMINISTRATOR FOR  
THE AFFORDABLE HOUSING PROGRAM

WHEREAS, the Township of Lopatcong, County of Warren and State of New Jersey filled the position of Purchasing Agent, Website Coordinator and Administrator for the Affordable Housing Program by hiring Randy Piazza; and

WHEREAS, Randy Piazza will be required to obtain the Qualified Purchasing Agent's License and Certification for the Affordable Housing Program and within a three-year period; and

WHEREAS, Salaries for these positions are outlined in the Township's Salary Ordinance; and

WHEREAS, Benefits to be provided to Randy Piazza are outlined in the Lopatcong Employee Policy and Procedure Manual.

NOW, THEREFORE, BE IT RESVOLVED that the full-time hire of Randy Piazza as Purchasing Agent, Website Coordinator and as well as Affordable Housing Program Administrator was authorized by the Mayor and Council at the Council Meeting held on May 1, 2024 and are hereby memorialized by the adoption of this Resolution.

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, June 5, 2024.

Margaret B. Dilts, MMC  
Clerk/Administrator

**Council Reports:**

Councilman McQuade – Reported that the County held a meeting for government leaders in response to the July 15<sup>th</sup> response to natural disasters – it as developed to give public officials a complete overview of the emergency management outlined goals, objectives and responsibilities. It was a very good presentation for municipalities to cooperate with one another in the event that we suffer from sever disasters. Secondly, he noted that our past practice is to hire seasonal employees and he made a motion to hire the two employees this year as was done the last two years. One will begin on June 17<sup>th</sup> and the other will start on July 1<sup>st</sup> for the Dept. of Public Works. Mayor Wright seconded the motion. Roll call vote:

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

NAYS: None

Councilman Belcaro – No report.

Councilman Marinelli – Reported last meeting the Council tabled discussion on Juneteenth holiday and made a motion to approve the holiday here in Lopatcong, seconded by Councilman McQuade.

Roll call vote:

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

NAYS: None

Also, Council discussed the closing of the Sally Port for safety of the police officers which should have been done when the building was built. It has been put off all these years. Every year, it gets more expensive. Councilman Marinelli made a motion that the project be submitted out for bid and start working towards it. Mayor Wright seconded the motion. Roll call vote:

NAYS: Councilman Belcaro, Councilman Marinelli, Councilman McQuade, Council President Palitto, Mayor Wright.

NAYS: None

Council President Palitto – Reported a Rent Leveling Board meeting was held last month. Would like to amend the ordinance to require hard copies of all documentation pertaining to rents to be delivered to tenants and also to require management company retained by the landlords subject to the same rules as the landlord.

Mayor Wright – Stated that on May 24<sup>th</sup> at 9:46 am he received an email from Mr. Bruce starting out by saying “with all due respect, I want to advise you in your official capacity as mayor, I posted on Next Door about the Piazza hiring”. Then he had a little click which took you to a video which was posted by John Kecherson. Mayor Wright noted that in that post Mr. Bruce went on and wrote pages and pages on how bad the Council are and how terrible that we hired Mr. Piazza. Calling it “Piazza Gate”; on and on how it is terrible what we do, how we handle things; how corrupt we are. Mayor Wright noted that Lopatcong is a Civil Service town. Civil Service writes the job descriptions which requires education and experience. Clerk Dilts has held the QPA License since 2009 and is looking to retire sometime in the future. Our Finance Department has had a vacancy for 1.5 years. Council looked at several job descriptions before deciding Purchasing Agent would be one of the best components that we could have and require the QPA license. The license benefits the township by retaining the bid and quote thresholds and our PA has three years to acquire this license. The job was advertised on the Township website. He noted that the Township has a resolution with Civil Service that states “all things being equal” residents of Lopatcong are hired first”. This is followed by Warren County residents and finally out of state. Randy Piazza was the only person who put in an application; no Lopatcong resident, no one else. He met the requirements and he has the experience. Mayor Wright worked with Randy Piazza at the Bridge Commission and knows the purchasing work he did. So, everything that was written was a lie said Mayor Wright. The job posting went up on 3/18/2024. It still can be seen on the site. There was a deadline of 3/29/2024 to submit applications. The job post was deleted on 4/1/2024 at 12:47 pm after the deadline. If you have a question, ask me said Mayor Wright or call Beth. Don’t listen to the internet idiots; listen to the people here who have the correct information. People will do anything and do everything to get everybody riled up.

Engineer Wisniewski – Top Line Construction began work on Belview Road Phase II Project about a week ago; completing a number of drainage and sidewalk repairs. Notice was received today that milling and paving the road is scheduled for Thursday or Friday this week. Work should be substantially complete by the end of next week. The next project is the Jade Lane Improvement Project. Top Line Construction is expected to begin in the next week with work completed in two to three weeks, weather depending. Belvidere Road Sidewalk Project has been ongoing for the last few years. A meeting was held with the DOT and that work will begin the end of June. The pickle ball courts are in design and will be bid shortly.

Chief of Police Garcia – Reported the 41<sup>st</sup> Law Enforcement Torch Run will commence at the Greenwich Shoprite at 8:30 am and a couple of the police officers will be participating along with Chief Garcia to support the Special Olympics New Jersey. This takes place every year at Trenton College of New Jersey. This is a great cause. Traffic Report – 223 traffic stops; 35% were issued traffic summons and 24% of those were tractor trailers. Chief Garcia spoke to the County Administrator earlier in the week and he provided good news that the County roadway Rt. 519 going through Lopatcong is now a weight restricted roadway as well; 10 tons restricted. Chief Garcia asked Council to adopt a resolution to authorize the hire a Class II Police Officer conditioned on the successfully completion of the police academy and the PC to help mitigate some of the vehicle problems on the roadways. Mayor Wright made the motion, seconded by Council President Palitto. Roll call vote:

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

NAYS: None

Mayor Wright noted that it has been two years searching for this Class II Police Officer.

Fire Department Report – Martin Olsen reported that the fire department responded to 15 calls of service. Year-to-date for 2024 is 95 calls and 2023 year-to-date was 93 calls; 2% increase.

Phillipsburg Emergency Squad – Reported 482 calls were answered of which 127 were in Lopatcong. Year-to-date, we are at 2,196 calls of which 599 up to May were run in Lopatcong.

**Department Reports:** Councilman Belcaro made a motion to approve Department Reports, seconded by Councilman McQuade. All in favor.

**Payment of Bills** – Motion by Council President Palitto, seconded by Councilman Marinelli to pay bills. Roll call vote:

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

NAYS: None

#### **Public Comment:**

John Betz – Brakeley Garden – Reiterated what Council President Palitto reported with regard to revisions of the current Rent Control Ordinance; hard copies being provided pertaining to the rent and management companies retained by landlords being subject to the same rules.

Bob Bruce – 11 Harwich Road – He said that he would scrap the statement he had because he noted he had to give the Mayor credit for addressing the email. He noted that he would have appreciated having a reply which would have saved him the comments he scheduled but just wanted to correct the record that John Kecherson was not the author of that video; that author was generated, if you watched it, you will clearly see it was from Phillipsburg people who are concerned about their Phillipsburg Mayor now working for Lopatcong and the impropriety that such a situation is open to which generated speculation. I think we would all agree that he said. All John did, he said, was Next Door has various different forms and he basically reposted it. He said he was sorry, he thought he was trying to give all of you due respect and give all of you out in the post that he had, he said there's a video on Next Door Lopat Living questioning the impropriety of Lopat hiring the Mayor. He said he didn't know anything about Randy Piazza. He could be a great guy; he has nothing against him. From his point of view he said, he grew up in Queens, this is kind of new to him he noted. The P'burg Mayor being hired by Lopat and reading and seeing a video, that's basically questioning that from people in Phillipsburg. That video caused him to now start questioning things and basically question the things he did to Mayor Wright was the fact that since the end of Mayor Mengucci's term, with the advent of Mayor Wright's term there seems to have been several aspects of Public Comment that have been limited and the reasons that were given research was done by John and myself and John will address that the answers you've given don't hold water. They feel it is muzzling them from being heard from them giving complaints. He went on to say that he was at a loss because he hadn't expected Mayor Wright to step up and address it and he commended Mayor Wright for stepping up and addressing it and reminded him that this would have been probably avoided had there been a much more discussion about what this thing was. The who, what and why was provided, you told us that Beth was qualified and she wants to retire from a purchasing agent. My time is up. I call on you to return agenda item questioning and possibly increase to five minutes.

Attorney Lavery – Stated that just because you don't author a post, if you forwarded it and it's libelous, slanderous, or hurtful, whatever, if you believed everything on the internet, you believe

that the moon is made of green cheese, that Elvis was down playing cards in Brazil with the Lock Ness Monster. You can't just willy nilly forward posts and just say it wasn't my post; thought they did a very good job.

Ernie Gallant – Aurora Street – He noted the Township DPW was out during and after the storm working hard to clean up the streets where branches and trees came down.

Donna Schneider – 26 Meadowview – Noted in her opinion that Sally Ports and Trailers didn't belong in Executive Session and other subjects as well. She confirmed with Councilman Marinelli that he took office in January and informed him that the minutes he approved for December and January were approved by him. Attorney Lavery indicated they are allowed to vote on minutes. She informed the Council that trailers are parked in the Twilight parking lot and there is a bus at the Christmas Tree Farm. She felt the minutes to speak being cut down to three isn't enough to allow speak about issues from one month to another. She noted that she felt the reports from Council should be given at the end of each meeting. She also talked about PoLo – Pohat/Lopat and she watched the video and said Pohat is being pressured by people in this Township to move forward on the warehouse – misinformation from this Board.

John Kecherson – 38 Jade Lane – He stated that he looked at Pohat, Alpha, Greenwich and Phillipsburg and they have more than three minutes for public comments and some allow for comments on agenda items. Other towns bring up items and debate on them. He wanted to understand about the EMS building and diverting money from purchasing a fire truck to purchase the EMS building. This was part of the Capital Plan discussion in which the minutes reflect possibly allocating the funds to the purchase of the EMS building noted CFO Browne.

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

Respectfully submitted,

Margaret B. Dilts, MMC  
Clerk/Administrator

William D. Wright  
Mayor



