

TOWNSHIP OF LOPATCONG
REORGANIZATION MEETING

7:00 pm

January 6, 2016

The Reorganization Meeting of the Lopatcong Township Council was called to order by Mayor McKay. The meeting was held in the Municipal Building located at 232 S. Third St., Phillipsburg, New Jersey 08865.

Motion to come out of Executive Session by Councilwoman Schneider, seconded by Councilman Belcaro.

A moment of silence was offered followed by the Oath of Allegiance.

Mayor McKay 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.”

Attorney Campbell reported that Council was in Executive Session for approximately 35 to 40 minutes. The topics of discussion were as listed on the Agenda. No. 9 added was Tax Assessor.

R 16-29

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:

1. Personnel - Social Media Matter – proposed letter
2. Personnel - Municipal Business – Council’s involvement
3. Personnel – Township Fire Dept. complaint
4. Contractual - LAA contract
5. Contract – Banks
6. Personnel - COAH Administrator
7. Personnel - 911 Coordinator
8. Phillipsburg High School Intersection – Compensation for road widening

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, January 6, 2016.

Margaret B. Dilts, CMC

Sworn In: Lou Belcaro and Joe Pryor sworn in by Senator Michael Doherty.

Councilman Belcaro - Thanked the voters and said he would do his best to serve the community

Councilman Pryor – Thanked his wife and took a symbolic bow and thanked those who supported him. Those who didn’t, he hoped to prove he was voted in for the right reasons.

Roll call: Councilman Belcaro, Councilwoman McCabe, Councilman Pryor, Councilwoman Schneider, Mayor McKay. Also present were Attorney Campbell and Engineer Sterbenz.

Public Comment: Agenda items only. Motion by Councilwoman Schneider, seconded by Councilman Belcaro. All in favor.

Marla Endick – 10 Byron Drive – Procedural question – tonight’s vote on Township professionals and if in fact Township professionals donate to a PAC and that PAC then gives money to council people running for election who are then elected – can those same people vote for the reappointments or is that considered a conflict of interest? Attorney Campbell informed her that they can vote.

Close Public Comment- Motion by Councilwoman Schneider, seconded by Councilwoman McCabe. All in favor.

Reorganization:

Resolution No. 16-1 – Annual Meeting Calendar.

R 16-01

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY IN REGARD TO EXECUTIVE SESSIONS AND REGULAR MEETINGS FOR THE YEAR 2016

WHEREAS, Section 113 of the Open Public Meetings Act, Chapter 231 P.L. 1975, requires that at least once a year, not later than January 10th, of such year, every public body shall post and mail to the newspapers designated by said body, a schedule of the location, time and date of each meeting of said body during the succeeding year.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Lopatcong, County of Warren and State of New Jersey, as follows:

EXECUTIVE SESSIONS of the Council shall be held at the Municipal Building, 232 S. Third Street, Lopatcong Township, Phillipsburg, New Jersey 08865 at 7:00 PM prevailing time, and REGULAR MEETINGS will be held at the same location at 7:30 PM prevailing time, on the FIRST WEDNESDAY of each month for the year 2016.

If the FIRST WEDNESDAY of any month shall fall on a legal holiday, the meeting shall be held on the following day. The dates of such meetings are as follows:

EXECUTIVE SESSIONS AND REGULAR MEETINGS

January 6, 2016 - Reorganization Meeting

February 3, 2016	August 3, 2016
March 2, 2016	September 7, 2016
April 6, 2016	October 5, 2016
May 4, 2016	November 2, 2016
June 1, 2016	December 7, 2016
July 6, 2016	

Reorganization Meeting – January 4, 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 the Reorganization Meeting held on Wednesday, January 6, 2016.

Margaret B. Dilts, CMC

Motion to adopt this Resolution by Councilwoman Schneider, seconded by Councilwoman McCabe. Roll call vote:

AYES: Councilman Belcaro, Councilwoman McCabe, Councilman Pryor, Councilwoman Schneider, Mayor McKay.

NAYS: None

Resolution No. 16-02 – Charge for Annual Meeting Calendar.

R 16-02

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY FIXING A REASONABLE SUM TO CHARGE FOR A LIST OF SCHEDULED COUNCIL MEETINGS

WHEREAS, Section 14 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the public body to fix a reasonable sum to be charged to persons who request that notice of meetings as required under the Act, be mailed to them individually; and

WHEREAS, said section further permits the public body to provide such notices free of charge to news media who so request.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lopatcong, County of Warren and State of New Jersey as follows:

1. Each person who requests that individual notice as required under the Act be mailed to him shall pay annually the Township of Lopatcong Twenty-five Dollars (\$25.00) to cover the cost thereof.
2. Requests for such individual notice made by news media shall be granted without cost.
3. The sum herein designated is subject to change upon the adoption of a superseding Resolution by the public body.

This Resolution shall take effect immediately.

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, January 6, 2016.

Margaret B. Dilts, CMC

Motion to adopt this Resolution by Councilwoman Schneider, seconded by Councilwoman McCabe. Roll call vote:

AYES: Councilman Belcaro, Councilwoman McCabe, Councilman Pryor, Councilwoman Schneider, Mayor McKay.

NAYS: None

Resolution No. 16-03 – Establish Cash Management Plan.

R 16-03

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY ESTABLISHING A CASH MANAGEMENT PLAN

WHEREAS, P.L. 1983, Chapter 8, approved January 18, 1983 as an act concerning the Local Fiscal Affairs Law and amends N.J.S.A. 40A:5-2 and N.J.S.A. 40A:5-14; and

WHEREAS, this law requires that each local unit establish a cash management plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Lopatcong, County of Warren and State of New Jersey for the year 2016 the following shall serve as Cash Management Plan of the Township of Lopatcong.

The Chief Financial Officer is directed to use the Cash Management Plan as the guide in depositing and investing the Township of Lopatcong's funds.

The following FDIC and Government Unit Deposit Protection Act (GUDPS) approved banks are authorized depositories for deposit of funds.

Provident Bank and all other FDIC and GUDPA approved banks located in the State of New Jersey.

All warrants or checks for the disbursements of money shall be made by any three (3) of the following officials and facsimile signatures may be used:

Thomas M. McKay, Mayor
Maureen McCabe, Councilwoman
Margaret B. Dilts, Clerk/Administrator
Janice Sapanaro, Chief Financial Officer

The Chief Financial Officer and the Clerk/Administrator are empowered to invest cash funds as bank balances will allow from time to time in order to realize revenue. The above stated officers are authorized to transfer funds for the purpose of paying bills, investing and payroll.

The following are authorized as suitable investments:

1. Interest bearing accounts in banks as authorized for deposit of local unit funds (GUDPA approved).
2. Certificates of deposit in GUDPA approved banking institutions.
3. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America. This includes instruments such as Treasury, Notes and Bonds.
4. Government Money Market mutual funds that comply with N.J.S.A. 40A:5-1.5.1(e).
5. Any other obligations with maturities not exceeding 397 days as permitted by the State Division of Investments.
6. New Jersey Cash Management Fund.
7. Repurchase agreements (repos) of fully collateralized securities which comply with N.J.S.A. 40A:5-15(e).

Each month the Chief Financial Officer shall prepare a report for the Clerk/Administrator that consists of the following:

1. A summary of all investments made or redeemed for the month.
2. A listing of any and all financial institutions holding local unit funds.
3. The class of type of securities purchased or funds deposited.
4. Income earned on deposits and investments.
5. A listing of accounts or deposits that do not earn interest.

This document shall constitute the Cash Management Policy of the Township of Lopatcong.

Any official involved with the selection of depositories or investments shall disclose any material business or personal relationship to the Local Finance Board.

Any official who, in the course of his or her duties, deposits or invest in accordance with this plan shall be relieved of any liability or loss.

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, January 6, 2016.

Margaret B. Dilts, CMC

Motion to adopt this Resolution by Councilwoman McCabe, seconded by Councilman Pryor.

Roll call vote:

AYES: Councilman Belcaro, Councilwoman McCabe, Councilman Pryor, Councilwoman Schneider, Mayor McKay.

NAYS: None

Resolution No. 16-04 – Designation of official newspapers.

R 16-04

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY, DESIGNATING NEWSPAPERS TO RECEIVE NOTICES OF MEETINGS

WHEREAS, Section 3 (d) of the Open Public Meetings Act, Chapter 231, P.L. 1975, requires that certain notices of meetings shall be submitted to two (2) newspapers, one of which shall be designated as the official newspaper of the Township of Lopatcong; and

WHEREAS, the second newspaper designated by this body must be one that has the greatest likelihood of informing the public within the jurisdictional boundaries of this body of such meetings.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Lopatcong, County of Warren and State of New Jersey.

1. The STAR GAZETTE, Hackettstown, NJ is hereby designated as the official newspaper of the Township to receive all notices of meetings as required under the Open Public Meetings Act.

2. The EXPRESS-TIMES has the greatest likelihood of informing the public within the jurisdictional area of this body of such meetings.

This Resolution shall take effect immediately.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren, 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, January 6, 2016.

Margaret B. Dilts, CMC

Motion to adopt this Resolution by Councilwoman McCabe, seconded by Councilwoman Schneider. All in favor.

Resolution No. 16-05 – Appointment of Township Attorney.

Mayor McKay – At this point, I don't think I'm ready to do that. I am very concerned about the present law firm contributing to a PAC and that PAC supports certain people on this Council and sends out hate mail against other people on the Council and I just don't feel it is appropriate. I'm not comfortable with that kind of situation. So, I am going to hold on that.

Councilwoman McCabe – Have you had any issues with our legal representation this past, last year?

Mayor McKay – I don't want to go there.

Councilwoman McCabe – Well, I think we've carried over our current Township's attorney and I believe they've done a great job and they were able to point out a few things that we all missed and it was due to the fact that they've had the experience with this Township and I believe that they've provided us with excellent representation.

Mayor McKay – Well, thank you for your comments. We also have the situation where I am kind of, you know, a stickler for the rule where you, after 5 years you start looking. You don't go over ten with the same professionals.

Councilwoman McCabe – What rule is that Mr. Mayor?

Mayor McKay – That is guidance that the state puts forth.

Councilwoman McCabe – I've never heard of such guidance to change people for the sake of change, I don't agree with it.

Mayor McKay – It is not change for the sake of change.

Councilwoman McCabe – It is, you just said for over 5 years you are going to just change.

Mayor McKay – No, I said you start looking, I said after 10 years.

Councilwoman McCabe – Township changes attorneys when they have a problem with the representation that they're receiving. We don't have a problem.

Mayor McKay – Fine. Thank you for your comments.

Resolution No. 16-06 – Reappoint Village Medical Associates as Township Physicians.

R 16-06

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPOINTING PHYSICIANS FOR THE YEAR 2016

WHEREAS, the Mayor and Township Council of the Township of Lopatcong require that medical doctors be appointed for Township purposes; and

WHEREAS, these appointments are made without competitive bidding as professional services under the provisions of the Local Public Contracts Law, as provided in N.J.S.A. 40A:11-5 because said office requires services performed by persons qualified to practice recognized professions and it is not possible to obtain competitive bids.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Lopatcong that Village Medical Associates be appointed as physicians for the Township for the calendar year of 2016.

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 the Wednesday, January 6, 2016.

Margaret B. Dilts, CMC

Motion to adopt this Resolution by Councilwoman McCabe, seconded by Councilman Pryor. All in favor.

Resolution No. 2016-07 – Appoint Municipal Attorney for defense of Municipal Appeals.

Attorney Campbell pointed out that this is only appointing the municipal attorney to defend any appeals this year.

R 16-07

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING LEGAL COUNSEL TO FILE AND PROSECUTE ROLL-BACK TAX COMPLAINTS, COMPLAINTS TO CORRECT ERRORS IN ASSESSMENTS AND COMPLAINTS FOR ADDED, OMITTED AND ADDED/OMITTED ASSESSMENTS; DEFEND, SETTLE OR STIPULATE TO RESOLVE ALL 2015 LOCAL PROPERTY TAX APPEALS

WHEREAS, the County Tax Board has issued a letter of request requiring a Resolution by the Mayor and Township Council of each municipality of the County of Warren by its County Tax Administrator, Melissa Pritchett; and

WHEREAS, the said County Tax Administrator requires that the Mayor and members of the Governing Body of each municipality in the County of Warren, in order to file municipal roll-back complaints, correct errors or file added, omitted and added/omitted complaints, adopt a Resolution allowing the Municipal Attorney or any member of his firm to file and prosecute said complaints.

NOW, THEREFORE, BE IT RESOLVED on this 6th day of January 2016, by the Township Council of the Township of Lopatcong, in the County of Warren and State of New Jersey, that the Municipal Attorney for the Township, is hereby authorized to file, prosecute, defend, stipulate, modify, agree upon and otherwise perform the duties which are required of said Attorney, in the process of prosecution and/or filing of said roll-back tax complaints, complaints to correct errors in assessments for added assessments in 2015 and defending or settling all 2015/16 local property tax appeals and execute any and all stipulations relating to the same with the agreement of the Lopatcong Township Municipal Assessor.

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby directed to provide a true copy of this Resolution to the Warren County Board of Taxation, Warren County Court House, Belvidere, New Jersey 07823.

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, January 6, 2016.

Margaret B. Dilts, CMC

Motion to adopt this Resolution by Councilwoman McCabe, seconded by Councilwoman Schneider. Roll call vote:

AYES: Councilman Belcaro, Councilwoman McCabe, Councilman Pryor, Councilwoman Schneider, Mayor McKay.

NAYS: None

Resolution No. 16-08 – Authorize interest to be charged on Delinquent Taxes.

R 16-08

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING INTEREST TO BE CHARGED ON DELINQUENT TAXES

WHEREAS, Governor Florio signed into law Assembly Bill No. 4425, Chapter 75 and Senate Bill No. 2579, Chapter 89 effective March 29, 1991 and April 4, 1991 respectively; and

WHEREAS, the Governing Body of the Municipality wishes to comply with this law; and

WHEREAS, N.J.S.A. 54:4-67 has been changed to define a tax delinquency as follows:

“Delinquency means the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years”; and

WHEREAS, the Governing Body may fix a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay the delinquency prior to the end of the calendar year. The penalty as fixed shall not exceed 6% of the amount of the delinquency; and

WHEREAS, the Governing Body of the Municipality may charge by Resolution, the sum of eight (8%) percent per annum of the first \$1,500.00 and eighteen (18%) percent per annum on any amount in the excess of \$1, 500.00 on taxes and assessment after the date that same would become delinquent until the date of actual payment; and

WHEREAS, most of the taxpayers of said Township of Lopatcong have had to bear an additional burden because of the fact that some taxpayers invest their funds at higher rates of interest than the penalty heretofore provided for under such statute; and

WHEREAS, the Council of the Township of Lopatcong deems it equitable and just that every taxpayer shall bear an equal share of said taxes.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Lopatcong, County of Warren that a tax delinquency shall mean the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years.

BE IT FURTHER RESOLVED that a penalty of 6% will be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay the delinquency prior to the end of the calendar year.

BE IT FURTHER RESOLVED that the rate of interest to be charged for the non-payment of taxes or assessments shall be eight percent (8%) per annum on the first \$1,500.00 and eighteen (18%) percent per annum on any amount in excess of \$1,500.00 after the date that they would become delinquent.

BE IT FURTHER RESOLVED that no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same become payable.

BE IT FURTHER RESOLVED that after the sale of property for non-payment of taxes or assessments, the property shall be subject to redemption upon the payment of eighteen (18%) percent per annum interest over and above the amount of the taxes, assessments and other charges due the municipality.

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, January 6, 2016.

Margaret B. Dilts, CMC

Motion to adopt this Resolution by Councilwoman Schneider, seconded by Councilwoman McCabe. Roll call vote:

AYES: Councilman Belcaro, Councilwoman McCabe, Councilman Pryor, Councilwoman Schneider, Mayor McKay.

NAYS: None

Resolution No. 16-09 – Authorize Tax Collector to process and cancel any Municipal Charged Refunds or Delinquencies for less than ten dollars.

R 16-09

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING THE TAX COLLECTOR TO PROCESS AND CANCEL ANY MUNICIPAL CHARGE REFUNDS OR DELINQUENCY OF LESS THAN TEN (\$10.00) DOLLARS

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey have reviewed a request by the Tax Collector of the Township of Lopatcong to allow the Tax Collector to process and cancel any property tax usage charge refund or delinquency of less than \$10.00.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong hereby authorize the Tax Collector to process and cancel any municipal charge refund or delinquency of less than \$10.00.

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 the Reorganization Meeting held on Wednesday, January 6, 2016.

Margaret B. Dilts, CMC

Motion to adopt this Resolution by Councilwoman Schneider, seconded by Councilwoman McCabe. Roll call vote:

AYES: Councilman Belcaro, Councilwoman McCabe, Councilman Pryor, Councilwoman Schneider, Mayor McKay.

NAYS: None

Resolution No. 16-10 – Adopt Robert’s Rules as a basic guide for fair and orderly procedure.

R 16-10

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY ADOPTING ROBERT’S RULES OF ORDER AS A BASIC GUIDE FOR FAIR AND ORDERLY PROCEDURE IN MEETINGS

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey, that Robert’s Rules of Order Newly Revised 11th edition is hereby adopted as parliamentary authority for procedure in meetings.

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, January 6, 2016.

Margaret B. Dilts, CMC

Motion to adopt this Resolution by Councilwoman Schneider, seconded by Councilman Pryor. All in favor.

Resolution No. 16-11 – Appoint 911 Coordinator.

Mayor McKay – I appoint Jason Garcia.

R 16-11

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPOINTING JASON GARCIA AS 911 COORDINATOR

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey are required by the State to appoint a 911 Coordinator to assist the Warren County Department of Public Safety; and

WHEREAS, the Mayor and Council decided to appoint as the 911 Coordinator.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey appoint Jason Garcia as the 911 Coordinator for the Township of Lopatcong for the year 2016.

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, January 6, 2016.

Margaret B. Dilts, CMC

Motion to adopt this Resolution by Councilwoman McCabe, seconded by Councilwoman Schneider. All in favor.

Resolution No. 16-12 – Reappoint Christopher Troxell as Municipal Prosecutor.

R 16-12

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPOINTING CHRISTOPHER TROXELL AS PROSECUTOR

WHEREAS, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Lopatcong, County of Warren and State of New Jersey that Christopher Troxell be appointed Prosecutor for the Township of Lopatcong for the year 2016 at a salary appropriated within the Salary Ordinance.

This appointment is made without competitive bidding as professional services under the provisions of the Local Public Contracts Law, as provided in N.J.S.A. 40A:11-5 because said office requires services performed by persons qualified to practice recognized professions and it is not possible to obtain competitive bids.

This Resolution shall take effect immediately.

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, January 6, 2016.

Margaret B. Dilts, CMC

Motion to adopt this Resolution by Councilwoman McCabe, seconded by Councilman Belcaro. All in favor.

Resolution No. 16-13 – Reappoint Scott Wilhelm as Municipal Public Defender.

R 16-13

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPOINTING SCOTT M. WILHELM MUNICIPAL PUBLIC
DEFENDER

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Lopatcong, County of Warren and State of New Jersey that Scott M. Wilhelm is appointed Municipal Public Defender for the year of 2016 at a salary of \$200.00 per case.

This appointment is made without competitive bidding as professional services under the provisions of the Local Public Contracts Law, as provided in N.J.S.A. 40A:11-5 because said office requires services performed by persons qualified to practice recognized professions and it is not possible to obtain competitive bids.

This Resolution shall take effect immediately.

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, January 6, 2016.

Margaret B. Dilts, CMC

Motion to adopt this Resolution by Councilwoman Schneider, seconded by Councilman Pryor. All in favor.

Resolution 16-14 – Appoint Township Auditor.

Councilwoman McCabe – I make a motion we appoint Nisivoccia, our current Auditor.

Mayor McKay – You can't make that motion, only I can.

Attorney Campbell – No, she can.

Mayor McKay – No, no, no. I disagree. The Charter says that only I do it.

Councilwoman McCabe – No.

Mayor McKay – Well, it says that.

Attorney Campbell – Mr. Lavery gave you a memo

Councilwoman McCabe – We have a memo from last year.

Attorney Campbell – from February 2015 that details that the Governing Body makes that appointment.

Mayor McKay – That's not how I read it, and understand it.

Attorney Campbell – Well, he's your legal counsel.

Councilwoman McCabe – I think we got direction from our legal counsel regarding the issue in a letter dated February 15th which was emailed to all of us this week.

Mayor McKay – I got a letter that didn't make any citations it just says that's the way it is.

Attorney Campbell – That was an email from my office to you in February of 2015 – 11 months ago.

Mayor McKay – Eleven months ago.

Councilman Belcaro – There is a motion on the floor, I second it.

Roll call vote:

AYES: Councilman Belcaro, Councilwoman McCabe, Councilman Pryor

NAYS: Councilwoman Schneider – No. and I have a couple of reasons why. The auditors do need to be changed although I have nothing against the current auditors, they're very nice but we need, this town needs a new look on our books. We need somebody in here that's different. We had them here for many years. It is time to make a change for the auditors. There's lots of issues and I think we just need a clean set up eyes and I think the residents deserve to have a clean set of eyes.

Councilwoman McCabe – There's not lots of issues and I think experience

Councilwoman Schneider – This was my comment, so, I'm going to stick with my comment.

Councilwoman McCabe – Did you want to make a comment or have a discussion?

Councilwoman Schneider – I also have, I also have the person that I'd like to nominate works well with our current

Councilwoman McCabe – We're not nominating, we are in the middle of a vote.

Councilwoman Schneider – I know that. I'm talking.

Councilwoman McCabe – Yeah, you can't nominate in the middle of a vote.

Councilwoman Schneider - I'm not nominating him.

Mayor McKay – We are not in agreement that you can Council can nominate this person, so, and, that will come up later (inaudible).

Councilwoman Schneider – The person that I'd like to appoint that I would have liked to appoint was, works well with our current CFO, they know each other, they have a good rapport and I had full faith that this person could complete the job. It's unfortunate that we continue to keep the same people over and over and over and over and over again and it just goes to show that nobody here wants to make the change.

Councilwoman McCabe – Did your person submit an RFP?

Councilwoman Schneider – Yes they did.

Councilwoman McCabe – Who was it?

Councilwoman Schneider – Bob Morrison.

Councilwoman McCabe – Bob Morrison who is currently representing Greenwich Township?

Councilwoman Schneider – I don't know if he is or isn't.

Councilwoman McCabe – I believe they are not renewing him. They've had some issues with him.

Councilwoman Schneider – Well, it's funny that you, you said that you complained last year cause they were working for Greenwich, now they are not working for Greenwich and that has nothing to do with his credentials.

Councilwoman McCabe – Well, I'm not going to hire somebody who another town got rid of for reasons but uh

Councilwoman Schneider – Well, you don't know what their reasons were for getting rid of them, and so, you can't stick to that.

Councilwoman McCabe – Well, actually I do. Sorry. I’ve already made a motion and we are voting on it.

Mayor McKay – Just divested of their audit firm and I believe the audit firm was Nisivoccia I believe, I’m not sure on that but (inaudible) Phillipsburg.

Councilwoman Schneider – Phillipsburg also let go of our current auditors.

Council talking over each other.

Councilman Belcaro – I don’t believe in fixing something that isn’t broken and that’s my opinion thank you.

Councilwoman Schneider – Well, it is and there have been many issues that we’ve found so that’s it.

Continued the vote:

NAYS: Mayor McKay

R 16-14

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPOINTING NISIVOCCIA, LLP AS TOWNSHIP AUDITOR FOR THE YEAR 2016

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey, as follows:

WHEREAS, Nisivoccia LLP are hereby appointed Township Auditor for the year 2016; and

WHEREAS, Nisivoccia LLP has presented the Mayor and Council with a Professional Service Agreement outlining his services and fees; and

WHEREAS, this Resolution, a of this action shall be printed once in the official newspaper of the Township of Lopatcong; and

WHEREAS, this Resolution and the Professional Service Agreement shall be on file and available for public inspection in the office of the Municipal Clerk.

This award is in accordance with N.J.S.A. 19:44A-20.5 et seq.

This Resolution shall take effect immediately.

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, January 6, 2016.

Margaret B. Dilts, CMC

Resolution No. 16-15 – Reappoint Beth Dilts Qualified Purchasing Agent.

R 16-15

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY INCREASING THE BID THRESHOLD AND APPOINTING A QUALIFIED PURCHASING AGENT PURSUANT TO N.J.S.A. 40A:11-3a AND N.J.S.A.C. 5:34-5 ET. SEQ.

WHEREAS, the recent changes to the Local Public Contracts Law gave local contracting units the ability to increase their bid threshold up to \$40,000; and

WHEREAS, N.J.S.A. 40A:11-3a, permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.S.C.5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Margaret B. Dilts possesses the designation of Qualified Purchasing Agent as issued by the Director of Local Government Services in accordance with N.J.A.C.5:34-5.; and

WHEREAS, Lopatcong Township desires to take advantage of the increased bid threshold;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of Lopatcong Township, in the County of Warren, in the State of New Jersey hereby increases its bid threshold to \$40,000; and

BE IT RESOLVED, that the governing body hereby appoints Margaret B. Dilts, as the Qualified Purchasing Agent to exercise the duties of a purchasing agent to N.J.S.A.40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit: and

BE IT RESOLVED, that in accordance with N.J.A.C.5-34-5.2 the local unit Clerk is hereby authorized and directed to forward a certified copy of this resolution and a copy of Margaret B. Dilts, QPA certification to the Director of the Division of Local Government Services.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey, do hereby certify the foregoing is a true and correct copy of a Resolution adopted by Council at a regular meeting of said governing body held on Wednesday, January 6, 2016.

Margaret B. Dilts, CMC

Motion to adopt by Resolution by Councilwoman McCabe, seconded by Councilman Pryor. All in favor.

Resolution No. 16-16 – Reappoint Beth Dilts Public Agency Compliance Officer.

R 16-16

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY DESIGNATING MARGARET DILTS AS THE PUBLIC AGENCY COMPLIANCE OFFICER AS REQUIRED BY THE DEPARTMENT OF TREASURY, DIVISION OF CONTRACT COMPLIANCE & EQUAL EMPLOYMENT OPPORTUNITY IN PUBLIC CONTRACTS

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey shall appoint Margaret B. Dilts as Public Agency Compliance Officer as mandated by N.J.A.C. 17:27-3.2 by January 10th of each year; and

WHEREAS, Margaret B. Dilts, Clerk/Administrator shall have the authority to serve as the point of contact for all matters concerning implementation and administration of the statute and its regulations; and

WHEREAS, Ms. Dilts will also be responsible for administering contracting procedures pertaining to equal employment opportunity regarding both the Public Agency and the service providers which shall include but shall not be limited to goods and services vendors, professional service vendors and construction contractors.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey approve the appointment of Margaret B. Dilts as the P.A.C.O. for the Township for the year 2016.

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, January 6, 2016.

Margaret B. Dilts, CMC

Motion to adopt this Resolution by Councilwoman McCabe, seconded by Councilman Belcaro. All in favor.

Resolution No. 16-17 – Appoint Lyn Gabos Recycling Coordinator and authorize submission of Tonnage Grant Application.

R 16-17

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING SUBMISSION OF THE 2015 RECYCLING TONNAGE GRANT APPLICATION AND THE APPOINTMENT OF A RECYCLING COORDINATOR

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 198/c. 102, established a recycling fund from which a tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to making and keeping accurate, certifiable records or materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycle and to indicate the assent of Lopatcong Township to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Governing Body of the Township of Lopatcong hereby endorses the submission of the 2015 recycling tonnage grant application to the New Jersey Department of Environmental Protection and designate Lyn Gabos as Recycling Coordinator to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated trust fund to be used solely for the purpose of recycling.

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, January 6, 2016.

Margaret B. Dilts, CMC

Motion to adopt this Resolution by Councilwoman Schneider, seconded by Councilwoman McCabe. All in favor.

Resolution No. 16-18 – Appointment for Computer Services.

Mayor McKay said he was going to hold off on that.

Councilwoman McCabe – Is that something that the governing body can motion?

Councilwoman Schneider – No.

Mayor McKay – I'm sure you can get some attorney to give you something that says you can.

Clerk Dilts – I guess then that Nisivoccia would still be, you know, the person would still be the person would carry over until such time as you resolve this issue.

Attorney Campbell – They would act as a holdover.

Resolution No. 16-19 – Appointment of Labor Attorney.

Mayor McKay – I wish to appoint Appruzzese, McDermott, Mastro & Murphy.

Councilwoman McCabe – Excuse me, I think there is a conflict there. Isn't your personal attorney a member of that law firm?

Mayor McKay – Attorney who has represented me in a matter is, yes.

Councilwoman McCabe – Yes, so, don't you think that there is a conflict in making that motion?

Mayor McKay – Be careful of that because you have a lot of people here that have personal attorney's that work for law firms that also if you are making that as your um, I don't know that, that is a conflict of interest he represented me on one matter (inaudible).

Attorney Campbell – I believe that there is a conflict of interest.

Councilwoman McCabe – I believe that's how conflicts (inaudible).

Councilman Belcaro – I believe that is a conflict of interest.

Councilwoman McCabe – You want to, so, let me get this straight, you want to appoint the law firm that your current personal attorney works for as our labor attorney. Is that correct?

Mayor McKay – He is a member of, it's a very large firm and they specialize in employment law.

Councilwoman McCabe – He is still a member of that firm isn't he?

Mayor McKay – Yes, he is.

Councilwoman McCabe - So, I don't think so, I don't, I disagree. We need to keep our current labor attorney which is Lavery's law firm, Rich Wenner.

Councilwoman Schneider- I would like to hold, I would like to put a hold on it. I'd like to talk about this next month.

Councilwoman McCabe – No, I think we are here tonight to do our reorganization and we need to discuss the appointments of our attorneys and (Council talking over each other).

Mayor McKay – I've made my, you say I can't do it so I'm going on to the next item.

Councilwoman McCabe – Well, there is a conflict here.

Resolution No. 16-20 – Appointment of Township Engineer for three-year term.

Mayor McKay – Again I’m disappointed in Paul’s firm because they too contribute money to this PAC and the money is used to give money to Mr. Belcaro, Mr. Pryor. I believe they gave money to Lori Ciesla. The fact is what they give Donna and I is hate mail that goes out and it is not very nice and you know, it is not a real good way to

Councilman Belcaro – This is all assumptions.

Councilwoman Schneider – No it’s not. It’s right here in black and white.

Mayor McKay – You want to see um?

Councilwoman Schneider – It’s right here in black and white.

Mayor McKay – They have to file reports with the state.

Councilwoman McCabe – If they were supporting some of your friends, I guess you wouldn’t have a problem with it.

Mayor McKay – I still would actually, I would have a problem with it.

Councilwoman Schneider – I can, you know

Mayor McKay – I don’t think like you do Maureen.

Councilwoman McCabe – Thank God.

Mayor McKay – All right, so, I think I’m going to hold on the Township Engineer for a little bit until I get some assurances that this is not going to continue.

Resolution No. 16-21 – Appointment of the Township Sewer Engineer for three-year term.

Mayor McKay – Appointment of Township Sewer Engineer for three year term. I have, I’ll reappoint the existing Township Sewer Engineer for a three year term.

Councilwoman McCabe – Excuse me, our current Township Engineer is going to be a carryover.

Mayor McKay – Yes. Until such time as I find out what is going on with this. All right. Madden is the present Township Sewer Engineer, so, we will reappoint him. I believe Mr. Pryor cannot vote on this is that correct?

Councilman Pryor - I am recusing myself even though I retired, I have one existing client, City of Elizabeth and I run that through JMT, I run my time through JMT, so, I’ll recuse myself from that.

R 16-21

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPOINTING TOWNSHIP SEWER ENGINEER

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey has determined that it is in the best interest of the Township to appoint Dan Madden as Sewer Engineer; and

WHEREAS, Dan Madden of Kupper Associates, “A JMT Company”, is hereby retained as Township Sewer Engineer for a three-year period at a fee outlined in a Professional Service Contract.

This award is in accordance with N.J.S.A. 19:44A-20:5 et seq.

This Resolution shall take effect immediately.

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, January 6, 2016.

Margaret B. Dilts, CMC

Motion by Councilwoman McCabe, seconded by Councilwoman Schneider. Roll call vote:
AYES: Councilman Belcaro, Councilwoman McCabe, Councilwoman Schneider, Council President Ciesla, Mayor McKay.
NAYS: None
ABSTAIN: Joe Pryor

Resolution No. 16-22 – Appoint Council President.

Councilwoman McCabe – I would like to make a motion that we vote for Joe Pryor to be our Council President.

Councilman Belcaro – Second

Councilwoman McCabe – Joe brings great experience with him and knowledge and has lots of history with this town and with the many sewer and boards that he served on in the past. So, I would be happy to have Joe as our President, Council President.

Councilman Pryor – Thank you.

Mayor McKay – Now, we are assuming now that this is an elected position whereas in the past it has at sometimes been an appointed position.

Attorney Campbell – It reads in your Charter that Council picks the Council President.

Councilwoman McCabe – And we picked our President last year.

Councilwoman Schneider – We didn't pick when I was here in 2014. I'll say it again, we did not pick when I was here in 2014.

Mayor McKay – We'll follow the Charter. If the Charter says it will follow it when I'm here so that will be what's done.

R 16-22

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPOINTING JOSEPH PRYOR COUNCIL PRESIDENT

WHEREAS, Mayor and Council put forth nominations for Council President for the year 2016; and

WHEREAS, Joseph Pryor was nominated for the appointment.

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 approve the appointment of Joseph Pryor as Council President for the year 2016.

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, January 6, 2016.

Roll call vote:

AYES: Councilman Belcaro, Councilwoman McCabe, Councilman Pryor, Councilwoman Schneider, Mayor McKay.

NAYS: None

Council Department Assignments - Read into the record Council Assignments by Mayor McKay.

Mayor McKay – Administrative and Executive Personnel first level liaison, Public Safety Director, Planning Board Class I, South Warren Regional Police Commission, Mayor Wellness Committee Liaison, Environmental Conservation Commission Liaison and Ex-Officio of all Boards, Commissions, Committees, Associations, Etc.

Mayor McKay – For Donna Schneider, Councilwoman – Administrative and Executive Personnel second level liaison, Shared Services Negotiations Committee, Finance Committee, Municipal Insurance and Fund Commissioner, DPW first level liaison, Public Bldgs. and Grounds first level liaison.

Mayor McKay – Mr. Belcaro – EDAC liaison, Board of Education first level liaison, Sewer Dept. first level liaison, DPW second level liaison, Clean Communities and Recycling second level liaison, Animal Liaison second level liaison

Mayor McKay – Mr. Pryor – Planning Board Class III. Now this requires Council consent.

Mayor McKay – I assume you are going to do that.

Councilman Pryor – Actually, I think you wrong there Mayor. The Municipal Land Use Law makes that a Council appointment.

Mayor McKay – I said that Council has to make the appointment.

Councilman Pryor – No you, you can nominate as a member of Council it is not a mayor appointment.

Mayor McKay –I thought it was already decided. All right. Then the next item would be for you would be Finance Committee, Shared Services Negotiations Committee, the Recreation Committee liaison and the Technology Liaison.

Mayor McKay - Maureen McCabe – Lopatcong Athletic Association liaison, Animal Control first level liaison, Clean Communities and Recycling first level liaison, Board of Education second level liaison, Shade Tree Commission liaison, Rent Leveling Board liaison.

Councilman Pryor – May I make a Point of Order Mayor?

Mayor McKay – What?

Councilman Pryor – May I make a Point of Order?

Mayor McKay – I can't imagine why. What's your Point of Order?

Councilman Pryor – Unfortunately, you know, we are trying to have a harmonious initial meeting but I do note in the Charter you do have the, you are empowered to appoint committees, finance committee and I appreciate that appointment. There is no mention of Council liaisons, there's no mention of that being a mayoral authority. There's a, I know

Mayor McKay – (Inaudible) 197..

Councilman Pryor – Please just I, you know, I don't really care about the past. I'm here now. It's not in the Charter, it's not in the Code Book, it's not, we don't have Bylaws and to the best of my

knowledge, I haven't found anything in general law and I'll defer to Katrina on that. My objection is, in the other towns I've been to, these appointments are always done in consultation with the Council and tonight is the first time I'm hearing of them.

Councilwoman McCabe – First time I'm hearing of them too.

Councilman Pryor – So, again, the committees no problem, that's in the Charter but as far as these municipal liaisons, I would question your authority to unilaterally do that.

Councilwoman McCabe – It would be nice if we had some input into these appointments that you may or may not have the ability to do in the first place.

Mayor McKay – I think I have the ability to do them and I think the reason the Mayor has that, is that they can mix and match and make sure people move along and get into new things and don't do the same old thing all the time.

Councilwoman McCabe – These are three year appointments. There is no need to mix and match and move people along.

Mayor McKay – These are one year appointments.

Councilwoman McCabe – It takes a couple of years to even get going on certain things and we're only in office for a minimum of three years and you're moving everything around constantly doesn't help anyone.

Mayor McKay – Not constantly, I moved a few things (inaudible).

Councilman Pryor – Well, let me make the suggestion. Let's move on but I'm going to request Katrina consider my comments and report next meeting just like you deferred, you objected to some of the appointments so. Let's just get a, sort that out, will go forward.

Councilwoman McCabe – Yeah, it would be nice if we had some say on what we are interested in. I agree.

Councilman Belcaro – We should set up an appointment, each Council member to sit down with the mayor and discuss this.

Councilwoman McCabe – Or even amongst the Council members we could discuss this.

Mayor McKay – (Inaudible) nobody's ever mentioned anything about it. (Inaudible).

Councilwoman McCabe – We discussed this last year at this exact meeting. Mr. Mayor where you never called any of us in to discuss it with any of us.

Councilwoman Schneider – I wasn't asked either.

Councilwoman McCabe – You unilaterally made the decision on your own without any input from any of us.

Councilwoman Schneider – 2014 was the same scenario with a different mayor.

Councilwoman McCabe – I'm speaking about 2016.

Councilwoman Schneider – I am. I'm speaking about 2014. Same scenario, different mayor. I wasn't asked. I was put on a list and that's what I got.

Councilwoman McCabe – And, did you speak up at that time?

Councilwoman Schneider – No, because I didn't complain about it. I took what I got.

Councilman Belcaro – You know, this is a new year. Let's move forward and let's forget about the past for now. Let's move forward.

Councilwoman Schneider – But you guys keep going back to the past. Last year we would have wanted this. Last year we would have wanted this. Last year, so, stop going back

Councilman Pryor – I didn't mean to interrupt you. I'm sorry. I'm not going back to this. This is my, I've been on here an hour now and

Councilwoman Schneider – I'm not speaking to you Joe.

Councilman Pryor – I'm raising a question just like the mayor did.

Councilwoman Schneider – I wasn't speaking to you Joe. I was speaking to the other two.

Mayor McKay – We'll settle it.

Councilman Pryor – For parliamentary procedure

Councilwoman McCabe – Maybe we should put these appointments on hold so the issue can be resolved.

Mayor McKay – I don't think so; I think we have to have somebody doing these things.

Councilwoman McCabe – I think that everyone is appointed as of last year to different things.

Mayor McKay – No we don't have holdovers in yeah

Councilwoman McCabe – Your appointment is in question in the first place.

Mayor McKay – Then every appointment ever made in this Township's been in question, therefore,

Councilwoman McCabe – That's not true.

Mayor McKay – Of course it is. Any, anything that they've done is in question.

Councilman Pryor – I really have a suggestion. I mean you; there were protests about the appointments. I made protests about these, but we are moving forward. We'll hear some legal opinion. If there is an adjustment, there's an adjustment.

Mayor McKay – Yes. All right the next thing is the Mayor's appointments to all expired and vacated municipal boards. I was going to give Mrs. Dilts a copy of this so I'll give it to you after. Okay. I have certain non-consent agreements. These are mayoral appointments. First one is Planning Board. Now for some reason unbeknownst to me, almost everybody on the Planning Board term expires this year. I don't want to comment on why that is. I don't really know, but what I want to do is reconstitute the board as well as putting people on it, so, that we have staggered term maturities as the statute and the ordinance require. So, I'm going to do both simultaneously as an attempt to do this. Class I would be me as the Mayor and that term expires that gets a one year when I expire right 17; 12/31/17. Renew Gary Woolf. His term expires 12/31/16; he gets one year. I don't know who you want to put in here, the Council, so, I'll just leave that blank. I assumed it was Joe because he's knowledgeable.

Councilman Pryor – Well, I thought that was part of your motion

Mayor McKay – I, I, that one needs Council consent. That one thing. For the one thing, for the Class III, I will recommend Joe Pryor and I'll ask the Council to vote on that.

Councilwoman McCabe – Joe would you like that appointment?

Councilman Pryor – Yes.

Councilwoman McCabe – Then I'll second that.

Mayor McKay – You seconded it. All right, so, okay, then we'll need a roll call.

AYES: Councilman Belcaro, Councilwoman McCabe, Councilman Pryor, Councilwoman Schneider, Mayor McKay.

NAYS: None

Mayor McKay – Now the next are the Class IV. There is a question as there is always with Gary VanVliet because he was elected to four year terms three years in a row according to the minutes so it is difficult to know when his terms actually expires. I have been given information that it expired in 15 but now that is more likely that that might be 16, so, he's an asset, so, I'll say let's make it 16. So, he'll go on the Planning Board as he did before. My additional Class IV appointments are: Peter Pisello – term expires 12/31/17. He's new. Mark Gural is already in. Peter Olschewski – his term will expire 12/31/18. Eric Johnson his term will expire 12/31/19. Jon Fox – his term will expire 12/31/19. Now as far as the alternates go, I will keep Tom Fischbach as Alternate No. 1 and add a new Alternate No. 2, Audra Frank and her term will expire in 17. Tom's expires in 16 cause they have to be staggered. So, that is the Planning Board.

Councilwoman McCabe – Before we move on, is Mr. Olschewski able to vote in the United States?

Councilwoman Schneider – We've already went over that.

Mayor McKay – Yeah, it doesn't matter.

Councilwoman McCabe – It doesn't matter. So, he's still not a citizen of the United States?

Mayor McKay – Peter, are you a citizen?

Councilwoman Schneider – No, but he's a resident that pays taxes.

Mayor McKay – Yeah, the League of Municipalities already. I'll send you an email. I checked with the general counsel there and he came back and yes.

Councilwoman McCabe – I want to make sure that it's proper (inaudible Council talking over each other) however, you know

Mayor McKay – We wouldn't do it if it wasn't.

Councilwoman Schneider – Mr. Lavery already gave his opinion.

Councilman Pryor – You know, I do comment, I do this reluctantly. Obviously, this is your appointment, it doesn't need our approval but I ask that you, you are expected to make a reasonable appointment. I look at the knowledge, experience and temperament. Anybody who has observed his behavior before the Planning Board, before Council, I'd certainly question temperament and I'll just leave it at that.

Mayor McKay – (Inaudible Council talking over each other).

Councilwoman McCabe – There's no need to question temperament. We know what it is.

Mayor McKay – All right Environmental Conservation Commission.

Councilwoman McCabe – and I don't agree with your appointments but as you said we don't have any say.

Mayor McKay – Environmental Conservation Commission member Elora Nowak – her term is being renewed, she'll expire 12/31/18 and the same with Judy Liptak her term expires so she is going to be renewed to 12/31/18.

Shade Tree Commission – We go back and forth as to whether this should be an independent standalone commission. Whether it can be folded into something else, we'll still talk about that but for now we don't have a quorum so I'm working to get some people here so we do have a

quorum. We have one member Matt and he's sitting right over there. We had a gentleman come forth Costas Zumba's is he present? There he is. How do you do sir? He has volunteered to come forth and work with the Shade Tree Commission and his commission would, his term would expire 12/31/20.

Councilwoman McCabe – Is the Shade Tree a group that we need in this Township? I'm mean, we only have one person we could probably move him to a different committee. I'm not sure we need to have a Shade Tree Commission.

Councilwoman Schneider – We went over this in 2014 and Katrina determined that we do need a Shade Tree.

Councilwoman McCabe – We need a Forestry Plan in place.

Attorney Campbell – You don't need a commission. Your ordinance says you have one. So you have to dissolve your ordinance. You need a Forestry Plan, but you don't actually have to have a Shade Tree Commission.

Mayor McKay – It might be smart to fold it into the Environmental Commission or something else.

Councilwoman Schneider – Right you'd have to dissolve it.

Councilman Pryor – You know if you do have a Shade Tree Commission it triggers other things relative to the Planning Board and so on. My personal view is we probably don't need one. Statutorily, we are not required to have one. So maybe you want to think about that.

Councilwoman Schneider – Who would manage the Forestry Plan if we didn't have Shade Tree?

Councilwoman McCabe – We could move Matt to either another commission, planning maybe.

Councilman Pryor – That's nothing to do with you Matt.

Councilwoman McCabe – It's just that you are the only one on it and I'm not sure we need one in the first place so.

Councilwoman McCabe – Who would manage the Forestry Plan?

Clerk Dilts – The DPW.

Councilwoman Schneider – They have enough responsibility and they don't want those positions.

Councilwoman McCabe – Well, I don't think you should speak for them. We should probably

Councilwoman Schneider – I already did speak with them.

Mayor McKay – She's the liaison. They may have complained. I think they don't care for that.

Councilwoman Schneider – They've all resigned from those jobs in the past and they don't want them. There is too much responsibility on them already.

Mayor McKay – So that's something to bring up again. All right now we go to the Zoning Board of Adjustment.

Clerk Dilts – That's actually Resolution No. 24.

Councilman Pryor – Zoning Board, I appoint, are Council appointments, not mayoral.

Mayor McKay – They are definitely that. I just wanted to; I think we have four possible openings there. Is that right?

Clerk Dilts – Are you moving on to 24 or 27 which is Resolution 24 which is where the governing body's appointments are considered. That's the Planning Board Class III, and Zoning Board of Adjustment.

Mayor McKay – Well we did the Planning Board Class III. That's why I thought we would do the Zoning Board, but we can wait.

Councilman Pryor – No, I'd like to on behalf of Council make nominations. Gus Rutledge's term is up. I'd like to renominate Gus Rutledge, Bob Larsen, Richard Bittone, they both submitted. I'd like to renew those. The unexpired term of Joe Barcik I'd like to appoint Kathryn Devos and the other one that's open is Michael Unangst. He didn't respond. Does anybody. I'd like to defer that one till we hear from him.

Councilwoman Schneider – Before we vote, I'd like to make a couple of comments Joe. You just commented on one of the gentleman that was just appointed to Planning Board and temperament and those sort of things, there's two people that you just mentioned that happen to do the same thing in these meetings time after time and everyone knows who they are and what their temperaments are like so

Councilman Pryor – You know what, personal temperament outside of council meeting is one thing. Somebody charging up to the dais and yelling at the attorney “you don't know what you're doing” is something else, so I

Councilwoman Schneider – Well, when you come up to the dais and you

Councilman Pryor – There's always people you are not going to like.

Councilwoman Schneider – Of course, but when the person comes up to the microphone, just because they didn't yell, the words they used were awful. They were awful.

Councilwoman McCabe – Well are you talking about Peter? Yes, I agree.

Councilwoman Schneider – No Maureen, I'm not talking about Peter.

Councilman Pryor – Well, all right.

Councilwoman Schneider – But you've made your points. You've made your points. I know you've made your point before; I'm making my point now for the same reason.

Councilwoman McCabe – You have a vote, so vote.

Councilman Pryor – That's why I need a second.

Councilwoman McCabe – No, second. I already seconded it.

Mayor McKay -I seconded it. My second didn't count.

Clerk Dilts – I already recorded Maureen second on that.

Mayor McKay – I tried.

Councilman Belcaro – Roll call.

AYES: Councilman Belcaro, Councilwoman McCabe, Councilman Pryor, Mayor McKay

NAYS: Councilwoman Schneider

Mayor McKay – Rent Leveling Board. We have a person who has come forth who's been a part of this Council in the past. He came off and he spends his time sometimes in Florida, sometimes here, mostly here and he's asked, you know if he could come active and work with the folks in the Rent Leveling Board so his name is Fran Aiello. Fran, you here?

Attorney Campbell – Is that for the term, Ms. Devos' term that was up this year or is that for the unexpired term of Stephanie Wilson?

Mayor McKay – I have the term at 12/31/17 that would be his term so.

Councilwoman McCabe – Which person is he replacing?

Councilwoman Schneider – Is he replacing the vacant spot or the terms spot?

Councilman Pryor – I don't have it in front of me. There's one vacancy and there's one expiring term.

Councilman Belcaro – And you're right. Right.

Councilwoman McCabe – Right. Ms. Devos is expiring.

Attorney Campbell – Ms. Devos expires this year.

Councilwoman McCabe – 2015.

Attorney Campbell – You can put someone in for three years.

Mayor McKay – 18, 18.

Councilman Belcaro – You have another vacant spot.

Attorney Campbell – You have a resignation and that's through to the end of this year 16.

Mayor McKay – So I think that's a mayor with council consent so we have to vote.

Councilwoman McCabe – Well, I think we need someone that's here year around to handle the duties of that job.

Mayor McKay – Well he's hear almost all the time, just occasionally.

Councilwoman McCabe – Well almost isn't all the time.

Councilwoman Schneider – Mr. Mengucci's on as well.

Councilwoman McCabe – He may possibly be. Maybe Ms. Devos would like to renew it.

Mayor McKay – Mr. Mengucci's is an old friend of his. They served together on Council.

Councilwoman McCabe – I'm not talking about that. I'm talking about

Attorney Campbell – I just recommend that whoever you appoint, you just advise them there are some statutory obligations about serving, about missing a certain number depending on how often it meets, so, I would just advise him about that.

Mayor McKay – Rent Leveling Board met once last year.

Attorney Campbell – They meet every two months.

Councilwoman Schneider – Look at the minutes, they're all cancelled.

Councilwoman McCabe – You can't say what's going to happen this year.

Council talking over each other.

Councilwoman Schneider – But they were almost all cancelled.

Mayor McKay – There's not much activity.

Councilwoman McCabe – So, we don't know what's going to happen this year. It doesn't matter what happened last year. Things change. We have a new apartment building being built coming in. So there's going to be potentially more work.

Councilman Pryor – May I ask a question? We, we have the attendance requirements but we don't know what Mr. Aiello's going to do. Why don't we just vote? He's either going to comply or not comply.

Councilman Belcaro – I didn't hear what you said.

Councilman Pryor – We can't speculate on whether Mr. Aiello's going to be here or not. You know, it, he has credentials, I, he's been nominated. If he, if attendance is a problem, we have a way of dealing with that right Katrina?

Attorney Campbell – Yes, that's what I was trying to say. Thank you Joe.

Councilman Belcaro – Are we just one or two because you have

Councilwoman McCabe – Yeah, there's two openings.

Mayor McKay – I only have one so far.

Councilwoman McCabe – Maybe Ms. Devos would be interested in renewing another term.

Mayor McKay – Well, she's on two committees already.

Councilwoman McCabe – I think she's only on

Mayor McKay – She's on EDAC. She's now on Zoning so that

Councilwoman McCabe – Well, that's up to her right.

Councilman Belcaro – You know she's established a relationship with the tenants and the landlord.

Councilwoman McCabe – And has the knowledge of the job.

Councilman Pryor – I think once you are on the Planning Board, there's restrictions about serving on other boards Katrina?

Attorney Campbell – Yes, I'm not exactly sure. I'd have to check the zoning statute but definitely Planning Board.

Councilwoman McCabe – Okay. So, we'll look into it.

Mayor McKay – We have to make a vote.

Councilman Pryor – I'll make a motion for Fran Aiello.

Councilwoman Schneider – Second.

Mayor McKay – Roll call

AYES: Councilman Belcaro, Councilman, Councilman Pryor, Councilwoman Schneider, Mayor McKay.

NAYS: Councilwoman McCabe

Mayor McKay – Lopatcong Recreation Commission.

Councilman Pryor – That is a Council appointment I understand.

Mayor McKay – Yeah, I think it is.

Councilman Pryor – And, it was changed recently and I would like to nominate three people. There are three vacancies.

Mayor McKay – Why don't we each do one because I (inaudible).

Councilman Pryor – Well, okay, it is our appointment but go ahead

Council talking over each other.

Mayor McKay – I know that Eric Johnson serves on that committee. His terms expiring, so, I would like very much for him to continue. So, I would nominate him to continue.

Councilman Pryor – I'm sorry I don't have him as expiring.

Councilwoman Schneider – No. 2017.

Mayor McKay – What?

Councilman Pryor – If that's what you mean by expiring. No, I have him good yet.

Councilwoman Schneider – Your still on Eric.

Councilman Pryor – I'd like to reappoint Lori Ciesla and then we have two resumes in Matt Herzer and Sara Lutz. Sara's active on some of the Veterans things. I met her through Bill Nixon, you know, good worker, solid volunteer.

Councilwoman McCabe – Yeah I agree with those.

Mayor McKay – I second it.

Roll call vote:

AYES: Councilman Belcaro, Councilwoman McCabe, Councilman Pryor, Councilwoman Schneider, Mayor McKay.

NAYS: None

Mayor McKay – Now I believe, I don't have to bring up the Mayor's Wellness cause that's not in the official list of things yet but it will be. There are several members. I believe that Marla Endick. Are you going to be going with them? The Mayor's Wellness.

Ms. Endick – (Inaudible)

Mayor McKay – Yes. You would like to? Okay, and that means you will leave the Economic Development or you would stay?

Ms. Endick – (Inaudible)

Mayor McKay – Oh, you are not sure. All right, so, we will have that coming up. I have to have some people there determine what the state wants us to do about it. If we have to do an ordinance (inaudible). All to come. I think that's all of them right? I'm not adding anybody to the EDAC. I feel the EDAC Committee has failed in their commission and doesn't do anything and I really should think about reconstituting it (inaudible). I've been mayor for a year and I haven't gotten even a text or an email or note to advise me on what we should do with the economy and you know, unless they want to be active in doing things, I see now point to keep them. One of the things they are supposed to do is take a survey of the um, all the land and buildings that the Township has and I would love to have that done and determine if we meet everything we gotten, whether there is any that might be saleable and we could them put that forth and sell it.

Councilwoman McCabe – I've been giving you updates on the EDAC as my reports last year and one of the things

Mayor McKay – The only thing I have here is that you sold, you broke even selling cards. What else have you done (inaudible).

Councilwoman McCabe – One of the things, you just mentioned, that's not something we were to do.

Mayor McKay – It's in the ordinance.

Councilwoman McCabe – No it's not. Find out to vote. Continue.

Mayor McKay – I mean you may pleasantly surprise me you know, getting things done that is expected of the committee and I would love that. I mean we have a serious situation here and we need all that we can get to give us ideas on what to do to pull out of it and

Councilwoman McCabe – And there's nothing wrong with giving some suggestions to the EDAC Committee either, so, communication goes both ways Mr. Mayor.

Mayor McKay – I think that EDAC Committee advises the mayor but you're right

Councilwoman McCabe – Well, you just complained you didn't hear anything so you could pick up the phone, you could have an email. I'm here all the time and there was no comments, nothing until tonight. Once again, there's no comments, there's no communications with any of us until tonight.

Mayor McKay – That's it.

Councilwoman McCabe – That is right.

Mayor McKay – No it's not.

Councilwoman McCabe – Make up your mind.

Mayor McKay – All right back to this thing. No. 25 is to appoint the Finance Committee and I appoint Donna and Joe to the Finance Committee. I think that that doesn't need a vote, that's me.

Resolution No. 16-25 – Approve Temporary Municipal and Sewer Utility Budget. Mayor McKay said we have to approve the Temporary Budget until such time as we have a final budget.

R 16-25

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPROVING TEMPORARY MUNICIPAL AND SEWER UTILITY BUDGET FOR YEAR 2015

WHEREAS, title 40A:4-19 known as the Local Budget Law provides that where any contracts commitments or payments are to be made prior to the final adoption of the 2016 budget, temporary appropriations be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the total appropriations in the 2015 budget, less appropriations made for Capital Improvement Fund, Debt Service and Deferred Charges are as follows:

General Fund:	\$6,278,162.01
Sewer Utility Fund:	\$1,492,060.00

And;

WHEREAS, 26.25% of the total appropriations in the 2015 budget less the appropriations made for Capital Improvement Fund, Debt Service and Deferred Charges are as follows:

General Fund: \$1,648,017.53

Sewer Utility Fund: \$391,665.75

NOW, THEREFORE, BE IT RESOLVED by the Lopatcong Township Council that the temporary appropriations be made in the amount of \$1,648,017.53 for the General Fund, \$391,665.75 for the Sewer Utility Fund and that a certified copy of this resolution be transmitted to the Chief Financial Officer for record keeping.

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, January 6, 2016.

Margaret B. Dilts, CMC

Motion by Councilwoman Schneider, seconded by Councilwoman McCabe. Roll call vote:
AYES: Councilman Belcaro, Councilwoman McCabe, Councilman Pryor, Councilwoman Schneider, Mayor McKay.
NAYS: None

Resolution No. 16-26 – Appoint Fund Commissioner.

Mayor McKay – Appoint Fund Commissioner. Now, I had appointed Donna to be the Fund Commissioner because, you know, I thought it was time somebody else got a handle on that. Maureen you’ve had that for several years.

Councilwoman McCabe – Several years, I haven’t been in office for several years.

Mayor McKay – You are in your 4th year. What do you consider several?

Clerk Dilts – This year is the first year this year as fund commissioner.

Mayor McKay – I thought she had been there for a long time.

Councilwoman McCabe – No I haven’t but, you know it would be nice to talk to me about that prior to the meeting.

Clerk Dilts - As it is I guess that’s on hold, your Fund Commissioner formal appointment, so I’ll stay in as the alternate because I do all the insurances until such time as it is decided.

Councilwoman McCabe – I’ve already established the communication line, communication with the insurance.

Mayor McKay – Moving on to Old Business.

Clerk Dilts – We have a motion that I have to be the alternate. Do you want to complete that?

Councilwoman McCabe – Second on Beth being the alternate.

Mayor McKay – Yes. All in favor by Council. Beth is the second.

R 16-26

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPOINTING FUND COMMISSIONER FOR 2016

WHEREAS, the Township of Lopatcong (hereinafter “Local Unit”) is a member of the Statewide Insurance Fund (Hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et

seq.; and

WHEREAS, the Fund's Bylaws require participating members to appoint a Fund Commissioner.

NOW, THEREFORE, BE IT RESOLVED by the governing body of that _____, is hereby appointed as the Fund Commissioner for the Local Unit; and

BE IT FURTHER RESOLVED that Margaret Dilts is hereby appointed as the alternate fund Commissioner for the Local Unit; and

BE IT FURTHER RESOLVED that the Local Unit's Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

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, January 6, 2016.

Margaret B. Dilts, CMC

Old Business:

Video Position: 58:08

Minutes – Approve Executive and Regular Session Minutes for November 12, 2015. Motion by Councilwoman McCabe, seconded by Councilman Belcaro. Roll call vote:

AYES: Councilman Belcaro, Councilwoman McCabe, Mayor McKay

NAYS: Councilwoman Schneider

ABSTAIN: Councilman Pryor

Ordinance No. 2016-01 – First reading of an Ordinance of the Township of Lopatcong, County of Warren and State of New Jersey authorizing the Sale of Certain Property Owned by the Township and not Required for Public Purposes – Fire Truck.

Councilwoman McCabe – Spoke with Chief Brian Quigley from Oxford and he has agreed to accept the truck for the \$3500.00 that we discussed at our last meeting last week. He would like to know if we would allow him to take the truck to store it because it is right now we have it out, it's out exposed to the elements and which could cause potentially further damage. We've been very fortunate with our winter weather so far so I think, I know this has to go through first reading, second reading, but if it is possible we could allow them, after showing, proving they have insurance to take the truck so they can store it.

Mayor McKay – Can't we lease it to them for a dollar?

Attorney Campbell – You could.

Mayor McKay – And then you'll insure it.

Councilwoman McCabe – He said he would provide us with a Certificate of Insurance.

Attorney Campbell – In order to lease the property you'd have to do the same ordinance and there is still a

Councilwoman McCabe – There's still a first and second reading so but I think if we allow them to store it.

Attorney Campbell – What I recommended last meeting when this was raised; is that provided they provided you with proof of insurance, they sign an indemnification agreement, agree that they are storing it if something happens to it the building burns down and the truck is gone, also asking them to submit the payment to my office to be held in escrow and that way

Mayor McKay – All right that's fine.

Attorney Campbell – and that way the Township doesn't take two months until your ordinance is passed and they don't start using the truck until so I'll put that into an agreement as long as that's acceptable to Council.

Councilwoman McCabe – And then we have to pass title over to them as well. So, I think if we could have, I guess the fire chief talk with him and get that moving right away.

Attorney Campbell – He's here tonight.

ORDINANCE NO. 16-01

AN ORDINANCE OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY THE TOWNSHIP AND NOT REQUIRED FOR PUBLIC PURPOSES.

WHEREAS, the Township of Lopatcong is the owner of certain personal property, specifically a 1a 1997 HME Central States Pumper and; and

WHEREAS, said property are in need of serious repairs and as such are not needed for municipal purpose, and the Township Committee has determined that it is in the best interest of the Township to sell the property; and

WHEREAS, the Oxford Township Fire Department has made an offer to purchase the 1997 HME Central States Pumper in the amount of \$3500.00; and

WHEREAS, the Oxford Township Fire Department acknowledges that they are aware of the issues with the brake system of the HME; and

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-21.1 allows the Township to sell this personal property at a private sale to any organization listed in N.J.S.A. 40A:12-21.

WHEREAS, the Oxford Township Fire Department is a duly incorporated volunteer fire company of a municipality within the county as required by N.J.S.A. 40A:12-21(a).

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lopatcong, County of Warren, State of New Jersey, that:

1. The 1997 HME Central States Pumper shall be sold to the Township of Oxford Fire Department for \$3,500.
2. The Mayor, Township Clerk and Chief Pisciotto are authorized to execute all documents necessary to effectuate the sale and transfer title to the Fire Department.
3. The sale to Oxford Fire Department shall contain a limitation that the property shall be used for the purposes of the Oxford Township Fire Department and not for commercial business, trade or manufacture and that if the property is not used in accordance with that limitation, ownership shall revert to the Township of Lopatcong.

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 January 6, 2015, at 7:00 PM 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 February 3, 2015 at 7:00 PM, 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

Councilwoman McCabe – All right. So motion, seconded by Councilman Belcaro. Roll call vote:

AYES: Councilman Belcaro, Councilwoman McCabe, Councilman Pryor, Councilwoman Schneider, Mayor McKay.

NAYS: None

Resolution No. 16-27 – Memorializing the hire of Chief Financial Officer.

Councilwoman Schneider – We hired. First off I wanted to say there's some typos in Janice's name in the resolution. It is spelled two different ways. I'd like to welcome Janice Saponaro. She has accepted the position of CFO. She will be here full time Monday through Friday 9 to 5 and she has, she accepted a salary of \$77,500 for the position. Janice came in with a, she's got the ball rolling already and she's doing a great job in trying to identify the issues within the finance office. We haven't had a CFO in a long time and we are trying to get things back on track and she's already got some budget ideas, so, I'd like to welcome Janice and she's very knowledgeable and seems to have an open door policy, so, I believe if anybody ever needs any questions answered, she'd be happy to do it. So welcome Janice. Thank you very much, appreciate it.

Councilman Pryor – Janice could you let the folks see you so.

R 16-27

**RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY MEMORIALIZING THE APPOINTMENT OF JANICE
SAPONARO AS A FULL TIME CHIEF FINANCIAL OFFICER**

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey do hereby memorialize the appointment of Janice Saponaro full-time pursuant to N.J.S.A. 40A:9-140.10; and

WHEREAS, pursuant to statute N.J.S.A. 40A:9-140.10, Janice Saponaro shall hold her office for a term of 4 years which shall run from January 1 in the year in which she is appointed (January 1, 2016-December 31, 2019); and

WHEREAS, Janice Saponaro shall be paid a salary of \$77,500 pursuant to the Township Salary Ordinance; and

WHEREAS, Janice Saponaro shall adhere to the terms and conditions as outlined in the Township Employee Personnel and Policy Manual for a full-time salaried employee; and

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 memorialize the hire of Janice Saponaro as a full-time Chief Financial Officer for the terms detailed above.

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, January 6, 2016.

Margaret B. Dilts, CMC

Motion by Councilwoman Schneider made a motion not memorialize the hiring of the CFO, Janice Saponaro, seconded by Councilman Pryor. Roll call vote:

AYES: Councilman Belcaro, Councilwoman McCabe, Councilman Pryor, Councilwoman Schneider, Mayor McKay.

NAYS: None

Resolution No. 16-28 – Memorialize the hire of Tax Assessor.

Mayor McKay – I believe there was one edit to that.

Councilwoman Schneider – Yes Mayor on this Resolution we had originally, we were going to extend a certain dollar amount for this position and we just changed it, so now we need to go back to your candidate to see if he will accept the position with the new salary.

Attorney Campbell – Make the motion conditioned upon his acceptance.

Councilwoman Schneider – So, I'd like to make the motion to memorialize the hiring of the Tax Assessor based on our new salary that we'd like to extend him and we will await his response. Hopefully tomorrow we will get that.

Mayor McKay – Second. I'll second it. Roll call:

AYES: Councilman Belcaro, Councilwoman McCabe, Councilman Pryor, Councilwoman Schneider, Mayor McKay.

NAYS: None

Dulaine Contracting – Rt. 57 Pump Station Project – Approve payment to Dulaine Contracting in the amount of \$23,995.98. Motion by Mayor McKay, seconded by Councilman Belcaro. Roll call vote:

AYES: Councilman Belcaro, Councilwoman McCabe, Councilman Pryor, Councilwoman Schneider, Mayor McKay.

NAYS: None

Senior Discount for Senior's and Disabled Account Holders –

Mayor McKay – And this is one I'm very glad to see on here. I think that Joe, are you behind this one.

Councilman Pryor – Yeah.

Mayor McKay – And that's a great idea.

Councilman Pryor – My first ordinance. We are not introducing anything tonight. I put it before the Council for discussion. Lopatcong operates a Sewer Utility. That means those funds are

segregated and it is a self-supporting utility in terms of debt and so on. We operate under the Municipal County and Sewage Act and that Act specifies how we can set our rates. In general the rates must be uniform and equitable. That means everybody in a class of users has to pay the same rate. There is an exception for that in the law. One exception and it is for seniors and disabled folks who meet certain income thresholds that's specified in the Act. It's hard to determine the number of folks who would qualify. I made a very, very rough analysis. It's something we certainly could afford. My suggested approach is we initially set a discount of 10%. That allows people to enroll in the program and we'll get a feel for how many are eligible and we can always tweak it going forward. So, I've given a memo to Council. I have the background information. I have the statute. I have a draft of the ordinance which Katrina will have to look at. My schedule, proposed schedule, is we'd like to have questions answered among ourselves and Katrina's reviewed them by next month, I'd like to have the first reading next month so. Second reading a month after and that would let us get a discount going for the second quarters billings, so there is nothing to vote on. It is in front of you, that's the explanation.

Mayor McKay – Okay. Well, I think it is a great idea and let's get it moving.

Councilwoman McCabe – Yeah, I like the idea as well. I think other townships do this with their seniors.

Councilman Pryor – Yes, we're not breaking ground here. It's in the statute; towns do it.

Council Reports:

Video Position: 1:07:01

Councilwoman McCabe – Do we have to take action on a few issues from our Executive Session. Do we have to authorize Beth to do No. 1 to send the letter? Do we have to do something about that?

Councilwoman Schneider – Oh yes.

Councilwoman McCabe – Oh, we're going to do that in Council Reports.

Councilwoman Schneider – If you like, we can do it right now.

Councilwoman McCabe – Yeah, let's do it.

Councilwoman Schneider – There has, there's been some concerns about our volunteers and some of the things our volunteers say and do around the town and just to understand that they are representatives of our Township and we put together and we've put together a letter just reminding new members of the town that are on committees and boards.

Councilwoman McCabe – All members. All members.

Councilwoman Schneider – Yes. Can, would you like to do it Maureen because you didn't let me finish my and I would like for you not to interrupt me.

Councilwoman McCabe – Please continue and you were saying new and I didn't want you to be misinterpreted.

Councilwoman Schneider – Because, you didn't let me finish.

Councilwoman McCabe – Oh, excuse me.

Mayor McKay – Maureen let her finish please.

Councilwoman McCabe – Please finish.

Councilwoman Schneider – So, as I was saying, it is going out to all of our folks that volunteer in the town; new folks, old folks, any folks that have been here and that do participate in anything within the Township. It's just a reminder; it's a gentle reminder of letting folks know kind of some standards that the Township would appreciate from these folks because they are an

extension of the Township. So, just so everyone knows, there will be a letter going out. So that's all we need and I need to authorize Beth to have that letter sent out to all of our volunteers.

Councilwoman McCabe – Second. We have to vote.

Councilwoman Schneider –We are not voting correct?

Attorney Campbell – Are we taking care of things from Executive. Then I would do 4, 5, and 8.

Mayor McKay – We are going to pass the contract with the Lopatcong Athletic Association which has had some amendments made to it back to the Lopatcong Association.

Attorney Campbell – You're just authorizing me to send the draft that you have with a cover letter explaining that it is still a draft and it hasn't been approved by Council but we wanted to start the discussion process and explaining why there's a couple blanks and why they are blank and why we are trying to have a discussion. So, you are just authorizing me to forward it onto the LAA with a cover letter.

Mayor McKay – Yes. The next item is where we should have our money, which bank we should have it and our new CFO has already come up with a good idea. We should send out a standardized RFP to all the banks that are interested and then get them to come back to us with what they are willing to offer us and this way everything is in the same format and, so, we can tell, you know, we can easily compare one with the other. So, we are going to put that in place and we are going to go get those.

Phillipsburg High School Intersection – Mayor McKay – We've approved some compensation to be paid to landowners adjacent to the driveway where the intersections going to be; very small amounts relatively speaking.

Attorney Campbell – We haven't approved the yet. I'm asking permission.

Mayor McKay – Well, we're making a motion to approve them and, so, I will ask for a motion to be made in that regard. Motion by Councilwoman Schneider, seconded by Councilwoman McCabe. Roll call vote:

AYES: Councilman Belcaro, Councilwoman McCabe, Councilman Pryor, Councilwoman Schneider, Mayor McKay.

NAYS: None

Back to Council Reports:

Councilwoman Schneider – So, right now I don't have a Finance Committee Report because I have not been able to reach the interim CFO that was here. I did not get to come in on her last day which was the Saturday before New Year's. I was in an accident, so, I could not get here. In any case, I've reached out to her to give me some reports and I have not heard back from her, so as soon as I hear back from her, I will get that to you guys at the next meeting and we'll have some talks about our finances and our budget and how it all shook out by the end of the year. It was a very difficult end of the year having an interim, having a CFO that was here for a few months, an interim for a few months and hiring a new one. So, it's been a very difficult end of the year, so, I'm hoping to get you guys some answers and I will, as soon as I get them.

As far as DPW, they've been going around trimming our trees because our residents do not do it and it's very difficult for them to get the plows through our streets and every time they try and get close to the curb, the trees are in the way and it just causes, it wreaks havoc and it takes so much time for them to do that and that was one thing that we had asked the Shade Tree to do; is hopefully get some letters out to the folks here saying to make sure you trim your trees. There's an ordinance that shows where the height and all the requirements of your trees, so I would hope that that word gets out before we get a letter out that people should start trimming their trees because it is actually, is not the responsibility of our DPW to trim your trees but they do do it to make their job a little easier. I would like to start the year out by trying to get that letter out to folks and this way everybody knows what the ordinance is and they can take some time in doing that.

We have the two new gentlemen that have been here for a couple of months now, full time, and I think DPW is running a lot smoother, they're establishing a pattern and things are getting done in a very efficient manner, so, I'm hoping that the snow season will show their efforts, so, they've been great.

There is a couple things I'd just like to say regarding some of the comments this evening about the finances and hiring new professionals. When folks here say let's not change for the sake of change, it is never my intention nor I can speak for the Mayor, I'm sure, never our intention to change for the sake of change. The change is needed. There have been so many back and forth here over the past couple of years on the finances and on the budget and on where money has gone, what's going on with this, what's going on with that and it all seems to stem back to our audits and I would, my hope was to have a new auditor in here to have a set of eyes in here, another set of eyes to say, "Hey, you know what it's not as bad as what you're saying Councilwoman Schneider, it's really not as bad as that". I would love for somebody to just come in and validate that for me. On the other hand, I'd love for somebody to come in and say, well I wouldn't love it, it would be nice if somebody came in to say, "Hey, there's some things going on and you need to fix them", because that's all I want to do is fix them. So, changing for the sake of change is certainly not on my agenda. Change for some good for the year to try and get some answers to questions and have these things put to bed would be a great opportunity for us this year to have done. So, also with our legal and I know that Katrina said that it is not a conflict for our legal folks to contribute to PAC's, I'm just, it may not be legally a conflict, but I'm really, really, upset that our professionals do support these PAC's. There has been two times hate mail have gone out about the Mayor and I. We are not even up for election. Two times these ridiculous propaganda left, you know, it got into all of your hands and the funds to do that came from this PAC. I can tell you that the bank that we used to use currently is the bank for the PAC. I can tell you that after I spoke with our attorneys after the first hate mail went out and expressed my concerns that they were contributing to this PAC, they went ahead and gave an even bigger donation. I can tell you, unfortunately, Land of Make Believe made a big donation to that PAC but my children don't go there anymore. Maser Consulting as well. I made a statement at a meeting saying that I was disappointed in them that they had also contributed to the PAC and then they, I'm not sure if they bumped theirs up or not, but they did again make another donation for \$900.00. There has been two donations made to Louis Belcaro and Joseph Pryor and these funds for their campaigns, I'm guessing, it doesn't say it is for their campaigns but it says going directly to them, I'm guessing that's for their campaigns and when you look at these records, that is where the money has gone, everything for Lopatcong, so, I believe it is everything for Lopatcong, I do and it is really hard for me to sit up here and think that I have representation and independent representation. It's very hard for me to sit up here and do that. I really am just very upset that this continues to go on and that nobody wants to make the change, nobody wants to realize why these changes aren't being made and I really hope that everyone here, also I would like to say before I end with that, a gentleman on our Board of Education, his wife is also the treasurer for this. So, we have problems here, we have problems with our budgets in the board and it all seems to tie all around to the same group of people and it's really, really hard to sit up here and say that I want change for the sake of change; it's definitely not for the sake of change. Thank you.

Mayor McKay – No, it's not. It's very uncomfortable when you are subject to these things and they come to your house and your kids see them and you know, that the professionals are that work for your township that you are on the council for, are sending them indirectly. There sending it to a PAC but they're funding the PAC. So, that's a big problem for us. Big problem for the town, shouldn't be going on. Anywhere it is bad. Okay, Council Reports, Mr. Belcaro.

Councilwoman Belcaro – I don't have anything new to add but I have Dan Madden here tonight to speak of where we are as far as the reading with the

Dan Madden – I reached out to the Phillipsburg engineer. It appears to be an error in our readings. Asked the operator to check the meter at Roseberry as well. (Inaudible) cause the false reading so they will look into that. Hopefully, we will resolve that issue.

Mayor McKay – I could add a little bit to that. We got a bill from Phillipsburg. We have three lines we pay Phillipsburg to take the sewerage from us and in one of the lines the amount of sewerage that was flowing through the line according to Phillipsburg doubled and so did the bill and so we got, where we normally would expect a quarter of a million dollar bill, we got almost

\$400,000 bill so this was a big surprise but we are handling it. We gave a decent payment to them. We gave the average of the last three quarters plus some money they get for tax and you know we're working it out. Mr. Madden is talking to them I'm sure and it will be worked out. Unfortunately, for our budget however, you have to encumber the amount of the entire billing comes in and, so, it might put us over for the budget for the year by a little bit but we will recoup it the next year, so, that's what I wanted to add.

Dan Madden – We are almost at the end of the contract for the Rt. 57 Pump Station. (Inaudible). There is one issue that DPW wants, that we reverse the gate. I asked the contractor, the original gate position was approved. Fifty percent of people have them on the inside, some have it on the outside, so the way it is, the contractor says I have to be compensated to have this replaced, fixed or changed over, so he's given me a price. I asked him a couple months ago and he said they had to get back to the vendor and they did not get back to me today, so.

Mayor McKay - I can't imagine it's a big price.

Dan Madden – It's about \$2800.00.

Mayor McKay – How big is the gate?

Councilman Pryor – It is a big gate. It's a sliding gate.

Councilman Belcaro – It's a matter of welding, unwelding some of the brackets. There is plenty of money and also, if you would like to update us on where we are with the USDA.

Dan Madden – I have to submit reports on the design. We've had some discussion about what we're going to do.

Clerk Dilts – Is there a time frame on that submission?

Dan Madden – I don't know, I will clarify that.

Brian Weeks – I don't know how much that thing costs but when you put a gate up, alright, it has a spot where the lock goes into that, you don't wrap a chain around it because you screwed it up. You fix it. You know what I mean; it needs to be made right. Ray said he couldn't get his hand in there because the lock froze, so they have to do it right.

Dan Madden – They did come back and realign everything.

Councilwoman McCabe – Just a general announcement I guess with the Christmas trees if you have them, you want to leave them out, DPW will be picking them until the end of the month, January 31st I think is the last pickup. Secondly, Lori Ciesla had transferred duties to me at the last meeting just to cover the interim time period when we appointed our new Council President so I will transfer, make a motion to transfer them back to you. It was just to have Beth report to Council President. So, we'll give that back to Joe Pryor as Council President.

Attorney Campbell – Is that a motion?

Councilwoman McCabe – Yeah motion.

Councilman Belcaro – Second.

Roll call:

AYES: Councilman Belcaro, Councilwoman McCabe, Councilman Pryor,

NAYS: None

ABSTAIN: Councilwoman Schneider, Mayor McKay

Councilwoman McCabe – Do you have to give reason for abstaining?

Councilwoman Schneider – It is a very long story and it starts with the hiring of a lawyer that wasn't even encumbered in our budget and it continues to go on from there and I will not sit here for another half hour bringing that story up. So, yes, that's what it has to do with.

Attorney Campbell – I was just asking if your abstention is due to a conflict, just state that because you don't count towards the quorum when your abstention is due to a conflict that's all.

Mayor McKay – It's not due to a conflict.

Councilwoman McCabe – Well, what's it due to?

Councilwoman Schneider – Abstain.

Councilwoman McCabe – That's all I have.

Mayor McKay – New guy, what do you got?

Councilman Pryor – Well, I haven't done anything other than what I've done in the last hour. I would, you know, my feeling is if you don't want to vote for a professional don't, vote for a professional. I'd really like to just keep the politics out of the Council Meetings. That's for another place.

Councilwoman Schneider – Definitely not politics.

Councilman Pryor – Well, if I mean, if you have a complaint you go to the Election Commission if you don't want to vote for somebody because they didn't support yah, fine but

Councilwoman Schneider – That's not the reason at all Mr. Pryor.

Councilman Pryor – I really don't want to, you know, I don't think it's good to waste the public's time like that.

Councilwoman Schneider – You're right. That's not the reason at all.

Councilman Pryor – All right, well that's my comment.

Council talking over each other.

Mayor McKay – My reports kind of like a little glimpse of the year, the past year we just had. We did start baseline budgeting this year and I know people have been going around badmouthing baseline budgeting like it's something from hell or something.

Councilwoman Schneider – Zero based.

Mayor McKay – Zero based budget. They're both good kinds that's the kind we used and all it really means is you go and sit down with the people who are responsible for the money and you say this is how much you spent last time and what you spent it on this time. What do you think you can do this time? Let's go over all of the items. Maybe we can do better on this, maybe we can't but at least I want you to be fully familiar with what you're doing and in large part I think we got, it was well received and I think it worked well. We didn't get through it with everybody. It was the first shot at it. You don't do it every year. Once you get people used to it, maybe you do it every several years. You get them back into the fold and say, "Hey look, maybe we can get this somewhere else better. What do you think", and it is just a way of engaging your people and trying to get the best prices that you can for everything that you are buying. So, I think that helped us because we didn't have a tax, property tax increase and we didn't increase borrowing. So, we were able to get through the year without, you know, giving you an increase in taxes or increasing our borrowings. We, I guess it was good fortune, we were able to negotiate the sink hole and we saved six figures on that. We also got a replacement dump truck out of that negotiation which Brian's folks are driving around and will be pushing your snow with. Mrs. Dilts was also good enough to remember we had energy credits coming our way and arranged to have those sold and that put up enough money to buy the second dump truck pretty much and a lack of salt being used this year and a little bit of a decrease in the petrol, we were able to buy three lawn mowers, those big lawn mowers that are very expensive. We were also able to buy a new SUV police car, so, we got a lot done, and we didn't have to raise your taxes or borrow money to do it and that's because in large part because we thought about how we were going to

spend the money. I don't know if this is going to be sustainable at this level forever. It really can't be. Our municipal budget should go up every year with inflation that just means cause you are paying more for things and you got to go up and that's the way capitalism works, that's the way economy's work. So, if your taxes go up as much as inflation, then you're doing pretty good. If it goes up a lot more than inflation then well some explanation needs to be made. We are, we just hired a new CFO and I think a new assessor, we're not sure, but we think so. So, we're starting 2016 off right. I think we have to concentrate on reserve replenishment because our reserves are gone, debt reduction; now this year, we were able to reduce debt because we didn't borrow any more money and some debt paid down. So, it's going down. It will always go down over time as long as you don't put out any new debt that's unnecessary and we'll be doing pretty good and then we need to develop a written Capital Plan. This is real important. We need to know what we are going to spend our capital dollars on going forward. We need to be able to address the roads but we have to do it in a logical and sensible fashion and do it by the worst roads first or the most heavily traveled roads first. We started that process last year. Brian was very helpful with it. I'd like to see that get into a formalized written document this year so we know how much dollars we need for the next five years to fund capital expenditures. At least have a decent idea, be pretty close. So, that's another thing I'd like to see done. Our police chief, I think he's talking about retiring this summer, so that's why we appointed Lieutenant Garcia to the position of 911 Coordinator. That's a big issue. 911 matters because of terrorism all over the country and it's the principle topic at the upcoming Mayor's Convention in Trenton later this month. So, I think it is something we'd better get on board with and make sure we know what's going on there. So those are just some small things I wanted to say. I want to welcome Joe to the Council. I'm hopeful he will be helpful in keeping things going well here. I think we have to remember that we started this government, myself, I started last year and I didn't get a lot of cooperation, it was very difficult for me and I'm hoping in the future these things will be behind us and that we'll be able to better coordinate things. I mean everything got done in the town. Everything always got done. There was no people standing on the streets with their houses burning down and fire engines not responding and police cars were out and DPW trucks were out. It was all working around but it was just a lot of change for a lot of people very quickly and a lot of people don't care to have change and they have difficulty and so, we can all help this Township and I think we can all make this Township a better place to live but we have to cooperate and my feeling was tonight was a good start on that so, that's what I have to say, that's my report.

I'm concerned that I don't see a bill's list. Now is that, are we going to get one cause we have to pay bills.

Clerk Dilts – No, we don't pay bills until you close your year-end down for 2015.

Mayor McKay – Well there's certain bills we have too. I know, but we always get some bills.

Clerk Dilts – There could be some interim.

Mayor McKay – I think the police car lease comes up; trying to remember right, and that's big. So we'll have to, all right, I don't want to have to call a Council Meeting to pay those. What we could do is make a resolution to authorize payment of bills up to a certain dollar amount that may arise and be necessary to pay before the next meeting in February. How do you feel about that Council?

Councilwoman McCabe – We have that in place already up to \$1500.00.

Mayor McKay – The police car bill is big. That's the lease payment. There is a huge penalty if we don't.

Councilwoman McCabe – When is it due?

Councilwoman Schneider – Can we do it for one month and then take the resolution away or just not at all?

Attorney Campbell – I don't think we can pay bills that large without

Councilwoman Schneider – Without Council consent.

Mayor McKay – Remembering it may result in a material penalty for not paying it on time.

Councilwoman McCabe – You don't know when it is due do you?

Mayor McKay – I don't remember exactly. There's a lot of things that they come up like that, that I really don't know. The CFO will know but she's new and she doesn't know so.

Councilwoman McCabe – You just brought it so.

Mayor McKay – Yeah cause it came to my mind as I was talking. All right if Council doesn't want to do that.

Council talking over each other.

Councilman Pryor – You know, as a former business owner, I used to count on getting paid. You know if it's a hardship to somebody, they should get paid. I don't know the mechanics of it.

Councilwoman McCabe – We don't have the specifics either.

Mayor McKay – Normally, the bills paid list is approved at the Council Meeting.

Councilman Pryor – That I understand.

Mayor McKay – There is a small amount in between. Not every town does it that way.

Councilman Pryor – Did we approve there might be closed out, at the close out?

Councilwoman McCabe – We did just approve a list. Yes, last week.

Councilman Pryor – Yeah, we're only a week away. I don't think it's not like we are missing a month right?

Councilwoman – Right.

Mayor McKay – Well, the next meeting (inaudible).

Councilman Pryor – It's from the closeout to the first meeting in February.

Councilwoman McCabe – Correct.

Councilman Pryor – I think we could, we could probably do that. Get away with that.

Mayor McKay – I, report of the CFO. The CFO is new. Do you wish to make a report or just say? You might want to wait till next time.

CFO Saponaro – I have. I've been here for only two days and I want to thank you for welcoming me and it's been quite an arduous two days. The office has a lot going on because as we know no one has been here and you can't have someone part time taking care, running finances of the town, so I'm requesting a few things that I might need assistance with putting the puzzle together. I'm requesting that we still have Phyllis available for myself to use her on the weekends to assist me. She has given me great insight on what I need because I haven't been able to meet with the temporary CFO Christine. She's coming Friday and I think she has a couple of other towns and once you step off, I don't think you are as interested in coming in besides once or twice so I figure she might not be around and Phyllis has great knowledge. I would also like to keep in place anything that's going on, the tax collector's been helping me, she has some knowledge as well, so I'd like that and whatever arrangements were made with that I'd like to have that done. I'd like to request the auditors to come in and assist with the bank recs as I'm hearing different levels of the bank recs; there seems to be a bunch of different accounts. Many more accounts than are necessary and in order to close out the year, every bank account has to be reconciled and that's a lot from what I've seen. Christine has not finished it and then after the reconciliation is done, it has to be reconciled to the computer, to the bank rec., to all the reports,

to the funds; everything has to match and with a lot of those accounts, it's tough so I'd like to be able to talk to the auditors and engage them in some kind of conversation; what they think they might be able to assist with. I know we are concerned about hiring somebody. I'm requesting that person be full time because in order to get out all these purchase orders with one monthly meeting I think that we need someone to sit there and do the payroll and the purchase orders; someone that possibly has municipal experience. We also need the auditors in to assist with the AFS and the ADS. They have statutory dates and they are coming quickly; January 31st and then the other one is in February and we really need this done. Right now I'm working on; we were talking about the RFP for the banks that needs to be done very quickly as well because we need to get the money in one bank, with one rate to start with replenishing our fund balance because we really need to start budgeting as well. I mean the budget is coming up; we have to do that as well. I'm reconstructing the books; they do not coincide right now with any information so, it is very hard to go through them. So, I've been just reconstructing account numbers and putting things in right places and deleting things. It's an arduous process so, I'm requesting some assistance so we can close out the year because otherwise, we cannot really pay bills and an answer to your question, in the other towns I worked in there and Katrina maybe you could assist me with this, if there is something in place, CFO has always had the ability to make a manual check and put it on the following month's bill list and that's what's usually done. The trust is in the person who is handling the money to make that decision so if there is a bill coming up, and it has to be paid, I was able to pay a bill, no matter the amount, and put it on the following bills list and, of course, you check administrator/mayor and say this bill is here we need to get this done and we make a decision and that's usually how, I don't know if there is something in place.

Attorney Campbell – In the past, the Council has authorized up to \$1500.00 to be, that way they figure no matter how many checks you write if they can't be more than 15, that's what they've allowed and then you could put it on the next bill list. That's what they have in place now. It's still in place; which that will get JCP & L and things like that.

CFO – You might want to consider just having some sort of system for an emergency situation because incurring any more fees and anything like that would not be good right now.

Mayor McKay – I entirely agree; we're spending thousands at least.

CFO – And that would really assist in what we have ahead of us.

Councilwoman Schneider – Okay. We have, we've just talked allowing you to go out and maybe get some bids for the banks, we spoke about and this way everything is uniform and you can get everything in the same and you can make an administrative decision on them because what we had was, you know, just some stuff on paper and it was very hard to try and see which bank would be the best fit for us so, if you can do that, we also have our auditors here. John if you can, if you're okay with that stuff.

Auditor John Mooney – I'll stick around (inaudible).

Councilwoman Schneider – Okay, thank you. We'll have to, I guess, we already authorized Phyllis and Rachel.

Attorney Campbell - The way you worded it may have said only in the interim was here, so it is probably a good idea to just memorialize and this way you give Janice that, you know, she knows that she can continue to utilize those people if she needs to fill. That's what Council decided. Just make a motion and just kind of refresh those things.

Councilwoman Schneider – I guess I can make a motion to continue to allow Rachel our Tax Collector, Rachel Edinger and Phyllis our Deputy Clerk to, if they're agreeable, we'd have to check that first to make sure they're agreeable to do that. Phyllis is here. Agreeable? Okay. I'm sure Rachel would be too but we'll ask her and if she agrees to continue to help in your office on the weekends or nights, after hours, whatever you guys come up with, just to get some of this stuff going and stop our late fees and everything else that is happening so, I'd like to make that motion and at the current rate, we had \$30 an hour.

Clerk Dilts – For Phyllis. Rachel's \$50.

Councilwoman Schneider – I'd like to offer \$30 for both because we do have a CFO here now. She's not taking on the entire roll of doing that so, I would like to say \$30 for both; \$30 per hour for both.

Councilwoman McCabe – Well, we had Rachel doing it for \$50.

Clerk Dilts – She's doing the payroll for \$50.

Councilwoman McCabe – I don't think we should decrease that, should leave it as is.

Clerk Dilts – I agree. I mean she was worth \$50 at one point in time, you certainly can't reduce. (Inaudible council talking over each other)

Councilwoman Schneider - Well, I'm not saying she's not worth it. Don't put words in my mouth. I would never say that any employee is not worth it. What I was saying is she was taking on a lot more than just that with, without a CFO and we do have a CFO that's here full time everyday so, I was asking to decrease that a little bit and try and help us all out while still getting a fair overtime rate.

Councilwoman McCabe – Well, I think the CFO had expressed that concern that there is a lot to be done as well so, I think we should leave the pay as we agreed last year and leave it the same and continue it.

Attorney Campbell – We would hope that if there's less work to be done, it will be less hours that are actually worked.

CFO Saponaro – Yeah, I just want everything to stay the same until I really get my feet on the ground so, I don't want to upset the apple cart right now.

Councilwoman Schneider – Okay, so

Councilwoman McCabe – I'll make the motion to re-do it at the same

Councilwoman Schneider – Well I was just in the middle of a motion.

Councilwoman McCabe – Oh sorry.

Councilwoman Schneider – So, I would like to change that a little bit then if we are going to continue to do \$50 an hour for Rachel and \$30 an hour for Phyllis I'd like to do it for a period of no longer than 30 days and then reevaluate it after 30 days.

Mayor McKay – Second. Roll call please:

AYES: Councilman Belcaro, Councilwoman McCabe, Councilman Pryor, Councilwoman Schneider, Mayor McKay.

NAYS: None

Mayor McKay – Yes, now add to that we, when we interviewed we had some people that, one person in particular, that might have been suitable as a second person in that office.

Councilwoman McCabe – That person had a full time job already so, I think the CFO needs a full time person according to what she just said. So that person

Councilman Pryor – Yeah, I don't know what she was looking for but you move from one full time job to another.

Mayor McKay – Yeah right.

Councilwoman Schneider – So, that's right.

Councilman Pryor – If it is enticing

Councilwoman Schneider – I guess we can talk about that, I guess with, is that something we need to do in Executive to talk about the hiring of someone.

Attorney Campbell – If you're going to talk about the dollar amount you want to offer her. If you wanted to, in the meantime, reach out and just see if she'd be interested for this different position then what she and say

Councilwoman Schneider – Wouldn't we have to advertise it?

Councilwoman McCabe – Would we need to advertise and

Councilwoman Schneider – We can't offer somebody something without advertising it.

Councilwoman McCabe – We have to advertise and get other interested

Attorney Campbell – That doesn't mean you can't call her and say we'd like to advertise for this position.

Councilwoman Schneider – Right we can make her aware that we will be advertising but not offer her anything.

CFO Saponaro – Can we, maybe, interview some people and I mean when you are at this level and she wants to jump up a level, I think that I don't want any conflict. I want someone with experience who, who, who knows what they're doing but I don't want someone who I mean is more ambitious right now. We need straight calm. We don't need someone to look to be CFO, who could have been CFO and she's being asked to be second, I mean that doesn't

Councilwoman Schneider – Of course.

Mayor McKay – All right, so what we have to do is advertise.

Councilwoman Schneider – How about this. Why don't we advertise for part time potentially full time so we cover both and we don't have to re-advertise if we decide to bring it to a part time? This way we can at least extend that and have people come in and see what they're willing to do and we can all talk about salary and everything else and determine which one is going to be best for us at the next meet. That sound okay for everybody?

Councilwoman McCabe – But did you need a full time?

CFO Saponaro – I'm trying, but from my experience and, you know, I've run eight departments and 50 employees and I really think that we need someone full time. I think we need someone who knows what they're doing, but they're not looking to be certified and jump around because either she's going to want to be CFO or she is going to be dissatisfied and she's going to leave here and go somewhere else and then we're going to be in the same boat again and I've seen it happen all too many times, so we can advertise in the State League of Municipalities. There are plenty of qualified people who would love to probably come work and maybe even up here that have the experience and that just like need an assistant and doing the finance work don't want to be in the limelight and we can have a nice solid base, so there's no more moving around. I think you would all agree about that. We've had enough shifting of people right.

Councilwoman Schneider – Yes.

CFO Saponaro – So, I think we want stability. So, I think it would be better to just advertise in the League and interview a bunch of people all of us together. I think it should be full time. Definitely because the amount of purchase orders and the filing and then the payroll. The payroll itself is just you know, after what I've seen the payroll is and then, you know, right now Rachel is doing the transfers as well and then she has to input it, that's a job in itself every other week, so I think we could keep someone busy and if say per chance the office gets, doesn't need a full time person we could then, I'm sure there is plenty of work all over the place I see.

Mayor McKay – The office always had two

CFO Saponaro – I mean there a lot of work here that if, if to say, if I didn't have something to do, we could push her maybe she could do the Shade Tree.

Councilwoman Schneider – Well, you have to explore that too because you run into it is a Civil Service position and if you try and if you say well we're going to expand your duties, then we have to change their title and then we have to give them extra salary and (inaudible) that way.

CFO Saponaro – How about if we advertise in there like finance/general

Clerk Dilts – Keyboarding Clerk.

Mayor McKay – Keyboarding Clerk covers everything. You can go drive one of Brian's trucks if she feels like it

CFO Saponaro – I appreciate it. Thank you.

Mayor McKay – Beth, you will undertake to send stuff to advertise and Donna you'll work with her to.

Attorney Campbell – I recommend you make a motion to authorize her to spend the money to advertise it.

Mayor McKay – Motion that Clerk Dilts be authorized to advertise, spend money to advertise for the position of a second person in the Finance Office. Do I have a second?

Councilwoman McCabe – Second

Mayor McKay – Whatever, roll call please.

AYES: Councilman Belcaro, Councilwoman McCabe, Councilman Pryor

NAYS: None

ABSTAIN: Councilwoman Schneider

Mayor McKay – What is the part time hours 30?

Attorney Campbell – Under 20

Councilwoman Schneider – Under 20. 20 and under.

Clerk Dilts – It could be 20 and under; it could be 30 and under. We've had 30.

Mayor McKay – 35 is the workweek.

Councilwoman Schneider – So that's part time. I think we could do a part time and give I think 30 hours as a part-timer instead of spending the extra money right now on a full-timer. I think the part-timer would work better.

Councilwoman McCabe – I think the CFO is explaining about the amount of work that has to be done. We need a full timer.

CFO Saponaro – With the amount that you might offer, the benefits might entice someone to come and I don't want anybody to leave. That just, would again, put us back in a position we'd have to put Rachel on payroll, we'd have to put Phyllis back in charge. So, that's my thought behind it.

Councilwoman Schneider – Okay. I guess you're going to want to vote to get a full timer but I have to abstain I just can't sit here right this second and say yes let's get a full timer.

CFO Saponaro – We'll talk, I'll explain it.

Councilwoman McCabe – The motion is to advertise.

Councilwoman Schneider – Like if you're advertising

Continue the vote:

AYES: Mayor McKay

Engineer Sterbenz – Two items to review. A resident was concerned about the lack of a sign on S. Sixth and Dana Street in the Morris Park Section of the Township. The remedy would be to designate S. Sixth Street as a through Street and that is done by ordinance. First, Second, Third and Fourth are all declared through streets in the ordinance so I wanted to see if you would like me to develop that ordinance amendment for introduction at the February 3rd meeting.

Engineer Sterbenz also reported there is a significant DOT Local Aid Grant for South Second Street. Mapping has been completed which was authorized but the rest of the design work needs authorization and an ordinance must be developed for the construction portion of the job. There are time limits with these grants and he'd wanted the Council to put forth the money to allow the project to get done.

Councilwoman Schneider expressed her concern over the disrepair of many of the Township roads including Red School Lane. She asked how to go about looking at all the roads and making a list going from worst to not so bad and try and figure out the capital plan. She asked Engineer Sterbenz if that was something he would do. Engineer Sterbenz said he has done that in the past. There was as significant amount of road work done between 2004 and 2010. The economy and slowed down the pace of the roadway work. Lately, only spot repairs and roads where DOT grant money was provide have been done. He said he would put together a report and prioritize the roads also. Mayor McKay asked Paul to provide a cost for this project. Engineer Sterbenz will have that for the February meeting.

Councilwoman McCabe – Asked if Paul needs a motion to approve the amendment for the Ordinance.

Department Reports - Mayor McKay asked for a motion to approve as submitted. Motion by Councilwoman Schneider, seconded by Councilman Belcaro. Roll call. All in favor by Council.

Audience Participation: Motion by Councilwoman Schneider, seconded by Councilwoman McCabe.

John Betz – Said every once in a while something comes up about dissolving the Rent Leveling Board. He said there is a very good purpose for it as it relates to landlords, tenants and the municipality. The tenants have a place to go and express their needs through a town representative and a town board that has in the past, acted very well with Kathryn Devos. He is the President of Brakeley Gardens Tenants Association for four years. The Board is a sounding board for the tenants. He wished all the Council people would consider not getting rid of the Rent Leveling Board. Someone spoke about it in not a good way he said. Mayor McKay said there was no intention to dissolve the board. Thanked Councilman Pryor for the senior discount for sewer. Told the Mayor that inflation of taxes when it doesn't go along with inflation of entire incomes also post a problem and increasing prices and inflation that does not go together and try and hold on the taxes.

Eric Johnson – 361 Stonehenge Drive. He did a very in depth analysis on the pool income and made recommendations from the Recreation Committee level and some changes were implemented. We agreed to monitor and track the different groups using the pool to analyze further this coming year. He asked to analyze that again to save the taxpayers money. He asked Clerk Dilts to get numbers from 2015 in a month and would then get in a month to make another Recreation Committee level on what changes they thought need to be done. Councilwoman McCabe said you've got to talk to Beth because she's got a lot to do, so if she doesn't get it to you in a month, don't get upset. Eric said if you can't, then we'll talk and see what can be worked out. Mayor McKay said to remember we have a new CFO. Eric recognized that there was a lot to do and it takes a long time to analyze the numbers as in depth as he does.

Brian Weeks – Talked to the public about cutting the trees and what the ordinance states. He informed the Council that Truck 18 will probably need to be replaced. The cost is somewhere around \$90,000 and to keep I mind as we are in budget season. The DPW Capital Plan was for two trucks this year.

Ernie Gallant – 245 Aurora Street. Member of the Lopatcong Board of Education. There will be a referendum on March 8 and there will be a meeting tomorrow night at the middle school at 7:00 pm to discuss the referendum and it is open to the public.

Lori Ciesla – 12 Meadowview Drive – Congratulations to Lou and Joe. Thank you for the appointment to the Recreation Committee. She noted that she had all the information on the auditors and Governing Body appointments and will forward. She said the CFO keeps changing, so you do have the auditors to rely on. As far as the Attorney, she worked with Katrina and Rich and appreciated their hard work. The labor attorney that was attempted to be appointed was in fact the attorney that represented the mayor in the special investigation. She noted that Paul and his firm have given money for Community Day. She felt he was an excellent engineer and she was sorry he didn't get his appointment. Whether or not Council agrees on liaison appointments or how to appoint them, as long as they have them ahead of time to have a chance to talk to the mayor. Councilwoman McCabe confirmed they were not given ahead of time. She pointed out that Shade Tree was working on a letter but they did not have quorum at that meeting. She suggested the town utilize their website and social media to get the word out about trimming the trees. As far as the PAC, the people donating do not know who the PAC is going to donate to. The letter that went out was not sponsored by Joe and Lou – the political flyer.

Juniper Leifer – 32 Jade Lane – Congratulated Mr. Belcaro and Mr. Pryor and hoped that the promises made, you will keep to bring reason and communications. She asked Councilwoman McCabe to consider her tone which affects the people she is working with during disagreements. She felt that when she speaks to Council she speaks in a reasonable tone in order to be receptive. She thanked Donna again for looking out for the taxpayers as she is the voice of reason Juniper thought. She asked the Council to put the politics aside. She thought the PAC a disparaging group.

Mayor McKay – He noted that Councilwoman Schneider works hard for this community and because she is a well-intentioned person he thought she should not have been treated as she was over the last two years. She has done a lot and is glad she is with us.

Councilwoman Schneider – She said our professionals did know where the money was going because they were told and then they contributed again. Almost all donations went to Lopatcong Township folks running for office.

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

Respectfully submitted,

Margaret B. Dilts
Clerk/Administrator

Thomas M. McKay
Mayor