

**MAYOR AND COUNCIL
REGULAR MEETING
August 26, 2014
7:00 P.M.**

CALL TO ORDER

SALUTE TO COLORS

Mayor Maio invited all those present to stand in a salute to the colors.

MAYOR'S STATEMENT AS TO COMPLIANCE WITH P.L. 1975

Adequate Notice of this Meeting has been provided according to the Open Public Meetings Act, Assembly Bill 1030. Notice of this Meeting was included in the Annual Meeting Notice sent to the New Jersey Herald and the Daily Record on January 8, 2014 and was placed on the Official Bulletin Board in the Municipal Building.

In the event the Mayor and Council have not addressed all items on this Agenda by 11:00 PM and they are of the opinion that they cannot complete the Agenda in a reasonable time period, the Mayor and Council may exercise their option to continue this meeting at an agreed to date, time and place within ten (10) days of this meeting. Please turn off all cell phones for the duration of this meeting.

ROLL CALL

Council Members:

Councilwoman Zdichocki – present	Councilman Depew – absent
Councilman Thornton - present	Councilwoman Thistleton – present
Councilwoman Kuncken - present	Councilman Benson – present

Mayor Maio – present

CITIZENS TO BE HEARD

Mayor Maio opened the meeting to the public after advising attendees that there is a five (5) minute time limit for each speaker.

Owen Newson, 8 Kelly Place, stated that he wanted to file a complaint about dumping on Borough property that he has observed. The furnace pond trail, which is located behind the firehouse and the tannery, contains several items that are blocking the trail and seem to have been placed there on purpose. There is a cement mixer, an old metal fire escape, a boat, a bench and other items. There is also a no trespassing sign on the Borough property. Mr. Newson stated he is aware that the Borough recently surveyed the property and official markers were put in place. Mr. Newson stated that he is speaking as a private citizen and not on behalf of the Environmental Commission, of which he is a member.

Mr. Stein, Borough Attorney, stated that he and Administrator McNeilly have reviewed the survey and a letter is being prepared to send to all the property owners who own land that abuts the Borough property. The letter will address any possible physical encroachments, such as structures, but will also include any personal property. Mayor Maio asked when the letters will be sent. Mayor Maio was under the impression that the letters had already been sent. Mr. Stein stated that he just received the survey and the letters should be ready early next week. Mr. Stein stated that Arlene Fisher, Zoning and Code Enforcement Official, should inspect the trail site. This may be a property maintenance issue. Mayor Maio stated that the Borough should remove the no trespassing sign. Mr. Stein stated the letter will give the property owners fourteen days to remove the encroachments from the Borough property. Items such as gardens may not be an issue at this point in time but the letter will inform the property owners that at a point in the future the Borough may need the items removed. Mayor Maio thanked Mr. Newson for bringing this issue to the Governing Body's attention.

Seeing no one further from the public wishing to speak, Mayor Maio closed the public portion of the meeting.

MINUTES FOR APPROVAL

Mayor Maio read aloud the list of minutes being presented for approval:

July 8, 2014 Work Session/Agenda Meeting

On motion by Councilman Benson, seconded by Councilwoman Kuncken and unanimously carried by voice vote the above listed minutes were approved.

July 22, 2014 Regular Business Meeting

On motion by Councilman Thornton, seconded by Councilman Benson and unanimously carried by voice vote the above listed minutes were approved. Councilwoman Kuncken abstained from the minutes of July 22, 2014.

CORRESPONDENCE (List Attached)

On motion by Councilwoman Kuncken, seconded by Councilman Thornton and unanimously carried by voice vote, the list of correspondence was accepted and ordered placed on file.

COUNCIL COMMITTEE REPORTS

Public Safety – Councilwomen Kuncken/Thistleton

(Police, Fire, Ambulance, Court & Violations Bureau, Emergency Management)

Councilwoman Kuncken reported that the Police Department reported 348 incidents for the month of July.

Councilwoman Kuncken reported that the Stanhope Ambulance Squad reported 58 in town calls; 22 calls in Stanhope, 34 calls in Netcong, 2 standbys and 1 out of town mutual aid call in Roxbury. The squad treated a total of 31 patients, made 31 trips to the hospital, had one helicopter flight, 843 miles were travelled and they had 197 hours 44 minutes of volunteer time.

Councilwoman Kuncken stated a report was not received from the Sussex County Fire Marshal.

Councilwoman Kuncken reported the Stanhope Fire Department report for the month of July lists 13 calls, 164 ³/₄ hours of man time, 2 mutual aid calls totaling 27 hours and 4 drills including the bucket drop.

Finance & Administration – Councilman Benson/Councilwoman Kuncken

Councilman Benson reported the tax collections through July 31st total \$6,080,980 compared to \$5,545,887, roughly half a million dollars more than the corresponding period last year. The total levy has increased approximately \$300,000 from last year but collections on a percentage basis are still running well. The first quarter was 97.6% versus the second quarter at 96.2%.

Councilman Benson stated the water collection rents for the month of July have increased by approximately \$9,000 compared to last year. The rents are \$33,000 compared to \$24,800 last year. The year to date amount is \$301,000 compared to last year's total of \$297,000 last year.

Councilman Benson stated the sewer collection rents are holding up well. The total for July was \$49,800 compared to last year's total of \$38,300. The year to date figure is \$465,000 compared to \$485,000 last year. The change in the rates is shown in the figures.

Mayor Maio asked why the sewer rents have decreased by \$20,000 but the water rents have only increased by \$4,000. Councilman Benson stated there should be a tighter correlation. Councilman Benson stated that he will meet with the CFO for clarification.

Community Development – Councilwoman Zdichocki/Councilman Thornton

(Zoning, Construction, Code Enforcement, Economic Development, Chamber of Commerce, Downtown Revitalization)

Councilwoman Zdichocki reported there were 6 zoning permit applications for the month of July, 13 code violations and warning notices.

Municipal Infrastructure – Councilman Thornton/Councilwoman Zdichocki

(Water Distribution, Sewer Collection System, Road Construction & Maintenance, Buildings & Grounds)

Councilman Thornton stated that Administrator McNeilly's report will cover the infrastructure issues.

Information Technology – Councilmen Depew/Benson

Councilman Depew was absent. No report was given.

Boards/Commissions – Councilwoman Thistleton/Councilman Depew

Councilwoman Thistleton reported that the movies in the park were a success. Summer camp has ended for the year and was also a great success. There will be a Half Way to Saint Patrick's Day Dinner on September 6th which is sponsored by the Recreation Commission and the Stanhope Hose Co. #1. Tickets are \$20 purchased in advance or \$25 if purchased at the door. The Recreation Commission is planning a bus trip to the Sands on October 19th. Mayor Maio asked if a recap is available for summer camp. Councilwoman Zdichocki replied that the report has not been received.

ADMINISTRATOR'S REPORT

Water Main – Well #3, #4 to Kelly Place – Administrator McNeilly reported the water main work at Well #3, #4 to Kelly Place is complete. The DPW has been working on clearing the well area to prepare for the fence installation.

Water Main – The Point – Administrator McNeilly reported the additional water main was installed on Lloyd Avenue to the first curve. Only 20% of pipe is remaining to be installed. There are numerous household connections to be made. Mayor Maio asked Administrator McNeilly when the connections will be made. Administrator McNeilly replied it will be before the end of November. The project is currently ahead of schedule.

Water Main – Brooklyn Road (Tower Road to Sparta Road) – Administrator McNeilly reported the water main work on Brooklyn Road from Tower Road to Sparta Road is complete.

Water Main – Tower Driveway – Administrator McNeilly reported the water main work on Tower Driveway is complete.

Water Main – Sagamore Road/Highpoint Condominiums – Administrator McNeilly reported the water main installation is complete from Sagamore Road to the Highpoint Condominiums. The meter chamber has been installed. The pipe is being tested. All that remains is the site restoration. The connection will remain closed until the water tower is back in operation. Councilwoman Thistleton questioned the safety of the rocks which are stacked. Administrator McNeilly stated that the rocks are secure.

Water Main – Sparta Road to Canfield Street – Administrator McNeilly reported the water main is installed from Sparta Road to Canfield Street. PACT will begin the house connections this week. The road will be closed down to one lane while the work is being done. Mayor Maio asked where PACT will move to next. Administrator McNeilly stated that PACT will then move over to Lloyd Avenue to install the rest of the water main. Councilwoman Zdichocki asked how long the connections will take. Administrator McNeilly stated the connections should be done this week.

Water Tower Rehabilitation – Administrator McNeilly reported the inside of the tower is now sandblasted and the primer coat has been applied. The top of the tank has also been primed. Work is continuing down the structure.

DOT Local Aid – Administrator McNeilly stated he spoke with Eric Keller, Omland Engineering, regarding possible projects for FY2015 DOT Local Aid Grants. Mr. Keller will be present at the September 9th Work Session Meeting to discuss the possible projects.

Road Surface – Administrator McNeilly stated that the road surface for Sagamore Road and Spencer Street has not met the Borough's expectations. Administrator McNeilly stated that he and Bill Storms, DPW Superintendent, have looked into different options. One option would be to use the same material that was used originally. However, that may result in the same problems. Another option would be to use a larger stone. Administrator McNeilly passed photographs to the Governing Body showing the different materials available. Mayor Maio and Councilwoman Kuncken stated their concern is the stone will pull up on the cul-de-sac. Councilman Benson asked if tack is put down. Mr. Stein replied that water based glue is used. Oil is not allowed to be used. Mayor Maio asked if part of the problem last time was that the road was vacuumed too soon. Mayor Maio is of the opinion that loose stone will be an issue for the residents.

Councilwoman Zdichocki asked if a mix of the two stones could be used. Administrator McNeilly stated that there is a micro pave option. It is a paved surface which is much denser and has more sand in it. The Governing Body agreed that the surface looked more like pavement. Administrator McNeilly is of the opinion that Sagamore Road, Spencer Street and the cul-de-sac should be resurfaced. Administrator McNeilly stated that the County and the State are using this product. The rough estimate on the glue and stone is \$12,000. The rough estimate from the micro surface vendor that has the State contract is \$18,000. Mayor Maio asked if there are funds included in the current construction. Administrator McNeilly replied there is money in the budget for resurfacing. Councilman Thornton asked if the entire length of Sagamore Road would be resurfaced. Mayor Maio stated that the road was redone three years ago and there are other areas of the Borough which need to be addressed. Councilwoman Zdichocki asked what the longevity is of the micro surface. Administrator McNeilly stated the product is comparable to the stone. Much discussion took place regarding the condition of Sagamore Road. The Governing Body agreed to discuss the issue further with the Borough Engineer. Councilman Thornton stated there were other roads that were resurfaced at the same time with the same product that did not have any problems. Mayor Maio confirmed this and stated that the application process may have been part of the problem. Mayor Maio stated this topic will be tabled for the next meeting.

Mayor Maio asked Administrator McNeilly when the curbing will be completed at Wells #3 and #4 and stated the fire hydrant located near the cemetery is still covered. Administrator McNeilly stated that the fire hydrant is functional but is awaiting a special collar. The curbing is listed on the punch list for completion.

COUNCIL DISCUSSION

Community Garden - Mayor Maio stated that she, Administrator McNeilly and Council President Kuncken met with the grant writers in anticipation of what will be available in the future. The potential for a community garden was brought up during that meeting. Apparently there are funds available for this purpose. Mayor Maio stated that she and Administrator McNeilly visited a garden in Mount Olive that is run by the Land Conservancy. Mayor Maio stated there is an area of grass located on Musconetcong Avenue between the park and the old DPW building that could be utilized. The area would accommodate approximately 15 plots. The grants are coming due in November. The site on Musconetcong has parking available, water is onsite and there is a bathroom facility. Mayor Maio stated that the community garden in Mount Olive has become a social gathering place. Councilwoman Kuncken stated that extra food can be donated to a food pantry. Mayor Maio asked the Governing Body if there is an interest in pursuing the grant for the community garden. The Governing Body agreed to move forward. Fencing would be installed to keep the deer and rabbits out of the garden. Administrator McNeilly stated he will contact Ed from Millennium Strategies.

OLD BUSINESS

Ordinances for Public Hearing and Final Adoption

Mayor Maio offered the following ordinances for public hearing and final adoption which were read by title.

Ordinance 2014-17

AN ORDINANCE TO AMEND AND SUPPLEMENT THE ZONING MAP OF THE BOROUGH OF STANHOPE SPECIFICALLY RE-ZONING BLOCK 10312, LOTS 1, 2, 3, 4, 7 AND 8; BLOCK 10313, LOTS 1, 2, 3 AND 4; BLOCK 10314, LOTS 1, 2, 3, 4, 5, 6, AND 7; AND BLOCK 10315, LOTS 1, 2 AND 3

WHEREAS, the Mayor and Council of the Borough of Stanhope have reviewed the zoning for Block 10312, Lots 1, 2, 3, 4, 7 and 8; Block 10313, Lots 1, 2, 3 and 4; Block 10314, Lots 1, 2, 3, 4, 5, 6 and 7; and Block 10315, Lots 1, 2, and 3; and

WHEREAS, said properties are currently located in the RC - Residential Conservation Zone, requiring a minimum lot size of 217,800 sq. ft.; and

WHEREAS, the current development pattern of the properties is single family residential on lots generally less than one (1) acre in size; and

WHEREAS, the existing development pattern for the properties in question is more consistent with the bulk requirements of the adjacent MR, Medium Density Residential Zone, requiring a minimum lot size of 14,520 sq. ft.; and

WHEREAS, the Governing Body of the Borough of Stanhope is of the opinion that the properties should be re-zoned to be consistent with the current development pattern;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Stanhope as follows:

Section 1. The zoning map shall be amended to provide that all of Block 10312, Lots 1, 2, 3, 4, 7 and 8; Block 10313, Lots 1, 2, 3 and 4; Block 10314, Lots 1, 2, 3, 4, 5, 6 and 7; and Block 10315, Lots 1, 2 and 3 shall be located in the MR zone.

Section 2. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any Court of competent jurisdiction, such provision(s) shall be deemed severable and the remaining portions of this Ordinance shall remain in full force and effect.

Section 3. All ordinances or parts of ordinances or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

Section 4. The Borough Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the Sussex County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. The Borough Clerk is further directed to provide at least ten (10) days prior notice of the hearing on the adoption of this Ordinance to all property owners affected by this zone change and to all property owners within 200 ft. of the boundaries of the affected properties in accordance with the provisions of N.J.S.A. 40:55D-62.1. Upon the adoption of this Ordinance, after public hearing, the Borough Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

Section 5. This ordinance shall take effect after publication and passage according to law.

On motion by Councilwoman Thistleton, seconded by Councilwoman Kuncken, and unanimously carried by the following roll call vote, the above ordinance was adopted.

Mayor Maio stated for the benefit of the audience the area referred to in this ordinance is located off Brooklyn Road at Leo Avenue and Kynor Avenue in the undeveloped area.

Mayor Maio opened this portion of the meeting for public comment on this ordinance only.

Seeing no one from the public wishing to speak, Mayor Maio closed the public portion of the meeting.

Roll Call:

Councilwoman Zdichocki – yes	Councilman Depew – absent
Councilman Thornton - yes	Councilwoman Thistleton – yes
Councilwoman Kuncken - yes	Councilman Benson – yes

On motion by Councilman Benson, seconded by Councilwoman Kuncken and unanimously carried by voice vote, the Mayor and Council instructed the Clerk to post the ordinance and authorized publication of same.

Ordinance 2014-18

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE WATER SUPPLY AND DISTRIBUTION SYSTEM IN AND BY THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$114,002.59 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$38,100 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by The Borough of Stanhope, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$114,002.59, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$75,902.59 from proceeds of the sale of obligations of the Borough heretofore issued and not necessary for financing the purposes for which issued and now available for financing the improvements or purposes.

For the financing of said improvement or purpose and to meet said \$114,002.59 appropriation not provided for by application hereunder of said proceeds from the sale of prior obligations of the Borough, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$38,100 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$38,100 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the improvement of the water supply and distribution system in and by the Borough, including, but not limited to, the installation of fencing and electronic gates around Well #3, Well #4 and the Water Tower, together with all equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

The estimated maximum amount of bonds or notes to be issued for said purpose is \$38,100. The estimated cost of said purpose is \$114,002.59, the excess thereof over said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$75,902.59 from proceeds of the sale of prior obligations of the Borough.

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

The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is fifteen (15) years.

The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$38,100, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

An aggregate amount not exceeding \$12,500 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

This bond ordinance authorizes obligations of the Borough solely for purposes described in paragraph (h) of section 40A:2-7 of said Local Bond Law, and the said obligations authorized by this bond ordinance are to issued for a purpose which is self-liquidating within the meaning and limitations of section 40A:2-45 of said Local Bond Law and are deductible, pursuant to paragraph (c) of section 40A:2-44 of said Local Bond Law, from the gross debt of the Borough.

It is the opinion of the Borough Council of the Borough, as the governing body thereof, that it is in the best interest of the Borough that \$75,902.59, constituting proceeds of obligations of the Borough heretofore issued under Ordinance Nos. 2010-03 (\$37,304.12), Nos. 2012-10 (\$8,769.76), 2012-14 (\$23,930.93) and 2013-02 (\$5,897.78) of the Borough, shall be appropriated to and used to finance costs, including incidental expenses, of the improvements or purposes above described in Section 3(a) of this ordinance.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by 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 the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature 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 N.J.S.A. §40A:2-8. 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 dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough and, unless paid from revenues of the water supply and distribution system of the Borough, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

This bond ordinance shall take effect twenty (20) days after the first publication.

On motion by Councilman Benson, seconded by Councilwoman Kuncken, and unanimously carried by the following roll call vote, the above ordinance was adopted.

Mayor Maio opened this portion of the meeting for public comment on this ordinance only.

Seeing no one from the public wishing to speak, Mayor Maio closed the public portion of the meeting.

Roll Call:

Councilwoman Zdichocki – yes	Councilman Depew – absent
Councilman Thornton - yes	Councilwoman Thistleton – yes
Councilwoman Kuncken - yes	Councilman Benson – yes

On motion by Councilwoman Zdichocki, seconded by Councilwoman Thistleton and unanimously carried by voice vote, the Mayor and Council instructed the Clerk to post the ordinance and authorized publication of same.

NEW BUSINESS

Resolutions

Mayor Maio offered the following resolutions which were read by title:

Resolution 145-14 RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE 25 NEW STREET, BLOCK 11201, LOT 5

WHEREAS, the Borough of Stanhope heretofore made an Affordable Housing Program Mortgage Loan to Hattie Foberg for the property at 25 New Street, Block 11201, Lot 5 on the Tax Maps of the Borough of Stanhope; and

WHEREAS, a mortgage was given to secure said loan in the amount of \$8,949.00, which mortgage was recorded in the Sussex County Clerk's Office on January 27, 1999 in Mortgage Book 3401, at Page 268; and

WHEREAS, the loan has been repaid in full to the Borough and must be discharged of record in the Sussex County Clerk's Office;

NOW, THEREFORE, be it resolved by the Mayor and Council of the Borough of Stanhope that the Mayor and Clerk be and the same are hereby authorized to execute a Discharge of Mortgage, Book 3401, Page 268; and

BE IT FURTHER RESOLVED that the Discharge be provided to the property owner to discharge the Mortgage of Record with the Sussex County Clerk.

On motion by Councilwoman Zdichocki, seconded by Councilwoman Kuncken and unanimously carried by the following roll call vote, the foregoing resolution was duly adopted.

Roll Call:

Councilwoman Zdichocki – yes	Councilman Depew – absent
Councilman Thornton - yes	Councilwoman Thistleton – yes
Councilwoman Kuncken - yes	Councilman Benson – yes

Resolution 146-14

**RESOLUTION AUTHORIZING POLICE DEPARTMENT
TO DISCARD OUTDATED, BROKEN OR INOPERABLE
POLICE DEPARTMENT EQUIPMENT**

WHEREAS, the Police Department of the Borough of Stanhope has accumulated items of equipment over many years, which have become outdated, broken or otherwise inoperable; and

WHEREAS, said items of Police Department equipment have no monetary value and are not suitable for sale pursuant to the provisions of N.J.S.A. 40A:11-36; and

WHEREAS, it is burdensome for the Police Department to continue to maintain and store outdated, broken or otherwise inoperable police equipment..

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the Chief of Police of the Borough of Stanhope be and the same is hereby authorized and directed to discard said outdated, broken or inoperable police equipment;

BE IT FURTHER RESOLVED, that the Chief of Police shall prepare an inventory of all such outdated, broken or otherwise inoperable Police Department equipment being discarded by the Stanhope Borough Police Department.

On motion by Councilwoman Zdichocki, seconded by Councilwoman Thistleton and unanimously carried by voice vote, the foregoing resolution was duly adopted.

Resolution 147-14

**RESOLUTION AUTHORIZING POLICE DEPARTMENT
TO DISCARD UNCLAIMED LOST OR ABANDONED
PERSONAL PROPERTY**

WHEREAS, the Police Department of the Borough of Stanhope has come into possession of various items of personal property that were lost or abandoned; and

WHEREAS, said property has remained unclaimed for more than one hundred twenty (120) days; and

WHEREAS, the lost or abandoned property is not marketable property, required to be sold by the Uniform Unclaimed Property Act, N.J.S.A. 46:30B-1; and

WHEREAS, the provisions of N.J.S.A. 46:30C-1 provide that non-marketable property may be treated as abandoned; and

WHEREAS, the lost or abandoned property has no monetary value and is otherwise burdensome for the Stanhope Borough Police Department to continue to retain possession of and store in the Police Department facilities.

NOW, THEREFORE, be it resolved by the Mayor and Council of the Borough of Stanhope that the Borough Chief of Police be and the same is hereby authorized and directed to discard the lost or abandoned property that has been held by the Police Department for a period of more than one hundred twenty (120) days.

On motion by Councilwoman Kuncken, seconded by Councilman Benson and unanimously carried by voice vote, the foregoing resolution was duly adopted.

Mayor's Appointment

Resolution 148-14

MAYOR'S APPOINTMENT OF NICHOLAS BIELANOWSKI AS A CLASS IV MEMBER TO THE LAND USE BOARD

Mayor's appointment to the Land Use Board as follows:

Mayor's appointment of Nicholas Bielanowski to the Land Use Board to fill the unexpired 4-year term held by Margaret Findley effective August 26, 2014, with said term to expire December 31, 2014.

PAYMENT OF BILLS

Resolution 149-14

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE AUTHORIZING PAYMENT OF BILLS

WHEREAS, the Chief Finance Officer has certified that funds are available in the proper account; and

WHEREAS, the Chief Finance Officer has approved payment upon certification from the Borough Department Heads that the goods and/or services have been rendered to the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the current bills list, dated August 26, 2014 and on file and available for public inspection in the Office of the Chief Finance Officer and approved by the Chief Finance Officer for payment, be paid.

On motion by Councilman Benson, seconded by Councilwoman Kuncken and unanimously carried by the following roll call vote the foregoing resolution was duly adopted.

Roll Call:

Councilwoman Zdichocki – yes	Councilman Depew – absent
Councilman Thornton - yes	Councilwoman Thistleton – yes
Councilwoman Kuncken - yes	Councilman Benson – yes

OATH OF OFFICE

Mr. Stein administered the oath of office to Mr. Bielanowski as a member of the Stanhope Land Use Board. The Mayor and Council congratulated Mr. Bielanowski and thanked him for volunteering to serve on the Land Use Board. Mayor Maio stated that Mr. Bielanowski has served on the Planning Board, Zoning Board and Council in prior years.

ATTORNEY REPORT

Mr. Stein stated he had no report this evening.

CITIZENS TO BE HEARD

Mayor Maio opened the meeting to the public after advising attendees that there is a five (5) minute time limit for each speaker.

Nancy Hoyt, 33 Lawrence Avenue, asked if a fence is required for an above ground pool. Administrator McNeilly stated that a notice is sent out to the residents annually listing the pool requirements. The height of the pool determines whether or not a fence is required. Pools over a certain height require the ladder to be enclosed and self-latching. Much discussion took place regarding the pool requirements. The Governing Body instructed Mrs. Hoyt to contact the construction department with any pool concerns.

Peggy Findley, 88 Main Street, asked what the status of the outside karaoke and bar area is at Bell's Mansion. Administrator McNeilly stated the outside area has been rectified by the overall seat count. Mrs. Findley stated that she was told they are allowed 160 seats which allows for 25 seats outside. Mrs. Findley is of the opinion that there are more than 25 seats outside. Mrs. Findley asked if the outside bar is included in the license. Administrator McNeilly confirmed that the outside area is included in the license. Mayor Maio stated that there has been a guitar player outside. Mrs. Findley stated that her tenants complained to her about karaoke. Mayor Maio suggested that Mrs. Findley speak with Arlene Fisher, Zoning and Code Enforcement Official.

Seeing no one further from the public wishing to speak, Mayor Maio closed the public portion of the meeting and wished everyone a happy Labor Day.

ADJOURNMENT

On a motion by Councilwoman Kuncken, seconded by Councilman Benson, and unanimously carried by voice vote the meeting was adjourned at 7:55 P.M.

Approved:

Linda Chirip
Deputy Clerk for
Ellen Horak, RMC
Borough Clerk