

TOWNSHIP OF LOPATCONG
Regular Meeting Minutes
6:30 pm

June 3, 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/89551510102?pwd=aUIPZmhpOS9kT1kzZWU1MkVtdGJFdz09>
Meeting ID: 895 5151 0102
Password: 072192
One tap mobile
+19294362866,,89551510102#,,1#,072192# US (New York)
+13017158592,,89551510102#,,1#,072192# US (Germantown)

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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. 20–94 - Executive Session – Motion to resume Regular Session by Councilman Belcaro, seconded by Council President Pryor. All in favor. Attorney Campbell noted that Council was in Executive Session for approximately one hour to discuss the matters listed on the agenda with one addition; contract for website design.

Presentation –

NFI Real Estate– Attorney Mark Peck represented the company who is interested in building a 592,800 square foot warehouse on approximately 46.75 acres located off of Strykers Road in the ROM District on Block 99, Lot 3.01. The land is currently outside the Township’s sewer service area. They would like the Township to amend Wastewater Plan to include the sewer service to include this particular block and lot. Representatives from NFI went through the project concept and noted they met with the Highlands and other professionals who provided positive feedback to them. Council President Pryor noted this is a conforming use. Lopatcong is one of the few towns in the County that has an approved Wastewater Plans. We don’t have enough capacity to serve the existing sewer service area but the boundary could be extended. This has to be studied further to determine what the capacity is at right now. Council President Pryor noted that Council has to see what the infrastructure will look like and what capacity you are looking for before a determination could be made.

Public Comment: No Public Comment

Old Business:

Minutes – Approve Executive and Regular Session Minutes for May 6, 2020. Motion by Councilman Wright, seconded by Council President Pryor. Roll call vote:

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

NAYS: None

ABSTAIN: Councilman Palitto – Executive Session

Ordinance No. 20-06 – Second reading and public hearing of an Ordinance Amending Chapter 119 of the Lopatcong Township Municipal Code entitled “Fire Prevention” and More Particularly Subsection 110-11, entitled “Local Technical Amendments” and Creating Subsection “C” entitled “Construction Activities”. Motion to hold a public hearing by Councilman Wright seconded by Councilman Palitto. All in favor. No public comments. Motion to close public hearing by Council President Pryor, seconded by Councilman Wright. All in favor.

ORDINANCE NO. 20-06

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, June 3, 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 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”

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

Margaret B. Dilts, CMC

Motion to adopt this Ordinance by Council President Pryor, seconded by Councilman Palitto.

Roll call vote:

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

NAYS: None

Ordinance No. 20-07 – Second reading and public hearing of an Ordinance of the Township of Lopatcong, County of Warren and State of New Jersey amending and supplementing Article II, “Base and Use Charges”, and “Initial Service Charges” of the Code of the Township of Lopatcong to Implement Updated Sewer Charges, Connection Fees and Collection Procedures. Attorney Derek Orth stated this is a second reading and the final item that had to be accomplished from the litigation with Phillipsburg. The initial sewer connection fee was not changed in over 20 years. A study was performed by Nisivoccia, the Township’s auditors along with Engineer Sterbenz and CFO Browne. It was determined that Lopatcong’s portion of the connection fee would be \$1364 per dwelling unit. Currently, the Township collects \$2,000 which \$1,000 of that goes to Phillipsburg. This ordinance now requires Phillipsburg’s portion of the connection fee payment to go directly to Phillipsburg and Lopatcong collects its portion only. The sewer rate for Lopatcong residents has been reduced after the base rate. A discount for COAH units in a development, through state law, had the connection rate reduced by 50%. In subsection B of Section 2 add a sentence “the design flow rate and projected flows referenced in the ordinance are strictly for purposes for calculating the connection fee and are not applicable for TWA approval permit applications or any other agency approvals”. Also, another statutory revision that happened two years ago provides a revision to the code that someone with an

existing connection and come back to the town on a land use application and say they want to use the same connection they would have to provide a connection fee for the increase in the flow that arrives as the result of the proposed development. Motion to hold a public hearing by Council President Pryor, seconded by Councilman Wright. All in favor. No comments from the public. Motion to close public hearing by Council President Pryor, seconded by Councilman Wright. All in favor.

ORDINANCE NO. 20-07

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, June 3, 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 THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING ARTICLE II, "BASE AND USE CHARGES" AND "INITIAL SERVICE CHARGE" OF THE CODE OF THE TOWNSHIP OF LOPATCONG TO IMPLEMENT UPDATED SEWER CHARGES, CONNECTION FEES, AND COLLECTION PROCEDURES

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

Margaret B. Dilts, CMC

Motion to adopt this Ordinance by Council President Pryor, seconded by Councilman Wright.

Roll call vote:

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

NAYS: None

Ordinance No. 20-08 – An Ordinance to Amend, Revise and Supplement Chapter 227 "Vehicles and Traffic", Section 38, "Control for the Movement and the Parking of Traffic on Public and Private Property", Subsection B, of the Code of the Township of Lopatcong to Add Section B (6) to Regulate the Movement and Parking of Traffic through Title 39 Enforcement on a Private Roadway Providing Access to Lots 6 and 6.07 in Block 100 within Lot 6.08 in Block 100. Engineer Sterbenz noted a condition of approval was to allow the municipality to enforce traffic laws on the entry road. The new owner of the property requested Title 39 in the month of April. At the May Council meeting, the Township had a discussion to accept Title 39. This is the first reading of the ordinance.

ORDINANCE NO. 20 -08

ORDINANCE OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN, STATE OF NEW JERSEY TO AMEND, REVISE AND SUPPLEMENT CHAPTER 227 "VEHICLES AND TRAFFIC", SECTION 38, "CONTROL FOR THE MOVEMENT AND THE PARKING OF TRAFFIC ON PUBLIC AND PRIVATE PROPERTY", SUBSECTION B, OF THE CODE OF THE TOWNSHIP OF LOPATCONG TO ADD SECTION B(6) TO REGULATE THE

MOVEMENT AND PARKING OF TRAFFIC THROUGH TITLE 39 ENFORCEMENT ON A
PRIVATE ROADWAY PROVIDING ACCESS TO LOTS 6 AND 6.07 IN BLOCK 100
WITHIN LOT 6.08 IN BLOCK 100

WHEREAS, a new road has been constructed to service Lots 6 and 6.07 in Block 100, including an asphalt plant on Lot 6 in Block 100; and

WHEREAS, pursuant to the resolution of approval that allowed for the subdivision and subsequent development of Lot 6 in Block 100, the Township of Lopatcong is not responsible for the maintenance of the roadway; and

WHEREAS, pursuant to Condition 1q of the resolution of approval for the subdivision and site plan approvals for Lot 6 in Block 100, the developer was required to request Title 39 enforcement from the Township upon completion of the roadway; and

WHEREAS, the roadway within Lot 6.08 in Block 100, is now complete; and

WHEREAS, North State Materials LLC submitted a request for Title 39 Enforcement to the Township on April 18, 2020 pursuant to Condition 1q of the Planning Board resolution of approval; and

WHEREAS, the Township Council reviewed the April 18, 2020 request of North State Materials LLC at its May 6, 2020 meeting; and

WHEREAS, the Township Council of the Township of Lopatcong, County of Warren, State of New Jersey, desires to supplement and amend Chapter 227 of the Code of the Township of Lopatcong in order to add Section B(6) to regulate the movement and parking of traffic through Title 39 enforcement on the access road for Lots 6 and 6.07 in Block 100, which is situated within Lot 6.08 in Block 100;

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lopatcong, County of Warren and State of New Jersey that Chapter 227 of the Code of the Township of Lopatcong be supplemented as follows:

SECTION 1

§227-38(B)

(6). Access Road for Lots 6 and 6.07 in Block 100 situated within Lot 6.08 in Block 100.

a. General Parking.

1. No parking is permitted on the access road.
2. No person shall stop or stand a vehicle on the access road.

b. Speed Limits.

1. The speed limit on the access road shall be 25 miles per hour.
2. Regulatory and warning signs shall be erected and maintained to affect the above designated speed limits.

c. Stop Intersections.

1. The following streets or parts of streets are hereby designated as stop intersections. Stop signs shall be installed as provided thereon.

Intersection

Strykers Road and Access Road for 1

Lots 6 and 6.07 in Block 100

Stop Sign

Access Road for Lots 6 and 6.07 in
Block 100.

d. Tow-Away Zones.

Any vehicles parked or standing so as to obstruct or impede a normal flow of traffic, block entrances or exit ways, loading zones, oil fills, any grassy area pedestrian walkway, or present in any way a safety or traffic hazard may be removed by towing the vehicles at the owner's or operator's expense.

SECTION 2

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

SECTION 3

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

SECTION 4

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

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Township of Lopatcong held on June 3, 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 July 1, 2020 at 7:00 p.m. or as soon thereafter as the Township Council may hear this Ordinance at the Municipal Building, 232 South Third Street, Phillipsburg, NJ at which time all persons interested may appear for or against the passage of said Ordinance.

Margaret B. Dilts, CMC

Motion to adopt Ordinance for first reading 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

Resolution No. 20-94 NJDOT – Application for grant. After Council discussed what roads they to be considered, Mayor Mengucci suggested that Stonehenge would be done under the Township's Road Program. Council President Pryor suggested local aid for Belview Road. Councilman Belcaro asked Engineer Sterbenz what amount would the Township typically receive. Engineer Sterbenz said he would request \$150,000. Belview would be broken into two pieces and over two years make a request for each section.

R 20-94

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING SUBMISSION OF A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR BELVIEW ROAD IMPROVEMENT PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Lopatcong formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2021-Lopatcong Township-00338 to the New Jersey Department of Transportation on behalf of Lopatcong.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Lopatcong and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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, June 3, 2020.

Margaret B. Dilts, CMC

My signature and Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____
Clerk Presiding Officer

Councilman Belcaro made a motion to authorize, seconded by Councilman Wright. Roll call vote:
AYES: Councilman Belcaro, Councilman Palitto, Councilman Wright, Council President Pryor, Mayor Mengucci.
NAYS: None

Strykers Road Associates – Site Easement – Attorney Campbell said Strykers Road Associates needs a site easement but the County is of the practice to have the Township sign on for the easement. In conjunction with the site easement, the amended Developer's Agreement would include verbiage that the developer would be responsible for the maintenance and that will run with the land. Motion to authorize by Councilman Wright, seconded by Councilman Palitto. Roll call vote:
AYES: Councilman Belcaro, Councilman Palitto, Councilman Wright, Council President Pryor, Mayor Mengucci.
NAYS: None

Strykers Road Associates – Addendum Developer's Agreement – As explained by Attorney Campbell a motion by Councilman Wright, seconded by Councilman Belcaro. Roll call vote:
AYES: Councilman Belcaro, Councilman Palitto, Councilman Wright, Council President Pryor, Mayor Mengucci.
NAYS: None

New Business:

Block 99, Lot 256, C0919 – Request to waive interest on missed payment. Attorney Campbell stated that this is a potential payment plan and this will be brought back at the next meeting for a formal approval.

Tax Interest – 2Q 2020 – Request to waive 2Q, 2020 interest. The governor put out an Executive Order which addressed an extension deadline for taxes could be June 1st. Twelve municipalities in Warren County did not extend their dates and Lopatcong was one of them. Attorney Campbell said it could do so, it was may, not a shall, but the governing body would have had to adopt a resolution which had to go to the Division of Taxation within three days. The Council decided to

not extend the deadline and this was put on the record at the last meeting. The website said we will notify you if it gets extended and notification was not provided to extend the date. There were some people who were confused and did not hear the exact words. A handful of residents did not pay on time. They have asked the tax collector to waive interest and she cannot by law do that over ten dollars. Mayor Mengucci said the payments must be made to the County and the School on time. Council opted to not consider the waiver.

Resolution No. 20-88 DOT – Support bridge work located on Rt. 57 east of Rt. 519. Council President Pryor noted that there are two resolutions one of which he added some additional language to make it clearer; one being he added to maintain two lanes for traffic for the duration of the project.

R 20-88

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY IN SUPPORT FOR ROUTE 57 BRIDGE OVER BRANCH
LOPATCONG CREEK PROJECT

Explanation: This resolution conditionally supports the proposed NJDOT project entitled” Rt.57 Bridge over Branch Lopatcong Creek”.

WHEREAS, the NJ Department of Transportation (NJDOT) has proposed the project entitled “Rt.57 Bridge over Branch Lopatcong Creek” which is in need of replacement due to its age and condition; and

WHEREAS, the NJDOT has ultimately deemed the bridge structurally deficient and functionally obsolete, recommending replacement; and

WHEREAS, the proposed construction staging for the NJDOT’s Preliminary Preferred Alternative is to install a temporary traffic signal on each end of the bridge; and

WHEREAS, the NJDOT proposes to maintain one lane of alternating traffic across the bridge during construction; and

WHEREAS, the anticipated construction duration is expected to be 1¹/₂ years; and

WHEREAS, there are existing traffic problems at the intersection of CR 519 and SR 57: and

WHEREAS, the Township is aware of major land development(s) proposed along roadways within and adjacent to the Township; and

WHEREAS, the Township anticipates a significant increase in traffic volume on the roadway network in the vicinity of the project area as a result of the new development(s); and

WHEREAS, the Township is concerned the new development(s) will result in a significant increase in traffic along Rt. 57 and adjacent roadways; and

WHEREAS, the Department (will) has agreed to re-evaluate the proposed construction staging for the “Rt. 57 Bridge over Branch Lopatcong Creek” project, based on an updated traffic analysis performed in the preliminary design phase of the project; and

WHEREAS, (including) the updated traffic analysis shall include projected traffic generated by the land development(s) (on) scheduled to be completed before the start of construction on the project.

NOW THEREFORE BE IT RESOLVED, by the Township of Lopatcong, in the county of Warren, NJ that we do hereby support the proposed “Rt. 57 Bridge over Branch Lopatcong

Creek” project, (with) provided it incorporates a construction staging scheme that maintains two lanes of traffic and does not reduce Rt. 57 to a single lane of alternating traffic during construction for a 1¹/₂ year duration.

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, June 3, 2020.

Margaret B. Dilts, CMC

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

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

NAYS: None

Stratix Systems – Renew lease for copiers at a savings of \$2521.89 over the term of 63 months. Clerk Dilts explained there would be a reduced cost for overages on black and color copies also. She further noted that we have been dealing with Stratix for some time and are very pleased their equipment. Our term is up in August and we are able to reup our contract with a savings and all new machinery. 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

Deiter Brothers Contract – Renew contract for preventative maintenance on heating and cooling systems at a yearly cost of \$3,200.00 (same cost as last year). Road Superintendent Brian Weeks noted that we have been dealing with Deiter Brothers and their service has been good. Past companies not so much. Motion to approve by Mayor Mengucci, seconded by Councilman Wright. Roll call vote:

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

NAYS: None

Resolution – K & A Paving Contractors – Pavement repair work in the Plaza Road neighborhood.

R 20-89

RESOLUTION OF AWARD OF CONTRACT K&A PAVING CONTRACTORS LLC PLAZA ROAD NEIGHBORHOOD PAVEMENT REPAIRS TOWNSHIP OF LOPATCONG, WARREN COUNTY, NJ

WHEREAS, the Township of Lopatcong (“Township”) will be improving James Avenue, Albert Avenue, Plaza Court, and a portion of Plaza Road in July 2020 in accordance with a project entitled the “Plaza Road Neighborhood Improvement Project; and

WHEREAS, the Township will be utilizing Tilcon New York Inc. (“Tilcon”) to mill and pave the above referenced roads through its membership in the Morris County Cooperative Pricing Council (“MCCPC”); and

WHEREAS, prior to the milling and paving being performed, several areas of failed pavement on James Avenue, Albert Avenue and Plaza Court need to be removed and replaced; and

WHEREAS, the Township prepared plans for the asphalt repair work; and

WHEREAS, the Township sought and obtained quotes for the asphalt repair work; and

WHEREAS, the lowest bid received for the asphalt repair work was from K&A Paving Contractors LLC (“K&A”) of Belvidere, New Jersey; and

WHEREAS, K&A is a qualified contractor and has successfully completed other capital improvement projects for the Township in the past; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP that a contract be awarded to K&A for the pavement repair work in the Plaza Road Neighborhood in the amount of \$39,154.00.

CERTIFICATION

I, Margaret B. Dilts, CMC, 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 the Lopatcong Township Council at its meeting on Wednesday, June 3, 2020.

Margaret B. Dilts, CMC

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

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

NAYS: None

Resolution No. 20-90 - Third Quarter Taxes. Due to budget deadlines by way of extension by the Governor’s Executive Order, tax rates will not be struck on time and an estimated tax bill will have to be sent in order to collect taxes for August 1st.

R 20-90

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING THE TAX COLLECTOR TO PROCESS THIRD QUARTER “ESTIMATED” TAX BILLS, DUE AUGUST 1, 2020

WHEREAS, in light of the disruption caused by the coronavirus outbreak, the State delayed the adoption of the State Fiscal Year 2021 budget to September 30, 2020; and

WHEREAS, the Division of Local Government Services (DLGS) cannot certify State Aid allocations to municipal budgets until State Aid Appropriations are known; and

WHEREAS, the DLGS cannot approve municipal budgets and the County Board of Taxation cannot certify taxes until long after the June 30, 2020 deadline to process third quarter tax bills due August 1, 2020; and

WHEREAS, without an adopted 2020 municipal budget and without a 2020 certified tax rate, the Tax Collector cannot process the final 2020 Tax levy; and

WHEREAS, the DLGS “strongly recommends” under Local Finance Notice 2020-07 “that municipalities prepare to issue estimated property tax bills for 2020; and

WHEREAS, the Tax Collector, in consultation with the Chief Financial Officer, computed and certified an estimated Tax Levy necessary to bill third quarter taxes due August 1, 2020.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Lopatcong, in the County of Warren and State of New Jersey on this 3rd day of June 2020, that the Tax Collector is hereby authorized and directed to process estimated tax bills for the third quarter installment of 2020 taxes; and

BE IT FURTHER RESOLVED that, the third quarterly installment of 2020 taxes shall not be subject to interest until the later of August 10, 2020 or the twenty-fifth (25) calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

CERTIFICATION

I, Margaret B. Dilts, CMC, 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 the Lopatcong Township Council at its meeting on Wednesday, June 3, 2020.

Margaret B. Dilts, CMC

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

Consent Agenda:

Motion to approve Consent Agenda by Councilman Belcaro, seconded by Council President Pryor.
Roll call vote:
AYES: Councilman Belcaro, Councilman Palitto, Councilman Wright, Council President Pryor, Mayor Mengucci.
NAYS: None

Baltimore Street/Red School lane Intersection Improvement Project – Engineer Sterbenz will advertise for bids on this project.

Resolution No. 20-91 - Correct Tax Account for Block 74, Lot 9.

R 20 –91

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY TO CORRECT TAX ACCOUNT FOR BLOCK 74, LOT 9

WHEREAS, the Township of Lopatcong has been provided with receipts for tax payments for Block 74, Lot 9 which were not applied to the taxpayer's account; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to apply the following payments to Block 74, Lot 9:

1/9/2015	\$1,746.39
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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, June 3, 2020.

Margaret B. Dilts, CMC

Resolution No. 20-92 - Authorize redemption to Tax Sale Certificate No. 2017-038 on Block 90, Lot 12.01 in the amount of \$33,475.00.

R 20-92

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE
NO. 2017-038 ON BLOCK 90, LOT 12.01

WHEREAS, at the Lopatcong Township Tax Sale held on December 6, 2017, a lien was sold on Block 90, Lot 12.01 also known as 672 Uniontown Road for delinquent taxes; and

WHEREAS, this lien known as Tax Sale Certificate No. 2017-038 was sold to US Bank Cust for PC 7 First Trust Bank; and

WHEREAS, on May 8, 2020 the property owner has satisfied the redemption amount on Certificate No. 2017-038 in the amount of \$33,475.00.

NOW, THEREFORE, BE IT RESOLVED on this 3rd day of May 2020, that the Chief Financial Officer is authorized to issue a check in the amount of \$33,475.00 for the redemption of Tax Sale Certificate No. 2017-038 to:

US Bank Cust For PC7 First Trust Bank
50 S 16th Street, Suite 2050
Philadelphia, PA 19102-2513

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, June 3, 2020.

Margaret B. Dilts, CMC

Resolution No. 20-93 - Authorize refund of tax overpayment on Block 44, Lot 11 in the amount of \$1,151.48.

R 20-93

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING TO REFUND TAX OVERPAYMENT MADE BY
THE TITLE COMPANY FOR 2020 TAXES

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that warrants be drawn to the title company listed below in the designated amounts representing tax payments as follows for the tax year 2020 on escrowed account.

<u>Block & Lot</u>	<u>Name of Payee/Mortgage</u>	<u>Amount</u>
44/11	State Title Services, LLC	\$1,151.48

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Council of the Township of Lopatcong, County of Warren and State of New Jersey have approved the refunds made rather than applying these payments to other 2020 future taxes due.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, June 3, 2020.

Margaret B. Dilts, CMC

Announcements – Municipal Park Pool, Summer Camp and other park events. The pool and summer camp will not open this season. Other park events to be determined.

Council Reports:

Mayor Mengucci – Stated for the public's safety, whether you are 5 or 95 this is all new. The Governor has put out guidelines as to how the Township can begin to open. Some of the decisions to close the pool and camps has been gut wrenching. The pool has been open since 1967 and never closed for any reason; the social distancing and other guidelines are almost impossible to manage. The pools in Pennsylvania except for Palmer Pool are closed due to the pandemic. He wants the public to know that this is not easy for the Council to make these decisions.

Councilman Palitto – Reported the LAA has a new Cheering Director Christine Pacewicz and Soccer Director Anthony Barresi.

Councilman Belcaro – Sewer Engineer Dan Madden provided an estimate to do a smoke test in Delaware Park and Rosehill Heights at \$4,150.00 each. This is a way to identify your inflow of storm water that goes directly into the sewer system. Dan Madden reported that Brakeley Park and most of Morris Park were completed in 2016. Motion to proceed with smoke testing when feasible by Mayor Mengucci, seconded by Council President Pryor. Roll call vote:

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

NAYS: None

Councilman Wright – Echoed what the Mayor said and thanked the Township employees, Road Department and Police and Fire who have been doing an amazing job at this point. The business owners would like to know when they can open – the answer is not right now.

Council President Pryor – No further report.

Engineer Sterbenz – No further report.

Chief Garcia – Expanded on the State of Lopatcong – thanked everyone as a whole who have put forth a tremendous effort during this crisis.

Department Reports – Motion by Council President Pryor, Councilman Wright. All in favor.

Payment of Bills – Motion by Council President Pryor, seconded by Councilman Palitto. Roll call vote:

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

NAYS: None

Website Design – Clerk Dilts informed the Council that Granicus submitted the best quote \$7,700.00 for the website design. The agreement is for 60 months with an increase each year for

maintenance and hosting. Motion by Councilman Wright, seconded by Council President Pryor.
Roll call vote:
AYES: Councilman Palitto, Councilman Belcaro, Councilman Wright, Council President Pryor, Mayor Mengucci.
NAYS: None

Attorney Campbell – Governor Murphy announced that he is opening outdoor dining and authorizing expanded liquor licenses. There is no guidance at this point. Some of the businesses in town will look to use their parking lots for dining and to serve liquor also. Permits will be subject to local approval. Attorney Campbell said the Council should provide authorization to the extent allowable by law through an expansion permit. Motion by Council President Pryor made a motion to authorize Mayor Mengucci in conjunction with the Chief Garcia to make the decision administratively but would not extend outdoor liquor service as this would be under the control of the ABC at the State level, seconded by Councilman Wright. Roll call vote:
AYES: Councilman Palitto, Councilman Belcaro, Councilman Wright, Council President Pryor, Mayor Mengucci.
NAYS: None

Audience Participation:

Lori Ciesla – 12 Meadowview Drive – The pool is closed – have we made a firm decision on all other park events? Council President Pryor said they were cancelled last month until further notice. Recreational sports – it has been noticed there can be non-contact sports beginning June 22nd. A Bill A4175 – Bonds to make up deficit and place a surcharge on property tax bills is begin voted on in the Legislature tomorrow – not recommended.

John Betz – Small town businesses – any word from House of Representatives or the Congress? Has this come to the municipality or applied for by the small businesses?

Brian Weeks – Received two quotes on the tinks bucket that was requested \$15,415.70 and one for \$16,075.00. Brian noted that Summit Boro would provide a demo to see how this works. They use the vacuum plus this. He thought this could be an asset. He will look at leaf vacs as well. Looked up the work orders and have three vendors in mind for that. Lopatcong and Harmony share equipment and asked for an update on the requirements as far as certificate of insurance, etc. Attorney Campbell called the insurance company about this and asked if the loader is registered to drive on the road. In order to share any services and equipment would Mayor Mengucci motion to authorize Attorney Campbell to put together a Hold Harmless Agreement, seconded by Councilman Wright. Roll call vote:
AYES: Councilman Palitto, Councilman Belcaro, Councilman Wright, Council President Pryor, Mayor Mengucci.
NAYS: None

Mayor Mengucci – stated that the July 1st meeting will be held in the Municipal Building.

Councilman Belcaro – Asked to go back into the Executive Session – no action.

Council President Pryor made a motion to hold an Executive Session, seconded by Mayor Mengucci. All in favor.

R 20-95

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:

Attorney/Client Privilege – EMS update

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, June 3, 2020.

Margaret B. Dilts, CMC

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

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

Respectfully submitted,

Margaret B. Dilts, CMC
Clerk/Administrator

James E. Mengucci
Mayor