

**MAYOR AND COUNCIL
REGULAR MEETING
January 22, 2013
7:00 P.M.**

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 2, 2013 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 Thornton – Present
Councilwoman Kuncken – Present
Councilman Depew – Present

Councilwoman Thistleton – Present
Councilman Graham – Present
Councilman Benson – Present

Mayor Maio – Present

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:

2 – Contract: PBA and DPW
1 – Potential Litigation
2 – Attorney-Client
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 Benson, and unanimously carried by voice vote, the foregoing resolution was adopted.

Mayor and Council went into Closed Session at 7:01 P.M.

At the conclusion of the Closed Session, Mayor and Council reconvened the public meeting at 7:40 P.M. with all present.

There was a 20 minute recess. The meeting resumed at 8:00 PM.

SALUTE TO COLORS

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

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.

Gloria Spencer, 3 Linden Avenue, stated that residents are not cleaning up after their pets. This is a particular problem on Linden Avenue and High Street. Administrator McNeilly stated that Mrs. Spencer has spoken to him regarding this matter and he did bring it to the attention of the Police Department. The enforcement is done by the police but as Mayor Maio stated they have to witness the offense taking place. Administrator McNeilly stated that there are a significant amount of dogs in this area of the Borough and the pet owners have to take personal accountability. Councilman Benson asked if this is a problem only in this area of the Borough. Administrator McNeilly stated that it is a widespread problem. Mrs. Spencer stated that littering is also a problem in the summer. Councilman Graham stated that the Highpoint Condominiums purchased special dog stations with bags and people still do not clean up after their pets. The Governing Body suggested that Mrs. Spencer should ask her neighbors to help monitor the situation and sometimes just being outside while people are walking by will be a deterrent.

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

PRESENTATION

Recreation Commission (Summer Recreation Program) – Mayor Maio invited Patty Zdichocki, Chairman of the Recreation Commission, to come forward. Ms. Zdichocki stated that a meeting was held on January 17th with the Recreation Commissions from Stanhope, Byram and Netcong. These three towns form the tri-town summer camp program known as Camp Lenape which is a six week summer camp that will be held this year from Monday, July 8th through Friday, August 16th. Weeks 1, 2 and 3 will be held at the Stanhope Valley Road School. Weeks 4, 5 and 6 will be at Netcong School. Byram offers the services of their Recreation Director in lieu of providing a location for the program. Three sessions are offered: mornings from 8:30 – 12:00, afternoons from 12:00 - 3:30 or full day from 8:30 – 3:30. Local trips are planned for each week. Monday afternoons will be spent at the Hackettstown pool and regular classes will be held at the school Tuesday through Thursday. All day trips are planned for Fridays.

Ms. Zdichocki provided copies of last year's flyers which include the fees and schedules. The fees include the cost of the trips and transportation to and from. Ms. Zdichocki stated that the Recreation Commission discussed lowering the fees by \$5.00 per child or they may remain the same as last year. In the past Stanhope Recreation has provided a subsidy of \$50 for the first 100 Stanhope residents that register and the plan is to continue this. Members from the Hopatcong Recreation along with Councilman John Young attended the meeting and they are interested in partnering with us. In the event that Hopatcong does join with us the registration fee could be lowered. The next Recreation Commission meeting will be held on February 25th at which time Hopatcong will let us know of their decision.

Ms. Zdichocki stated that a letter has been submitted to the Stanhope Board of Education requesting use of the Valley Road School again for this year. Ms. Zdichocki will be attending the Board of Education meeting tomorrow night and will submit a facility use form along with the insurance liability certificate and to answer any questions or concerns. Last year Stanhope had a total of 13 children participate. Each year the number of students increases. This is the third year for the program. The first year was difficult because the schools were not available for use. Last year the summer camp was able to use the Valley Road School and Netcong School. The Recreation Commission received rave reviews in the newspaper last year and the parents were very pleased with the program. Ms. Zdichocki stated that they are hoping for a larger turnout this year.

Ms. Zdichocki stated that if Hopatcong joins the program then two weeks of camp would be held in each of the three Boroughs. Councilwoman Kuncken asked if any negative feedback was received regarding last year's program. Ms. Zdichocki replied that she has not heard anything

negative but will ask at the meeting if there were any concerns or problems. Ms. Zdichocki has spoken with the representative from Netcong and she stated that Netcong did not have any negative feedback. Councilwoman Thistleton stated that Netcong has already granted approval for this year's program. Mayor Maio stated that the Recreation Commission is ahead of schedule compared to last year. The first year of the program was difficult and last year had a late start but despite that there were a number of children who registered and the reviews were good. Mayor Maio is of the opinion that the summer camp should do well this year. Councilman Graham stated that this is very creative program.

Councilman Thornton, as a parent of 4th grader, stated that without the trips the program would be more affordable. Ms. Zdichocki replied that by including the trips in the registration it eliminates a lot of extra work. When there are 50-60 people to track it can be time consuming to know who has paid and who has not. Ms. Zdichocki stated that the Recreation Commission has compared this program to others in the area and with the subsidized amount it is an excellent opportunity. Councilman Thornton stated that last year at the School Board meeting there were several parents that felt the program was too expensive. By the time the subsidy was announced many residents had made other plans. Ms. Zdichocki stated that it appears that people are thinking of this program as a daycare and not a summer camp. In comparison our summer camp is inexpensive. There are residents who want a program that runs until 6:00 PM which is really a day care program. Ms. Zdichocki stated that the subsidy was new last year and residents were confused with the concept. More information will be provided this year. Mayor Maio stated that a cover letter for Stanhope residents needs to be included with the flyer that explains that the Recreation Commission is going to provide a subsidy of \$50. Councilwoman Thistleton stated there was a flyer that was distributed to the Stanhope schools last year. Mayor Maio thanked Ms. Zdichocki for attending tonight's meeting.

MINUTES FOR APPROVAL

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

December 11, 2012 Work Session/Agenda Meeting
December 18, 2012 Regular Business Meeting & Closed Session

On motion by Councilman Graham, seconded by Councilman Depew and unanimously carried by voice vote, the above listed minutes were approved. Councilwoman Kuncken and Councilman Benson abstained from the minutes of December 11, 2012.

CORRESPONDENCE (List Attached)

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

ADMINISTRATOR'S REPORT

Sussex County Sewer Service Area Map – Administrator McNeilly reported that the Borough has reservations with the Sewer Service Area Map. Administrator McNeilly stated that he has spoken with John Eskilson and Eric Snyder regarding the possible actions that the Borough can take. Administrator McNeilly stated that Mr. Eskilson sent an email which lists three available options. They are as follows: 1) Remain silent of the County's request for acceptance of the Stanhope portion of the map; 2) Accept the map with reservations; or 3) Reject the map. The DEP has further verbally advised that they are reserving their rights to approve the County plan as it is with or without final municipal acceptance.

A lengthy discussion took place regarding the Borough's position on the issue of the sewer service area map. The Governing Body made the decision to remain silent.

Morris County JIF – Administrator McNeilly stated that D&H has rescheduled the Elected Officials Training for April 11, 2013 at 6:30 PM to be held at the Hopatcong Municipal Building. Administrator McNeilly stated that he received a notice from the Morris County JIF indicating that there may be an online course available.

Mt. Olive Office of Planning – Administrator McNeilly stated that John Eskilson informed him that Mt. Olive was granted their request to change the Planning Area from PA5 to PA2 on Waterloo Road. Administrator McNeilly stated that the Planning Area is located behind the cemetery, past the hotels, BASF property and borders the Musconetcong River, including the Borough's well fields #3 & #4, and continues almost to West Brookwood. This is a planning change, not a zoning change. The property that concerns the Borough runs from the Route 206 off ramp and wraps around the cemetery along Route 80. This area has an active approval for the development of a 750 sq. ft. office space. Councilman Graham asked if the high density housing just north of the well is a concern. Mayor Maio stated that the application for that is active as well. Mayor Maio addressed the public and explained that the Borough sent a letter expressing their concerns regarding the municipal wells. Byram Township also sent a letter with regard to their aquifer and water system. Despite these concerns, the State has decided to grant the Planning Area change. Administrator McNeilly stated that the concerns have been documented and if anything changes the Borough will receive notification due to the fact that our property is within 200 ft. The Borough will continue to voice concern about protecting the water system from runoffs and drainage.

Borough Hall Renovations – Administrator McNeilly stated there is a resolution for adoption this evening to increase the number of hours for the laborer to complete the renovations. The original estimate was short due to the fact that there were change orders for the Police Department and working around the scheduled use of the Council Chambers has taken more time than expected. Mayor Maio asked how much more time and funding are required to complete the renovation. Administrator McNeilly stated that 200 more hours are needed.

Administrator McNeilly stated the material costs expended to date are \$85,000 and all the purchases have been made to complete the Council Chambers. Councilwoman Kuncken asked if any further purchases are required for the Police Department. Administrator McNeilly stated there is nothing further to purchase. The total for the furniture purchases is approximately \$31,000. Councilman Graham asked how many hours, of the original 400, have been used. Administrator McNeilly replied that 506 hours have been used to date. Councilman Graham stated that the original hours have been exceeded by 106. Therefore, the actual number hours required to complete the renovation is 94 hours. Administrator McNeilly confirmed that the remaining work to be done will be completed in 94 hours. Councilwoman Kuncken stated that the Governing Body understands that working around schedules was an issue but there needs to be a set completion date.

Mayor Maio recapped the work left for the Council Chambers which consists of installing the doors, molding, window trim and chair rail. Administrator McNeilly confirmed this and stated that all the materials have been delivered except for the doors. The Chief's office, the secretary's office and the foyer are the areas remaining to be completed in the Police Department along with some additional work to the back of the department. Councilman Depew stated that he is pleased with how the renovations look but, in his opinion, despite the hardships that were encountered, he would not want to see this type of delay happen again. Administrator McNeilly stated that he agrees and there have been several things learned during this renovation process. Mayor Maio stated there were many unexpected issues in the walls and ceiling which led to extra time being expended. These issues need to be anticipated for any future renovations. Administrator McNeilly stated that any future renovations will require moving out of the facility. Councilman Graham asked when the trailer will be removed. Administrator McNeilly stated that the Chief and the secretary will be utilizing the trailer while their offices are renovated. When those areas are complete, the trailer can be removed.

Councilman Graham requested that Administrator McNeilly provide a final spreadsheet on all the costs associated with the renovation and where the funds were allocated. It is important for everyone to know that this work was done with grants, and existing money so it did not raise the tax base. Mayor Maio stated that Councilman Graham's point is well made and the Governing Body has continually stated that the funding was provided with grants and funds that have been set aside for this purpose as far back as 2001. Councilman Graham stated that even though the

hours are more than anticipated, the work is being done utilizing a seasonal employee rather than having to pay prevailing wage and therefore the labor costs are probably 30% less. Councilman Graham applauded the decision to utilize a seasonal employee. Mayor Maio stated that the equipment being used belongs to the laborer which is also a cost savings.

Councilman Benson asked how much of the accumulated unnecessary wiring that has occurred over the years has been cleaned out. Administrator McNeilly replied that the Police Department and the courtroom clerk's office had a considerable amount of extra wiring, some of which was live in the ceiling and some was disconnected. There were no issues with the wiring in the Council Chambers. The electrical room is in need of some serious attention. The old phone system has to be removed. To prevent this problem from occurring in the future there is a patch panel on the Police Department side of the building.

CFO Escrow Account Request – Administrator McNeilly stated that the CFO is requesting to relocate the escrow accounts to Lakeland Bank. Mayor Maio stated this would not change the way the CFO handles the escrow accounts it will just simplify the process. Lakeland Bank has software specifically designed to manage the escrow accounts. It will reduce the amount of time spent at the Borough level. Dana Mooney, CFO, stated that she will maintain the accounting side and this will serve as an added component. Mayor Maio stated that the software is used solely by the bank. Councilwoman Kuncken stated that the Land Use Board is impacted by the escrow accounts and asked if they have been advised of this proposed change. Administrator McNeilly replied that the Land Use Board will not be affected. Ms. Mooney stated she has utilized Fulton Bank's system for escrow accounts but it is very difficult to maintain. Administrator McNeilly stated that Lakeland Bank is on the list of official depositories which was approved at the reorganization meeting. Mayor Maio asked the Governing Body if there were any objections. Mr. Stein stated the resolution at the reorganization meeting listed Lakeland Bank as a depository and no further action is needed. The Governing Body gave the CFO approval to move the escrow accounts to Lakeland Bank.

FEMA Fire Prevention Safety Grant – Administrator McNeilly stated that the application has been completed and was submitted on January 18th. This is a small grant utilizing FEMA money for fire prevention safety. If awarded the Borough will purchase 50 user installable residential Knox Boxes to compliment the business based lock box system. The key that is kept on the fire truck could be used to access a home in the event of an emergency. This would be a first come first serve basis and would be strictly voluntary. The best opportunity for funding was to direct this toward senior citizens as the grant has to be designated for a particular age group. Depending on the amount of the grant that is awarded another option being considered is to purchase 50 carbon monoxide detectors to compliment the ones that are currently available through the Fire Department. The Fire Chief has recommended that a laser driven fire extinguisher training system be purchased called BullsEye. This can be used to demonstrate the proper use of using a fire extinguisher which can be demonstrated at a Senior Citizens Meeting, teacher in-service, schools, fire department, Borough employees and it could be set up as a demonstration for Stanhope Day. Administrator McNeilly stated that he spoke with a representative for BullsEye and she asked if the Borough was going to submit an application for the FEMA Fire Prevention Safety Grant and indicated that several entities have been successful in obtaining the grant for this purpose. Administrator McNeilly stated if the grant is awarded to the Borough the turnaround time may be as little as two months and the grant amount is approximately \$24,000.

Cross River Fiber – Mr. Stein stated that Cross River Fiber is a fiber optic company that is requesting a right of way to install fiber cable which they state is for data purposes only, not television or telephone. Under NJ law before any utility can hang a wire on any pole they must have municipal consent. Cross River Fiber has provided a sample resolution to grant consent. The Borough would have to adopt an ordinance, similar to the ordinance for cable television, to grant a franchise in the Borough to allow the wire to be hung on the poles that belong to JCP&L. Cross River Fiber will not pay a franchise fee. The only requirement would be for them to reimburse the Borough for any out of pocket expenses incurred such as costs to draft or publish a resolution or ordinance. Mayor Maio asked if by granting the franchise to hang the fiber optic cable to Cross River Fiber will it exclude other companies from doing the same. Mr. Stein replied that this is different than a franchise, it is more of a consent and it is non-exclusive. Councilman Graham asked if this conflicts with the franchise that the Borough already has. Mr. Stein stated that it will not be a conflict. Mayor Maio stated she is very concerned with this

request. Councilman Benson asked what Cross River Fiber's intentions are. Administrator McNeilly stated that they are passing their lines through the Borough and they are requesting to hang wires on the same poles where we already have cable television, telephone and electric lines. They are not requesting to run lines through the entire Borough. Mayor Maio asked Administrator McNeilly to determine where the line is to be run. Administrator McNeilly stated that he could ask Cross River Fiber to make a presentation. Councilman Graham stated the he is concerned about problems that may arise with Cablevision. Mayor Maio stated that there could also be issues with Verizon. Mr. Stein stated that he will check with BPU regarding this particular company, what they are planning and perhaps they should be invited to a meeting. Mayor Maio stated that the Governing Body needs to know specifically where the wires are being run, will tree trimming be necessary and if there are issues with right of ways.

New Jersey Environmental Infrastructure Financing Program Applicant Seminar – Administrator McNeilly stated a seminar will be held on January 30th at Raritan Community College. This seminar is in regard to the sewer bond. Lee Purcell has asked if a member of the Council will be attending. Mr. Stein stated that he will be attending the seminar which will take place from 9:00AM - 12:30PM. Councilman Benson stated that he will attend. Councilwoman Kuncken asked if a representative from the Infrastructure Committee should attend. Councilman Graham stated that he is interested in attending if there is room. Administrator McNeilly will also attend. Administrator McNeilly will contact Mr. Purcell and ask him to register them for the seminar. Mr. Stein stated that he has already registered and asked Administrator McNeilly to inform Mr. Purcell.

Billboard – Administrator McNeilly reported that during Hurricane Sandy, the billboard located just before Grafe Small Engines blew down and except for one post which remained standing, it was destroyed. Administrator McNeilly stated that he confirmed with Arlene Fisher, Code Official/Zoning Officer, that billboards are not a permitted use within the Borough. Mrs. Fisher notified the property owner that the billboard was down, needed to be removed and if the owner wished to replace it they would have to appear before the Land Use Board. This past Saturday the billboard was totally replaced and is ready to be posted. Administrator McNeilly stated that Mrs. Fisher will send a notice of violation to the owner tomorrow. Mr. Stein stated there is a billboard property that is on the in-rem foreclosure list. Mayor Maio stated this is a different property.

COUNCIL COMMITTEE REPORTS

Public Safety – Councilwomen Kuncken/Thistleton

Police, Fire, Ambulance, Court & Violations Bureau, Emergency Management – Councilwoman Kuncken reported that the Police Department incident report states there were 91 moving motor vehicle violations and there were a total of 63 citations. The Ambulance Squad report for November states there were 68 in town calls, 3 out of town calls, a total of 41 trips to the hospital, 50 patients and a total of 995 miles travelled. The December report states there were 47 in town calls, 22 in Stanhope, 25 in Netcong, 1 out of town call, 34 patients, 28 total trips to the hospital and 699 miles travelled. The yearly totals for 2012 were as follows: 655 calls, 287 in Stanhope, 349 in Netcong, 19 standbys, 21 out of town, 504 patients, 410 trips to the hospital and 10,556 miles travelled.

Finance & Administration – Councilman Benson/Councilwoman Kuncken – Councilman Benson reported that the tax collections for the year, through the 31st, for taxes were \$10,568,539 compared to \$10,608,384 which is down from last year. Councilman Benson will ask the CFO for clarification. The quarterly tax collections were down and overall collections were lower but the overall collection rate was 96.8 including the homestead benefits. The overall tax collection rate is decreasing on a quarterly basis which is a concern. Water utility collections are down comparable to last year by approximately \$4,000. The sewer rates are also down approximately \$4,000. Councilman Benson asked Dana Mooney, CFO, who was present in the audience, if this was due to timing. Ms. Mooney stated that she is in the process of preparing the financial statement with the auditors who are at the Borough this week and by the end of the week she will have more information. Ms. Mooney stated that the Borough did recuperate. Ms. Mooney stated that she will review the information with the auditors but the final reports indicate an excess and the Borough did not fall short. Originally this was a concern. Councilman Benson stated that the collection rates need to be monitored closely with regard to the future projects. Mayor Maio stated that the report shows that water collections in 2012 were lower than they

were in 2011 and asked the CFO if those funds were recouped. Ms. Mooney replied that she will need to review that further. Councilman Benson stated that he and Ms. Mooney will meet and review the information to determine if the differences are a result of usage or timing. Ms. Mooney stated that there are no percentages of collections for water and sewer like there is for taxes.

Community Development – Councilmen Thornton/Graham

Zoning, Construction, Code Enforcement, Economic Development, Chamber of Commerce, Downtown Revitalization – Councilman Thornton had no report.

Municipal Infrastructure – Councilmen Graham/Thornton

Water Distribution, Sewer Collection System, Road Construction & Maintenance, Buildings & Grounds – Councilman Graham reported that he attended the Highlands meeting last Thursday. Randolph has opted into the Highlands planning area. There is new management in the Highlands and Councilman Graham is of the opinion that the Borough should have a discussion with the new director and deputy director to see what direction they are planning to go in. The application that Randolph put in was accepted but in an interesting development, it was voted against by the person who is the most environmentally interested and conservative and his point was that they do not have the money to pay for the declining property values. The direction of what is going to happen with COAH is still unknown which was the main reason that the Borough was considering joining the Highlands. There are still two grants available, one of which is for zoning and Councilman Graham stated that the Borough may want to take advantage of this. Councilman Graham is of the opinion that the Borough should keep the option open regarding the Highlands. Mayor Maio stated the Governing Body did agree to keep this issue at the forefront. Mayor Maio asked Councilman Graham if the grant information is available. Councilman Graham replied that he does have the information and suggested that this be readdressed after the budget is completed.

Mayor Maio asked Councilman Graham to schedule an Infrastructure Committee meeting with her, Administrator McNeilly and Bill Storms to review the recycling and garbage contracts as soon as possible. Mayor Maio stated that she would like the bid to go out in February. The current contracts end as of May 31, 2013. Mr. Stein stated there is a 60 day requirement for advertising before the Borough can accept a bid. Mayor Maio stated that the Borough should investigate single stream recycling and whether the Borough would maintain the ownership of the recycling and whether or not an outside contractor would just be needed to transport it to the recycling center. Mr. Stein stated that the last bids were done separately. After much discussion, the Governing Body is of the opinion that the bids should again be done separately.

Information Technology – Councilmen Depew/Benson

Acquisition of Hardware & Software, Technical Equipment Services, Telecommunication, Cable Television Franchise – Councilman Depew reported that he and Administrator McNeilly reviewed several websites. Cit-e-Net located in Clifton provides service to Sussex County, Sparta, Jefferson and Dover. Councilman Depew stated that he spoke with the Sussex County website manager and was told that the County is looking to replace Cit-e-Net because their site is not smartphone friendly. The County found that prior to Hurricane Sandy only 5% of the people accessing their website were using smartphones. After the hurricane the percentage rose to 15-20%. Cit-e-Net has not responded to the County's request for a smartphone capable website. Councilman Depew stated that the Technology Committee is going to review CivicPlus, which is currently used by the Town of Newton, and Vision Internet. CivicPlus has a smart phone capable website. A proposal will be prepared for the February meeting.

Mayor Maio stated that the renewal with E-Government is pending. Ms. Mooney, CFO, stated that the contract with E-Government expired on November 30th. Councilman Benson stated that E-Government provides service to the Borough of Riverdale and they use the reverse 911 system. Councilman Benson asked if E-Government has been contacted to see if they have any new enhancements. Administrator McNeilly stated that E-Government's own website is outdated. Administrator McNeilly stated that the Town of Newton is pleased with the service that CivicPlus provides. Their information is presented in an up to date format and is compatible with smartphones. Administrator McNeilly stated that some providers will provide the regular website with a separate application for mobile applications. There is also a design known as a responsive website which allows the user to see the website exactly in the same manner on a computer screen as on a handheld. The County is asking for that in their proposal; however

government familiar hosting and design companies do not have the responsive environment yet. Smartphone access is important for those times when the power is down. CivicPlus does provide mobile access. Cit-e-Net is an end user intensive product. Sussex County uses the Cit-e-Net product and it requires a great deal of time to enter the information and set up the windows which is not done by the host company.

Boards/Commissions – Councilwoman Thistleton/Councilman Depew

Board of Health, Regional Planning Board, Environmental Commission, Musconetcong Sewerage Authority, Sanitation & Recycling, Recreation Commission, Shade Tree Commission, Land Use Board – Councilwoman Thistleton reported that the ACO 4th quarter report states there were 20 ½ hours billed. The free rabies clinic is scheduled for April 12th. During Hurricane Sandy the sanitarian visited all the locations in the Borough that were open, selling food and running on generators to ensure that their operations were being run properly. The Recreation Commission Easter Egg Hunt is scheduled for March 23rd at Musconetcong Park at 12:00 with a rain date of March 24th.

COUNCIL BUSINESS

Radon Testing – Mayor Maio stated that Byram Township has an article in The Township Journal to encourage residents to test for radon. Councilman Graham stated that we are in an area where radon exists and the Borough should remind residents to test for radon. Monique McNeilly, Secretary to the Board of Health, was present in the audience and stated that radon kits are available for \$10 at Borough Hall. The kits are only good for one year and then they have to be disposed of. Residents can order the kits and they are available within a day or two. Councilman Thornton asked how often it is suggested to test for radon. Councilman Graham replied that it is more an issue of testing and then mitigating the issue. Once the testing is done and radon is found the basement needs to be ventilated to prevent the radon from building up. Mayor Maio stated that sometimes the solution is as simple as leaving a window open for a period of time.

Stanhope Senior Citizen's Club (request to waive raffle license fee) - Mayor Maio stated that the Stanhope Senior Citizen's Club has requested to have the raffle license fee waived. The Seniors hold a raffle once a month at their regular meetings. The amount of the prize is usually less than \$20.00. Mayor Maio recommended that the fee be waived.

On motion by Councilman Benson, seconded by Councilman Depew, and unanimously carried by the following roll call vote, the request to waive the raffle license fees from March through December 2013 for the Stanhope Senior Citizen's Club was granted.

Roll Call:

Councilman Thornton - yes	Councilwoman Thistleton – yes
Councilwoman Kuncken -yes	Councilman Graham - yes
Councilman Depew – yes	Councilman Benson – yes

2013 Budget – Mayor Maio stated the budget discussion will begin this evening and will be limited to half an hour. Salaries will not be discussed at this time. Dana Mooney, CFO, stated that a 1 ½ % increase has been entered at this time for reference purposes. Administration has a \$4,000 increase for the management course that the Governing Body asked Administrator McNeilly to attend. Ms. Mooney stated that this amount should cover the course and any extra costs such as books and travel. Millennium Strategies has also been added to provide grant writing. These two items combined are an increase of \$6,000 – \$7,000 more than last year. The Governing Body did approve these increases at a prior meeting. The CFO will compile a list of all increases as the budget is reviewed.

Discussion took place regarding the Morris County Co-op and the Sussex County Economic Development Partnership. The Governing Body decided to remain in the Sussex County Economic Development Partnership. Mayor Maio stated the Sussex County Economic Development Partnership has been invited to come to Borough in the past but they have not done so to date.

Section 3-6 The Mayor and Council budget remains the same as last year. Mayor Maio stated she has been in contact with two people that are interested in writing the newsletter and are able to attend meetings.

The Clerk's Office budget is unchanged from last year. Mayor Maio stated in 2012 only \$98 was charged to education but it was budgeted for \$1000 originally and was reduced to \$900. Ellen Horak, Municipal Clerk, stated classes were budgeted for Linda Chirip, Deputy Clerk, however none were available. Funds were also included to cover the cost of the Registrar classes. The Deputy Clerk completed the Registrar course but the State is no longer charging for the classes. Ms. Chirip will attend the courses that provide an introduction to the duties of the Municipal Clerk and elections. The courses are generally held in the spring and fall. The \$900 will remain in the budget.

Councilman Graham asked if any information regarding the cancellation of the League Conference has been received. Ms. Horak replied that a survey was received asking if there was interest in rescheduling the conference for February. Mayor Maio stated she too received a survey and responded to it that rescheduling was not an option. Councilman Graham stated that the SCLM is also against rescheduling and the issue is that the underwriter does not want to pay the insurance. Ms. Mooney stated that the Borough received a refund for the hotel reservations. The registration fees and extra meeting seminars have not been refunded.

Section 2-1 Finance Department - Ms. Mooney stated the State dues for her licenses have increased. There was a discussion to clarify that the title of Financial Administrative Assistant to the Tax Collector is the correct title for the position.

Audit - Ms. Mooney stated that a 2% increase for audit services has been budgeted. Mayor Maio stated that the auditors held last year's fee to same amount as the year before. Ms. Mooney confirmed that but no discussion has taken place with the auditors regarding this year's costs. Mayor Maio stated the Borough should hold where we are if possible. Ms. Mooney will speak with Mr. Sarinelli. The 2% increase is less than a \$600 difference. Mayor Maio asked why there is \$1,600 budgeted for new equipment and software. Ms. Mooney replied that this will cover the costs for two new computers. Administrator McNeilly will need a new computer and one for the Clerk's Office. Municipal Software costs are the same. Councilman Graham asked why the line item shows an increase. Ms. Mooney explained that if the Borough pays the bill by March, there is a \$600 deduction. The Governing Body gave the CFO approval to pay the bill in March to qualify for the discount. This will lower the overall budget by \$600. Ms. Mooney stated that some antivirus and malware software has been added due to problems that occurred last year. Mayor Maio asked if license renewals have been covered. Ms. Mooney responded that the software is provided by Municipal Software and it is a discounted multi user license.

Section 4-4 Tax Collector – Ms. Mooney stated that there are increases for seminars. Mayor Maio stated that these may need to be cut back. Councilman Graham asked if employees are behind on CEU's. Ms. Mooney stated that most of hers are complete and there is a 6 month extension that has been granted. Councilwoman Thistleton asked why nothing is budgeted under training and education. Ms. Mooney replied that is because Toni Grisaffi has completed her training. Ms. Mooney stated that it would be beneficial for Ms. Grisaffi to attend the tax collectors conference which will be in Cherry Hill. It will be an excellent opportunity for Ms. Grisaffi to maintain her license and stay current with any changes. Part of Ms. Mooney's costs will be billed to Stillwater Township and she is of the opinion that the budgeted amount will be sufficient for both of them to attend the conference. Mayor Maio asked Ms. Mooney to let the Governing Body know first if there are courses available for Ms. Grisaffi to attend. Councilman Graham stated there is a savings of \$600 for training and education.

4-14 Tax Assessor – The Tax Assessor's budget is \$35 more. There may be some appeals due to the re-evaluation therefore that line item is budgeted for \$7,000. Costs for the year end notification cards has increased due to the one cent increase in postage for this year.

Legals – The line item for Litigation which was budgeted at \$20,000 last year for a specific purpose can be reduced by \$5,000. Litigation will be changed to \$15,000 for this year. A lengthy discussion took place regarding the COAH line items. Legal services for the Labor Attorney will be reduced from \$14,000 to \$11,000, a decrease of \$3,000. It was decided that

\$1,000 will be taken from the \$4,000 COAH line item making that \$3,000. The \$1,000 will be moved to the Tax Assessor's line item changing the \$7,000 to \$8,000 for appeals.

Ms. Mooney stated that overall the budget is now down \$1,000. Mayor Maio stated that the budget will be readdressed at the next meeting. A separate budget meeting may be necessary after the next meeting. Mayor Maio asked the CFO to correct the pages and print them on yellow paper.

NEW BUSINESS

RESOLUTIONS

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

Resolution 042-13

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE AUTHORIZING THE STANHOPE CHAMBER OF COMMERCE TO PLACE A BANNER ACROSS ROUTE 183

WHEREAS, the Borough of Stanhope received a request from the Chamber of Commerce to hang a banner across Route 183 in front of the American Legion Post 278 to promote the annual Stanhope Spring Festival; and

WHEREAS, said banner will be hung from May 15, 2013 through June 15, 2013; and

WHEREAS, prior to the placement of the banner, the Chamber of Commerce will secure the necessary permit from the New Jersey Department of Transportation;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that they hereby grant approval to the Stanhope Chamber of Commerce to hang a banner across Route 183 in front of the American Legion Post 278 from May 15, 2013 through June 15, 2013, subject to receipt of a permit by the New Jersey Department of Transportation.

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

Resolution 043-13

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO MILLENNIUM STRATEGIES

WHEREAS, the Borough of Stanhope is in need of the services of a grant consulting firm with knowledge of all aspects of the availability of applications for state and federal grants that may be available to the Borough of Stanhope on a competitive basis to assist the Borough in identifying and applying for such grants; and

WHEREAS, the services of a grant consultant constitute extraordinary unspecifiable services pursuant to the provisions of N.J.S.A. 40A:11-5(1)(a)(ii); and

WHEREAS, Millennium Strategies, LLC has the necessary experience and qualified staff to provide grant consulting services to the Borough on an ongoing basis; and

WHEREAS, Millennium Strategies, LLC has made a written proposal to the Borough of Stanhope to provide grant consultation services; and

WHEREAS, the proposed agreement between the Borough and Millennium Strategies, LLC provides for a retainer of \$1,000 per month, which amount is not in excess of the Borough's bid threshold; and

WHEREAS, said agreement with Millennium Strategies, LLC is terminable at will by the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the Borough does hereby award a contract for extraordinary unspecifiable services to Millennium Strategies, LLC, a copy of which agreement is attached hereto;

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute said agreement on behalf of the Borough.

On motion by Councilman Graham, seconded by Councilman Thornton and carried by the following unanimous roll call vote, the foregoing resolution was duly adopted.

Roll Call:

Councilman Thornton - yes	Councilwoman Thistleton – yes
Councilwoman Kuncken -yes	Councilman Graham - yes
Councilman Depew – yes	Councilman Benson – yes

Resolution 044-13 TABLED

**RESOLUTION AUTHORIZING THE AWARD OF
NON FAIR OPEN CONTRACTS FOR
PROFESSIONAL SERVICES FOR THE BOROUGH
OF STANHOPE FOR THE YEAR 2013**

WHEREAS, the Borough of Stanhope has a need for professional services for the year 2013 of Borough Attorney, Borough Labor Attorney, Borough Prosecutor, Borough Engineer, Borough Auditor and Borough Planner; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the position of each of the agreements will exceed \$17,500.00; and

WHEREAS, the anticipated term of each contract is one year; and

WHEREAS, Laddey, Clark & Ryan, LLP has submitted a proposal to provide legal services as Borough Attorney and Borough Prosecutor for the year 2013; and

WHEREAS, Robert J. Merryman, Esq. of the firm Apruzzese, McDermott, Mastro & Murphy has submitted a proposal to provide legal services as Borough Labor Attorney for the year 2013; and

WHEREAS, Robert Beinfield, Esq. of the firm Hawkins, Delafield and Wood has submitted a proposal to provide legal services as Borough Bond Attorney for the year 2013; and

WHEREAS, Omland Engineering Associates, Inc. has submitted a proposal indicating that it will provide engineering services as Municipal Engineer for the Borough of Stanhope for the year 2013; and

WHEREAS, Nisivoccia & Company, LLP has submitted a proposal indicating that it will provide auditing services as Municipal Auditor for the Borough of Stanhope for the year 2013; and

WHEREAS, Scarlett S. Doyle, PP of John Cilo, Jr. Associates, Inc. has submitted a proposal indicating that she will provide professional planning services as Borough Planner for the Borough of Stanhope for the year 2013; and

WHEREAS, each of the aforesaid professionals has completed and submitted a Business Entity Disclosure Certification certifying that they have not made any reportable contributions to a political or candidate committee in the Borough of Stanhope in the previous one year and that the contract will prohibit said professional from making any reportable contribution through the term of the contract; and

WHEREAS, each of the aforesaid professionals has completed and submitted a Political Contribution Disclosure Form; and

WHEREAS, the Chief Financial Officer of the Borough of Stanhope has certified the availability of funds for this contract pursuant to NJAC 5:30-5.4;

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 individual agreements with each Borough Professional named herein above; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of the above contract shall be published by the Borough in accordance with the provisions of the Local Public Contracts Law.

Motion was made by Councilman Benson, seconded by Councilwoman Kuncken.

Councilman Graham voiced concern about having the professional services all in one resolution. A review of the individual contracts should be done prior to approving this resolution. Mayor Maio stated that a separate resolution will be prepared for each professional and will be added to the agenda for the next meeting.

On motion by Councilman Benson, seconded by Councilman Depew, and unanimously carried by voice vote Resolution 044-13 was tabled.

Resolution 045-13

**RESOLUTION AUTHORIZING THE AWARD OF A
CONTRACT FOR PROFESSIONAL SERVICES FOR THE
BOROUGH OF STANHOPE FOR THE YEAR 2013 FOR
CONFLICT COUNSEL**

WHEREAS, the Borough of Stanhope has need for professional legal services for the year 2013 for Borough Conflict Counsel; and

WHEREAS, it is not anticipated that the value of the contract will exceed \$17,500.00; and

WHEREAS, the anticipated term of the contract is one year; and

WHEREAS, Mark J. Hontz, Esq. has submitted a proposal indicating that he will provide legal services to the Borough as Conflict Counsel for the year 2013; and

WHEREAS, the agreement with Mr. Hontz shall not exceed the bid threshold of N.J.S.A. 40A:11-1 et seq. and therefore the provisions of N.J.S.A. 19:44A-8 are not applicable thereto; and

WHEREAS, the Chief Financial Officer of the Borough of Stanhope has certified the availability of funds for this contract pursuant to N.J.S.A. 5:30-5.4;

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 an agreement with Mr. Hontz as Municipal Conflict Counsel for the Borough of Stanhope for the year 2013.

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

Roll Call:

Councilman Thornton - yes
Councilwoman Kuncken -yes
Councilman Depew – yes

Councilwoman Thistleton – yes
Councilman Graham - yes
Councilman Benson – yes

Resolution 046-13

**RESOLUTION AUTHORIZING REFUND OF
OVERPAYMENT OF WATER & SEWER FEES**

WHEREAS, in the course of selling his home, the former homeowner's attorney overpaid the Third Quarter 2012 billing; and

WHEREAS, the former homeowner has now relocated and desires a refund of the overpayment; and

WHEREAS, the former homeowner's attorney has agreed that the refund is due to the former homeowner and not to his escrow account;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, that a warrant be drawn to the former homeowner listed below in the designated amount representing a refund of overpayment of Water & Sewer fees and interest paid:

Block	Lot	Qual	Name & Address	Amount
10906	8		William Gremmo 9 Clearview Drive Long Valley, NJ 07874	\$ 233.53

Property Address: 86 Brooklyn Road, Stanhope, New Jersey 07874

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

Roll Call:

Councilman Thornton - yes	Councilwoman Thistleton – yes
Councilwoman Kuncken -yes	Councilman Graham - yes
Councilman Depew – yes	Councilman Benson – yes

Resolution 047-13

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF STANHOPE AUTHORIZING THE
ISSUANCE OF RAFFLE LICENSE RA-586**

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

<u>Raffle #</u>	<u>Applicant</u>	<u>Date</u>	<u>Type of Game</u>
RA-586	Stanhope Borough Senior Citizens	02/28/13	50/50

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.

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

Resolution 048-13

**AWARD OF CONTRACT TO NIXLE, LLC TO PROVIDE
AN EMERGENCY MESSAGE NOTIFICATION SYSTEM**

WHEREAS, the Borough of Stanhope has a need to provide emergency information to its residents, and

WHEREAS, Hurricane Sandy left the majority of Stanhope residents without electricity, telephone, cable TV and internet access, effectively isolating them for up to 12 days, and

WHEREAS, the Nixle system will assist the Borough in providing Community News, Emergency Alerts and Storm Recovery Information, and

WHEREAS, Nixle, LLC has submitted a proposal to provide Nixle Connect Plus for a period of one year, said proposal is attached hereto; and

WHEREAS, the Borough desires to enter into an agreement with Nixle, LLC PO Box 2881, Westfield, NJ 07090 for a one year subscription of Nixle Connect Plus at a cost of \$1,795.00;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope as follows;

1. The Administrator is hereby authorized and directed to execute said Agreement on behalf of the Borough with a total fee being \$1,795.00.
2. Award of this contract is contingent upon the certifications as to the availability of funds by the Chief Financial Officer.
3. This Resolution shall take effect immediately.

On motion by Councilman Graham, seconded by Councilwoman Kuncken, and carried by a majority roll call vote, the foregoing resolution was adopted.

Roll Call:

Councilman Thornton - yes	Councilwoman Thistleton – yes
Councilwoman Kuncken - yes	Councilman Graham - yes
Councilman Depew – yes	Councilman Benson – no

Resolution 049-13

**AUTHORIZATION OF ADDITIONAL HOURS FOR
SEASONAL PART-TIME LABORER TO BUILDING AND
GROUNDS**

WHEREAS, the Borough of Stanhope has an ongoing project for renovation of critical facilities within the Borough, and

WHEREAS, the Borough had allotted a set amount of hours for the project in a previous resolution, and

WHEREAS, the project scope was amended to allow for changes, whereby additional hours are required to complete the project, and

WHEREAS, the additional work is anticipated to take an additional 200 hours,

NOW, THEREFORE, BE IT RESOLVED this 22nd day of January 2013 that the Mayor and Borough Council of the Borough of Stanhope hereby authorizes the addition of hours for the purpose of completing the renovations of critical facilities within the Borough. The additional hours are not to exceed 200 hours.

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

Roll Call:

Councilman Thornton - yes	Councilwoman Thistleton – yes
Councilwoman Kuncken - yes	Councilman Graham - yes
Councilman Depew – yes	Councilman Benson – yes

Councilman Graham stated that although this resolution grants an additional 100 hours he would like to see the actual amount of hours used to be less than that.

MAYOR'S APPOINTMENT

Resolution 050-13

RESOLUTION APPROVING THE MAYOR'S APPOINTMENT OF THE BOROUGH'S REPRESENTATIVE TO THE MUSCONETCONG SEWERAGE AUTHORITY WITH COUNCIL CONCURRENCE

Mayor's appointment of James Benson as the Borough representative to the Musconetcong Sewerage Authority with Council Concurrence.

BE IT RESOLVED by the Council of the Borough of Stanhope that they do hereby concur with the Mayor's appointment of James Benson as the Borough's representative to the Musconetcong Sewerage Authority for a 5-year term effective February 1, 2013;

BE IT FURTHER RESOLVED that the Clerk be and is hereby directed to send a certified copy of this resolution to the New Jersey Secretary of State together with a voucher for the filing fees.

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

PAYMENT OF BILLS

Resolution 051-13

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 22, 2013 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 carried by the following unanimous roll call vote, the foregoing resolution was duly adopted.

Roll Call:

Councilman Thornton - yes
Councilwoman Kuncken -yes
Councilman Depew – yes

Councilwoman Thistleton – yes
Councilman Graham - yes
Councilman Benson – yes

ATTORNEY REPORT

Mr. Stein stated that he had nothing to report.

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.

ADJOURNMENT

On a motion by Councilman Depew, seconded by Councilman Graham, and unanimously carried by voice vote the meeting was adjourned at 10:05 P.M.

Approved:

Linda Chirip
Deputy Clerk
For Ellen Horak
Borough Clerk