

TOWNSHIP OF LOPATCONG
Council Meeting

6:30 PM Executive Session/7:30 pm Regular Session

February 3, 2021

Topic: Lopatcong Town Council Meeting – In person and by Zoom
Time: Feb 3, 2021 07:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/89698887442?pwd=R1FpZFE4aTRGRm95V09JV3pqQjh6QT09>

Meeting ID: 896 9888 7442

Passcode: lopat2021

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

A Prayer was offered followed by the Oath of Allegiance.

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

Present – Councilman Palitto, Councilman Belcaro, Mayor Mengucci. Council President Pryor was present for Executive Session only. Also present was Attorney Campbell and Engineer Sterbenz.

Proclamation – Gary Woolf, Employee/Volunteer

Public Comment - Agenda items only – no comments

Old Business :

Ordinance No. 21-01 – Second reading and public hearing of an Ordinance to Regulate, Control and Stabilize Rents in Creating a Rent Leveling Board by the Mayor and Township Council of the Township of Lopatcong, County of Warren and State of New Jersey for an additional three-year period. Motion to open the public hearing by Councilman Belcaro, seconded by Councilman Palitto. All in favor. No comments from the public. Motion to close the public hearing by Councilman Belcaro, seconded by Councilman Palitto. All in favor.

ORDINANCE NO. 21-01

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, February 3, 2021 at the Municipal Building, 232 South Third Street, Phillipsburg, New Jersey, the following Ordinance was presented and passed on the final reading. The Ordinance was then ordered to be published according to law by title only.

AN ORDINANCE TO REGULATE, CONTROL AND STABILIZE RENTS IN CREATING A RENT LEVELING BOARD BY THE MAYOR AND TOWNSHIP COUNCIL OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY

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

Margaret B. Dilts, CMC

Motion to adopt this Ordinance on second reading by Councilman Palitto, seconded by Councilman Belcaro. Roll call vote:

AYES: Councilman Belcaro, Councilman Palitto, Mayor Mengucci.

NAYS: None

Resolution No. 21-37 – Appoint Emergency Management Coordinator and Deputy Emergency Management Coordinator.

R 21-37

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPOINTING JASON GARCIA AS EMERGENCY MANAGEMENT COORDINATOR AND PAT RIVOLI AS DEPUTY MANAGEMENT COORDINATOR FOR THE TOWNSHIP OF LOPATCONG

WHEREAS, the Governing Body of the Township of Lopatcong has decided to appoint Jason Garcia as Emergency Management Coordinator and Pat Rivoli as Deputy Emergency Management Coordinator and representatives to the Local Emergency Preparedness Committee for the Township of Lopatcong, County of Warren and State of New Jersey; and

WHEREAS, the Governing Body of the Township of Lopatcong has agreed to make the appointment of Jason Garcia as Emergency Management Coordinator and Pat Rivoli as Deputy Emergency Management Coordinator and representatives to the Local Emergency Preparedness Committee for a three-year term ending December 31, 2023

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Lopatcong has appointed Jason Garcia as the Emergency Management Coordinator and Pat Rivoli as Deputy Emergency Management Coordinator and representatives to the Local Emergency Preparedness Committee for the Township of Lopatcong for a three- year term ending December 31, 2023.

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 Wednesday, February 3, 2021.

Margaret B. Dilts, CMC

Motion to adopt this Resolution by Councilman Palitto, seconded by Councilman Belcaro. Roll call vote:

AYES: Councilman Belcaro, Councilman Palitto, Mayor Mengucci.

NAYS: None

Mayor's appointment – (read into the record) Memorialize appointment of Brian Weeks as a Class II member of the Planning Board for 2021.

New Business:

Tax/Sewer Collector – Discussion took place with Daniele Lattig that she has two weeks to return to her normal days and hours of work at the Municipal Building. Mayor Mengucci asked Daniele if she would accept \$1200 per year to support the Registrar of Vital Statistics and act as the Deputy when it would necessitate. Ms. Lattig accepted the position. A resolution to memorialize this action will be at the March meeting.

Consent Agenda:

Resolution No. 21-51 -Authorize Redemption of Tax Sale Certificate No. 2020-013 on Block 49, Lot 9 in the amount of \$1,731.88.

R 21-51

RESOLUTION OF THE TOWNSHIP OF LOPATCONG OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE NO. 2020-013 ON BLOCK 49, LOT 9

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 29, 2020, a lien was sold on Block 49, Lot 9 also known as 212 Brakeley Avenue for delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2020-013 was sold to US Bank Cust/Pro Cap 8/Pro Cap; and

WHEREAS, on January 26, 2021, the property owner has satisfied the redemption amount on Certificate No. 2020-013 in the amount of \$1,731.88, Premium \$400.00.

NOW, THEREFORE, BE IT RESOLVED on this 13th day of February 2021, that the Chief Financial Officer is authorized to issue a check in the amount of \$1,731.88, Premium \$400.00 for the redemption of Tax Sale Certificate No. 2020-013 to:

US Bank Cust/Pro Cap 8/Pro Cap
50 S16th 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, February 3, 2021.

Margaret B. Dilts, CMC

Resolution No. 21-52 - Authorize Redemption of Tax Sale Certificate No. 2020-014 – Block 50, Lot 8.

R 21-52

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE NO. 2020-014 ON BLOCK 50, LOT 8

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 29, 2020, a lien was sold on Block 50, Lot 8 also known as 308 Brakeley Avenue for delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2020-014 was sold to US Bank Cust/Pro Cap 8/Pro Cap; and

WHEREAS, on January 21, 2021, the property owner has satisfied the redemption amount on Certificate No. 2020-014 in the amount of \$960.49.

NOW, THEREFORE, BE IT RESOLVED on this 3rd day of February 2021, that the Chief Financial Officer is authorized to issue a check in the amount of \$960.49 for the redemption of Tax Sale Certificate No. 2020-014 to:

US Bank Cust/Pro Cap 8/Pro Cap
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, February 3, 2021.

Margaret B. Dilts, CMC

Resolution No. 21-53 – Authorize to refund overpayment on sewer payment for the tax year 2020 in the amount of \$40.50 on Block 45, Lot 3.

R 21-53

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO REFUND OVERPAYMENT ON SEWER PAYMENT FOR THE TAX YEAR 2020

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

<u>Block & Lot</u>	<u>Name of Payee</u>	<u>Amount</u>
Block 45, Lot 3	Estate of Evelyn Mabie 1105 Friedensville Road Bethlehem, PA 18105	\$40.50

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey have approved the refunds made rather than applying these payments to the 2021 sewer taxes due.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, February 3, 2021.

Margaret B. Dilts, CMC

Resolution No. 21-54 -Approve Right-of-Way use to Cross River Fiber and execute Right-of-Way Agreement.

R 21-54

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPROVING RIGHT-OF-WAY USE TO CROSS RIVER FIBER

WHEREAS, Cross River Fiber LLC ("Cross River Fiber"), seeks to place telecommunication facilities aerially on utility poles or in an underground conduit in the Public Rights-of-Way within the Township of Lopatcong for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system; and

WHEREAS, Cross River Fiber was approved by the New Jersey Board of Public Utilities to provide local exchange and interexchange telecommunications services throughout the State; and

WHEREAS, N.J.S.A. 48:3-19 requires Cross River Fiber to obtain the consent of the Township of Lopatcong for the joint use of any existing utility poles; and

WHEREAS, N.J.S.A. 54:30A-124(a) provides that a municipality may not impose any fees, taxes, levies or assessments in the nature of a local franchise, right of way, or gross receipts fee, tax, levy or assessment against telecommunications companies but that a municipality may impose reasonable fees for actual services made by any municipal, regional or county governmental agency; and

WHEREAS, it is in the best interests of the Township of Lopatcong and its citizens to grant consent to Cross River Fiber; and

WHEREAS, the consent granted is for the non-exclusive use of the Public Rights-of-Ways for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system subject to the terms and conditions of the attached Use Agreement with Cross River Fiber.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the of the Township of Lopatcong, County of Warren and State of New Jersey is hereby authorized to grant Cross River Fiber a non-exclusive use of the Public Rights-of-Ways for the purpose of owning, constructing, installing, operating repairing and maintaining a telecommunications system; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute any and all documents necessary to effectuate this Resolution.

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 Meeting held on Wednesday, February 3, 2021.

Margaret B. Dilts, CMC

Raffle License - Approve for Pat McCloskey Scholarship Foundation.

Membership to Strykers Road Fire House No. 2 - for Tom Baska and Matthew Kane as approved by Fire Chief LaFord.

Council Reports:

Councilman Belcaro – DPW clearing the roads during a unprecedented storm; the men have been working since Sunday afternoon until late last night. This was very taxing on the employees. Some men were out and equipment did fail. There is no perfect remedy for a storm of this size. They did the best and am pleased with the job; they did an outstanding job. He noted that he drove with one of the drivers and this was a daunting task. Thanked Brian.

Councilman Palitto – Thanked Brian and the DPW employees for the outstanding job they did during the storm.

Mayor Mengucci – Put 262 miles on his personal vehicle – was out looking and he and Brian talked several times during the storm. It was a 33-inch storm. Had some ridiculous requests in his opinion. Kudos to Brian and the DPW employees. Also mentioned the five-foot sidewalk that is proposed to be placed on the Belvidere Road properties.

Department Reports – Motion by Councilman Belcaro, seconded by Councilman Palitto. All in favor.

Payment of Bills – Motion to pay bills by Councilman Palitto, seconded by Councilman Belcaro. Roll call vote:

AYES: Councilman Belcaro, Councilman Palitto, Mayor Mengucci

NAYS: None

Audience Participation – Brian Weeks spoke to Council regarding the snowstorm. He mentioned that the employees are the best and did a very good job throughout the storm and cleanup afterwards.

Adjournment – Motion by Councilman Belcaro, seconded by Councilman Palitto. All in favor.

Respectfully submitted,

Margaret B. Dilts, CMC
Clerk/Administrator

James E. Mengucci
Mayor