

TOWNSHIP OF LOPATCONG  
Regular Meeting Minutes  
6:30 pm

May 6, 2020

The Regular Meeting of the Lopatcong Township Council was called to order by Mayor Mengucci. The meeting took place by joining Zoom Meeting at:

<https://us02web.zoom.us/j/89719257877?pwd=N3JnN2dlajZBbGNjbmEvaWQrR0MzUT09>

Meeting ID: 897 1925 7877

Password: 879461

One tap mobile

+19294362866,,89719257877#,,#,879461# US (New York)

+13126266799,,89719257877#,,#,879461# US (Chicago)

A Prayer was offered followed by the Oath of Allegiance.

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

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

Resolution No. 20-71 – Executive Session - Attorney Campbell noted that Council was in Executive Session for approximately one hour to discuss the matters listed on the agenda.

**Public Comment:** No Public Comment

**Old Business:**

**Minutes** – Approve Executive and Regular Session Minutes for April 1 and 15, 2020. Motion by Council President Pryor, seconded by Councilman Wright. Roll call vote:

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

NAYS: None

**Ordinance No. 20-03** – Second reading and public hearing accepting a Roadway known as Jacob Way. Motion to hold the public hearing by Council President Pryor, seconded by Councilman Wright. All in favor. Engineer Sterbenz noted a request to accept the roadway was made by the developer since improvements and various administrative items were completed. Council President Pryor indicated that a portion of the development would be accepted which has been in use for some time. Motion to close the public hearing by Council President Pryor, seconded by Councilman Belcaro. All in favor.

ORDINANCE NO. 2020-03

SECOND NOTICE OF AN ORDINANCE

NOTICE is hereby given that a regular meeting of the Township Council of the Township of Lopatcong, County of Warren and State of New Jersey, held on Wednesday, May 6, 2020 at the Municipal Building, 232 South Third Street, Phillipsburg, New Jersey, the following Ordinance was presented and passed on the final reading. The Ordinance was then ordered to be published according to law by title only.

**ORDINANCE OF LOPATCONG TOWNSHIP, COUNTY OF  
WARREN, STATE OF NEW JERSEY ACCEPTING A  
ROADWAY KNOWN AS JACOB WAY.**

Said Ordinance may be read and inspected at any time at the Office of the Municipal Clerk, Lopatcong Township Municipal Building, 232 S. Third Street, Phillipsburg, New Jersey Monday through Friday 9:00 am to 4:30 pm.

Margaret B. Dilts, CMC

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

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

NAYS: None

**Ordinance No. 2020-04** – Second reading and public hearing of Bond Ordinance providing an appropriation of \$295,000 for Various Capital Improvements in and by the Township of Lopatcong in Warren County, New Jersey and authorizing the issuance of \$280,250 Bonds or Notes of the Township for financing part of the appropriation. Motion to hold a public hearing by Councilman Wright, seconded by Councilman Palitto. All in favor. No comments from the public. Motion to close the public hearing by Councilman Wright, seconded by Council President Pryor. All in favor.

**ORDINANCE No. 2020-04**

**BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$295,000 FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF LOPATCONG, IN THE COUNTY OF WARREN, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$280,250 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.**

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

SECTION 1:

The improvement described in Section 3 of this Bond Ordinance (the “Improvement”) is hereby authorized to be undertaken by the Township of Lopatcong, in the County of Warren, New Jersey (the “Township”) as a general improvement. For the said Improvement there is hereby appropriated the amount of \$295,000, such sum includes \$14,750 as the down payment (the “Down Payment”) required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments or capital improvement purposes.

SECTION 2:

In order to finance the additional cost of the Improvement not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$280,250 pursuant to the provisions of the Local Bond Law (the “Bonds”). In anticipation of the issuance of the Bonds and to temporarily finance said Improvement or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$280,250 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

SECTION 3:

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



Improvements	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Useful Life
Acquisition of vehicles and equipment for the Fire Department, including but not limited to command vehicles, and building renovations for the Fire Department, all as shown on and in accordance with the plans and specifications thereon on file in the office of the Clerk and hereby approved.	100,000	95,000	7 Years
Acquisition of audio-visual equipment for patrol vehicles for the Police Department, all as shown on and in accordance with the plans and specifications thereon on file in the office of the Clerk and hereby approved.	17,000	16,150	5 Years
Improvements and acquisitions for various municipal properties, including but not limited to acquisition of a generator, improvements to Department of Public Works bathrooms and acquisition of a pump for swimming pool, including all work and materials necessary therefor and incidental thereto, all as shown on and in accordance with the plans and specifications thereon on file in the office of the Clerk and hereby approved.	178,000	169,100	15 Years
<b>TOTAL ALL PURPOSES</b>	<b>\$295,000</b>	<b>\$280,250</b>	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvement is \$280,250.

(c) The estimated cost of the Improvement is \$295,000 which amount represents the initial appropriation made by the Township.

#### SECTION 4:

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

#### SECTION 5:

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

#### SECTION 6:

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

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

(b) The period of usefulness of the Improvement, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for such purpose, according to the reasonable life thereof computed from the date of the Bonds authorized by this Bond Ordinance, is 11.71 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this Bond Ordinance by \$280,250 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$50,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

#### SECTION 7:

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

#### SECTION 8:

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

#### SECTION 9:

The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the

requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**SECTION 10:**

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvement prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the cost of the Improvement is \$280,250.

**SECTION 11:**

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

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

**PUBLIC NOTICE**

**BOND ORDINANCE STATEMENTS AND SUMMARIES**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township of Lopatcong, in the County of Warren, State of New Jersey on May 6, 2020 and the 20 day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: Bond Ordinance Providing An Appropriation Of \$295,000 For Various Capital Improvements In And By The Township Of Lopatcong, In The County Of Warren, New Jersey And Authorizing The Issuance Of \$280,250 Bonds Or Notes Of The Township For Financing Part Of The Appropriation

Purpose(s): Acquisition of vehicles and equipment for the Fire Department, including but not limited to command vehicles, and building renovations for the Fire Department; Acquisition of audio visual equipment for patrol vehicles for the Police Department; and Improvements and acquisitions for various municipal properties, including but not limited to acquisition of a generator, improvements to Department of Public Works bathrooms and acquisition of a pump for swimming pool.

Appropriation: \$295,000

Bonds/Notes Authorized: \$280,250

Grants (if any) Appropriated: N/A

Section 20 Costs: \$50,000

Useful Life: 11.71 Years

Margaret B. Dilts, CMC

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

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

NAYS: None

**Ordinance No. 2020-05** – Second reading and public hearing of Bond Ordinance providing an appropriation of \$1,160,000.00 for Various Capital Improvements in and by the Township of Lopatcong, in the County of Warren, New Jersey and authorizing the issuance of \$663,100 Bonds or Notes of the Township for financing part of the appropriation. Motion to hold a public hearing by Councilman Belcaro, seconded by Councilman Wright. All in favor. No public comment. Motion to close public hearing by Council President Pryor, seconded by Councilman Wright. All in favor.

#### **ORDINANCE NO. 2020-05**

#### **BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$1,160,000 FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF LOPATCONG, IN THE COUNTY OF WARREN, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$663,100 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.**

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

##### SECTION 12:

The improvement described in Section 3 of this Bond Ordinance (the “Improvement”) is hereby authorized to be undertaken by the Township of Lopatcong, in the County of Warren, New Jersey (the “Township”) as a general improvement. For the said Improvement there is hereby appropriated the amount of \$1,160,000. Such sum includes (a) \$140,000 expected to be received as a grant from the New Jersey Department of Transportation in connection with the improvement described in Section 3(a)(i); (b) \$322,000 expected to be received as a grant from the New Jersey Department of Transportation in connection with the improvement described in Section 3(a)(iii) and (c) \$34,900 as the down payment (the “Down Payment”) required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments or capital improvement purposes.

##### SECTION 13:

In order to finance the additional cost of the Improvement not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$663,100 pursuant to the provisions of the Local Bond Law (the “Bonds”). In anticipation of the issuance of the Bonds and to temporarily finance said Improvement or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$663,100 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

##### SECTION 14:

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

Improvements	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Useful Life
(i) Red School Lane road improvement project, including traffic stripping, curbing, milling and paving and including all work and materials necessary therefor and incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file in the office of the Clerk and hereby approved.	360,000	209,000	20 Years
(ii) Various road improvements, including but not limited to Plaza Place, Plaza Road, James Avenue, Albert Avenue, Fox Farm Road and Low's Hollow Road, including traffic stripping, curbing, milling and paving and including all work and materials necessary therefor and incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file in the office of the Clerk and hereby approved.	300,000	285,000	20 Years
(iii) Various sidewalk improvements, including but not limited to Upper Belvidere Road - Willdew Avenue to North First Street, including all work and materials necessary therefor and incidental thereto, all as shown on and in accordance with the plans and specifications thereon on file in the office of the Clerk and hereby approved.	500,000	169,100	10 Years
<b>TOTAL ALL PURPOSES</b>	<b>\$1,160,000</b>	<b>\$663,100</b>	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvement is \$663,100.

(c) The estimated cost of the Improvement is \$1,160,000 which amount represents the initial appropriation made by the Township.

#### SECTION 15:

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



Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

#### SECTION 16:

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

#### SECTION 17:

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

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

(b) The period of usefulness of the Improvement, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for such purpose, according to the reasonable life thereof computed from the date of the Bonds authorized by this Bond Ordinance, is 17.44 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this Bond Ordinance by \$663,100 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$350,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

#### SECTION 18:

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

#### SECTION 19:

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

#### SECTION 9:

The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule

15c2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**SECTION 20:**

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvement prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the cost of the Improvement is \$663,100.

**SECTION 21:**

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

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

**PUBLIC NOTICE**

**BOND ORDINANCE STATEMENTS AND SUMMARIES**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township of Lopatcong, in the County of Warren, State of New Jersey on May 6, 2020 and the 20 day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk’s office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: Bond Ordinance Providing An Appropriation Of \$1,160,000 For Various Capital Improvements In And By The Township Of Lopatcong, In The County Of Warren, New Jersey And Authorizing The Issuance Of \$663,100 Bonds Or Notes Of The Township For Financing Part Of The Appropriation

Purpose(s): Red School Lane road improvement project, including traffic stripping, curbing, milling and paving; Various road improvements, including but not limited to Plaza Place, Plaza Road, James Avenue, Albert Avenue, Fox Farm Road and Low’s Hollow Road, including traffic stripping, curbing, milling and paving; and Various sidewalk improvements, including but not limited to Upper Belvidere Road - Willdew Avenue to North First Street.

Appropriation: \$1,160,000

Bonds/Notes Authorized: \$663,100

Grants (if any) Appropriated: \$140,000 expected to be received as a grant from the New Jersey Department of Transportation and \$322,000 expected to be received as a grant from the New Jersey Department of Transportation.

Section 20 Costs: \$350,000

Useful Life: 17.44 Years

M. Beth Dilts, Clerk

Motion to adopt the Ordinance by Councilman Palitto, seconded by Councilman Wright. Roll call vote:

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

NAYS: None

**Resolution No. 20-72** – Authorize cancellation of Current Fund Operating Budget Appropriations in the amount of \$190,000.00.

R 20-72

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING TO CANCEL CURRENT FUND OPERATING BUDGET APPROPRIATIONS

WHEREAS, there is \$190,000.00 within various department budgets within the 2020 Current Fund Budget Appropriations that are no longer needed; and

WHEREAS, these balances can be cancelled to the Current Fund fund balance.

NOW, THEREFORE, BE IT RESOLVED that \$190,000.00 located within the various department budgets within Current Fund Budget Appropriations is hereby cancelled:

Description	Original Amount	Reduction	Final Budget
Rev-Admin-S&W	\$55,000	5,900	\$49,100
Pool-S&W	\$115,500	100,000	\$15,500
Roads-OE	\$279,175	35,700	\$243,475
Parks-OE	\$ 73,100	37,400	\$35,700
Bldg-OE	\$78,250	11,000	\$67,250

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, May 6, 2020.

Margaret B. Dilts, CMC

Motion to adopt this resolution by Council President Pryor, seconded by Councilman Wright. Roll call vote:

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

NAYS: None

**New Business:**

**400 Red School Lane** – Mayor Mengucci said the Care Center has offered this property to the Township by way of a letter. The letter indicated there were no environmental conditions, but not whether the building would be torn down at their expense. The letter will be forwarded to Attorney Campbell who will look into the matter further and report back to Council as there were many other questions and concerns that could not be answered.

**Title 39 Enforcement – North State Materials, LLC** – Request for Title 39 enforcement from the Township for the roadway within the proposed right-of-way. Council discussed this matter

with Engineer Sterbenz, who indicated that this is a private roadway leading to two lots and it would be at Council's discretion to authorize Title 39. An ordinance would be created to provide enforcement and this will be considered at the June 3<sup>rd</sup> meeting.

**NJDOT 2021 State Aid Application** – Engineer Sterbenz and Council discussed options for which roads could be candidates for the application along with Road Superintendent Brian Weeks. A list will be compiled and a resolution created for consideration at the June 3<sup>rd</sup> Council Meeting.

**Resolution No. 20-73** – Accept annual Audit for 2019 by signing Group Affidavit certifying review of, at a minimum, the comments and recommendations sections.

R 20-73

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY CERTIFYING THE ANNUAL AUDIT FOR 2019

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

WHEREAS, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6 and a copy has been received by each member of the Governing Body; and

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

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

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

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

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

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

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

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

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, May 6, 2020.

Margaret B. Dilts, CMC

Motion to adopt this Resolution by Council President Pryor, seconded by Mayor Mengucci. Roll call vote:

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

NAYS: None

**Greenwich Township Interlocal Agreement** – Greenwich Township requested use of the Versa Lift Truck. The Township would also have to provide a certified operator as Greenwich does not have certified operators. Council President Pryor asked that the agreement be tweaked by Attorney Campbell and include the rates to be charged. Motion by Councilman Wright to authorize with those changes, seconded by Council President Pryor. Roll call vote:

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

NAYS: None

**Ordinance No. 2020-06** – First reading to amend Chapter 119-11 entitled “Fire Prevention and more particularly subsection 119-11 entitled “Local Technical Amendments” and creating subsection “C: entitled “Construction Activities”. Council President Pryor asked to amend the ordinance to authorize the Fire Official to approve the permit but provide a copy to the Fire Chief for review and comment.

#### **ORDINANCE NO. 2020-06**

#### **ORDINANCE AMENDING CHAPTER 119 OF THE LOPATCONG MUNICIPAL CODE, ENTITLED "FIRE PREVENTION" AND MORE PARTICULARLY SUBSECTION 119-11, ENTITLED "LOCAL TECHNICAL AMENDMENTS" AND CREATING SUBSECTION C ENTITLED “CONSTRUCTION ACTIVITIES”**

**BE IT ORDAINED** by the Township Council of the Township of the Township of Lopatcong, Warren County, New Jersey, that Chapter 119 of the Lopatcong Municipal Code entitled "Fire Prevention" is hereby amended by amending Subsection 119-11, entitled "Local Technical Amendments" and creating subsection C, entitled “Construction Activities” as follows:

#### **SECTION I**

Chapter 119 is amended by creating Subsection C entitled "Construction Activities" defined as any construction activities which require a permit under N.J.A.C. 5:23 (The Uniform Construction Code) shall comply with the following requirements:

#### **C. Construction Activities.**

1. **Access.** Temporary all-weather service access roads constructed of gravel or equivalent, and having a capacity of supporting a 30-ton emergency vehicle shall be provided at all times for fire department vehicular access and other emergency vehicles to all structures under construction or demolition and storage of combustible construction materials until permanent roads or access ways are made available. Access to each such location shall be within 100 unobstructed feet from the access way to the construction or storage of combustible materials. Said access way shall be required to be maintained to support the aforementioned load during the entire time of construction.

2. **Water Supply.** The fire protection water supply system, including hydrants shown on any approved site plans, shall be installed and in service prior to placing combustible building materials on the project's site or utilizing them in the construction of buildings or structures, including the demolition of the same. In any event, whether construction is pursuant a site plan or not, no new construction shall be allowed, unless there be a fire hydrant service readily available within 500 feet of the construction and accessible to firefighting equipment. This provision shall not apply to construction within the existing confines of any existing structure, but shall apply to all new construction or additions to existing construction, unless specifically waived by the Township Fire Official (with copy to the Fire Chief) with appropriate measures in place thereof because of the unavailability of such fire hydrant service.
3. **Construction Permits.** No construction permits shall be issued for any new construction as defined herein without approval from the Fire Official (with copy to the Fire Chief) with reference to the provisions of this Ordinance.

## **SECTION II**

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

## **SECTION III**

If any article, section, subsection, paragraphs, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

## **SECTION IV**

This Ordinance shall take effect immediately upon final 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 May 6, 2020 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 June 3, 2020 at 6:30 p.m. or as soon thereafter as the Township Council may hear this Ordinance at the Municipal Building, 232 South Third Street, Phillipsburg, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Margaret B. Dilts, CMC

Motion to adopt on first reading with amendment by Council President Pryor, seconded by Mayor Mengucci. Roll call vote:

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

NAYS: None

**Chapter 183 – Sewers, Article II Service Charges** – Council President Pryor noted there are two parts with this; the \$45.00 base rate would remain the same but the excess flow rate which

currently is \$12.25 per 1,000 gallons would change to \$11.25 per 1,000 gallons. This would be a reduction of \$75,000 to the Sewer Utility Budget as reported by CFO Browne and would take effect at the 3<sup>rd</sup> quarter. Council President Pryor noted the second half of this involves the sewer connection fees that would not affect existing users but developers who haven't applied for a TWA yet. There is a State Statute that governs how the fee is computed. Currently, we are acting under the old sewer agreement with Phillipsburg where we split it. Phillipsburg will have their own connection fee and we'll have ours. Paul is computing units; Kim is working with auditor on the investment and we have an attorney drafting it. This is the first reading. There is an ordinance being created by the attorney. We don't have the final number yet. It is anticipated it will be slightly higher than we have right now. That is what the ordinance is all about. A new connection fee computed in accordance with the statute and anticipated to be slightly higher. CFO Browne said this is an accurate statement. Councilman Belcaro asked what savings this would mean to a family of four. CFO Browne thought 8% but that is based on the usage after the base is paid. Council President Pryor noted that if the use was 15,000 gallons per quarter, they would get a break on approximately 10,000 gallons of that to be charged at \$1 per 1,000 gallons that's \$10.00 per quarter equaling \$40.00 per year. Mayor Mengucci asked for a motion for this. I'll make that motion stated Council President Pryor, seconded by Mayor Mengucci.

Roll call vote:

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

NAYS: None

**Assignment and Assumption of Developer's Agreement for 189 Strykers Road** – Attorney Campbell asked Council to authorize Mayor Mengucci to execute this agreement. Motion by Council President Pryor, seconded by Councilman Belcaro. Roll call vote:

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

NAYS: None

**Consent Agenda:**

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

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

NAYS: None

**Resolution No. 20-74** – Correct Tax Account for Block 94, Lot 2.01.

R 20-74

RESOLUTION OF THE TOWNSHIP OF LOPATCONG,  
COUNTY OF WARREN, STATE OF NEW JERSEY  
TO CORRECT THE TAX ACCOUNT FOR BLOCK 94, LOT 2.01.

WHEREAS, the Township of Lopatcong has been provided with a receipt for a tax payment for Block 94, Lot 2.01 which was not applied to the taxpayer's account; and

WHEREAS, in addition the Township has determined that the taxpayer's homestead rebate for 2016 (\$679.61) and 2017 (\$364.80) were not credited to her account; and

WHEREAS, the Township wishes to apply a credit to the account to show a zero balance through the 2<sup>nd</sup> quarter of 2020; and

WHEREAS, the Township wishes to apply a credit of \$994.42 to the taxpayer's 3<sup>rd</sup> quarter taxes which will include all payments and the homestead rebate credits.

**NOW THEREFORE, BE IT RESOLVED**, that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to credit the taxpayers account so that there is a zero balance through the 2<sup>nd</sup> quarter of 2020.

**BE IT FURTHER RESOLVED**, that the Lopatcong Township Tax Office shall apply a credit of \$994.42 to the taxpayer's 3<sup>rd</sup> quarter taxes.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren, and State of New Jersey do hereby certify that the foregoing is a true and correct copy of the Resolution adopted by the Council at a meeting held on Wednesday on Wednesday, May 6, 2020.

Margaret B. Dilts, CMC

**Resolution No. 20-75** – Correct Tax Account for Block 35, Lot 1.04.

**R 20-75**

**RESOLUTION OF THE TOWNSHIP OF LOPATCONG,  
COUNTY OF WARREN, STATE OF NEW JERSEY  
TO CORRECT THE TAX ACCOUNT FOR BLOCK 35, LOT 1.04.**

**WHEREAS**, the Township of Lopatcong has been provided with copies of receipts for cash payment made by the taxpayer in 2015, 2016, 2017 and 2018 that were not properly applied to the taxpayer's account; and

**WHEREAS**, a review of the taxpayer's account shows fraudulent credits to the taxpayers account by the former Tax Collector in 2012, 2013, 2014 and 2015 in an effort to cover up the failure to post the taxpayer's cash payments; and

**WHEREAS**, the taxpayer was unable to provide receipts for the 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2016; however, the taxpayer has signed an affidavit certifying that he made these payments as well as the other payments for which he provided receipts for; and

**WHEREAS**, the Township Council wishes to correct the taxpayer's account to show a zero balance as of 1<sup>st</sup> quarter of 2020.

**NOW THEREFORE, BE IT RESOLVED**, that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to apply a credit to Block 35, Lot 1.04 to bring the account current through 1<sup>st</sup> quarter of 2020.

**BE IT FURTHER RESOLVED**, that the Lopatcong Township Tax Office shall cancel any and all interest resulting from the failure to timely post these payments.

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, May 6, 2020.

Margaret B. Dilts, RMC

**Resolution No. 20-76** – Correct Tax Account for Block 80, Lot 11.

**R 20-76**

**RESOLUTION OF THE TOWNSHIP OF LOPATCONG,  
COUNTY OF WARREN, STATE OF NEW JERSEY**



**TO CORRECT THE TAX ACCOUNT FOR BLOCK 80, LOT 11.**

WHEREAS, the Township of Lopatcong has been provided with a receipt for a tax payment for Block 80, Lot 11 which was not applied to the taxpayer's account; and

WHEREAS, the Township previously adopted Resolution 19-70 to partially correct the taxpayers account; and

WHEREAS, the Township has reviewed additional records from the taxpayer and agree that an additional correction should be made to the taxpayers account; and

WHEREAS, the Township wishes apply a credit of \$600 to Block 80, Lot 11.

NOW THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office, upon receipt of a signed affidavit from the taxpayer, to apply the following payment to Block 80, Lot 11:

2 <sup>nd</sup> quarter 2015	\$600
------------------------------	-------

BE IT FURTHER RESOLVED, that the Lopatcong Township Tax Office shall cancel any and all interest resulting from the failure to timely post these payments.

**CERTIFICATION**

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren, and State of New Jersey do hereby certify that the foregoing is a true and correct copy of the Resolution adopted by the Council at a meeting held on Wednesday, May 6, 2020.

Margaret B. Dilts, CMC

**Resolution No. 20-77** – Correct Tax Account for Block 99, lot 63, C0268.

R 20-77

**RESOLUTION OF THE TOWNSHIP OF LOPATCONG,  
COUNTY OF WARREN, STATE OF NEW JERSEY  
TO CORRECT THE TAX ACCOUNT FOR BLOCK 99, LOT 63, C0268.**

WHEREAS, the Township of Lopatcong has been provided with several receipts for a tax payment for Block 99, Lot 63, C0268 which were not applied to the taxpayer's account or only a portion of the payment was applied to the account; and

WHEREAS, the following payments were not properly posted to the taxpayers account:

1Q 2015	\$718
3Q 2015	\$900
4Q 2015	\$1,200
2Q 2016	\$1,160.67
3Q 2016	\$600

WHEREAS, the Township wishes to apply a credit to the account to show a zero balance through the 1<sup>st</sup> quarter of 2020; and

NOW THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to credit the taxpayers account so that there is a zero balance through the 2<sup>nd</sup> quarter of 2020.

**CERTIFICATION**

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren, State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Council at a meeting held on Wednesday, May 6, 2020.

Margaret B. Dilts, CMC

**Resolution No. 20-78** – Correct Tax Account for Block 99, Lot 220, C1004.

R 20-78

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 99, LOT 220  
C1004

WHEREAS, the current owner of Block 99, Lot 220, C1004 purchased the property on October 10, 2014; and

WHEREAS, the taxpayer has provided a copy of the settlement statement showing that the taxes through the 4<sup>th</sup> quarter were paid by the seller at closing; and

WHEREAS, the Township Tax Collector has determined that the 1<sup>st</sup> quarter of 2013 was not posted to the taxpayer's account; and

WHEREAS, the settlement statement provided by the new owner evidences that the taxes prior to October 10, 2014 were paid in full and therefore, the Township wishes to credit the missing payment to the taxpayer's account.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to apply the following payment to Block 99, Lot 220, C1004:

February 1, 2013

\$1,309.92

BE IT FURTHER RESOLVED that the Lopatcong Township Tax Office shall cancel any and all interest resulting from the failure to timely post these payments.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren, State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Council at a meeting held on Wednesday, May 6, 2020.

Margaret B. Dilts, CMC

**Resolution No. 20-79** – Authorize redemption of Tax Sale Certificate No. 2017-057 on Block 99, Lot 359 C0701 in the amount of \$23,496.63.

R 20-79

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE  
NO. 2017-057 ON BLOCK 99, LOT 359, C0701

WHEREAS, at the Lopatcong Township Municipal Tax sale held on December 6, 2017, a lien was sold on Block 99, Lot 359, C0701 also known as 701 Brandywine Way for delinquent tax; and

WHEREAS, this lien known as Tax Sale Certificate No. 2017-057 was sold to US Bank BV002 Trst & Crdtrs; and

WHEREAS, on March 2, 2020, the property owner has satisfied the redemption amount on Certificate No. 2017-057 in the amount of \$23,496.63.

NOW, THEREFORE, BE IT RESOLVED on this 6<sup>th</sup> day of May 2020, that the Chief Financial Officer is authorized to issue a check in the amount of \$23,496.63 for the redemption of Tax Sale Certificate No. 2017-057 to:

US Bank Cust BV002 Trst & Crdtrs  
50 S. 16<sup>th</sup> Street, Suite 2050  
Philadelphia, PA 19102-2513

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren, State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Council at a meeting held on Wednesday, May 6, 2020.

Margaret B. Dilts, CMC

**Resolution No. 20-80** – Cancel municipal finance balances in Payroll Account.

R 20-80

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY TO CANCEL MUNICIPAL FINANCE BALANCES

WHEREAS, there appears on the records of the Municipal Finance Office old outstanding checks; and

WHEREAS, the following outstanding checks have been investigated and should be cancelled.

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

PAYROLL ACCOUNT CHECK NO.	AMOUNT
613312 DATED 9/12/19	\$14.19
613391 DATED 12/5/19	\$36.76

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren, State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Council at a meeting held on Wednesday, May 6, 2020.

Margaret B. Dilts, CMC

**Resolution No. 20-81** – Cancel municipal finance balances in Current Account.

R 20-81

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY TO CANCEL MUNICIPAL FINANCE BALANCES

WHEREAS, there appears on the records of the Municipal Finance Office old outstanding checks;  
and

WHEREAS, the following outstanding checks have been investigated and should be cancelled.

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

CURRENT ACCOUNT CHECK NO.	AMOUNT
9354 DATED 7/3/19	\$100.00
9536 DATED 9/4/19	\$ 50.00

#### CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren, State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Council at a meeting held on Wednesday, May 6, 2020.

Margaret B. Dilts, CMC

**Release Cash Bond - 501 Red School Lane – Sidewalk and Driveway Project** as approved by Engineer Sterbenz.

**Denville Lines –** Authorize payment in the amount of \$15,316.30 for striping and pavement marking work completed on Red School Lane as recommended by Engineer Sterbenz.

**Zuccaro, Inc. –** Authorize payment for emergency work completed on Lows Hollow Road in the amount of \$19,290.32 per Engineer Sterbenz recommendation.

**Resolution No. 20-82 –** Authorize the cancellation of Municipal Lien on Block 82, lot 4 in the amount of \$119.29.

R 20-82

#### RESOLUTION OF TOWNSHIP OF LOPATCONG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING THE CANCELLATION OF MUNICIPAL LIEN ON BLOCK 82, LOT 4

WHEREAS, the Township has determined that a municipal lien placed on Block 82, Lot 4 on December 5, 2017 was done so in error and must be cancelled; and,

WHEREAS, Block 82, Lot 4 was not listed on the Tax Sale notice advertised on December 1, 2017; and

WHEREAS, the Township was not permitted to include this property on its December 6, 2017 tax sale, because it was not advertised in accordance with state statute; and

WHEREAS, the Township is currently working with the taxpayer to confirm that any delinquencies are listed correctly on his/her account; and

NOW, THEREFORE, BE IT RESOLVED on this 6<sup>th</sup> day of May 2020 that the Tax Collector's Office staff is hereby authorized to cancel the municipal lien (UTL) on Block 82, Lot 4 in the amount of \$119.29

#### CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren, and State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Council at a meeting held on Wednesday, May 6, 2020.

Margaret B. Dilts, CMC

**Resolution No. 20-83** – Correct Tax Account for Block 82, Lot 4.

R 20-83

RESOLUTION OF THE TOWNSHIP OF LOPATCONG,  
COUNTY OF WARREN, STATE OF NEW JERSEY  
TO CORRECT THE TAX ACCOUNT FOR BLOCK 82, LOT 4.

WHEREAS, the Township of Lopatcong has been provided with copies of receipts for payment made by the taxpayer through the 2<sup>nd</sup> quarter of 2017 that were not properly applied to the taxpayer's account; and

WHEREAS, the Township has reached out to the taxpayers to see if they have additional receipts; and

WHEREAS, the Township Council wishes to correct the taxpayer's account to show a zero balance as of the 2<sup>nd</sup> quarter of 2017; and

WHEREAS, the Township will make additional corrections if the taxpayer is able to provide additional documentation that verify additional errors in their tax account.

NOW THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to apply a credit to Block 82, Lot 4 to bring the account current through the 2<sup>nd</sup> quarter of 2017.

BE IT FURTHER RESOLVED, that the Lopatcong Township Tax Office shall cancel any and all interest resulting from the failure to timely post these payments.

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, May 6, 2020.

Margaret B. Dilts, RMC

**Resolution No. 20-84** – Correct Tax Account for Block 32, Lot 18.

R 20-84

RESOLUTION OF THE TOWNSHIP OF LOPATCONG,  
COUNTY OF WARREN, STATE OF NEW JERSEY  
TO CORRECT THE TAX ACCOUNT FOR BLOCK 32, LOT 18.

WHEREAS, the Township of Lopatcong has been provided with a receipt for a tax payment for Block 32, Lot 18 which was not applied to the taxpayer's account; and

WHEREAS, the Township previously adopted Resolution 18-80 to partially correct the taxpayers account; and

WHEREAS, the Township has reviewed additional records from the taxpayer and agree that an additional correction should be made to the taxpayers account; and

WHEREAS, the Township wishes to credit the taxpayer's account to show a zero balance as of the 1<sup>st</sup> quarter of 2020.

NOW THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to apply a credit to the tax account of Block 32, Lot 18 to provide for a zero balance through the 1<sup>st</sup> quarter of 2020.

#### 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, May 6, 2020.

Margaret B. Dilts, RMC

**Resolution No. 20-85** – Correct Sewer Account for Block 32, Lot 18.

R 20-85

#### **RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN, STATE OF NEW JERSEY TO CORRECT THE SEWER ACCOUNT FOR BLOCK 32, LOT 18.**

WHEREAS, the Township of Lopatcong has been provided with receipts for payments to the sewer account for Block 32, Lot 18 which were not applied to the taxpayer's account; and

WHEREAS, the Township Council previously adopted Resolution 18-106 to partially correct the sewer account for this taxpayer; and

WHEREAS, additional receipts have been provided to the Township which evidence that the sewer account needs to be further corrected; and

WHEREAS, the balance on the taxpayer's sewer account as the 1<sup>st</sup> quarter of 2020 should be \$94.95.

NOW THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to apply a credit to the sewer account for Block 32, Lot 18 in order to reduce the balance due on the account as of 1<sup>st</sup> quarter of 2020 to \$94.95.

#### CERTIFICATION

I, Margaret B. Dilts, Clerk of the Township of Lopatcong, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Lopatcong Township Council at a meeting held on May 6, 2020.

Margaret B. Dilts, CMC

**Resolution No. 20-86** – Correct Sewer Account for Block 71, Lot 2.

R 20-86

RESOLUTION OF THE TOWNSHIP OF LOPATCONG,  
COUNTY OF WARREN, STATE OF NEW JERSEY  
TO CORRECT THE SEWER ACCOUNT FOR BLOCK 71, LOT 2

WHEREAS, the Township of Lopatcong has been provided with copies of receipts for payment made by the taxpayer for his sewer account in 2016; and

WHEREAS, the receipt provided by the taxpayer shows that the prior Sewer Collector manipulated the receipts to change the balance due to zero; and

WHEREAS, the Township believes that the Collector manipulated the stub to show a zero balance despite the software showing a balance because the taxpayer had paid the amount due previously, but that money was not properly posted in the account; and

WHEREAS, the Township has come to learn that this was one of the things that the former Collector did to conceal her fraud; and

WHEREAS, the Township Council wishes to correct the taxpayers account to show a zero balance through the 4<sup>th</sup> quarter of 2016.

NOW THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to apply a credit to the sewer account for Block 71, Lot 2 to bring the account current through the 4<sup>th</sup> quarter of 2016.

BE IT FURTHER RESOLVED, that the Lopatcong Township Tax Office shall cancel any and all interest resulting from the failure to timely post these payments.

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, May 6, 2020.

Margaret B. Dilts, RMC

**Council Reports:**

Mayor Mengucci – Thanked Councilman Belcaro for the bringing to the Council’s attention the importance of a flat tax this year instead of raising the taxes by two cents. Because of the COVID-19 situation and what is to come economically, it would be most important to keep the budget at a flat tax.

Mayor Mengucci also thanked Council President Pryor for his work on the Sewer Litigation, new sewer agreement with Phillipsburg and regulating ordinance and the Sewer Utility rate reduction and noted this has been a project of the Council President’s for the last few years.

Councilman Palitto – No report.

Councilman Belcaro – The Council has worked together for the best interest of the Township making it a desirable place to live.

Councilman Wright – No report. Thanked the Police, Fire and EMS and other essential employees.

Council President Pryor – Echoed what Mr. Wright said. Reported the DOT held an informational session to discuss reconstructing the bridge on Rt. 57, east of Rt. 519; their original proposal was to maintain one lane of traffic which changed once objections were raised. They will now maintain two lanes which will help eliminate congestion and traffic. Anthony Sytko, Regional Coordinator for the DOT called Council President Pryor to ask if the Council would support by resolution, this project. Council President Pryor asked that the resolution include the two lanes to maintain traffic. Mr. Sytko agreed to include two traffic lanes would be maintained.

Engineer Sterbenz – Work on Lows Hollow Road is complete not including work by DPW Dept. Fox Farm Road – DPW will perform repair work before Tilcon comes in to pave in June or July. Traffic signal improvement work plans went into the DOT Monday and once approved will be advertised for public bids. The bid opening for the Sally Port is May 14<sup>th</sup> at 11:00 am. Red School lane will be completed this year. North First and Fifth will be paved in June or July also.

Chief of Police Garcia – Thanked the Police Department during this time period.

**Dept. Report** – Motion to approve by Councilman Belcaro, seconded by Council President Pryor. All in favor.

**Payment of Bills** - Council President Pryor recused himself from the JMT Invoices and made the motion to pay bills that would include Tilcon for 50% of their original bill, seconded by Councilman Wright. Roll call vote:

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

NAYS: None

### **Audience Participation –**

Porch Pictures – Resident contacted Lori Ciesla regarding taking pictures around town and then put a book together and place in the Township vault for future. Thought a banner could be made for the graduates of high school and eighth grade saying how proud we are of our graduates. Council President Pryor asked for a more visible spot than Belvidere Road since the park is closed.

CFO Browne – Commented that there were no recommendations in the 2019 audit and wanted to place this in the minutes that there would be no corrective action plan.

Dennis Drake – 6 Byron Drive – Asked what departments or programs were cancelled in the resolution – Old Business No. 5 – Clerk Dilts read aloud the reductions that were taken out of the budget - Rev – Admin – S&W 5,900; Pool – S&W 100,000; Roads – OE \$11,000; Parks – OE 37,400  
Bldg. OE – 11,000

Dennis asked that the goal remain in place to open the pool this summer. Did not want an automatic assumption that the pool would remain closed for the entire summer if at all possible. Mayor Mengucci noted that the Governor has mandated the closure and on top of that the pool would take at least three weeks to prepare. He noted also it does not look hopeful but it depends on the Governor.

Travis Smith – Belview Road – Indicated Believe Road needs to be reconstructed; pot holes, gullies, etc. Mayor Mengucci acknowledge Belview Road is bad. Also likes the zoom meetings.

Council President Pryor asked for a motion to go into Executive Session. Attorney Campbell asked the reason. Council President Pryor noted that it would be a personnel matter – DPW. Motion by Council President Pryor, seconded by Councilman Belcaro. All in favor. No action to be taken. Councilman Belcaro asked that the attorney take the minutes instead of the Municipal Clerk.

**Resolution No. 20-87** – Executive Session – regarding DPW matters.

R 20-87

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:

Personnel Matter

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, May 6, 2020.

Margaret B. Dilts, CMC

Motion to leave executive session

Bill Wright – Motion; Lou Belcaro- second: all in favor

Motion to adjourn

Bill Wright – Motion; Jim Palitto- second: all in favor

Respectfully submitted,

Margaret B. Dilts, CMC  
Clerk/Administrator

James E. Mengucci  
Mayor









