

**MAYOR AND COUNCIL  
WORK SESSION AND  
AGENDA MEETING  
January 13, 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 – present
Councilman Thornton - present	Councilwoman Thistleton – present

Mayor Maio – present

**ENGINEER'S REPORT** – Administrator McNeilly stated Mr. Keller was unable to attend tonight's meeting. No report was available.

**ADMINISTRATOR'S REPORT**

*Property Sale* – Administrator McNeilly reported he met with Judy Togno, Weichert Realtor, to prepare for the upcoming property auction. The properties to be auctioned are located on Main Street, Kynor Avenue and Leo Avenue. An ordinance will have to be introduced by the end of the month to allow the auction to take place at the March 24<sup>th</sup> business meeting.

*Energy Aggregation* – Administrator McNeilly reported the next energy auction will take place on January 21<sup>st</sup> at 11:00 A.M. If the rates are favorable and the co-op accepts the rate, the Borough will have to hold a special meeting to authorize the signing of the agreement. Administrator McNeilly stated Mr. Stein has recommended that Concord Engineering provide a resolution to be placed on the agenda in the event the rates are acceptable. The signed agreements would have to be received by Concord Engineering no later than 4:00 P.M. on January 27<sup>th</sup>. The Governing Body agreed to hold a special meeting on January 21<sup>st</sup> at 5:30 P.M. in the event the pricing is favorable. Mayor Maio asked the Deputy Clerk to inform the Clerk of the meeting date to be advertised.

*Sussex County Communication Center* – Administrator McNeilly stated an invitation to attend an open house at the Sussex County Communications Center on January 26<sup>th</sup> was received from Sheriff Strada and it was distributed to the Governing Body. An RSVP is required by January 21<sup>st</sup>.

*JIF Loss Control Inspection* – Administrator McNeilly reported that the DPW Department passed the annual inspection with flying colors. The inspector noted the employee doorway is in poor shape and needs to be replaced. Considering all the facilities, equipment, parks and vehicles the Borough has, this was an excellent report.

Condo Service 2014 – Administrator McNeilly stated he has received the data from Bill Storms, DPW Superintendent, which is necessary to begin preparing the 2014 reimbursement report. The agreements for solid waste and recycling should be complete due to the fact there have been no increases. Administrator McNeilly stated the only change this year will be the calculation for the brine which will affect the amount of salt use. The information will be provided to Mr. Stein. Mayor Maio asked how the condominiums costs for recycling are calculated versus the Borough's costs. Administrator McNeilly replied the costs are based on the contract agreement and the reimbursement will be the lesser of the two costs.

Accounts Payable/Construction Secretary – Administrator McNeilly stated he and the CFO should have a recommendation for the Accounts Payable/Construction Secretary position available for the next Mayor and Council meeting.

Vacant Properties – Administrator McNeilly stated a list of vacant properties has been prepared by the Code Enforcement Officer and copies have been provided to the Governing Body. Administrator McNeilly has also provided any legal action pending on the properties. The Code Enforcement Officer has issued several notices of violation. Much discussion took place regarding the various vacant residences. Mayor Maio asked if payments are being made on the Ridge Road property that the Borough holds a mortgage on. Administrator McNeilly confirmed payments are being made but the Borough should consult with Mr. Stein regarding foreclosure. Administrator McNeilly stated some of the properties have reverse mortgages, some are in foreclosure, others have no action taking place and some have extremely large mortgages on them. Some homes have been purchased and are doing well. Administrator McNeilly stated the list has also been provided to the Fire Department.

Administrator McNeilly stated the owner of the home located on the left hand side at Stonegate Village has been in to speak with Tom Pershouse, Construction Official, regarding the demolition permits. Mayor Maio stated Mr. Pershouse informed her that he cannot issue demolition permits until soil conservation permits are in place. Councilwoman Kuncken stated the owner of the property appeared before the Land Use Board several years ago. Mayor Maio stated the final approval was on hold until arrangements could be made with Stonegate's Board for permission to join the association.

Administrator McNeilly stated the number of vacant homes has not lessened. There is legislation which allows for municipalities to require registration of abandoned homes. Mayor Maio stated Mr. Pershouse has recommended that the Borough adopt an ordinance requiring registration. A registration fee of \$50 could be charged and a placard would have to be placed on the residence with contact information that must be kept current. The companies are now changing the contacts and trying to locate the parties responsible is difficult. If the residence is still vacant a year later the fee can increase to \$100 and the third year a fee of \$2,000 could be set. This may prevent the banks from letting the properties sit vacant. Mayor Maio stated the Governing Body should discuss the registration issue with Mr. Stein at the next scheduled meeting.

Councilman Romano asked for the status of the Old Morris Canal property. Administrator McNeilly stated part of that property was sold years ago to the home owner across the street. Administrator McNeilly stated the Zoning Officer receives many calls regarding this property. Several have inquired about rebuilding a restaurant. The kitchens are gone, parking is no longer available and a liquor license is not available for the property. The price has been reduced to \$199,000. The last time the property was sold the cost was \$1.1 million. Much discussion took place regarding the current condition of the property.

Budget – Administrator McNeilly stated the budget books have been prepared. The revenue section is not available at this time. Values have not been obtained from the Tax Assessor and the water and sewer information and capital are not included. Mayor Maio stated work should begin as soon as possible on the budget. The Governing Body agreed to hold a Special Budget Meeting on January 20<sup>th</sup> at 5:30 P.M. Administrator McNeilly stated he would like to include the appointment of the new hire to the meeting agenda. Mayor Maio asked the Deputy Clerk to inform the Clerk of the meeting date to be advertised.

Surplus Equipment – Administrator McNeilly stated there were some items that did not sell at the surplus equipment auction specifically chairs and a television. Councilwoman Zdichocki suggested donating them to the restore or veterans. Mayor Maio suggested contacting the

American Legion, Ambulance Squad, Fire Department or churches to determine if they could make use of the items.

**WORK SESSION** - None

**NEW BUSINESS**

**RESOLUTIONS**

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

**CONSENT AGENDA** (All items listed on the Consent Agenda are considered routine by the Borough Council and were enacted by one motion of the Borough Council with no separate discussion.)

**Resolution 035-15**                                **RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF TAXES**

**WHEREAS**, the former homeowner as well as the attorney for the new homeowner have made payment for the fourth quarter of 2014, creating an overpayment of taxes on the property; and

**WHEREAS**, the former homeowner has no further liability for taxes on this property.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Stanhope, that a warrant be drawn to the former homeowner’s attorney as per correspondence received, in the designated amount representing an overpayment of taxes, as follows:

**Homeowner Information:**

Block	Lot	Qual	Name & Address	Tax Year	Amount
11501	2	C0160	Meggan Mahoney Former address – 9160 Ashland Court	2014	\$1,624.51

**Make Check Payable to:** Jonathan B. Fahey, Attorney Trust Account  
P.O. Box 555  
Far Hills, New Jersey 07931

**Resolution 036-15**                                **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. 2012-10, representing 2011 property taxes and/or utility charges on Block 11205, Lot 6, known as 7 Kelly Place, assessed to Robert E & Catherine M Foberg, 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 Pro Capital I, LLC 50 South 16 <sup>th</sup> St, Suite 1950 Philadelphia, PA 19102		
Redemption Amount:	Tax Title Lien #2012-10 and Interest to Date of Meeting	\$	20,940.58
	Premium Paid by Lienholder		<u>0.00</u>
Total From Current Fund:		\$	20,940.58
Total From Tax Premium Account			0.00

**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 037-15**

**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. 2012-14, representing 2011 property taxes and/or utility charges on Block 11501, Lot 2, C0053, known as 453 Audubon Court, assessed to Tracy Staples, 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:	Elliot Loeb-Keogh Plan 1 Lakeview Road Saratoga Springs, NY 12866
Redemption Amount:	Tax Title Lien #2012-14 and Interest to Date of Meeting \$ 4,568.70 Premium Paid by Lienholder <u>0.00</u>
Total From Current Fund:	\$ 4,568.70
Total From Tax Premium Account	0.00

**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 038-15**

**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. 2014-033, representing 2013 property taxes and/or utility charges on Block 11605, Lot 3 known as 5 Maryann Terrace, assessed to Fatmah Yagham, 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:	Ridgeback Ventures LLC P.O. Box 503 Mount Freedom, NJ 07970
Redemption Amount:	Tax Title Lien #2014-033 and Interest to Date of Meeting \$ 1,212.81 Premium Paid by Lienholder <u>700.00</u>
Total From Current Fund:	\$ 1,212.81
Total From Tax Premium Account	700.00

**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 039-15**

**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. 2014-006, representing 2013 property taxes and/or utility charges on Block 10701, Lot 7, known as 65 Brooklyn Road, assessed to Selene RMOF REO Acquisition LLC, 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 BV001 Trust 50 S. 16 <sup>th</sup> Street, Suite 1950 Philadelphia, PA 19102-2513
Redemption Amount:	Tax Title Lien #2014-006 and Interest to Date of Meeting \$ 3,783.67 Premium Paid by Lienholder <u>5,500.00</u>
Total From Current Fund:	\$ 3,783.67
Total From Tax Premium Account	5,500.00

**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 040-15**

**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. 2011-09, representing 2010 property taxes and/or utility charges on Block 11501, Lot 2, C0090, known as 690 Audubon Court, assessed to Lucy Ruocco, 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:	Stuart Lasher P.O. Box 83 Milltown, NJ 08850
Redemption Amount:	Tax Title Lien #2011-09 and Interest to Date of Meeting \$ 3,205.76 Premium Paid by Lienholder <u>0.00</u>
Total From Current Fund:	\$ 3,205.76
Total From Tax Premium Account	0.00

**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.

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

Roll Call:

Councilman Romano – yes  
Councilwoman Zdichocki – yes  
Councilman Thornton - yes

Councilwoman Kuncken – yes  
Councilman Depew – yes  
Councilwoman Thistleton – yes

Mayor's Acceptance of Resignation

**Resolution 041-15**

**MAYOR'S ACCEPTANCE OF RESIGNATION OF  
ROSANNE WERNER, AS ACCOUNTS  
PAYABLE/CONSTRUCTION SECRETARY, WITH  
COUNCIL CONCURRENCE**

**THEREFORE, BE IT RESOLVED** by the Council of the Borough of Stanhope that they do hereby concur with the Mayor's acceptance of Rosanne Werner's resignation as Accounts Payable/Construction Secretary, effective January 20, 2015.

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

**Resolution 042-15**

**MAYOR'S ACCEPTANCE OF THE RESIGNATION OF  
MARIE VAN NESS FROM THE STANHOPE BOARD OF  
HEALTH WITH COUNCIL CONCURRENCE**

**BE IT RESOLVED** by the Council of the Borough of Stanhope that they do hereby concur with the Mayor's acceptance of Marie Van Ness' resignation as an appointed member on the Board of Health, effective immediately.

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

Mayor's Appointment

**Resolution 043-15**

**MAYOR'S APPOINTMENT OF JASON LALIKER AS  
TAX ASSESSOR WITH COUNCIL CONCURRENCE**

**WHEREAS**, a vacancy has occurred in the position of Tax Assessor; and

**WHEREAS**, the Borough Administrator has advertised the position, interviewed candidates and has recommended Jason Laliker for the position of Tax Assessor; and

**WHEREAS**, Jason Laliker has extensive experience as a municipal tax assessor; and

**WHEREAS**, the Mayor and Council wish to hire Jason Laliker to fulfill the statutory duties of the position of Tax Assessor including, but not limited to the inspection and valuation of all real properties in the Borough of Stanhope; and

**WHEREAS**, Jason Laliker has agreed to accept this part-time position at a salary of \$19,000.00 annually; and

**WHEREAS**, the position will require a minimum of three hours per week in the office, during business hours, in addition to home inspections and availability to residents by appointment; and

**WHEREAS**, in accordance with NJS 40A:9-148 every municipal assessor shall hold his office for a term of 4 years commencing on the first day of July next following his appointment and former assessor, Maureen Kaman's resignation, after obtaining tenure, leaves an absence which must be filled. Accordingly, the new assessor, Jason Laliker, is hereby appointed to a term commencing on January 1, 2015 with a four year term to commence on July 1, 2015 expiring on June 30, 2019;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Stanhope hereby approve the appointment of Jason Laliker as Tax Assessor for the Borough of Stanhope at an annual salary of \$19,000.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be forwarded to Melissa Rockwell, Sussex County Tax Administrator.

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

**Resolution 044-15**

**RESOLUTION APPROVING THE MAYOR'S APPOINTMENT TO THE RECREATION COMMISSION WITH COUNCIL CONCURRENCE**

Mayor's appointment to the Recreation Commission as follows:

Gretchen Fry Rafuse, 5 year term, term to expire 12-31-20 as Member of the Recreation Commission

**BE IT RESOLVED** by the Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that they do hereby concur with the Mayor's appointment herein named to the Recreation Commission.

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

Mayor Maio stated Ms. Fry Rafuse was an alternate member of the Recreation Commission and had expressed an interest in moving up as a member.

**PAYMENT OF BILLS**

**Resolution 045-15**

**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 January 13, 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 – yes
Councilman Thornton - yes	Councilwoman Thistleton – yes

Mayor Maio stated Marie Van Ness has resigned from the Board of Health because of her increased responsibilities with her position on the Board of Education. Mayor Maio read Ms. Van Ness's letter aloud and stated that Ms. Van Ness will be missed. Mayor Maio stated a few people have expressed an interest in volunteering on the Board of Health and an appointment will be made in the future.

**AGENDA ITEMS**

All items listed on the Agenda for January 27, 2015 were approved. Mayor Maio stated an appointment of a Borough Representative for the MSA may not be available at that 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.

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 – Potential Litigation (Discipline)
- 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 Councilman Thornton, seconded by Councilman Depew, and unanimously carried by voice vote, the foregoing resolution was adopted.

Mayor Maio and Council went into Closed Session at 7:39 P.M.

At the conclusion of the Closed Session, Mayor Maio and Council reconvened the public meeting at 7:44 P.M. with all present.

**ADJOURNMENT**

On a motion by Councilman Thornton, seconded by Councilman Depew, and unanimously carried by voice vote the meeting was adjourned at 7:44 P.M.

Approved:

Linda Chirip  
Deputy Clerk