

TOWNSHIP OF LOPATCONG
REGULAR MEETING

6:30 pm

October 2, 2019

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

A Prayer was offered followed by the Oath of Allegiance.

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

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

Motion was made to come out of Executive Session by Councilman Belcaro, seconded by Councilman Palitto.

Executive Session – Attorney Campbell reported the Council held an Executive Session and Items 1 through 7 were discussed. No. 8 was not.

Public Comment: None

Swearing In – Clerk Dilts swore in Jose Mojica as Police Officer in the Police Department.

Old Business:

Minutes – Approve Executive and Regular Sessions for September 4th, 12th and 23rd, 2019 on motion by Councilman Wright, seconded by Council President Pryor. Roll call vote:

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

NAYS: None

ABSTAIN: Councilman Belcaro – September 4, Councilman Palitto – September 12.

Ordinance No. 2019-14 – Second reading and public hearing to Amend, Revise and Supplement Chapter 227 “Stop Intersections” Relative to the Intersection Plaza Road and James Avenue. Motion to hold a public hearing by Councilman Belcaro, seconded by Councilman Wright. All in favor. No comments from the public. Motion to close public hearing by Councilman Wright, seconded by Council President Pryor. All in favor.

ORDINANCE NO. 2019-14

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, October 2, 2019 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 TO AMEND, REVISE AND SUPPLEMENT CHAPTER 227 "VEHICLES AND TRAFFIC", INCLUDING SECTION 24 "STOP INTERSECTIONS" RELATIVE TO THE INTERSECTION OF JAMES AVENUE AND PLAZA ROAD

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, CMC

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

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

NAYS: None

Ordinance No. 2019-15 – Second reading and public hearing to Amend, Revise and Supplement Chapter 115 “Fees”, Article VI, Payment of Credit Card. Motion to hold a public hearing by Councilman Belcaro, seconded by Councilman Wright. All in favor. No comments from the public. Close the public hearing by Councilman Wright, seconded by Council President Pryor. All in favor.

ORDINANCE NO. 2019-15

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, October 2, 2019 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 TO AMEND, REVISE AND SUPPLEMENT CHAPTER 115, “FEES,” ARTICLE VI, “PAYMENT BY CREDIT CARD” OF THE CODE OF THE TOWNSHIP OF LOPATCONG TO THE FEE FOR CREDIT CARD PAYMENTS.

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, CMC

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

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

NAYS: None

New Business:

Best Practices Checklist – A motion to hold a public hearing on the Checklist was made by Councilman Belcaro, seconded by Council President Pryor. All in favor. Lori Ciesla asked the Council if the Township had a policy for the collection of cash payments. There is no specific policy in place. CFO Browne discussed with the Council a need for a Surplus Policy and also suggested a review of the fee schedule annually. Training for Cyber Security will be completed by Clerk Dilts as this is a new question on the Checklist.

Foggia-Trinity Electric – Engineer Sterbenz recommended the approval of Payment No. 1 in the amount of \$70,795.20 for work completed on the School Zone Improvement Project. Motion by Councilman Belcaro, seconded by Councilman Palitto. Roll call vote:

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

NAYS: None

Scenic Ridge Road Improvements – As part of the Developer’s Agreement, median islands are to be installed on the road entering this development. As discussed, these islands present a number of problems for the residents as well as the DPW when they have to plow snow.

Engineer Sterbenz will contact the developer to cancel this improvement. Attorney Campbell will amend the Agreement. Motion to authorize these actions by Council President Pryor, seconded by Mayor Mengucci. Roll call vote:

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

NAYS: None

Consent Agenda:

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

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

NAYS: None

Resolution No. 19-263 – Appoint Phyllis Coleman Administrative Clerk/Deputy Registrar of Vital Statistics per Civil Service Certification of Eligibles.

R 19-263

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING THE APPOINTMENT OF PHYLLIS COLEMAN AS ADMINISTRATIVE CLERK/DEPUTY REGISTRAR OF VITAL STATISTICS PER CIVIL SERVICE CERTIFICATION OF ELIGIBLES NO. PL191370

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey do hereby appoint Phyllis Coleman as Administrative Clerk/Deputy Registrar of Vital Statistics pursuant to Civil Service Certification of Eligibles No. PL191370; and

WHEREAS, Phyllis Coleman will be paid at a salary provided for in the Salary Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey do hereby appoint Phyllis Coleman Administrative Clerk/Deputy Registrar as authorized by the Civil Service Commission.

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, October 2, 2019.

Margaret B. Dilts, CMC

Resolution No. 19-264 – Hire Hope Hezel as a temporary appointment in the Tax/Sewer Collector’s office.

R 19-264

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING THE HIRE OF HOPE HEZEL PART-TIME IN THE OFFICE OF THE TAX/SEWER COLLECTOR

WHEREAS, the Township Tax Collector has been working very diligently to organize the Township’s Tax/Sewer Collector’s office and to correct tax and sewer accounts that were affected by the prior Tax/Sewer Collector; and

WHEREAS, the Township Tax Collector has requested temporary assistance in her office to better serve the residents of Lopatcong; and

WHEREAS, the Township Tax Collector has requested assistance for approximately one year in order to continue to clean up the errors from the prior Tax Collector while providing the residents the service they deserve; and

WHEREAS, the Township Council commends the Tax Collector for the tremendous effort she has put since she took over as Tax/Sewer Collector and they agree to provide her the assistance of a Tax Clerk for 20 hours a week for approximately six month as a civil service temporary appointment; and

WHEREAS, after advertising the position and interviewing the candidates, the Administrator and Tax Collector have recommended to Council that Hope Hezel be hired to work part-time in the Tax Collector’s Office; and

WHEREAS, Ms. Hezel shall work as a temporary employee for 20 hours per week at a rate of pay of \$18 per hour.

WHEREAS, Ms. Hezel shall be granted all rights of a part-time employee as detailed in the current version of the Township Handbook.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey do hereby authorize the hire of Hope Hezel as a part-time, temporary employee in the Tax Collector’s Office for 20 hours per week at a rate of pay of \$18 per hour.

BE IT FURTHER RESOLVED, that the Township is hiring Ms. Hezel as a Civil Service Temporary Appointment for six months.

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, October 2, 2019.

Margaret B. Dilts, CMC

Resolution No. 19-265 – Support of a Fireworks Celebration located at Phillipsburg High School on November 27, 2019.

R 19-265

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY IN SUPPORT OF A FIREWORKS CELEBRATION LOCATED AT PHILLIPSBURG HIGH SCHOOL

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey received a request from the Phillipsburg School District to support a fireworks celebration to be held on Wednesday, November 27, 2019; and

WHEREAS, this celebration will take place at Phillipsburg High School located at 1 Stateliner Boulevard; and

WHEREAS, Celebration Fireworks must obtain a permit as required by the Lopatcong Fire Subcode Official.

NOW, THEREFORE, BE IT RSOLVED that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey do hereby approve the fireworks celebration upon obtaining permits from the Lopatcong Township Fire Subcode Official.

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, October 2, 2019.

Margaret B. Dilts, CMC

Resolution No. 19-266 – Authorize Redemption of Tax Sale Certificate No. 2017-020 on Block 42, Lot 10 in the amount of \$4,060.69.

R 19-266

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE NO. 2017-020 ON BLOCK 42, LOT 10

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 6, 2017, a lien was sold on Block 42 Lot 10 known as 625 Rugby Road for delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2017-020 was sold to US Bank Cust BV002 Trst & Crdtrs; and

WHEREAS, on September 13, 2019, mortgage company for the property owner has satisfied the redemption amount on Certificate No. 2017-020 in the amount of \$4,060.69.

NOW, THEREFORE, BE IT RESOLVED on this 2nd day of October 2019 that the Chief Financial Officer is authorized to issue a check in the amount of \$4,060.69 for the redemption of Tax Sale Certificate No. 2017-020 to:

US Bank Cust BV-002 Trst & Crdtrs
50 S 16th St., Suite 2050
Philadelphia, PA 19102-2513

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, October 2, 2019.

Margaret B. Dilts, CMC

Resolution No. 19-267 – Authorize refund of Tax Overpayment on Block 45, Lot 10 in the amount of \$431.83.

R 19-267

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING TO REFUND TAX OVERPAYMENT MADE BY THE HOMEOWNER ON AN ESCROW ACCOUNT FOR 2019 TAXES

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that warrants be drawn to the property owner listed below in the designated amounts representing tax payments as follows for the tax year 2019 on an escrowed account.

<u>Block & Lot</u>	<u>Name of Payee/Mortgage</u>	<u>Amount</u>
45/10	Peter R. Pisello 509 Guy Road Phillipsburg, NJ 08865	\$431.83

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey have approved the refunds made rather than applying these payments to the 2019 future taxes due.

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, October 2, 2019.

Margaret B. Dilts, CMC

Resolution No. 19-268 – Authorize Tax Collector to cancel the 2019 Tax Sale.

R 19-268

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING THE TOWNSHIP TAX COLLECTOR TO CANCEL THE 2019 TAX SALE

WHEREAS, over the last two years, the Township of Lopatcong has uncovered significant discrepancies in many residents' tax accounts; and

WHEREAS, it has been determined that many residents accounts were not properly credited with payments that they made over the last several years and other residents accounts are credited with payments that they did not make; and

WHEREAS, the Township has engaged the services of a forensic accountant to assist the Township staff and professionals in reviewing these accounts and making the necessary corrections; and

WHEREAS, the Township is concerned that many of the taxpayers listed as delinquent for 2018 may not be delinquent or the amount of their delinquency is incorrect; and

WHEREAS, the Township is concerned that if they were to hold a tax sale in 2019 while so many accounts are under review, a lien could be wrongly placed on a taxpayer's account; and

WHEREAS, the Township Council feels the need to ensure that improper liens are not placed on resident's accounts outweighs the need to collect 2018 delinquencies.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lopatcong, County of Warren, State of New Jersey that the Township Tax Collector shall not hold a tax sale in 2019.

Adopted: October 2, 2019

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, October 2, 2019.

Margaret B. Dilts, CMC

Resolution No. 19-269 – Authorize Redemption of Tax Sale Certificate No. 2017-019 on Block 41, Lot 9 in the amount of \$1,945.93.

R 19-269

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE
NO. 2017-019 ON BLOCK 41, LOT 19

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 6, 2017, a lien was sold on Block 41, Lot 9 also known as 623 Young's Road for delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2017-019 was sold to Light Properties; and

WHEREAS, on September 25, 2019 the property owner has satisfied the redemption amount on Certificate No. 2017-019 in the amount of \$1,945.93.

NOW, THEREFORE, BE IT RESOLVED on this 2nd day of October 2019, that the Chief Financial Officer is authorized to issue a check in the amount of \$1,945.93 for the redemption of Tax Sale Certificate No. 2017-019 to:

Light Properties, LLC
17 W. Cliff Street
Somerville, NJ 08876

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, October 2, 2019.

Margaret B. Dilts, CMC

Resolution No. 19-270 – Authorize Redemption of Tax Sale Certificate No. 2017-014 on Block 32, Lot 21.01 in the amount of \$2,153.65.

R 19-270

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE
NO. 2017-014 ON BLOCK 32, LOT 21.01

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 6, 2017, a lien was sold on Block 32, Lot 21.01 also known as 807 Charles Road for delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2017-014 was sold to Light Properties; and

WHEREAS, on September 25, 2019 the property owner has satisfied the redemption amount on Certificate No. 2017-014 in the amount of \$2,153.65.

NOW, THEREFORE, BE IT RESOLVED on this 2nd day of October, 2019 that the Chief Financial Officer is authorized to issue a check in the amount of \$2,153.65 for the redemption of Tax Sale Certificate No. 2017-014 to:

Light Properties, LLC
17 W. Cliff Street
Somerville, NJ 08876

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, October 2, 2019.

Margaret B. Dilts, CMC

Resolution No. 19-271 – Authorize cancellation of interest on Block 110, Lot 3 in the amount of \$768.17

R 19-271

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CANCEL INTEREST ON TAX ACCOUNT FOR BLOCK 110, LOT 3

WHEREAS, the owner of Block 110, Lot 3 made a payment towards his taxes for the 1st quarter of 2014; however, the Township has confirmed that that payment was not processed by the Township; and

WHEREAS, the Township did not send a delinquent notice from 2014 through 2017 and in 2017 the then Tax Collector signed a statement that the taxpayer's account was current even though it was not; and

WHEREAS, the Township's interim Tax Collector made arrangements with the taxpayer that if he made the payment in 2018, the Township would waive interest that had accrued on the account; and

WHEREAS, the taxpayer made a payment of \$2,101.13 on June 21, 2018; however, the interim Tax Collector did not cancel the interest as she had promised; and

WHEREAS, the Township wishes to waive the interest in the amount of \$768.17. Once this amount is cancelled, the taxpayer will be left only owing 4th quarter of 2019's taxes which are not due until November 1, 2019.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lopatcong hereby authorize the Township's Tax Collector to cancel interest in the amount of \$768.17 from the tax account of Block 110, Lot 3.

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, October 2, 2019.

Margaret B. Dilts, CMC

Resolution No. 19-272 – Correct Tax Account for Block 46, Lot 14.

R 19-272

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CANCEL INTEREST ON TAX ACCOUNT FOR BLOCK 46, LOT 14

WHEREAS, the Township of Lopatcong has been provided with a receipt for a tax payment for Block 46, Lot 14 which was not applied to the taxpayer's account; and

WHEREAS, the Township wishes to apply this payment to the account and cancel any interest associated with the failure to timely post this payment.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Collector's Office to apply the following payments to Block 46, Lot 14:

1/3/2018	\$2,621.42
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BE IT FURTHER RESOLVED that the Lopatcong Township Tax Collector's Office shall cancel any and all interest resulting from the failure to timely post this payment.

BE IT FURTHER RESOLVED, that the Township Tax Collector's Office is authorized to adjust this tax account to cancel any delinquency owed as of 2nd quarter of 2017.

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, October 2, 2019.

Margaret B. Dilts, CMC

Resolution No. 19-273 – Adjust Tax Account for Block 99, Lot 190, C0816.

R 19-273

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO ADJUST THE TAX ACCOUNT FOR BLOCK 99, LOT 190 C0816

WHEREAS, the Township Tax Collector has reviewed the tax account for Block 99, Lot 190 C0816 and has determined that the account should have a credit of \$1,200.82 as of October 2, 2019; and

WHEREAS, the Township wishes to authorize the Tax Collector to adjust the account to credit the account.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Lopatcong hereby authorize the Township Tax Collector to adjust the tax account for Block 99, Lot 190 C0816 to have a credit of \$1,200.82 as of October 2, 2019.

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, October 2, 2019.

Margaret B. Dilts, CMC

Resolution No. 19-274 – Cancel balance on sewer account for Block 131, Lot 17.

R 19-274

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CANCEL BALANCE ON SEWER ACCOUNT FOR BLOCK 131, LOT 17

WHEREAS, the Township Tax Collector has reviewed the sewer account for Block 131, Lot 17 and has determined that the account had an error when the current owner bought the property in December of 2017; and

WHEREAS, the Township wishes to authorize the Tax Collector to adjust the sewer account to have a zero balance as of October 2, 2019.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Collector to adjust the sewer account for Block 131, Lot 17 to have a zero balance as of October 2, 2019.

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, October 2, 2019.

Margaret B. Dilts, CMC

Resolution No. 19-275 – Redeem Tax Sale Certificate No. 2017-050 and refund subsequent payments made by lienholder for Block 99, Lot 167, C0666 in the amount of \$4,866.18, Premium \$100.00.

R 19-275

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO REDEEM TSC 2017-050 AND TO REFUND SUBSEQUENT PAYMENTS MADE BY THE LIENHOLDER FOR BLOCK 99, LOT 167, C0666

WHEREAS, due to an error in the Lopatcong Tax Office, the Township accepted the redemption monies for TSC 2017-050; however, did not make the payment to the lienholder or cancel out the lien; and

WHEREAS, as a result of the Township's failure to properly redeem TSC 2017-050, the lienholder made subsequent payments on the lien; and

WHEREAS, the Township should not have accepted that subsequent payment because the lien had already been redeemed; and

WHEREAS, the Township must turn over the funds paid to redeem the lien in the amount of \$2,078.50 and pay the \$100 Premium; and

WHEREAS, the holder of TSC 2017-050 is entitled to a refund of their subsequent payments in the amount of \$4,866.18 plus interest through October 2, 2019 in the amount of \$629.26.

NOW, THEREFORE, BE IT RESOLVED that the Township hereby authorizes the payment of \$2,078.50 plus a Premium of \$100.00 to redeem TSC 2107-050 made payable to:

US Bank Cust BV002 Trst & Crdtrs
50 S. 16th Street, Suite 2050
Philadelphia, PA 19102

BE IT FURTHER RESOLVED that the Township Tax Collector shall process the redemption for TSC 2017-050.

BE IT FURTHER RESOLVED that the Township Council of the Township of Lopatcong hereby authorizes refund payment of \$5,495.44 for subsequent taxes/sewer that were paid after the redemption made payable to:

US Bank Cust BV002 Trst & Crdtrs
50 S. 16th Street, Suite 2050
Philadelphia, PA 19102

BE IT FURTHER RESOLVED, that the taxpayer shall be notified about the payments that were paid on their behalf by the lienholder and given 30 days to become current before interest accrues on those delinquent amounts.

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, October 2, 2019.

Margaret B. Dilts, CMC

Raffle and Tricky Tray – Approve application for St. Luke’s Episcopal Church.

Strykers Road Fire House No. 2 – Approve membership as authorized by Fire Chief Brandon Stires for Jonathan DeJesus, Karl Schupp and Justin Pronnicki, Jr.

Worldplay, LLC – Authorize Merchant Agreement relating to credit card payments.

Council Reports:

Councilman Palitto – Yard Sale held on September 14th benefited the Fire Company and \$650.00 was generated.

Councilman Belcaro – No report.

Councilman Wright – Noted that he received calls regarding the road conditions on Fox Farm.

Council President Pryor – Asked to have the Pay to Play dates for submission to change to the beginning of December.

Ordinance No. 2019-16 – First reading to change Fire Dept. Ordinance to require all officers of the Fire Department to be Lopatcong residents.

ORDINANCE NO. 2019-16

ORDINANCE OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN, STATE OF NEW JERSEY TO AMEND, REVISE OR SUPPLEMENT CHAPTER 27 “FIRE DEPARTMENT,” ARTICLE II “ELECTION OF OFFICERS,” SECTION 5 “SELECTION OF NOMINEES AND ELECTION OF OFFICERS,” OF THE CODE OF THE TOWNSHIP OF LOPATCONG TO REQUIRE ALL LINE OFFICERS OF THE FIRE DEPARTMENT TO BE RESIDENTS OF LOPATCONG TOWNSHIP.

WHEREAS, the Township Council of Township of Lopatcong believes that it is important for Line Officers of the Fire Department to be residents of the municipality in order to ensure that the Department leadership is uniquely in tune with the needs of the Lopatcong community; and

WHEREAS, the Council wishes to amend §27-5 to require that all Line Officers of the Fire Department are residents of the Township of Lopatcong.

NOW THEREFORE IT BE ORDAINED by the Council of the Township of Lopatcong, County of Warren, State of New Jersey that Chapter 27, “Fire Department,” Article II “Election of Officers,” Section 5 “Section of nominees and election of officers,” of the Code of the Township of Lopatcong shall be amended as follows:

Section 1:

§27-5 (D). All Department Line Officers must be a resident of the Township of Lopatcong.

Section 2:

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

Section 3:

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

Section 4:

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

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Township of Lopatcong held on October 2, 2019 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Council to be held on November 6, 2019 at 6:30 p.m. or as soon thereafter as the Township Council may hear this Ordinance at the Municipal Building, 232 South Third Street, Phillipsburg, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Beth Dilts
Township Clerk

Motion by Council President Pryor, seconded by Mayor Mengucci. Roll call vote:

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

NAYS: None

Mayor Mengucci – Noted that fall cleanup on Saturday was busy at both locations; the pool and the fire house steady all day long. Fox Farm Road, Reservoir Road, Lows Hollow Road Council is aware of the need for reconstruction. Red School Lane is in the Que.

Engineer Sterbenz – Reported on the capital projects; reimbursement request was approved by the State for Baltimore Street in the amount of \$45,000.00. Red School Lane Project – DOT approved construction plans so the pavement and striping improvements can begin. Hopefully the paving can be completed this year; if not early April of 2020. Engineer Sterbenz requested authorization to put the Sally Port out to bid. Motion by Councilman Wright, seconded by Council President Pryor. Roll call vote:

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

NAYS: None

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

Payment of Bills – Approve payment of Bills on motion by Mayor Mengucci, seconded by Councilman Wright. Council President Pryor to abstain from JMT bills. Roll call vote:

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

NAYS: None

Audience Participation:

Andy Pollner – Strykers Road – Thought the cleanup was very well run. Questioned the Council about the operation of the emergency squad.

Lori Ciesla – Provided the final report on the Recreation Commission.

Matt Herzer – 8 Overlook Drive – Thanked the DPW for filling in the pot hole and installing the stop sign on Plaza Road.

Mayor Mengucci announced a need to hold an Executive Session. Motion by Council President Pryor, seconded by Councilman Belcaro. All in favor.

R 19-276

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND THE STATE OF NEW JERSEY AUTHORIZING AN EXECUTIVE SESSION

WHEREAS, there are presently pending matters to be considered in Executive Session concerning possible matters listed:

Contractual - LAA

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Lopatcong, County of Warren and the State of New Jersey that the Council is authorized to hold an Executive Session.

BE IT FURTHER RESOLVED that the Council of the Township of Lopatcong will make said matters public within approximately 30 days of said meeting or until such a time as confidentiality of the matters is no longer required.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, October 2, 2019.

Margaret B. Dilts, CMC

Motion to resume Regular Session by Council President Pryor, seconded by Councilman Palitto. All in favor.

Motion to adjourn the meeting by Councilman Palitto, seconded by Council President Pryor. All in favor.

Respectfully submitted,

Margaret B. Dilts, CMC
Clerk/Administrator

James E. Mengucci
Mayor

