

**MAYOR AND COUNCIL
REGULAR MEETING
October 27, 2015
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 7, 2015 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:

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

Mayor Maio – present

PRESENTATION (Musconetcong Watershed Association – Stormwater Management)

Mayor Maio welcomed Kyle Richter, Education and Outreach Coordinator for the Musconetcong Watershed Association. Mayor Maio stated this presentation fulfills the state requirement for training.

Mr. Richter stated the Musconetcong River is 42 miles long. The river begins at Lake Hopatcong and flows through Lake Musconetcong and ends at the Delaware River. The Musconetcong River flows through four counties and 26 municipalities lie within some boundary of the Musconetcong Watershed. The Musconetcong River is also part of the National Wild and Scenic River System, and as such it receives extra protection from the National Park Service.

Mr. Richter stated every municipality in New Jersey is required to provide stormwater management education for stormwater issues to the residents. The DEP has compiled a list of education programs and activities and has assigned a point value to each. Stanhope Borough is required to obtain ten (10) points for the year. The Borough will receive three (3) points for tonight's presentation.

Mr. Richter stated the NJDEP Municipal Stormwater Regulation Program was developed in response to the EPA's Phase II stormwater regulations and is part of the Clean Water Act. The regulations are intended to change the ways municipalities handle stormwater in order to reduce and eliminate runoff into the rivers; such as runoff from the roads or discharge from sewage treatment plants.

Mr. Richter reviewed the stormwater management rules and the subchapters with a focus on subchapter four, the municipal stormwater management bank. Mr. Richter stated the municipality is responsible for training the employees. The website NJ.GOV contains information under the Municipal Stormwater Regulation Program which provides tools and an overview of all the stormwater rules and regulations.

Administrator McNeilly stated additional points have been obtained for the Borough with the mailing of the calendar to the residents which contains information regarding stormwater management, the Engineer's presentation and the training for the employees. Administrator McNeilly asked Mr. Richter how the drought has affected the river. Mr. Richter replied fishing and recreational activities have been difficult.

Mayor Maio and the Council thanked Mr. Richter for attending tonight's meeting.

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 he is a member of the Environmental Commission and the Historical Society but tonight he is here as a private citizen. Mr. Newson stated he attended the recent clean-up day and noticed there is still dumping occurring behind the Tannery. There were some items there that were too heavy to move. Mr. Newson stated perhaps the DPW could remove the items. There is a gravestone, which is not part of a plot, a metal frame from an outdoor couch and chair, a broken kitchen counter top, two Adirondack chairs and a metal fire pit with a grill. Administrator McNeilly stated he will add this to the DPW schedule.

Mr. Newson stated the Borough had talked about installing a fence in the area to delineate where the Borough property is located and the survey was done last year. Mayor Maio confirmed this and stated funds were not available. Budget discussions for next year have just begun. Mayor Maio stated the survey has been completed. There was a delay with regard to determining the right of way for the Tannery. Mayor Maio stated the original plan for the fence is to install it from the basketball court all the way down. Administrator McNeilly stated iron pins were installed as part of the survey and GPS coordinates determined. Mayor Maio stated if work is going to be done in this area, it will not occur until the spring of 2016.

Mr. Newson stated he walks this site often and he offered to accompany any of the governing body who might like to walk the area with him. Mr. Newson will provide a historic and environmental tour of the area. Mayor Maio stated Michael Balough and John Rogalo drew a map outlining the existing trail and extending it back around the Tannery, behind the Fire House, the plaster mill and down to the turnaround. A request was submitted to the State Park to obtain permission to work on the State Park area and to have them obtain the permits. Mayor Maio stated she spoke with Steve Ellis two weeks ago to check on the status.

Administrator McNeilly asked Mr. Newson if the items which are too heavy to lift can be accessed without trespassing on other property. Mr. Newson is of the opinion two people can carry the items out. Mayor Maio and the Council thanked Mr. Newson.

Peggy Spooner, 87 Main Street, showed an old photo of 85 Main Street which is located next door to her home. The hedges are now overgrown and she does not know who currently owns the home. Mrs. Spooner stated there were garbage cans left behind which she pulled out to the curb but some of them she could not move because they are too heavy. Administrator McNeilly advised Mrs. Spooner she can inquire about the status of the home anytime during the week at Borough Hall and that she does not have to wait for a Mayor and Council meeting. Administrator McNeilly stated the home is now owned by a bank. The home is in the process of being registered as a vacant home as required by the recently adopted Borough ordinance. The bank is required to maintain the home and if it is not maintained penalties will be issued. Mayor Maio informed Mrs. Spooner she can trim the hedges from her side that are overgrowing onto her property.

Administrator McNeilly stated there are approximately thirty houses throughout the Borough in the process of being registered as vacant. A heavy tax surcharge will be imposed on homes which are in non-compliance. These homes are actually termed as having "zombie property owners". The banks who own the properties, the "zombie property owners", actually shift the responsibility all over the country. Mayor Maio stated this is a slow process but the Borough has put steps in place to address the situation.

Mrs. Spooner stated when she was walking in the summer she noticed there is a “sink hole” on Linden Avenue on the Spencer’s property that is taped off. Mrs. Spooner stated she is concerned with Halloween approaching. Administrator McNeilly stated this is on private property. Administrator McNeilly stated Ms. Spencer has spoken with him regarding the issue. The drain pipe from the Dimetrio house comes down front, which in the past would have been a cesspool. In order to correct this they ran a pipe from the center of the cesspool out to what became the sewer system. Originally the property belonged to the Dimetrio house. Mr. Spencer purchased a section of property years ago, most likely to build the garage, and transferred the ownership over without assigning responsibility of the sewer pipe to the other owner. Ultimately it is a property owner issue and it is well outside of the public area and the area is clearly marked off.

Mrs. Spooner stated she owns the property at 6 Kelly Place next door to the Post Office. The Post Office trucks idle in the morning as early as 4:00 AM, especially in the summer, and sometimes for as long as 45 minutes. The fumes enter her building and her tenants are complaining. Mrs. Spooner asked if there is an ordinance in place regarding idling. Mr. Stein suggested Mrs. Spooner speak to the Post Mistress. Idling is an issue addressed by the Government of the United States of America.

Mrs. Spooner thanked the Governing Body and stated they are doing a great job. Mayor Maio thanked Mrs. Spooner for her confidence and for attending tonight’s meeting.

Nancy Hoyt, 33 Lawrence Avenue, stated the street light at the corner of Lawrence Avenue and Canfield Street has been on constantly for several years. The street light at the corner of Canfield Street and Brooklyn Road, which is needed, is out again. Mayor Maio stated she made a call last week regarding the outage. Administrator McNeilly stated a report can be made online and only the cross street is required. Administrator McNeilly stated he will take care of this.

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:

September 8, 2015	Work Session/Agenda Meeting
September 22, 2015	Regular Business Meeting & Closed Session

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

CORRESPONDENCE (List Attached)

On motion by Councilwoman Thistleton, 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 stated the Police Department had a total of 292 calls for the month of September.

Councilwoman Kuncken stated the Ambulance Squad for the month of September had 24 calls in Stanhope, 34 calls in Netcong and 3 stand-bys for a total of 61 calls. There were 3 out of town calls to Hopatcong Borough for an overall total of 64 calls for the month. In the Patient Categories, the BLS was 17 and the ALS total was 6. There were 23 patients in total, with 23 trips to the hospital for a total of 784 miles travelled, 152 hours and 40 minutes of man hours. There were two assists from the Fire Department.

Finance & Administration – Councilman Romano/Councilwoman Kuncken

Councilman Romano stated the tax collections to the end of September are on par with last year. The percentage of collections is slightly higher and the delinquencies are down. The water collections are healthy.

Community Development – Councilwoman Zdichocki/Councilman Thornton

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

Councilwoman Zdichocki stated the Zoning Official received 5 permit applications, issued 2 summons and 7 violations. Five of the violations, out of the 7, are now in compliance. Councilwoman Zdichocki stated residents who wish to register a complaint can do so anonymously by contacting the Zoning Official.

Councilwoman Zdichocki stated the Chamber of Commerce is going to replace the Borough sign at the end of Main Street. The new sign will provide space for the business owners to purchase a sign to advertise their business. Once installed, the individual signs located on the site will no longer be permitted. Councilwoman Zdichocki showed a sample of the sign for the businesses.

Administrator McNeilly stated the new sign will be angled differently in order to allow for site distance and space for the business signs. Mayor Maio stated the Borough is purchasing the “Welcome to Stanhope” sign and the stanchions. The Chamber of Commerce is selling the signs to the local businesses, in part as a fund raiser for the Chamber, but additionally to comply with the Borough’s requirement of removing the many individual signs which have been placed on the corner. Mayor Maio stated the existing sign is going to be relocated to the Hopatcong Borough border of Stanhope Borough on Sparta Road.

Municipal Infrastructure – Councilman Thornton/Councilwoman Zdichocki

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

Councilman Thornton stated he, Councilwoman Zdichocki and Mayor Maio attended a preliminary budget meeting today with Administrator McNeilly and Bill Storms, DPW Superintendent. Expenditures were outlined for the 2016 budget. Councilman Thornton stated they were pleased with the changes made to the spreadsheet for defining the categories and everything is in order for moving forward over the next few months. Mayor Maio agreed. Councilman Thornton stated last year there was discussion regarding the reclassification of items which have been addressed. Councilman Thornton extended his compliments to the CFO.

Information Technology – Councilmen Depew/Romano

Administrator McNeilly stated the website contracts are still under review.

Boards/Commissions – Councilwoman Thistleton/Councilman Depew

Councilwoman Thistleton stated the Halloween Parade was held this past Saturday. The event was well attended and there were many original costumes.

Councilwoman Thistleton stated there are still seats available for the bus trip to the Sands Casino on October 31st. The cost is \$25.00.

Councilwoman Thistleton stated the Recreation Commission received a letter which she read into the record. “To the Stanhope Recreation Commission on behalf of the members of Stanhope Hose Company #1, I would like to thank you for your support for the annual Half Way to Saint Patrick’s Day Dinner. The funds realized are greatly appreciated and we always enjoy working with the Commission and are looking forward to next year’s event. If we can be of any assistance to you, please do not hesitate to contact us. Thank you. Very Truly Yours, Don Drake” Councilwoman Thistleton thanked Don Drake, present in the audience, for the letter and asked him to extend the same to the members of the Fire Department.

Councilwoman Zdichocki stated \$1,300 was raised for the Fire Department and everyone enjoyed the evening.

ADMINISTRATOR'S REPORT

Website – Administrator McNeilly stated the website contract is under review.

Water Meter (Mr. Wright) – Administrator McNeilly stated he has spoken with Mr. Stein regarding the water meter issue for Mr. Wright. Mr. Wright was present at the last Mayor and Council Meeting. Administrator McNeilly stated the billing methodology is being reviewed to determine an average for the past three years. The calculations require information from MSI in order to go back that far. Administrator McNeilly stated the calculations will be formulated in the same manner as they were done for the past two property owners. When the calculations are complete, a resolution will be drafted. Mayor Maio stated Mr. Wright will be responsible for the difference between the bill and what has been paid.

New Borough Sign – Administrator McNeilly stated the new Borough sign will be available soon. The sign will be installed by the DPW.

Leaf Pickup – Administrator McNeilly stated leaf pickup is moving along well. Zone Three is complete and on Monday the first pass for Zone One will be made. Councilwoman Kuncken stated there are a lot of leaves on Sagamore Road. Sagamore Road is Zone Two. Councilwoman Kuncken stated there are a lot of leaves in the road which makes travel difficult. Administrator McNeilly stated all the information sent out reiterates the fact the leaves are not to be placed in the road.

Budget 2016 – Administrator McNeilly stated a budget meeting was held with DPW today. Meetings have already been held with Engineering, the Fire Department and the Police Department. Appropriation packets are available for discussion. The Engineering Project Presentation with Eric Keller will be held on November 10th. The initial Auditor Presentation along with Dana Mooney, CFO, is scheduled for December 15th. The Tax Assessor will provide information for the year forward and the year in review on December 15th.

COUNCIL DISCUSSION

Veteran's Day Program (Stanhope School) – Mayor Maio stated Tim Nicinski, Stanhope School Superintendent, sent an invitation to the Mayor & Council inviting them to attend the Veteran's Day Program on November 4th. Mayor Maio, Councilwoman Thistleton, Councilman Thornton and Councilwoman Zdichocki stated they will attend the program.

The Land Conservancy - Mayor Maio stated correspondence has been received from The Land Conservancy stating they are working with the Sussex County Planner to update the open space program for the County. Mayor Maio stated The Land Conservancy requested to meet with her, Administrator McNeilly, a member of the Environmental Commission, a member of the original Open Space Committee and a member of the Land Use Board. Mayor Maio stated she, Paula Zelif-Murphy, John Rogalo, Michael Balough and Administrator McNeilly met with Barbara Davis, the representative from The Land Conservancy. Mayor Maio stated Stanhope Borough does not have a great deal of open space. During the meeting, in conversation, it was brought up that the Borough has never applied for aid from the County's Open Space Plan. Mayor Maio stated she informed Ms. Davis that the Borough does not have an Open Space Tax and therefore the Borough was informed in the past they would not be looked upon favorably to receive funding from the County. There was a young woman in attendance from the County Planning Department Agricultural Division who stated that was not true. The funds are available to any municipality in the County regardless of whether or not they have an Open Space Tax. A discussion was held with regard to the Plaster Mill. The County Representative indicated there may be funding available to be used to clean up the Plaster Mill area. The two representatives will be gathering information to provide to the Borough, including the process for applying for County funds. The meeting lasted approximately 45 minutes and was very productive.

2016 Municipal Budget

Fire Department - Mayor Maio began discussion with a line by line review of the Fire Department budget. Mayor Maio stated the Fire Department has done a good job this year of outlining their needs and providing the backup details. Public Safety met with the Fire Department previously and the following changes have been made. The installation dinner line

item of \$2,500 has been removed. The flow test has changed from \$0 to \$1,200. Flow testing was not required last year due to the fact the air packs were new. Dress uniforms remained at \$1,000 however, the Chief indicated this figure could be reduced if necessary. The annual training was increased from \$3,000 to \$3,800.

Mayor Maio stated the Fire Department trustees and officers indicated, by letter to the Fire Department, that the cost of running the Fire Department; the maintenance of the buildings, the insurance and fuel costs, warranted an increase in the rent. The Fire Department has asked the Borough for an increase in the rent. Mayor Maio is of the opinion, due to the fact the \$2,500 line item for the installation dinner has been eliminated, that increasing the rent payment from \$800 to \$1,000 is reasonable. Councilman Romano asked when the rent was last increased. Mayor Maio replied the rent was increased eight years ago. Councilwoman Kuncken stated during the discussion with the Fire Department it was agreed that the costs to maintain the building, insurance and fuel costs have increased. Councilman Romano stated he is of the opinion this is a reasonable request with the elimination of the other line item.

Mayor Maio stated Dana Mooney, CFO, has provided an updated worksheet with these new figures. This worksheet indicates there is a 4.5% increase to the budget which is not acceptable. The absolute maximum increase the Governing Body had determined is 2%. The budget will have to be reviewed to determine the amount which needs to be eliminated from the budget. The Fire Department will then be asked to make the necessary changes. Mayor Maio asked Administrator McNeilly to contact Chief Card to explain the situation and to determine a date when Chief Card is available to meet with the Governing Body.

Councilwoman Kuncken stated she cannot stress enough how pleased the Governing Body is with the great backup documentation which was provided this year.

Road Department Budget – Mayor Maio stated the Road Department budget has an increase of .58%. This is a result of maintenance contracts. Administrator McNeilly distributed copies of the DPW road, water, sewer and garbage budget. The expenditures as of yesterday's date are also included.

Mayor Maio stated there are no major changes to road maintenance other than line #39. There is a \$2,000 expenditure which covers maintenance contracts for the generators.

Mayor Maio stated the solid waste budget is mainly comprised of contracts for garbage, recycling and flow control which has increased by .65%.

Mayor Maio stated Buildings and Grounds has an increase. Administrator McNeilly stated this is due to the generator maintenance costs being placed in the correct area. All the other items have remained the same.

Mayor Maio stated line item #34 will be reduced from \$1,600 to \$1,000.

Administrator McNeilly stated Vehicle Maintenance is being broken down by vehicle and department. The 2015 budget was \$10,000. The budget request for 2016 is \$15,000. The fleet of DPW vehicles is aging and the expenses are indicative of that. Mayor Maio stated this is not insignificant but it is practical.

Mayor Maio stated the Storm Water Management budget remains static with last year. The Water Utility had a .38% increase. Administrator McNeilly stated there are still figures that need to be added but as far as operations it is in good shape. Mayor Maio stated there are health benefit costs to be added. Administrator McNeilly stated the Sewer Utility budget has decreased. Mayor Maio stated \$10,000 for Departmental Supplies was moved. Administrator McNeilly stated this was a result of an infrastructure meeting during the last budget cycle. It was determined this line item was used for various items and the Governing Body requested the specific items be categorized differently for tracking purposes. Mayor Maio stated the sewer budget has been reduced 8/10th's of a percent.

Mayor Maio asked Administrator McNeilly to contact Dana Mooney and have the corrections made, reprinted and placed in the binders for distribution for the next work session meeting.

OLD BUSINESS

Mayor Maio offered the following ordinances for Public Hearing and Final Adoption which were read by title:

Ordinances for Public Hearing and Final Adoption

ORDINANCES

Ordinance 2015-16 AN ORDINANCE AMENDING ORDINANCE 2015-12 ADDING DEFINITIONS AND AN EXEMPTION/APPEAL PROCESS FOR OWNERS OF VACANT AND ABANDONED PROPERTIES

BE IT ORDAINED, by the Mayor and Council of the Borough of Stanhope, Sussex County, New Jersey, as follows:

SECTION 1

Ordinance 2015-12 finally adopted on July 14, 2015 is hereby amended as follows:

Section 1 “Definitions” is hereby amended to include the following definitions:

SEASONALLY OCCUPIED PROPERTIES-

Seasonally occupied properties shall be those properties in the Borough which are occupied on a limited, part-time or seasonal basis and not on a year-round basis by the owner. Owners of seasonally occupied residences shall be required to file a registration statement with the Borough, but shall be exempt from payment of any registration fee and the posting of a placard on the property as otherwise required by Section 5(1) hereof.

ACTIVELY MARKETED VACANT PROPERTIES-

Owners of properties meeting the definition of “Vacant Property” that are being bonafidely actively marketed for sale shall file a Registration Statement with the Borough in accordance with the terms and conditions of this Chapter, but shall be exempt from the payment of a registration fee. The owner of any such property in order to be exempt from the payment of a registration fee shall provide adequate proof to the Borough of the bonafide active marketing of the property for sale by providing such evidence of such bonafide active marketing activities as shall be reasonably required by the Borough, including but not limited to, copies of listing agreements and/or pending contracts of sale or other advertising or marketing efforts being made by the property owner directly to promote the sale of the property. Although exempt from the payment of any registration fee, in all other respects, the property owner of any vacant property that is being bonafidely actively marketed for sale shall be required to maintain the property while it is being bonafidely actively marketed in accordance with this Chapter and all other ordinances of the Borough of Stanhope.

PROPERTIES UNDER REPAIR OR RENOVATION-

Owners of properties meeting the definition of “vacant property” that are in the process of being repaired or renovated shall file a Registration Statement with the Borough in accordance with the terms and conditions of this chapter, but shall be exempt from the payment of a registration fee. The owner of any such property in order to be exempt from the payment of a registration fee shall have obtained all necessary permits and approvals from the Borough to repair or renovate the property and shall demonstrate proof to the Borough of diligent continuous efforts by the owner to promptly complete the repair or renovation of any such property.

SECTION 2

A new section is hereby added to Article I of Ordinance 2015-12 to be entitled "Request for Exemption" to read as follows:

SECTION 9 - REQUEST FOR EXEMPTION

Any owner having received notice from the Borough that their property has been determined to be either vacant or abandoned may make a request in writing to the Borough for an exemption from any of the provisions of this chapter by demonstrating to the Borough such special circumstances peculiar to the property that warrants either a temporary or permanent exemption from any of the provisions of this Chapter. In the event of a denial of any such exemption request, the owner shall have the right to file an appeal in accordance with the provisions of Section 10 hereof.

SECTION 3

A new section is hereby added to Article I of Ordinance 2015-12 to be entitled "Appeals" to read as follows:

SECTION 10 - APPEALS

Any owner having received notice from the Borough that their property has been determined to be either vacant or abandoned shall have the right to appeal any such determination by any Borough official directly to the Governing Body of the Borough of Stanhope. Any such appeal shall be taken within forty-five (45) days of the date of the receipt of notice from the Borough of such vacant or abandoned property determination. The appeal shall be in writing and served on the Borough Clerk with a copy to the Borough Zoning Officer. Upon the filing of the appeal, all proceedings against the property shall be stayed pending the appeal process. The Governing Body shall schedule a hearing on the appeal as soon as practical at a regularly scheduled meeting of the Mayor and Council, at which time the property owner shall have the right to present relevant evidence to the Borough Council that the property is neither vacant or abandoned. Any such property owner shall have the right to be represented at any such hearing and shall have the right to call witnesses and present other relevant proof. The Mayor shall preside all such hearings, which shall to the extent applicable, be in accordance with the provisions of N.J.S.A. 40:55D-10.

SECTION 4

This ordinance shall take effect immediately upon final passage and publication as required by law.

On motion by Councilwoman Zdichocki, seconded by Councilman Romano, and unanimously carried by the following roll call vote, the foregoing ordinance was adopted.

Mayor Maio opened this portion of the meeting to the public for discussion on this item only. Seeing no one wishing to speak, Mayor Maio closed this portion of the meeting.

Roll Call:

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

On motion by Councilwoman Thistleton, 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 2015-17

AN ORDINANCE AMENDING CHAPTER 111 OF THE CODE OF THE BOROUGH OF STANHOPE ENTITLED “PROPERTY MAINTENANCE” BY AMENDING ARTICLE 1 “GENERAL PROVISIONS” TO INCLUDE MAINTENANCE REQUIREMENTS FOR RESIDENTIAL STRUCTURES

BE IT ORDAINED, by the Mayor and Council of the Borough of Stanhope, Sussex County, New Jersey, as follows:

SECTION 1

Article I of Chapter 111 of the Code of the Borough of Stanhope entitled “General Provisions” is hereby amended to include a new § 6 entitled “Maintenance of Residential Structures” to read as follows:

§ 111-6. Maintenance of Residential Structures

- A. The owner of every residential structure in the Borough of Stanhope shall at all times be required to properly maintain the exterior of the residential structure and/or appurtenant structures thereto. Improper exterior maintenance shall include, but shall not be limited to, such items as cracked, broken or missing windows and doors, cracked, curling, broken or missing roofing, peeling paint, loose, broken or missing siding, fascia or trim, unpainted, unstained or otherwise uncovered, untreated raw wood or any other condition which would constitute a violation of the Uniform Construction Code, as adopted by Chapter 72 of the Code of the Borough of Stanhope.
- B. In all cases where improper exterior maintenance has occurred, the property owner shall be notified in writing by the Zoning Officer of the Borough of Stanhope to correct same within thirty (30) days of the date of the Notice unless such improper maintenance constitutes an immediate threat to the public’s health, safety or welfare, in which event the property owner shall be required to remedy the improper exterior maintenance in such time as the Zoning Officer shall deem appropriate to adequately protect the public’s health, safety or welfare.
- C. The notice of improper exterior maintenance may be delivered to the property owner personally or mailed to him at his last known place of address by Certified Mail, return receipt requested and by First Class Mail.
- D. Any property owner failing to comply with the notice to remedy, the improper exterior maintenance in the time provided by the notice served upon the property owner by the Zoning Officer shall, upon conviction, be punishable in accordance with Section 111-30 of this Chapter.

SECTION 2

This ordinance shall take effect immediately upon final passage and publication as required by law.

On motion by Councilman Thornton, seconded by Councilwoman Zdichocki, and unanimously carried by the following roll call vote, the foregoing ordinance was adopted.

Mayor Maio opened this portion of the meeting to the public for discussion on this item only.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that the Borough Treasurer be authorized to prepare the necessary check as stated above and to forward same to the lien holder.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer/Tax Collector.

Resolution 193-15

RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER

WHEREAS, the Tax Collector has received payment for the redemption of Tax Title Lien No. 2015-008, representing 2014 property taxes and/or utility charges on Block 11010, Lot 10, known as 6 Ridge Road, assessed to Marlene McDonald, and;

WHEREAS, the Tax Collector certifies that reimbursement is now required to be made to the following lien holder for the required redemption amounts as shown below:

To Lienholder:	US Bank Cust for Actlien Holding Inc. 50 South 16 th Street, Suite 2050 Philadelphia, Pennsylvania 19102
Redemption Amount:	Tax Title Lien #2015-008 and Interest to Date of Meeting \$ 1,194.35 Premium Paid by Lienholder <u>2,600.00</u>
Total From Current Fund:	\$ 1,194.35
Total From Tax Premium Account	2,600.00

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that the Borough Treasurer be authorized to prepare the necessary check as stated above and to forward same to the lien holder.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer/Tax Collector.

Resolution 194-15

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE AUTHORIZING THE ISSUANCE OF RAFFLE LICENSE RA-610

WHEREAS the following Raffle Application has been submitted for Mayor and Council approval;

<u>Raffle #</u>	<u>Applicant</u>	<u>Type of Game</u>	<u>Dates</u>
RA-610	Stanhope Borough Senior Citizens	50/50 On-Premise	January 28, 2016 February 25, 2016 March 24, 2016 April 28, 2016 May 26, 2016 June 23, 2016 July 28, 2016 September 22, 2016 October 27, 2016 November 17, 2016

and;

WHEREAS said Raffle Application has been provided to the Mayor, Council and Police Department for their review;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, the following:

1. The appropriate officials are hereby authorized to execute the findings and determination for the above application and shall forward same to the Legalized Games of Chance Control Commission (LGCCC) for review.
2. That the above license shall be issued pending LGCCC approval, pursuant to N.J.A.C. 13.1 et seq.

Resolution 195-15

RESOLUTION AUTHORIZING CANCELLATION OF MUNICIPAL CERTIFICATE OF SALE

WHEREAS, Certificate of Sale #2014-034 was issued to Stanhope Borough, 77 Main Street, Stanhope, New Jersey 07874 for delinquent 2013 taxes and/or utility charges on Block 11701, Lot 4, US Highway 206 Rear, assessed to William I Juhasz, at a tax sale held on October 6, 2014; and,

WHEREAS, the certificate was redeemed on October 15, 2015 by paying the full amount of the delinquency.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Clerk of the Borough of Stanhope are hereby authorized to endorse Certificate of Sale #2014-034 for cancellation.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer/Tax Collector.

On motion by Councilwoman Kuncken, seconded by Councilman Romano and unanimously carried by the following roll call vote, the foregoing resolutions were duly adopted.

Roll Call:

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

PAYMENT OF BILLS

Resolution 196-15

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 October 27, 2015 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 Romano, seconded by Councilwoman Kuncken and unanimously carried by the following roll call vote the foregoing resolution was duly adopted.

Roll Call:

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

ATTORNEY REPORT

Mr. Stein stated he had planned to speak about in-rem foreclosures, but in light of time and Mr. Merryman being present, this discussion can take place at another time.

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 stated there are shrubs which need to be cut back near Bell's Mansion. Mrs. Hoyt stated it is difficult to pull out of their driveway. Administrator McNeilly and Don Drake stated years ago those shrubs were moved back. Mr. Drake stated the shrubs are on the property next to Bell's Mansion. Mayor Maio stated perhaps the Code Official can send a letter requesting the shrubs to be cut back.

Don Drake, Summit Street, suggested when moving the Borough sign out near the bridge, please take into consideration there were 3,000 King Alfred Daffodils planted on each side of the road and include those with the maintenance of the area. Administrator McNeilly stated the Borough maintains the grass from the town line, to the end of the bike path and almost to the group home. The Governing Body stated they were in agreement with Mr. Drake's suggestion and would take it into consideration. Mayor Maio asked Administrator McNeilly to make a note of this suggestion.

Don Drake, Fire Department Member, stated the Fire Department made their presentation to the Public Safety Committee regarding the rent increase based on the square footage that the company uses and the square footage used by the department. The rent increase would be \$2,400. Mr. Drake stated the Fire Department was not informed that the \$2,500 line item was cut from the budget. The Fire Department requested additional income but now they will receive \$100 less. Mr. Drake stated this was discussed with the Public Safety Committee and the Mayor. There are other voting members of the Council that should also be part of the decision when voting on the budget. Mr. Drake stated the actual dollar amounts should be looked at as opposed to the percentages.

Mr. Drake stated the dinner was established in 1972 as an appreciation dinner for the Fire Department members and he is of the opinion the members will not be pleased with the funds being cut. Mayor Maio stated the premise of the dinner has been discussed for several years. The fact is that the open invitation to the members of the Governing Body and the employees of the Borough needs to stop. Mayor Maio stated everyone is willing to purchase a ticket to the dinner. Mr. Drake stated he disagrees and he is of the opinion those people will not attend. Mayor Maio stated public money should not be used to provide this dinner to the elected officials or employees. Mr. Drake stated any change in the budget on the company side greatly affects the budget on the department side. Mr. Drake suggested perhaps the budgets should be separated.

Mr. Drake stated the Fire Department has worked over the years to tighten up the line items and has been working well with Dana Mooney. Councilwoman Zdichocki asked Mr. Drake if the budget was discussed with all the members of the Fire Department. Mr. Drake stated the Chief and the officers handle the firematic portion and the president, the executive board and the trustees are responsible for the corporation. The rent has always been included in the fire budget. Mr. Drake stated perhaps it is time to change this. Mr. Drake stated he has spoken with local residents in and around the Borough who are not aware the Fire Department members are volunteers. They are under the impression the Fire Department is a paid position and funded by their taxes. Councilwoman Kuncken stated in most small towns in the State of New Jersey the fire departments are comprised of volunteer members.

Councilwoman Kuncken stated Mr. Drake mentioned the meeting which took place with the Public Safety Committee which is comprised of the Mayor and two Council members and the fact there are more voting members. Councilwoman Kuncken stated this is the second time the Fire Department budget has been discussed. Through the budget process the committees meet and bring the preliminary findings back to the Governing Body for discussion. Councilwoman Kuncken stated as far as the rent issue, it is apparent the Governing Body is realistic and

understands the situation. The installation dinner has been a topic of conversation for seven or eight years at least. Councilwoman Kuncken stated in her opinion it is unfair to say the Governing Body is being unreasonable. The reasonable rationale for a rent increase has been agreed to. The \$2,500 for the dinner has been used to invite the Borough employees and the Governing Body to attend the dinner. Mayor Maio stated using public money to provide a dinner for employees is not right. Mr. Drake stated the dinner costs more than the \$2,500. Mayor Maio stated the conversation cannot go any further for this evening. Mr. Drake stated he just wanted to present another side and thanked the Governing Body.

Nancy Hoyt, stated when entering Canfield Street from Brooklyn Road, there are tall weeds all the way up to the guard rail and to her property. Mrs. Hoyt asked if the Borough could cut this area back. The county road department only cuts back as far as the corner. Mayor Maio stated there were areas within the Borough which were not cut back this year due to the number of other projects.

Administrator McNeilly stated he understands Mrs. Hoyt's concern for the small area near her house. There are additional areas such as Elizabeth Avenue and Plane Street where road edging is not possible unless the Borough hires additional staff. Mrs. Hoyt stated these areas do not look nice and asked if there is a community service program that could help. Administrator McNeilly stated from a clean-up perspective this could be added to the methodology for inclusion in the annual clean-up which is done twice a year. As far as operating machinery or equipment that is not an option. Councilman Thornton stated Mrs. Hoyt has mentioned this in the past. At that time it was suggested the SLAP program may be able to assist. Administrator McNeilly stated the program can provide clean-up but not the operation of equipment.

Mayor Maio asked Administrator McNeilly to provide a list of areas requiring clean-up of litter. Mayor Maio will ask the Environmental Commission to include the areas in the annual clean up.

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

CLOSED SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231 P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope, County of Sussex, New Jersey as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter-specified subject matter(s).
2. The general nature of the subject matter(s) to be discussed is as follows:
 - 1 – Personnel
3. It is anticipated at this time that the above stated subject matter(s) will be made public at the conclusion of each individual specified subject matter.
4. This resolution shall take effect immediately.

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

The Mayor and Council went into Closed Session at 8:30 P.M.

At the conclusion of the Closed Session, the Mayor and Council reconvened the public meeting at 9:20 P.M. with all present.

ADJOURNMENT

On a motion by Councilman Thornton, seconded by Councilman Romano, and unanimously carried by voice vote the meeting was adjourned at 9:20 P.M.

Approved:

Linda Chirip
Deputy Clerk for
Ellen Horak, RMC
Borough Clerk