

TOWNSHIP OF LOPATCONG
Regular Meeting Minutes
6:30 pm

December 30, 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 Palitto, Councilman Wright, Council President Pryor, Mayor Mengucci. Also present were Attorney Pandos.

Motion to resume regular session at 7:33 pm by Council President Pryor, seconded by Councilman Wright. All in favor.

Public Comment:

John Betz – No. 2 Ordinance No. 19-17 – What is the re-examination about, of the stormwater management part of that?

Old Business:

Minutes – Approve Executive Session Minutes for December 4, 2019. Motion by Council President Pryor, seconded by Councilman Wright. Roll call vote:

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

NAYS: None

Ordinance No. 2019-17 – Second reading and public hearing to Amend, Revise and Supplement Chapter 199 entitled “Stormwater Management” as part of the Re-examination of the Lopatcong Master Plan Report adopted by the Lopatcong Township Planning Board on October 23rd, 2019 and conformance with Highlands Water Protection and Planning Act. Motion to hold a public hearing. Motion by Councilman Wright, seconded by Councilman Palitto. All in favor. No comments from the public. Motion to close public hearing by Councilman Wright, seconded by Councilman Palitto. All in favor.

Ordinance No. 2019-17

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 Monday, December 30, 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.

An Ordinance to Amend Chapter 199, “Stormwater Management”, of the Code of Lopatcong Township to update/revise regulations to comply with requirements of the Highlands Regional Master Plan

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 Council President Pryor, seconded by Councilman Wright.

Roll call vote:

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

NAYS: None

Ordinance No. 2019-18 – Second reading and public hearing to amend Salary Ordinance to establish title Administrative Assistant/Deputy Registrar of Vital Statistics and expand range for title Laborer-Seasonal. Motion to hold a public hearing by Councilman Palitto, seconded by Councilman Wright. John Betz commented that the title was a good thing. Motion to close public hearing by Council President Pryor, seconded by Councilman Wright.

Ordinance No. 2019-18

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 Monday, December 30, 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.

AN ORDINANCE FIXING THE SALARIES, RETAINERS AND WAGE RANGES OF CERTAIN 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, CMC

Motion to adopt this Ordinance on motion by Councilman Wright, seconded by Councilman Pryor. Roll call vote:

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

NAYS: None

Clearly Communications – Authorize Mayor Mengucci to execute contract for phone services for a term of three years.

Consent Agenda:

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

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

NAYS: None

Resolution No. 19-312 – Authorize rehire of Don Obley, Class III Police Officer and increase pay rate by two percent.

R 19-312

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING RE-HIRE OF DONALD OBLEY PART-TIME AS CLASS III POLICE OFFICER IN THE POLICE DEPARTMENT WITH A TWO PERCENT INCREASE IN PAY RATE

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey hereby authorizing rehire of one part-time Class III Police Officer in the Police Department; and

WHEREAS, Donald Obley shall be paid a salary of \$25.50 per hour with the two percent increase.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey hereby approve there rehire of Donald Obley part-time as Class III Police Officer in the Police Department and shall be paid an hourly rate of \$25.50 per hour.

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 Monday, December 30, 2019.

Margaret B. Dilts, CMC

Resolution No. 19-313 – Authorize two percent increase in wages for 2019 and amend Resolution No. 18-277 to correct term to be January 1, 2019 through December 31, 2022.

R 19-313

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO PROVIDE A TWO PERCENT INCREASE IN WAGES FOR 2019 AND AMEND RESOLUTION NO. 18-277 TO CORRECT THE TERM OF APPOINTMENT

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey do hereby authorize a two percent increase to 2019 wages; and

WHEREAS, correct the term of appointment to be January 1, 2019 through December 31, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that a wage increase of two percent shall be provided to Daniele Lattig for 2019 and a correction in her term of appointment by amendment of Resolution No. 18-277 to state term of appointment to be January 1, 2019 through December 31, 2022.

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 Monday, December 30, 2019.

Margaret B. Dilts, CMC

Resolution No. 19-314 – Refund tax overpayment for Block 86.02, Lot 1 in the amount of \$998.29.

R 19-314

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY TO ISSUE A REFUND FOR A TAX OVERPAYMENT FOR
BLOCK 86.02, LOT 1

WHEREAS, Block 86.02, Lot 1 qualified as tax exempt (disabled veteran) on December 6, 2019;
and

WHEREAS, the Tax Collector has adjusted the tax account to cancel taxes for the 4th quarter of 2019 and 1st and 2nd quarter of 2020; and

WHEREAS, before the Tax Collector could make the adjustment on the account, the title company made the 4th quarter payment of \$3,743.57 on September 19, 2019; and

WHEREAS, the homeowner's payment prorated to \$998.29 should be refunded to the property owner.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Lopatcong hereby authorizes a refund in the amount of \$998.29 to: Jimel Fraser, 6 Fieldhedge Lane, 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 Monday, December 30, 2019.

Margaret B. Dilts, CMC

Resolution No. 19-315 – Refund tax overpayment for Block 55, Lot 1 in the amount of \$771.04.

R 19-315

AMEND R 19-306

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY TO ISSUE A REFUND FOR A TAX OVERPAYMENT FOR
BLOCK 55, LOT 1

WHEREAS, Block 55, Lot 1 qualified as tax exempt (disabled veteran) on November 1, 2019;
and

WHEREAS, the Tax Collector has adjusted the tax account to cancel taxes for the 4th quarter of 2019 and 1st and 2nd quarter of 2020; and

WHEREAS, before the Tax Collector could make the adjustment on the account, the homeowner made the 4th quarter payment of \$1,156.56 in November of 2019; and

WHEREAS, the homeowner's payment prorated to \$771.04 should be refunded to the property owner.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lopatcong hereby authorizes a refund in the amount of \$771.04 to: Thatcher, Charles & Barbara, 996 Belvidere Road, Phillipsburg, NJ 08865

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Monday, December 30, 2019.

Margaret B. Dilts, CMC

Resolution No. 19-316 – Refund overpayment from deduct meter credit on sewer payment in 2019 on Block 110, Lot 9 in the amount of \$235.04.

R 19-316

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING TO REFUND OVERPAYMENT FROM DEDUCT METER CREDIT ON SEWER PAYMENT FOR THE TAX YEAR 2019

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 owners listed below in the designated amounts representing overpayment on sewer payments as follows for the tax year 2019.

<u>Block & Lot</u>	<u>Name of Payee</u>	<u>Amount</u>
Block 110, Lot 19	Carlos & Lisa Correa 82 Puddingstone Way Phillipsburg, NJ 08865	\$235.04

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 2020 sewer 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 Monday, December 30, 2019.

Margaret B. Dilts, CMC

Resolution No. 19-317 – Balance transfer of appropriations in the 2019 budget in the amount of \$3,500.00.

R 19-317

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING THE TRANSFER OF APPROPRIATIONS OF THE 2019 LOPATCONG TOWNSHIP MUNICIPAL BUDGET DURING THE LAST TWO MONTHS OF THE YEAR AS PER N.J.S.A. 40A:4-58

WHEREAS, it has become necessary to expend an amount in excess of the respective items appropriated in the 2019 Lopatcong Township Municipal Operating Budget.

NOW, THEREFORE, BE IT RESOLVED as per N.J.S.A. 40:4-58 that the Mayor and Council of the Township of Lopatcong authorize the Chief Financial Officer to make the following appropriation transfers:

CURRENT FUND:			
FROM:		TO:	
Gasoline	\$3,500.00	Telephone	\$3,000.00
		Fire Dept. OE	\$500.00
Total	\$3,500.00	Total	\$3,500.00

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 Monday, December 30, 2019.

Margaret B. Dilts, CMC

LAA Donation – Agreement with LAA in return for services provided under the terms of the agreement a stipend of \$7,500 would be paid. Services were not completed but stipend will be paid with the understanding that services must be completed as soon as practical after the winter in 2020 before a new agreement can be executed.

Council Reports -

Councilman Palitto – LAA – Sean Leahey was elected to be the President of the LAA and will begin his term in January. Wished all a Happy and Safe New Year.

Councilman Wright – Vulture Issue – Asked Clerk Dilts to provide an update. A recommendation from the Animal Control Officer and County Health Dept. to include language in the Township’s Ordinance to be able to enter onto private property to deal with situations such as this. The County Health Dept. did reopen the case. Another complaint was lodged with her office and this is an ongoing investigation.

Council President Pryor – The Phillipsburg Sewer Agreement was finalized with a new agreement to be enforce over the next four years beginning in January 2020. In addition, a new Rate Ordinance was put in place by the Town of Phillipsburg to reduce the Township’s rate; an 8.5% rate reduction through 2023 relative to what is paid to Phillipsburg now for sending sewerage to their treatment plant. A rebate will also be provided annually in the amount of \$101,000.00 over the next five years in the way of a credit. Also, approximately \$298,000.00 is owed to the Town of Phillipsburg from Lopatcong for connection fees. This reconciles all the

claims and counterclaims. There will be no increase in the pilot during the term of the agreement. Phillipsburg is facing a lot of improvements to its collection system to which Lopatcong will not be required to contribute to the cost of maintenance, repair or upgrades to the Town of Phillipsburg's sewer collection system except for the portions that are used.

Council President Pryor informed the public that he would like to introduce a "Pot Hole Hotline" for folks to call in and report a pothole. He requested Clerk Dilts and DPW Superintendent Brian Weeks put together the process to handle this going forward.

Thanks all the volunteers for their assistance this past year; without volunteers many of the Township's programs and boards would not be sustained.

Mayor Mengucci – Echoed the words of Council President Pryor regarding the value of the volunteers and the staff.

Payment of Bills – Added a tax refund and a check to the LAA for \$7500.00 and a subtraction of Cooper Electric. Motion by Council President Pryor, seconded by Councilman Wright. Roll call vote:

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

NAYS: None

Audience Participation:

Harvey Walters – Thanked the Council for all their help through the years.

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

Respectfully submitted,

Margaret B. Dilts, CMC
Clerk/Administrator

James E. Mengucci
Mayor