

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

September 3, 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 and a moment of silence. 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 Marinelli, Councilman McQuade, Council President Palitto, Mayor Wright. Also, present were Attorney Baldwin and Engineer Wisniewski.

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

Attorney Baldwin summarized Executive Session Items one through five; Contractual EMS update; Attorney/Client Privilege matter regarding the Lopatcong Park Project; Contractual – Housing Rehabilitation Program; Contractual – Purchase Vehicle for Asst. Fire Chief; Attorney/Client Privilege, DEP Compliance with Floodplain Prevention Ordinance. No action was taken.

Public Comment: Agenda Items Only

None

Old Business:

Minutes – Approve Executive and Regular Sessions for August 7, 2024 on motion by Councilman McQuade, seconded by Council President Palitto. Roll call vote:
AYES: Councilman Marinelli, Councilman McQuade, Council President Palitto, Mayor Wright.
NAYS: None

Ordinance No. 24-17 – Second reading and public hearing Authorizing the Acquisition of Property Commonly Known as 1301 Belvidere Road and Shown as Lot 1 in Block 30 on the Official Tax Map of the Township of Lopatcong. Motion to hold a public hearing by Council President Palitto, seconded by Councilman McQuade. All in favor.
AYES: Councilman Marinelli, Councilman McQuade, Council President Palitto, Mayor Wright.
NAYS: None

Comments from the public: None

Mayor Wright – Seeing None

Motion to close the public hearing by Council President Palitto, seconded by Councilman Marinelli– All in favor.

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

Clerk’s Note - First reading of the Ordinance was re-published due to the Council Meeting being rescheduled from 9/4/2024 to 9/3/2024.

ORDINANCE NO. 2024-17

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 Tuesday, September 3, 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 OF LOPATCONG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF PROPERTY COMMONLY KNOWN AS 1301 BELVIDERE ROAD AND SHOWN AS LOT 1 IN BLOCK 30 ON THE OFFICIAL TAX MAP 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 by Council President Palitto, seconded by Councilman McQuade. Roll call vote:

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

NAYS: None

Ordinance No. 24-18 – Second reading and public hearing of Capital Ordinance for Acquisition of the Emergency Services Building located at 1301 Belvidere Road for the Township of Lopatcong and Appropriating \$200,000 for such purpose. Motion to hold a public hearing by Council Marinelli, seconded by Councilman McQuade. All in favor.

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

NAYS: None

Comments from the public:

Bob Bruce – Questioning the property of 1301. Why are we acquiring the old EMS building and how are we paying for it?

Mayor Wright – Anyone else? Seeing none.

Motion to close the public hearing by Council President Palitto, seconded by Councilman McQuade– All in favor.

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

NAYS: None

Clerk's Note - First reading of the Ordinance was re-published due to the Council Meeting being rescheduled from 9/4/2024 to 9/3/2024.

ORDINANCE NO. 2024-18

SECOND NOTICE OF AN ORDINANCE ADOPTION

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 Tuesday, September 3, 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 PROVIDING FOR ACQUISITION OF
THE EMERGENCY SERVICES BUILDING LOCATED AT
1301 BELVIDERE ROAD FOR THE TOWNSHIP OF
LOPATCONG AND APPROPRIATING \$200,000 FOR SUCH
PURPOSE.

ADOPTED: September 3, 2024

APPROVED: September 3, 2024

Mayor William D. Wright

ATTEST: M Beth Dilts, MMC

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 by Councilman McQuade, seconded by Councilman Marinelli. Roll call vote:
AYES: Councilman Marinelli, Councilman McQuade, Council President Palitto, Mayor Wright.
NAYS: None

Ordinance No. 24-19 – Second reading and public hearing to Amend, Revise and Supplement Chapter 227 Titled “Vehicles and Traffic” Section 4 “Violations and Penalties” to increase penalties for violations. Motion to hold a public hearing by Council President Palitto, seconded by Councilman Marinelli. All in favor.

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

Comments from the public: None

Mayor Wright – Seeing none

Motion to close the public hearing by Councilman Marinelli, seconded by Councilman McQuade– All in favor.

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

Clerk’s Note - First reading of the Ordinance was re-published due to the Council Meeting being rescheduled from 9/4/2024 to 9/3/2024.

ORDINANCE NO. 2024-19

SECOND NOTICE OF AN ORDINANCE

NOTICE is hereby given that a regular meeting of the Township Council of the Township of Lopatcong, County of Warren and State of New Jersey, held on Tuesday, September 3, 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.

**ORDINANCE OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN,
STATE OF NEW JERSEY, AMENDING CHAPTER 227 TITLED “VEHICLES AND
TRAFFIC” SECTION 4 “VIOLATIONS AND PENALTIES”**

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

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

Ordinance No. 24-20 – Second reading and public hearing to Establish Job Title Senior Account Clerk and Salary Range. Motion to hold a public hearing by Councilman Marinelli, seconded by Council President Palitto. All in favor.

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

Comments from the public: None

Mayor Wright – Seeing None

Motion to close the public hearing by Council President Palitto, seconded by Councilman McQuade – All in favor.

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

Clerk’s Note - First reading of the Ordinance was re-published due to the Council Meeting being rescheduled from 9/4/2024 to 9/3/2024.

ORDINANCE NO. 2024-20

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 Tuesday, September 3, 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 FIXING THE TITLE, SALARIES, RETAINERS AND WAGE RATES OF
EMPLOYEES IN THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY

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

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

NAYS: None

New Business:

Ordinance No. 24-21 – First reading of Bond Ordinance providing an Appropriation of \$1,100,000 for Improvements to Fox Farm Road in and by the Township of Lopatcong, in the County of Warren, New Jersey and Authorizing the Issuance of \$1,045,000 Bonds or Notes for Financing Part of the Appropriation.

ORDINANCE 24-21

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$1,100,000 FOR IMPROVEMENTS TO FOX FARM ROAD IN AND BY THE TOWNSHIP OF LOPATCONG, IN THE COUNTY OF WARREN, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$1,045,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.

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

SECTION 1:

The improvement described in Section 3 of this Bond Ordinance (the “Improvement”) is hereby authorized to be undertaken by the Township of Lopatcong, in the County of Warren, New Jersey (the “Township”) as a general improvement. For the said Improvement there is hereby appropriated the amount of \$1,100,000. Such sum includes the sum \$55,000 as the down payment (the “Down Payment”) required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments or capital improvement purposes.

SECTION 2:

In order to finance the additional cost of the Improvement not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$1,045,000 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 \$1,045,000 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

SECTION 3:

(a) The Improvements hereby authorized and the purposes for the financing of which said obligations are to be issued is for improvements to Fox Farm Road, including traffic stripping, curbing, milling and paving, drainage improvements and curb ramp construction, and including all work and materials necessary therefor and incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file in the Office of the Clerk and hereby approved.

(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 \$1,045,000.

(c) The estimated cost of the Improvement is \$1,100,000 which amount represents the initial appropriation made by the Township.

SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the municipal finance officer of the Township (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Council of the Township at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Township is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvement described in Section 3 of this Bond Ordinance is not a current expense, and is a capital improvement or property that the Township may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the Improvement, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for such purpose, according to the reasonable life thereof computed from the date of the Bonds authorized by this Bond Ordinance, is 20 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 \$1,045,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$300,000 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 \$1,045,000.

SECTION 11:

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

TOWNSHIP OF LOPATCONG

WARREN COUNTY, NEW JERSEY

PUBLIC NOTICE

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 September 3, 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 3rd Street, in the Township of Lopatcong, on October 2, 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 \$1,100,000 For Improvements To Fox Farm Road In And By The Township Of Lopatcong, In The County Of Warren, New Jersey And Authorizing The Issuance Of \$1,045,000 Bonds Or Notes Of The Township For Financing Part Of The Appropriation

Purpose(s): For improvements to Fox Farm Road, including traffic stripping, curbing, milling and paving, drainage improvements and curb ramp construction, and including all work and materials necessary therefor and incidental thereto.

Appropriation: \$1,100,000

Bonds/Notes Authorized: \$1,045,000

Grants (if any) Appropriated: N/A

Section 20 Costs: \$300,000

Useful Life: 20 Years

M. Beth Dilts, Clerk

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

Motion by Councilman McQuade, seconded by Councilman Marinelli. Roll call vote:
AYES: Councilman Marinelli, Councilman McQuade, Council President Palitto, Mayor Wright.
NAYS: None

Consent Agenda:

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

Resolution No. 24-120 – Consent Agenda 1 through 11.

R 24-120

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

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

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

1. Resolution – Establish Pay Rate for Class II, Class III and Senior Account Clerk.
2. Resolution – Authorize the Cancellation of Grants Receivable and Grant Appropriated Reserves – NJ Community ARPA Firefighter Grant – 2022 \$868.39.
3. Resolution – Authorize the Cancellation of Certain Sewer Operating Fund Appropriations that are no longer necessary – USDA Loan Interest \$17.53 and USDA Loan Principal \$114.47.
4. Resolution – Requesting Approval of Item of Revenue and Appropriation N.J.S.A. 40A:4-87 in the amount of \$64,000.00 for Local Recreational Improvement Grant.
5. Resolution – Refund Tax Overpayment for Block 99, Lot 243 Qualification C1050 due to a Disabled Veteran Exemption in the amount of \$1,465.41.
6. Resolution - Correct Tax Records for Block 102, Lot 6.
7. Resolution – Refund Tax Overpayment for Block 44, Lot 2 in the amount of \$1,322.12.
8. Authorize Change Order and Final Payment to Top Line Construction in the amount of \$11,307.63 for the Belview Road improvement Project.

9. Authorize Contract with General Code for the revision and code adoption process in the amount of \$8,870.00 as the final step in the Editorial/Legal Analysis.
10. Resolution to Award Contract for Jade Lane milling and paving.
11. Resolution – Authorize purchase of used vehicle for the Delaware Park Engine Co. No. 1 for Assistant Fire Chief.

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 Tuesday, September 3, 2024.

Margaret B. Dilts, MMC

Resolution No. 24-121 – To establish pay rates for Municipal Employees for the year 2024.

R-24-121

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO ESTABLISH PAY RATES FOR MUNICIPAL EMPLOYEES FOR THE YEAR 2024

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey shall set pay rate for the job titles as listed below.

NOW, THEREFORE, BE IT RESOLVED that the following pay rates will go into effect at the next pay period to compensate these municipal employees:

CLASS II POLICE OFFICER	\$31.00/Hr.
CLASS III POLICE OFFICER	\$31.00/Hr.
SENIOR ACCOUNT CLERK	\$67,060.00

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Tuesday, September 3, 2024.

Margaret B. Dilts, MMC

Resolution No. 24-122 – Authorizing the cancellation of Grants Receivable and Grant Appropriated Reserves.

R-24-122

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING THE CANCELLATION OF GRANTS RECEIVABLE AND GRANT APPROPRIATED RESERVES.

WHEREAS, there exists various Grants Receivable and Grant Appropriated Reserves on the balance sheet of the Grand Fund; and

WHEREAS, the funds creating these receivables and reserves have been investigated and it has been determined that these receivables and reserves should be cancelled;

NOW THEREFORE, BE IT RESOLVED by the Council of the Township of Lopatcong, that the following Grants Receivable and Grant Appropriated Reserves and hereby cancelled;

Grant Receivable:

NJ Community ARPA Firefighter Grant – 2022	\$868.39
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Grant Appropriated Reserves:

NJ Community ARPA Firefighter Grant – 2022	\$868.39
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CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, in the County of Warren, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Council of the Township of Lopatcong, County of Warren, State of New Jersey at a Council meeting of said Council held Tuesday, September 3, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Township of Lopatcong in the County of Warren and State of New Jersey this 3rd Day of September, 2024.

Margaret B. Dilts, Municipal Clerk

Resolution No. 24-123 – Authorizing the Cancellation of Certain Sewer Operating Fund Appropriations that are no Longer Necessary.

R-24-123

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING THE CANCELLATION OF CERTAIN SEWER OPERATING FUND APPROPRIATIONS THAT ARE NO LONGER NECESSARY.

WHEREAS, certain Sewer Operating Fund appropriations have funding that are no longer necessary; and

WHEREAS, it is necessary to formally cancel said balances,

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

USDA Loan Interest Amount: \$17.53	Cancel To: Sewer Operating Fund Balance
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USDA Loan Principal Amount: \$114.47	Cancel To: Sewer Operating Fund Balance
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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 true and correct copy of a Resolution adopted by Council at a meeting held on Tuesday, September 3, 2024.

Margaret B. Dilts, MMC

Resolution No. 24-124 – Requesting Approval of Item of Revenue and Appropriation N.J.S.A. 40A:4-87.

R 24-124

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 \$64,000.00 is available from NJ Department of Community Affairs

BE IT FURTHER RESOLVED that the like sum of \$64,000.00 is hereby appropriated under the caption of Local Recreational Improvement 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 Tuesday, September 3, 2024.

Margaret B. Dilts, MMC

Resolution No. 24-125 – Issue a Refund for a Tax Overpayment for Block 99, Lot 243 Qualification C1050 Due to a Disabled Veteran Exemption.

R-24-125

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN, STATE OF NEW JERSEY TO ISSUE A REFUND FOR A TAX OVERPAYMENT FOR BLOCK 99 LOT 243 QUALIFICATION C1050 DUE TO A DISABLED VETERAN EXEMPTION

WHEREAS, the Tax Assessor has approved a Disabled Veteran Exemption for the resident of Block 99 Lot 243 Qualification C1050, on 8/1/2024;

WHEREAS, the 3rd Quarter 2024 property taxes will be partially credited in the amount of \$960.66, as well as cancelling taxes for Quarter 4 of 2024, and Quarter 1 and Quarter 2 of 2025 due to the exempt status;

WHEREAS, the homeowner of the property paid the 3rd Quarter 2024 Taxes in the amount of \$1,465.41 on August 7, 2024 resulting in an overpayment; and

NOW THEREFORE, BE IT RESOLVED, on this 3rd day of September, 2024 that the Mayor and Council of the Township of Lopatcong hereby authorize the Chief Financial Officer a refund in the amount \$960.66 to: Leonard & Donna Polizzi, 1050 Deerhaven Terrace, Stewartsville, NJ 08886.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Tuesday, September 3, 2024.

Margaret B. Dilts, MMC

Resolution No. 24-126 – To Correct Property Tax Records for Block 102, Lot 6.

R-24-126

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT PROPERTY TAX RECORDS FOR BLOCK 102 LOT 6

WHEREAS, on July 3, 2024 Township Council passed resolution 24-82 allowing the Tax Assessor and Tax Collector to correct the Tax records for Block 102 Lot 6 for the 2022 and 2023 Tax years; and

WHEREAS, the original assessment for 2022 was \$144,000 and the amount of Taxes owed for the six months of ownership was \$2,052.72; and

WHEREAS, the Tax Assessor's corrected assessment for 2022 is \$154,200 and the amount of Taxes owed for the six months of ownership is \$2,198.12; and

WHEREAS, a payment was made on November 9, 2022 in the amount of \$2,052.71 which will result in an amount due of \$145.40 for the 2022 Tax year; and

WHEREAS, the original assessment of 2023 was \$288,000 and the amount of Taxes owed for the entire year was \$8,233.92; and

WHEREAS, the Tax Assessor's corrected assessment for 2023 is \$154,200 and the amount of Taxes owed for the entire year is \$4,408.58 with a difference of \$3,825.34; and

WHEREAS, payments were made on February 2nd, May 4th, August 4th, and November 8th totaling \$4,105.41 which will result in an amount due of \$303.17 for the 2023 Tax year; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Lopatcong hereby authorizes the Tax Collector to correct the 2022 Tax record resulting in an additional amount due of \$145.40 with interest starting to accrue 25 days after mailing.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Township of Lopatcong hereby authorizes the Tax Collector to correct the 2023 Tax record reducing the amount owed by \$3,825.34 and removing any interest associated with this correction. After rectifying this record, it will result in a balance due in the amount of \$303.17 with interest starting to accrue 25 days after mailing.

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 Tuesday, September 3, 2024.

Margaret B. Dilts, MMC

Resolution No. 24-127 - To Issue a Refund for a Tax Overpayment for Block 44, Lot2

R-24-127

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO ISSUE A REFUND FOR A TAX OVERPAYMENT FOR BLOCK 44 LOT 2

WHEREAS, it has been found that on August 21, 2024, the resident's mortgage company paid \$1,322.12 for a Quarter 3 2024 Taxes; and

WHEREAS, the resident's Closing Agents also paid \$1,322.12 for Quarter 3 2024 and \$1322.12 for Quarter 4 2024 which forced an overpayment of \$1,322.12; and

WHEREAS, at the request of the Closing Agents we return the overpayment directly to them; and

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey do hereby authorize the CFO to process a refund in the amount of \$1,322.12 to: Goldfinch Title Agency LLC, 1340 A Campus Parkway, Wall, NJ 07753.

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 true and correct copy of a Resolution adopted by Council at a meeting held on Tuesday, September 3, 2024.

Margaret B. Dilts, MMC

Resolution No. 24-128 – To Purchase a Vehicle for the Use of the Assistant Fire Chief.

R-24-128

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY TO PURCHASE A VEHICLE FOR THE USE OF THE
ASSISTANT FIRE CHIEF

WHEREAS, the Township Council of the Township of Lopatcong has recognized a need to purchase a service vehicle for the Assistant Fire Chief of the Fire Rescue Squad to increase emergency call response efficiency; and

WHEREAS, the amount of the vehicle shall not exceed \$25,000; and

WHEREAS, the purchase is below the \$44,000 bid threshold and does not need to be publicly bid pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Township CFO has certified the availability of funds.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lopatcong that the Mayor and Clerk are hereby authorized to purchase a service vehicle for the use of the Assistant Fire Chief.

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 Tuesday, September 3, 2024

Margaret B. Dilts, MMC

Resolution No. 24-129 – To Authorize Improvement of Jade Lane North of It's Intersection with Stonehedge Drive in its Entirety.

R-24-129

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY TO AUTHORIZE IMPROVEMENT OF JADE LANE NORTH OF
IT'S INTERSECTION WITH STONEHEDGE DRIVE IN ITS ENTIRETY.

WHEREAS, the Township of Lopatcong plans to improve the entirety of Jade Lane north of its intersection with Stonehedge Drive for a distance of approximately 2,500 feet; and

WHEREAS, the Township has appropriated monies to construct the improvements on Jade Lane; and

WHEREAS, the Township plans to utilize Riverview Paving ("Riverview") and Denville Line Painting Inc. ("Denville") through its membership in the Morris County Cooperative Pricing Council ("MCCPC") to perform the required milling, paving, and striping on Jade Lane; and

WHEREAS, Riverview and Denville are qualified contractors and have been found to be in compliance with the contract documents and technical specifications; and

NOW THEREFORE BE IT RESOLVED BY THE TOWNSHIP COUNCIL of the Township of Lopatcong that the Township shall utilize South State and Denville for the improvements on Jade Lane through the Township's membership in the MCCPC as follows:

1. Fuel Price Adjustment at \$1,500.00 (Riverview);
2. Asphalt Price Adjustment at \$3,000.00 (Riverview);
3. HMA Milling, 8,855 square yards at a 0-2" depth at a unit price of \$2.70 per square yard for a total of \$23,908.50 (Riverview);
4. HMA Milling, 445 square yards at a 2-4" depth at a unit price of \$2.70 per square yard for a total of \$1,201.50 (Riverview);
5. HMA 9.5M64 Surface Course, 2" thickness, 1,100 tons at a unit price of \$78.50 per ton for a total of \$86,350.00 (Riverview);
6. HMA 19M64 Base Course, Variable Thickness, (3" Minimum Thickness), 110 tons at a unit price of \$77.00 per ton for a total of \$8,470.00 (Riverview);
7. Traffic Marking Lines, 24" wide, 160 linear feet at a unit price of \$5.46 per linear foot for a total of \$873.60 (Denville);
8. Traffic Markings, Symbols, 112 linear feet at a unit price of \$7.00 per square foot for a total of \$784.00 (Denville);

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 true and correct copy of a Resolution adopted by Council at a meeting held on Tuesday, September 3, 2024.

Margaret B. Dilts, MMC

Announcements – Shred Event – September 14; Yard Sale Event – September 21; Fall Clean Up – October 5. Check Website - www.lopatcongtp.com for more details.

Council Reports:

Councilman McQuade – Nothing additional to report.

Councilman Marinelli – Community Day – I would like to express my gratitude to everyone who came out to Community Day; was a really nice turn out.

Council President Palitto – Community Day was a great success I would like to thank the Police Department, Fire Department, EMS, DPW (Brian, Kyle, and Zack) and the Clerk's Office (Beth, Terri and Patty). Special thanks to the Committee Members; without them it would not have been a success at all. Music in the Park will conclude tomorrow.

Mayor Wright – Community Day was a great success. The Fireworks were great!

Engineer Wisniewski – Update on the Pool and Park project. We had a kickoff design team meeting on August 22, 2024 during that meeting we discussed with members of my firm, design team, Beth, and some council members. We discussed the beginning of the design process for the project with the design beginning now and carrying through 2024 to early 2025. With the plan construction of the project. We also discussed possibly demolishing the pool ahead of time to address any potential safety concerns associated with the pool and its current condition and that work is going to be the first phase of the project that we are going to see demolish early 2025

The Pickle Ball courts for which we received grant funding. Those are currently out to bid and the bid will open on September 12, 2024 and are hopefully we can award that project and see something for the fall. Milling and paving Jade Lane that work was awarded to the contractor Morris County Co-op and I will be coordinating directly with them and hopefully get that work completed by the end of the year when their season is complete.

Chief Garcia – Traffic report for the month of August. This month we have seen an increase of traffic stops. So, this month we had a total of 323 motor vehicle stops. Out of those stops, 55% were issued traffic summons and 20% were tractor trailers. I hope to continue that in the near future as we hope to train a new officer specifically for that detail.

Brian Weeks – DPW Superintendent thanked Jim for the help on Community Day. Reported on the maintenance through the entire town. Thank you for hiring the summer help and wanted to ask if they could keep them on as we are still mowing grass.

Clerk Dilts – Due to Civil Service procedures, we can't keep them employed. Maybe next year if we budget for it, we may be able to keep them on.

Mayor Wright – How do we handle the sidewalks?

Brian Weeks – Said moving forward we are going to need to hire some help and get another piece of equipment or contract it out.

Fire Chief LaFord – Thank you for the approval of the Assistant Fire Chief vehicle it is much needed. For the month of August, the Fire Dept. ran 17 calls which one was a structure fire on Youngs road which we extinguished and mitigated. For the year we are at 147 calls, average response time is 6 minutes with the average number of responders 9 on 4 pieces of equipment. We're down 5% from last year.

EMS Report – None

Department Reports - Council President Palitto made a motion to approve, seconded by Councilman McQuade. Roll call vote:

AYES: Councilman Marinelli, Councilman McQuade, Council President McQuade, Mayor Wright

NAYS: None

Payment of Bills – Councilman Marinelli made a motion to approve the bills for payment, seconded by Council President Palitto. Roll call vote:

AYES: Councilman Marinelli, Councilman McQuade, Council President McQuade, Mayor Wright

NAYS: None

Public Comment:

Bob Bruce – Harwich Road – I just want to say I appreciate the monthly reports we receive from Council and all of the department heads. It's a good thing the citizens get to hear where things stand each month. I would like if Council would consider sharing monthly reports on any status of any warehouses known to be planned or thought to be planned. Where we stand Just kind of share with the residents where we are regarding warehouses being planned or considered. Can I also ask this Council or perhaps Mr. Lavery who is not here tonight for each month simply note the status of any new or ongoing litigation that we are either defending or prosecuting. I realize what you can say about ongoing litigation; new or ongoing litigation.

Brian Weeks – Thanks for purchasing the EMS building.

Mayor Wright – Any other comments? Seeing none.

Mayor Wright called for an adjournment of the meeting. Motion by Councilman McQuade, seconded by Council President Palitto. All in favor.

Submitted by:

Margaret B. Dilts, MMC
Clerk/Administrator

William D. Wright
Mayor