

**MAYOR AND COUNCIL
WORK SESSION AND
AGENDA MEETING
February 10, 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

Mayor Maio revised the Agenda and opened to Citizens to be Heard.

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.

Tim Nicinski, Superintendent Stanhope School, expressed his thanks to the Borough of Stanhope DPW for the excellent job they have done keeping the roads clear. Mr. Nicinski stated that Stanhope School has been able to open school one more day than the other schools in the regional area and more than those located further north in the county, due to the good condition of the roadways. Being able to have the students in school is important for their education. It is also important for the families. Many families in this day and age do not live close to their extended families and many are single parent homes. When school is not in session parents have to arrange child care options or stay home from work. Limiting the number of snow days is good for the economy and the parents who are wage earners.

Mr. Nicinski stated on several occasions he has contacted the Police Department at 3:00 - 4:00AM in the morning to obtain information regarding the condition of the roads. The officers have been very helpful in providing information necessary to determine if school should be closed. Mr. Nicinski extended his thanks, and that of the School Board, to the Borough of Stanhope for the assistance provided to the school. Stanhope School is grateful for the help.

Mayor Maio thanked Mr. Nicinski for attending tonight's meeting to say thank you. Mayor Maio stated the Borough's DPW is among the best and they do a super job and she is glad that this has worked out for the school. Mr. Nicinski stated he has worked in other districts and has never seen the roads as clear as they are in Stanhope. Stanhope School has been open two more days than the schools north of Sparta.

Administrator McNeilly stated Mr. Nicinski calls him on early dismissal days and then the DPW is asked to make sure all the roads in the area are cleared again prior to dismissal. Mayor Maio stated it is refreshing to have the open communications between Stanhope School and the Borough and Mayor Maio thanked Mr. Nicinski for providing that.

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

ENGINEER'S REPORT

Mayor Maio invited Eric Keller, Omland Engineering, forward to give the Engineers Report.

Fencing and Gates - Mr. Keller reported that all the fencing issues with the wells and the tower have been addressed and the payment can be processed. A meeting will be scheduled with National Fence in the next few weeks to discuss the gate controller portion of the project. Mayor Maio asked how the gates are being secured at this time. Mr. Keller replied the gates are manually opened, closed and locked. Administrator McNeilly stated that EB Fence has not completed the project. Mr. Keller confirmed this and stated that EB Fence will have to complete the gate at DPW. The DPW gate is larger than the other gates. The electronics for the gate controller may have to be modified from what was specified. Administrator McNeilly stated the new gate at the DPW yard cannot be installed until the electronics are in place. Mr. Keller stated EB Fence left excess materials at the tower site for the Borough which they did not want to transport back to South Jersey. Mayor Maio asked if EB Fence went over budget. Mr. Keller replied EB Fence remained on budget.

James Street - Mr. Keller stated the plans for James Street are complete and ready to be submitted to NJDOT for comment. A letter was sent a month and a half ago to request combining the two projects. A response has not been received to date. Mr. Keller stated he will submit the request again. A schedule has been laid out assuming the projects are submitted individually. Mr. Keller stated a homeowner does not like the placement of one of the inlets in front of his home on the upper section of James Street. There would only be a small metal casting if anything. Mr. Keller stated it has to be set so that the grades are proper and the driveways will not be affected. The second to last house on the right going up the street is going to have the entire driveway redone. Mayor Maio asked if the driveway is included in the bid specifications. Mr. Keller confirmed this. Councilwoman Kuncken asked if the issue has been discussed with the homeowner. Mr. Keller stated the homeowner has not been contacted as yet. Mayor Maio stated the homeowner needs to be contacted. Administrator McNeilly stated plans need to be available to show the homeowner. Councilwoman Kuncken asked for the address. Mr. Keller stated 27 James Street.

Administrator McNeilly asked Mr. Keller if there is anything in the plans that the NJDOT may have issue with. Mr. Keller is of the opinion there will be no issues. Mayor Maio stated the work will extend ten feet into the right of way. Mayor Maio asked if the homeowners have been contacted. The work will be in the right of way but it is still their driveways. Administrator McNeilly stated he has contacted one homeowner with a separate issue. Mr. Keller stated the three houses in the curve and the house across the street approaching the curve will have work done in the driveways. Each of the driveways, even where the road is being redone will have at least five feet of the driveways effected in order to blend back in. 25 James Street and 27 James Street are the driveways which will have the greatest disturbance.

Mayor Maio stated it is her opinion that a letter should be sent to every homeowner on James Street. The letter should state the work which is going to be done and the fact that it is going to include work on their driveways in the right of way. Invite those residents to come here for a meeting at a specified date and time to view the plans. Mayor Maio does not want an issue again where the residents will say they were not informed. Councilwoman Kuncken stated last time there was one resident that viewed the plans ahead and none of the other residents had the same opportunity which became an issue. Mayor Maio stated based on what we have learned and going forward this should be the matter of course. The residents need to be made aware that a project is going to take place on their street and what the impact will be. Administrator McNeilly asked if the plans the residents are going to view are the final plans. Mayor Maio confirmed this will be an informational meeting, unless someone indicates there is an incredible problem. Mayor Maio stated the informational meeting can be held prior to a regularly scheduled council meeting. Mr. Keller stated this is done in other towns. The

presentation of the project is made to the public and once the project is awarded to the contractor a letter can be sent indicating the start date. Mayor Maio stated if the work is going to touch on Maryann Terrace, those residents need to be included. Mr. Keller stated the work will stop at Young Drive. Administrator McNeilly stated if all goes well with NJDOT, the Borough could advertise on March 17th, open on the 21st and award at the April business meeting. Construction could begin on June 15th. Mayor Maio stated she would like to see the letter to the residents prior to it being mailed.

Councilman Thornton asked if the April 28th meeting will begin at 6:30PM. Mayor Maio confirmed this. Administrator McNeilly asked if the April 28th meeting is the date to invite the residents. Mayor Maio confirmed this.

Sidewalk Project – Mr. Keller stated the sidewalk project will begin at Acorn Street. There are a series of driveways which we are trying to provide a sufficient separation between the 50 mph speed on Route 206 and the fact that some of the properties slope up. The Corvino's property has two depressed curbs with something in the middle. We are going to redefine that area to better define the driveways on either side. That work will all be done in the right of way.

Mr. Keller stated at The Black Forest the plan is to leave the island and the curb will be rebuilt on the island. The sidewalk will go through at paving grade. Through the larger island between the first entrance into the small parking area there will be a ramp up to the island level and then back down to the driveway. Mayor Maio asked Mr. Keller if the businesses will have entrance and egress during the construction. Mr. Keller stated there will be access to the properties.

Administrator McNeilly asked if concrete aprons will be poured when crossing the driveways. Mr. Keller stated some of the driveways will have concrete aprons. At the Corvino's there is a paved driveway that will remain in place. Curbing will define the driveway on either side, a curb ramp will be installed and the pavement striped. Mayor Maio asked if there are any existing aprons. Mr. Keller stated typically an apron is not existent unless there is a sidewalk. Administrator McNeilly asked how the property owners will access their properties where the aprons must be installed. Mr. Keller stated this will have to be discussed with the contractor. This will affect the properties from Acorn Street up to Corvino's property where the driveways will remain as they are. At the Hamilton property we are providing the aprons and on the back side of the sidewalk we will replace the asphalt. The Black Forest asphalt driveways will remain as is but they will be striped.

At Grafe's property the existing curb cuts will remain in place. The island area will be defined with curbing. This work will be done solely within the right of way. Mayor Maio asked if Mr. Grafe has been informed of the work to be done. Administrator McNeilly replied that Mr. Grafe has been in the office and this has been discussed. Mr. Grafe's concern was the clearing of the sidewalk in the winter. Councilwoman Kuncken stated this will be a concern for all the property owners. Mr. Keller stated the area from Grafe's to Stonegate is owned by Stanhope Mountain Property and Public Service, two property owners that will not maintain the sidewalks.

Mr. Keller stated this area is going to require a retaining wall, three feet in height and at the southern end near Stonegate Lane the wall will have to be five feet in height for a limited stretch. In order to construct the wall and grade it, easements will have to be obtained from Stanhope Mountain Property and Public Service. There is not enough room between the utility pole and the curb. The pole cannot be moved. Mayor Maio stated this area will require excavating. Mr. Keller confirmed excavation will be required to be done in a temporary construction easement but the wall will be placed in the right of way. That may affect schedules. NJDOT will need to know the easements are obtained. Administrator McNeilly stated the easement information needs to be provided to Mr. Stein.

Mayor Maio stated an information meeting will have to be scheduled for the property owners. The easements need to be obtained prior to when such a meeting would be scheduled. Administrator McNeilly stated a letter will have to go to these property owners sooner. Administrator McNeilly stated he will need information from Mr. Stein in order to prepare the letter. Administrator McNeilly stated he spoke with George from Public Service, in November, who informed him that arrangements such as this are done often and George provided the contact information. Administrator McNeilly stated he does not have the same

relationship with Stanhope Mountain. Mr. Keller has spoken with Stanhope Mountain to let them know about the project. Mayor Maio asked where the sidewalk will be in relation to the billboard. Administrator McNeilly stated the billboard has been removed. Mr. Keller stated the billboard was approximately 25 feet behind the property line. The work at the Stonegate property will all be done in the right of way. Curbs will be installed and an adjustment will be made to the storm sewer. Mayor Maio asked if access to and from the condominiums will remain open during construction. Mr. Keller confirmed that access will be provided. The traffic will be shifted.

Mr. Keller stated there is an existing sidewalk in front of Capitol Care.

Mr. Keller stated that he has spoken with Mr. Milelli, from the Plumbing Store. There is a very large curb cut, which exists today, that will have a crosswalk striped across it. Mr. Keller is of the opinion that the NJDOT will not approve this. Mr. Keller stated if NJDOT denies this request, Mr. Milelli will be informed and then he can address the issue with NJDOT on his own. The secondary plan, which does not go all the way to the to the right of way line, is to create an island that will be the curb on Route 183, a sidewalk and a curb on his side which will be approximately six feet to six and a half feet. Mayor Maio asked if the curb can be driven over. Mr. Keller stated it will not be able to be driven over. When a curb can be driven over NJDOT considers that a curb opening. Mayor Maio asked why NJDOT approved mountable curbing for Netcong Hardware and the Deli. Mr. Keller stated it is possible that NJDOT may require other driveways, such as Corvino's, to be narrowed down. Mayor Maio stated if Corvino's driveway opening is narrowed, there is still ample parking. That is not the case at the Plumbing Store. Mayor Maio stated the request to the State should include mountable curbing. Mr. Keller stated it is his opinion that the State should advise the Borough as to the requirements and then meet with them to explain why that will not work. Mr. Keller stated these driveways were grandfathered in but are no longer permitted. Mr. Keller stated the Schelowski and Poccia properties will be included in the work to be done. Mr. Keller stated the phone booth will have to be removed.

Councilwoman Kuncken stated this is a great deal of information to visualize. Councilwoman Kuncken asked if an informational session could be held onsite. Mayor Maio asked Mr. Keller about elevating the sidewalk near Stonegate. Mr. Keller stated due to the fact that a wall has to be installed it was decided to make the wall higher and install the sidewalk so there is not a large drop down to the road. The distance to the road will be a minimum of five feet. Administrator McNeilly stated the Borough will need to maintain that section for grass cutting and snow removal. Mr. Keller stated the sidewalks will be five feet wide to comply with ADA standards, with the exception of the four foot sidewalk that is being matched by the Self-Storage Center. The sidewalks will be concrete. During construction traffic will be limited to one lane during the day. There will be a stop sign on Route 183 for the one lane closure on Route 206 North. Work will begin early in the day and be completed by three each day to avoid rush hour traffic. NJDOT will set the times and the schedule for holidays. Administrator McNeilly stated NJDOT will guide the closure, the signage and the requirements.

Mayor Maio stated the costs for the traffic control by the Police Department need to be included. Mr. Keller stated the Local Aid portion will not cover the Police Department costs. Administrator McNeilly stated those costs will be incurred by the Borough and will be budgeted. Mayor Maio asked Mr. Keller if estimates are available at this time. Mr. Keller stated he is still finalizing the estimates. The estimates should be ready by the end of this week or early next week. The James Street estimate is close to the original engineer's estimate of approximately \$360,000 – \$370,000. It is anticipated that a \$200,000 grant for this project will be received. The sidewalk project has received a grant of \$250,000. Mayor Maio stated a public information meeting will have to be scheduled. Administrator McNeilly stated the Borough is requesting permission to combine the two projects together for bidding purposes. Mayor Maio stated two separate informational meetings will have to be scheduled. Mayor Maio stated she is concerned about having the same contractor for both projects. Mr. Keller is of the opinion that combining the projects will allow better options. Much discussion took place regarding the contractor issues regarding the projects.

Capital Budget – Mr. Keller stated he, Bill Storms, DPW Superintendent, Administrator McNeilly and Frank, Omland Engineering, met to discuss the Capital Budget for 2015. A review was done of what the Borough has been doing, whether it was road reconstruction, resurfacing or chip and seal program. The Borough has gotten all the work done through the

water main project last year. Most of the roads that are left are smaller, isolated neighborhoods. Most of the little neighborhoods have sub-standard water mains.

Mayor Maio stated when the full scope of the water project was originally looked at, it was an expensive project which was prioritized and narrowed down. The projects were divided into those which could be done by Stanhope's DPW and those which could not. Mr. Keller stated the co-op does not have water main pipe therefore, Mr. Keller stated he has prepared estimates using contractor prices as a ceiling point. The paving can be done through the co-op. The co-op will schedule the smaller paving jobs in with larger jobs in the area unless there is a full day of paving work to be done.

Mr. Keller stated the Port Morris area from a water standpoint is a big dead end. Part of the water master plan is to make a connection from the paper street portion of Hillside Avenue up to Brooklyn Road. This will make a loop so that Central, Roberts, Lakeview and Port Morris will have multiple means for accessing that neighborhood. A four inch main on Hillside will be replaced with an eight inch line. The main on Central is a six inch main which is acceptable for the number of homes in that area. The other component which was looked at is not as critical but there is no water main on Walton Place for those four homes. By extending the water main down Walton to those homes it would also allow for a fire hydrant to be installed.

Mayor Maio asked Mr. Keller if the DPW is going to do the work, would engineering have to be done. Mr. Keller stated he would work with the DPW to provide what is called a tax map outline of the work to be done. Mayor Maio stated last year the water main project was the only one scheduled. This year the Borough has already scheduled the sidewalk project and the James Terrace project. Neither of these will require hands on work by the DPW. But in a sense neither did the water project. Mayor Maio is concerned there will not be enough time to complete these two projects, one or two additional projects and the other work that needs to be completed such as the water meters and the work at the garage. Councilwoman Kuncken stated there will be all the summer maintenance work to be done as well. Administrator McNeilly stated there was a considerable amount of collaboration between the contractor for the water main project and the DPW last year. Relative to James Street and the sidewalk projects, DPW will not have any reason to be involved. This will be handled by engineering.

Mayor Maio stated it is her opinion that for the second year in a row she does not want to be so involved in projects that the day to day operations are not done. The decision to replace the water meters with the reads and the ceramic meters are not done yet. Administrator McNeilly stated the road detail projects were broken down into areas. The areas are Roberts, Lakeview, Hillside, Central, Coursen, Port Morris and Spring; Hickory, Ridge, Overhill, Sunset and part of Maple; and the third is Spring Lane these areas have roads in poor condition as well as four inch water main lines. The first area was then reviewed further and it was determined Roberts and Lakeview are in decent condition and then focus was directed on the other roads. Mayor Maio stated these projects cannot all be addressed this year and there are heavily travelled roads that are in need of repair.

Mr. Keller stated the roads in the selected areas should not be paved without first replacing the water mains. Spring, Coursen and Port Morris roads are in bad condition. The budget issues were considered. Mr. Keller stated the work to connect the water main and complete the loop from Hillside up to Brooklyn on Spring Street is between 200 and 250 feet which could be done by the DPW. The area should not be paved until all those streets are done. Administrator McNeilly asked the Governing Body if there are particular areas that Mr. Keller should review. Mayor Maio stated Spring, Hickory and a section of Maple need attention. Councilwoman Kuncken stated Oak down the middle is in bad condition. Mayor Maio asked if the recommendation is to have all the aspects of this work to be done this summer. Mayor Maio asked what the priorities are. Mr. Keller stated Walton can be handled as a separate project for the future. The water portion of the rest of those streets is minimal. This would require the replacement of a few hundred feet on Hillside, and six to seven hundred feet of pipe on two streets and then repaving all of the streets. Spring and Lake would require 1000 feet of pipe. Mayor Maio asked Mr. Keller why Spring cannot be repaired without replacing the water mains. Administrator McNeilly stated the engineers do not want to replace the road when what is underneath is not acceptable. Mr. Keller stated to do this would not be inconsistent with NJDEP regulations. The report which is submitted to the state indicates how many four inch water lines are still in use. Last year's project did eliminate those at the point. Councilwoman Kuncken asked if other than Walton, are there

any other projects that can wait in order to repair the other roads. Mayor Maio stated there is no question these projects need to be done. These streets are the least traveled in the Borough and in Mayor Maio's opinion all the funds should not be placed in these areas. Mayor Maio stated something has to be done to repair the road surface on Maple Terrace. The upper end of Maple Terrace will involve eliminating the hump which will be a project in itself. Mr. Keller stated Hickory and Maple are strictly paving projects. Administrator McNeilly stated the roads should be milled and paved. Mr. Keller stated based on past experience he would be hesitant to mill any streets which have not been rebuilt.

Mayor Maio stated the amount of money to be spent needs to be determined and the scope of work needs to be determined which will not consume the DPW for the entire season. A balance must be reached between the engineer's recommendations and the need to correct situations that residents have been living with for quite some time. Administrator McNeilly stated last year the lower Maple Terrace out of pocket costs were approximately \$300,000. Councilwoman Kuncken stated it is not the \$300,000 but more importantly how those funds should be used. The residents need to know we have spent the money to the best of our ability.

Mr. Keller stated as the Engineer he can only provide advice for the work to be done. The Governing Body has to make the tough decisions as to what work can be done. Mr. Keller will do the work the Governing Body chooses but in his opinion paving the roads without replacing the sub-standard water mains is not advisable. Mr. Keller stated he has not looked at Maple, Oak and Hickory in detail. As an engineer, replacing the four inch water mains is the most important project. Administrator McNeilly suggested that a detailed cost for each of the following streets be prepared for Oak Drive, Hickory Drive, Ridge Road, Maple Terrace, Spring Lane and Sunset. The costs will include water mains if they are necessary for that road. The information can be reviewed and a determination made as to what projects should be done this year.

Mayor Maio stated as an example Spring Lane does not have any trouble with their water service. It could take seven years for all the four inch main lines to be replaced in the Borough. If the road can be repaired now and then dug up seven years from now that would be acceptable. But the road cannot remain in the condition it is. Councilwoman Kuncken stated to the Governing Body that the decisions must be made by the Governing Body. Mr. Keller can only make his recommendations. Councilman Romano stated he agrees with Mr. Keller regarding the water main situation. Councilman Romano is of the opinion that the costs should be determined and the entire project should be undertaken. Councilwoman Zdichocki stated she agrees with Councilman Romano. Councilwoman Thistleton stated the most travelled roads do need attention. Mr. Keller stated he does not disagree but just because roads such as Spring Lane are not heavily travelled does not mean that repairing them is not important. Mr. Keller stated in his opinion the connection from Spring Street from the Hillside Avenue paper street up to Brooklyn Road should remain a consideration due to the fact it will benefit many residents. This will improve reliability and pressure in that area and he is of the opinion the DPW could complete the work this summer. Mayor Maio asked if the Spring Street project is number one on the priority list. Mr. Keller confirmed it is first. Administrator McNeilly stated further discussion will take place once the priority list is prepared. Mayor Maio asked Mr. Keller if he can prepare the list for discussion at the next scheduled Mayor and Council Meeting.

Councilwoman Kuncken stated to Mr. Keller that his professional advice is greatly appreciated. A balance has to be determined in order to benefit the community as a whole. Mr. Keller replied he will prepare the list for further discussion. Mayor Maio asked Administrator McNeilly to provide a list of open DPW projects. Councilman Thornton asked what the status is for the upper section of Sagamore Road. Administrator McNeilly stated once the weather breaks, if roads qualify for oil and stone, Sagamore Road will be considered. Councilman Thornton is of the opinion that if other roads are paved, the residents will question why their road has been oiled and stoned. Mayor Maio stated Sagamore Road does not need to be milled. Mr. Keller stated that road was oil and stone because that is what it needed. Administrator McNeilly stated Mr. Keller will attend the February 24th meeting.

Mayor Maio and the Governing Body thanked Mr. Keller for attending tonight's meeting and providing very helpful information.

ADMINISTRATOR'S REPORT

Energy Aggregation – Administrator McNeilly stated there have been two unsuccessful auctions held. The feedback from the vendors indicated their hesitation for the best price was due to the seven day resolution requirement. The vendor would like to know that the base savings of 5% would be acceptable to the Borough and would like that to be done by resolution. When the presentation was originally made to the Governing Body, a one month savings was projected to be the savings for every resident. The 5 cents on a dollar amount will not produce that savings. Administrator McNeilly stated he has spoken to the Mayor from Fredon Township who has similar concerns and the Administrator in Hardyston who also has concern. Mayor Maio stated the 5% is not worth making this change. Mayor Maio stated the intent of the Governing Body was to benefit the residents. Saving a month's utility bill for the year would be beneficial. Mayor Maio stated a 5% savings is not worth it. Councilman Depew stated it is not worth it. Councilwoman Zdichocki stated a savings is always worth it, however if it is possible to do better that is what we should do. Councilman Thornton is of the opinion that nothing less than 10% should be accepted. Councilman Romano stated it should be 10% but no less than 8%. Councilwoman Thistleton and Councilwoman Kuncken stated 5% is unacceptable. Administrator McNeilly asked if the Governing Body is in favor of 8% or 10%. Mayor Maio polled the Governing Body, the results are as follows: Councilman Depew – 10%, Councilwoman Zdichocki – 10%, Councilman Thornton – 10%, Councilman Romano – 10%, Councilwoman Thistleton – 10%, Councilwoman Kuncken – 10%. Administrator McNeilly will convey this result by email back to the energy company and the other municipalities.

Lee Purcell Engineering Payment Request – Administrator McNeilly stated the engineering budgets are still coming up short. There are funds which have already been expended. Two budget increment requests have been received. Mayor Maio asked if the costs are reimbursable by the trust. Administrator McNeilly confirmed the funds will be reimbursable from the loan through the trust.

On motion by Councilman Romano, seconded by Councilwoman Kuncken and unanimously carried by the following roll call vote, approval was given for the budget increments submitted by Lee T. Purcell Engineering.

Roll Call:

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

Stanhope Eye Associates Request - Administrator McNeilly stated correspondence was received from Stanhope Eye Associates requesting a sign ordinance change. The request was researched and there does not seem to be an issue with the ordinance. Administrator McNeilly has contacted Stanhope Eye Associates and recommended they contact the Zoning Official with a copy of their survey and information regarding the type of signage to be installed. Mayor Maio stated no signs may be placed in the right of way.

WORK SESSION

Environmental Commission Trail Plan – Mayor Maio stated Steve Ellis, NJDEP, approached John Rogalo, Chairman Environmental Commission, regarding a project to clear the area with the Plaster Mill to your left, heading away from the Plaster Mill along the Towpath, on the right side across the canal down past Owen's is all State owned property. They spoke about clearing it and installing benches and also carrying the Towpath path down around the turnaround pond. Mayor Maio stated Mr. Rogalo informed Mr. Ellis that the Borough wanted to include the path from Salmon Park behind the Tannery and the Fire House but the Borough was not permitted to do so last year. Mr. Rogalo invited Mr. Ellis to come and walk the area with him. Mayor Maio provided a copy of the plan. Mr. Ellis walked with Mr. Rogalo and Mike Balough, member of the Environmental Commission. Mr. Ellis asked Mr. Rogalo to provide a map and write a letter and he will acquire the permits. Mr. Ellis told Mr. Rogalo and Mr. Balough this is a project worth pursuing. Mayor Maio stated Mr. Rogalo and Mr. Balough informed Mayor Maio and Administrator McNeilly about the conceptual plan and stated this needed to be done as soon as possible. Mayor Maio stated this was nothing that has not already been discussed in the past and it is conceptual only. Mayor Maio and Administrator McNeilly instructed Mr. Rogalo to proceed to find out if the permits could be

acquired at no cost to the Borough. Prior to anything being done all the permits and red tape would have to be handled by Mr. Ellis. Mayor Maio stated Cindy Randazzo, NJDEP, is also in favor of this project. Administrator McNeilly stated the list of permits would be applicable to the other side as well. Mayor Maio stated Mr. Rogalo and Mr. Balough worked hard on the plan and are to be congratulated.

Stanhope School James McNeilly Scholarship – Mayor Maio stated a request has been received from Stanhope School to provide \$100 to the James McNeilly Scholarship. Councilwoman Kuncken recommended the Governing Body should continue to make this donation.

On motion by Councilman Depew, seconded by Councilwoman Zdichocki, and unanimously carried by the following roll call vote, approval was granted to provide \$100 to Stanhope School for the James McNeilly Scholarship.

Roll Call:

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

DPW – Supervisor Position/New Hire – Mayor Maio asked Administrator McNeilly to make his presentation for the Supervisor Position and new hire for the DPW. Administrator McNeilly stated he spoke with Bill Storms, DPW Superintendent, regarding the areas of public works where work is being done within the water system, the sewer system, buildings, grounds, wells, sewer stations, water mains, detention basins, 12 miles of roads, catch basins, drainage pipes, crosswalks, signage and lights. In the late 1980's the DPW was responsible for garbage and recycling collection. At that time the department had 13 employees consisting of 11 manpower, 1 supervisor and 1 superintendent. In the late 1990's the recycling was outsourced and the department was reduced to 11. The garbage collection was later outsourced and in 2005 the department had 7 employees which consisted of 5 manpower, 1 supervisor and 1 superintendent. In February 2008 the supervisor resigned and a decision was made not to fill that position. Administrator McNeilly stated it is his recommendation to have the supervisor position reinstated. The superintendent is currently the direct supervisor for the department. At times when the superintendent is unavailable, whether it is due to sickness, vacation or training, the department is without direct supervision. The supervisor position would provide coverage for the superintendent and would also be beneficial when two separate projects are in progress. Succession planning is also an important aspect. Water and sewer licenses and the certified public works manager course require training and testing over period of time.

Administrator McNeilly stated the previous supervisor's salary in 2008 was approximately \$53,000. Administrator McNeilly proposed a \$50,000 salary. There are currently three repairers in the department. Two are currently at a salary of \$44,073. If one of these two were to become the supervisor, this would be an increase in salary of approximately \$6,000. The third repairer receives an additional amount to his salary which totals \$47,284. The difference in salary if this repairer becomes supervisor would be \$2,716. The cost would be divided evenly across water, sewer and roads.

Administrator McNeilly stated crack sealing is a 3-4 person job, sewer jet and camering is a 3-4 person operation, paving requires full crew, leaf collection is a 3-4 person operation, water pipe replacement is full crew, brine pretreat is a 2 man operation and plowing is full crew. More crew is needed when working on main roads to ensure proper safety zones. Leaf collection on Brooklyn Road requires a full crew of 6. At times Administrator McNeilly has assisted in order to provide the proper safety measures.

Administrator McNeilly stated of the six members in the DPW, two currently qualify for 20 vacation days per year. The remaining four qualify for 15 days. This does not include sick time, comp time or training time. When the staff falls below the need for the work planned, this causes work to be cancelled or delayed. Administrator McNeilly stated the Mr. Storms' time is split between being a worker and a manager. Over the years some aspects of the management side have increased immensely in the areas of NJDEP paperwork, stormwater management, purchasing, record keeping on the water and sewer side, issues with recycling and composting and the recording of health and safety for POSHA. Administrator McNeilly stated Mr. Storms should be able to be looking to the future and having an idea of what

projects need to be taken care of. Mr. Storms is doing his best to provide all this information but he does not have enough managerial time.

Administrator McNeilly stated the current contract for a laborer's salary is \$40,716. The added fringe benefit costs results in a total of approximately \$55,000. If the new position is approved for this budget, the starting date would be a June 1-15 start date. The impact to this year's budget would be for half a year. Currently there is \$20,000 in the budget for part time summer help. Those costs could be merged with additional funds to bring a person on full time. Mayor Maio stated the proposed part time employee would be eliminated. Administrator McNeilly confirmed this. Mayor Maio asked the Governing Body if they have any questions. Councilwoman Zdichocki stated the increase to promote one of the repairers would cost approximately \$5,000 and hiring a new laborer would cost \$55,000 or a total of \$60,000. Administrator McNeilly confirmed this but stated there is already \$20,000 in the budget. Councilwoman Zdichocki stated for \$40,000 the Borough would then have a supervisor and an additional worker. Councilman Romano asked what happens if no one wants to be promoted or if no one is qualified. Administrator McNeilly stated if the staff stays static the Borough could advertise for the supervisor position at that dollar figure. Councilwoman Kuncken stated if that happens there will be a change in the costs. Much discussion took place regarding this option. Administrator McNeilly stated the current superintendent is "grandfathered in" and does not have to be a certified public works manager. The next superintendent will have to be certified.

Administrator McNeilly stated if the Governing Body is in favor of this proposal he will ask the CFO to provide the budget information. Mayor Maio polled the Governing Body, and asked, if the funds are available, are they in favor of potentially promoting an employee to the position of supervisor. The results are as follows: Councilman Romano – yes, Councilwoman Thistleton – yes, Councilwoman Kuncken – yes, Councilman Thornton – yes, Councilman Zdichocki – yes, Councilman Depew – yes. Mayor Maio stated if the funds are available the Governing Body approves the promoting of an existing employee to the position of supervisor.

Mayor Maio polled the Governing Body asking if they are in favor of conceptually hiring a new employee as a laborer for the DPW if the funds are available. The results are as follows: Councilman Depew – yes, Councilwoman Zdichocki – yes but would it be more beneficial to hire someone part time to avoid the added benefit costs, Councilman Thornton – yes, Councilwoman Kuncken – yes, Councilwoman Thistleton – yes, Councilman Romano – yes.

Mayor Maio asked Administrator McNeilly to obtain the necessary budget information.

Councilwoman Kuncken stated the Public Safety Committee has a meeting scheduled with the Fire Department for tomorrow at 5:30 to discuss the budget. The ambulance squad has requested a meeting also.

Councilman Depew stated he has contacted Navitend regarding the website but he has not received a return call. The cost to design the website with Pavia would be approximately \$12,000.

Councilman Thornton stated he, Councilman Romano, Mayor Maio, Administrator McNeilly and Bill Storms, DPW Superintendent, met this morning to discuss the budget. We were satisfied with the explanations we received and will be able to provide detail at the next budget meeting.

Administrator McNeilly stated he has asked the CFO to provide specific information regarding the trusts.

NEW BUSINESS

Ordinances for Introduction [Public Hearing on February 24, 2015]

Ordinance 2015-01

**AN ORDINANCE TO AUTHORIZE THE SALE OF
BLOCK NO. 11207, LOT NO. 11, LOCATED AT 67-69
MAIN STREET STANHOPE, NEW JERSEY**

WHEREAS, the Borough of Stanhope is the owner of all those lots, parcels and tracts of land as hereinafter set forth in Schedule A, which land is not needed or required for municipal use; and

WHEREAS, said lot has no improvements located thereon; and

WHEREAS, the Mayor and Council of the Borough of Stanhope have deemed it in the best interest of the Borough of Stanhope to sell the lot to the highest bidder at an open public auction sale pursuant to the provisions of N.J.S.A. 40A:12-13(a);

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

1. The Borough of Stanhope shall sell, pursuant to the provisions of N.J.S.A. 40A:12-13(a), the property set forth in Schedule A attached hereto.

2. After final passage of this Ordinance, the Borough of Stanhope shall sell the property set forth in Schedule A after offering same at a public auction to the highest bidder at the advertised time and place, which sale shall occur at the Stanhope Borough Municipal Building, 77 Main Street, Stanhope, New Jersey.

3. The said property shall be the sold subject to the following terms and conditions:

(a) The said property shall be sold for not less than the amount set forth in Schedule A.

(b) The sale shall be made at public auction, after legal advertisement of this Ordinance and public notice of this sale, and shall be to the highest bidder.

(c) The Borough does not warrant or certify title to the property and in no event shall the Borough of Stanhope be liable for any damages to the purchaser-successful bidder if title is found unmarketable for any reason and the purchaser-successful bidder waives any and all right in damages or by way of liens against the Borough. The sole remedy being the right to receive a refund prior to closing of the deposit paid in the event title is found unmarketable. It shall be the obligation of the successful purchaser to examine title to said premises prior to the closing. In the event of closing and a later finding of defect of title, the Borough shall not be responsible for same, shall not be required to refund money or correct any defect in title or be held liable for damages.

(d) Acceptance of the highest bid shall constitute a binding agreement of sale and the purchaser shall be deemed to agree to comply with the terms and conditions of the sale herein contained.

(e) The purchaser shall be required to pay no later than the conclusion of the public sale ten percent (10%) of the bid, in cash or check; said payment shall be returned to the purchaser without interest, if the title to said property is legally determined to be unmarketable, providing claim is made therefor within sixty (60) days after the sale.

(f) A Bargain and Sale Deed without covenants will be delivered at the office of the Borough Clerk on or before sixty (60) days after the date of the sale, at which time and place the balance of the purchase price shall be required to be paid in cash or bank check. The Mayor and Clerk are hereby authorized to execute said Deed.

(g) The Deed of Conveyance will be subject to all matters of record, which may affect title herein, what an accurate survey may reveal, the Ordinances of

the Borough of Stanhope and reserving an easement for all natural or constructed drainage systems, waterways, water and sewer easements on the premises and the continued right of maintenance and flow thereof.

(h) The purchaser shall also pay to the Borough of Stanhope the cost of preparation of this Ordinance and the Deed of Conveyance plus all charges of sale, including the cost of advertisement, the notice of public sale and all other instruments necessary or required by law at the time of the sale.

(i) The purchaser, in addition to the purchase price and the Borough's costs of sale set forth in subparagraph (h), shall also be required to pay directly to the Borough's real estate agent a Buyer's premium equal to five percent (5%) of the purchase price.

(j) The property will be sold subject to 2015 taxes, pro rated from the date of sale.

(k) The Governing Body does hereby reserve the right to withdraw this offer to sell, or upon completion of the bidding to accept or reject any or all bids for said property or to waive any informality in relation thereto.

4. This Ordinance shall take effect after final passage and publication according to law.

On motion by Councilman Depew, seconded by Councilman Thornton, and unanimously carried by the following roll call vote, the foregoing ordinance was introduced.

Roll Call:

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

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

Ordinance 2015-02

**AN ORDINANCE TO AUTHORIZE THE SALE OF
BLOCK 10314, LOT 4 LOCATED AT 3 KYNOR AVENUE
STANHOPE, NEW JERSEY**

WHEREAS, the Borough of Stanhope is the owner of all those lots, parcels and tracts of land as hereinafter set forth in Schedule A, which land is not needed or required for municipal use; and

WHEREAS, said lot has no improvements located thereon; and

WHEREAS, the Mayor and Council of the Borough of Stanhope have deemed it in the best interest of the Borough of Stanhope to sell the lot to the highest bidder at an open public auction sale pursuant to the provisions of N.J.S.A. 40A:12-13(a);

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

1. The Borough of Stanhope shall sell, pursuant to the provisions of N.J.S.A. 40A:12-13(a), the property set forth in Schedule A attached hereto.
2. After final passage of this Ordinance, the Borough of Stanhope shall sell the property set forth in Schedule A after offering same at a public auction to the highest bidder at the advertised time and place, which sale shall occur at the Stanhope Borough Municipal Building, 77 Main Street, Stanhope, New Jersey.
3. The said property shall be the sold subject to the following terms and conditions:

- (a) The said property shall be sold for not less than the amount set forth in Schedule A.
- (b) The sale shall be made at public auction, after legal advertisement of this Ordinance and public notice of this sale. The lot is located in the Borough's MR, medium density residential, zone which requires 14,520 sq. ft. The lot is undersized for zoning purposes. Therefore, at the public sale, the Borough is required by N.J.S.A. 40A:12-13.2 to accord the owner or owners of any real property contiguous to such lot the right to prior refusal to purchase said lot. If the contiguous owners do not exercise their right of prior refusal at the public sale, the Borough shall then immediately offer the property for sale to the highest bidder, the contiguous property owners having thereby waived their right of prior refusal.
- (c) The Borough does not warrant or certify title to the property and in no event shall the Borough of Stanhope be liable for any damages to the purchaser-successful bidder if title is found unmarketable for any reason and the purchaser-successful bidder waives any and all right in damages or by way of liens against the Borough. The sole remedy being the right to receive a refund prior to closing of the deposit paid in the event title is found unmarketable. It shall be the obligation of the successful purchaser to examine title to said premises prior to the closing. In the event of closing and a later finding of defect of title, the Borough shall not be responsible for same, shall not be required to refund money or correct any defect in title or be held liable for damages.
- (d) Acceptance of the highest bid shall constitute a binding agreement of sale and the purchaser shall be deemed to agree to comply with the terms and conditions of the sale herein contained.
- (e) The purchaser shall be required to pay no later than the conclusion of the public sale ten percent (10%) of the bid, in cash or check; said payment shall be returned to the purchaser without interest, if the title to said property is legally determined to be unmarketable, providing claim is made therefor within ninety (90) days after the sale.
- (f) The purchaser shall have the right to conduct a PERC test on the property within thirty (30) days of the date of sale. If the PERC test is unsatisfactory for the construction of an individual septic system on the property, the purchaser shall have the right to cancel the sale and receive a refund of the deposit. The purchaser shall provide proof of insurance to the Borough prior to entering the property for purposes of conducting the PERC test and shall, upon the conclusion of the test, restore the surface of the land to a level condition.
- (g) A Bargain and Sale Deed without covenants will be delivered at the office of the Borough Clerk on or before ninety (90) days after the date of the sale, at which time and place the balance of the purchase price shall be required to be paid in cash or bank check. The Mayor and Clerk are hereby authorized to execute said Deed.
- (h) The Deed of Conveyance will be subject to all matters of record, which may affect title herein, what an accurate survey may reveal, the Ordinances of the Borough of Stanhope and reserving an easement for all natural or constructed drainage systems, waterways, water and sewer easements on the premises and the continued right of maintenance and flow thereof.

(i) The purchaser shall also pay to the Borough of Stanhope the cost of preparation of this Ordinance and the Deed of Conveyance plus all charges of sale, including the cost of advertisement, the notice of public sale and all other instruments necessary or required by law at the time of the sale.

(j) The purchaser, in addition to the purchase price and the Borough's costs of sale set forth in subparagraph (h), shall also be required to pay directly to the Borough's real estate agent a Buyer's premium equal to five percent (5%) of the purchase price.

(k) The property will be sold subject to 2015 taxes, pro rated from the date of sale.

(l) The Governing Body does hereby reserve the right to withdraw this offer to sell, or upon completion of the bidding to accept or reject any or all bids for said property or to waive any informality in relation thereto.

4. This Ordinance shall take effect after final passage and publication according to law.

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

Roll Call:

Councilman Romano – yes

Councilwoman Kuncken – yes

Councilwoman Zdichocki - yes

Councilman Depew – yes

Councilman Thornton - yes

Councilwoman Thistleton – yes

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

Ordinance 2015-03

**AN ORDINANCE TO AUTHORIZE THE SALE OF
BLOCK 10312, LOT 8 LOCATED AT BROOKLYN
ROAD AND KYNOR AVENUE AND BLOCK 10314, LOT
5 LOCATED AT KYNOR AVENUE STANHOPE, NEW
JERSEY**

WHEREAS, the Borough of Stanhope is the owner of all those lots, parcels and tracts of land as hereinafter set forth in Schedule A, which land is not needed or required for municipal use; and

WHEREAS, said lot has no improvements located thereon; and

WHEREAS, the Mayor and Council of the Borough of Stanhope have deemed it in the best interest of the Borough of Stanhope to sell the lot to the highest bidder at an open public auction sale pursuant to the provisions of N.J.S.A. 40A:12-13(a);

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

1. The Borough of Stanhope shall sell, pursuant to the provisions of N.J.S.A. 40A:12-13(a), the property set forth in Schedule A attached hereto.
2. After final passage of this Ordinance, the Borough of Stanhope shall sell the property set forth in Schedule A after offering same at a public auction to the highest bidder at the advertised time and place, which sale shall occur at the Stanhope Borough Municipal Building, 77 Main Street, Stanhope, New Jersey.
3. The said property shall be sold subject to the following terms and conditions:
 - (a) The said property shall be sold for not less than the amount set forth in Schedule A.

- (b) The sale shall be made at public auction, after legal advertisement of this Ordinance and public notice of this sale, and shall be to the highest bidder.
- (c) The Borough does not warrant or certify title to the property and in no event shall the Borough of Stanhope be liable for any damages to the purchaser-successful bidder if title is found unmarketable for any reason and the purchaser-successful bidder waives any and all right in damages or by way of liens against the Borough. The sole remedy being the right to receive a refund prior to closing of the deposit paid in the event title is found unmarketable. It shall be the obligation of the successful purchaser to examine title to said premises prior to the closing. In the event of closing and a later finding of defect of title, the Borough shall not be responsible for same, shall not be required to refund money or correct any defect in title or be held liable for damages.
- (d) Acceptance of the highest bid shall constitute a binding agreement of sale and the purchaser shall be deemed to agree to comply with the terms and conditions of the sale herein contained.
- (e) The purchaser shall be required to pay no later than the conclusion of the public sale ten percent (10%) of the bid, in cash or check; said payment shall be returned to the purchaser without interest, if the title to said property is legally determined to be unmarketable, providing claim is made therefor within ninety (90) days after the sale.
- (f) The purchaser shall have the right to conduct a PERC test on the property within thirty (30) days of the date of sale. If the PERC test is unsatisfactory for the construction of an individual septic system on the property, the purchaser shall have the right to cancel the sale and receive a refund of the deposit. The purchaser shall provide proof of insurance to the Borough prior to entering the property for purposes of conducting the PERC test and shall, upon the conclusion of the test, restore the surface of the land to a level condition.
- (g) A Bargain and Sale Deed without covenants will be delivered at the office of the Borough Clerk on or before ninety (90) days after the date of the sale, at which time and place the balance of the purchase price shall be required to be paid in cash or bank check. The Mayor and Clerk are hereby authorized to execute said Deed.
- (h) The Deed of Conveyance will be subject to all matters of record, which may affect title herein, what an accurate survey may reveal, the Ordinances of the Borough of Stanhope and reserving an easement for all natural or constructed drainage systems, waterways, water and sewer easements on the premises and the continued right of maintenance and flow thereof.
- (i) The purchaser shall also pay to the Borough of Stanhope the cost of preparation of this Ordinance and the Deed of Conveyance plus all charges of sale, including the cost of advertisement, the notice of public sale and all other instruments necessary or required by law at the time of the sale.
- (j) The purchaser, in addition to the purchase price and the Borough's costs of sale set forth in subparagraph (h), shall also be required to pay directly to the Borough's real estate agent a Buyer's premium equal to five percent (5%) of the purchase price.
- (k) The property will be sold subject to 2015 taxes, pro rated from the date of sale.
- (l) The Governing Body does hereby reserve the right to withdraw this offer to sell, or upon completion of the bidding to accept or reject any or all bids for said property or to waive any informality in relation thereto.

- 4. This Ordinance shall take effect after final passage and publication according to law.

On motion by Councilman Depew, seconded by Councilman Thornton, and unanimously carried by the following roll call vote, the foregoing ordinance was introduced.

Roll Call:

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

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

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

Ordinance 2015-04

**CALENDAR YEAR 2015 ORDINANCE OF THE
BOROUGH OF STANHOPE, COUNTY OF SUSSEX, NJ
TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP
BANK (N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Stanhope in the County of Sussex finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 2% increase in the budget for said year, amounting to \$68,471.32 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Stanhope, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Borough of Stanhope shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$119,824.81, and that the CY 2015 municipal budget for the Borough of Stanhope be approved and adopted in accordance with this ordinance;

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

Roll Call:

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

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

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

RESOLUTIONS

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

Resolution 047-15

RESOLUTION AUTHORIZING THE AWARD OF NON FAIR AND OPEN CONTRACTS FOR PROFESSIONAL SERVICES FOR THE BOROUGH OF STANHOPE FOR THE YEAR 2015

WHEREAS, the Borough of Stanhope has a need for professional services for the year 2015 of Borough Attorney, Borough Labor Attorney, Borough Prosecutor, Borough Engineer, Borough Auditor and Borough Conflict Counsel; 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 2015; 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 2015; 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 2015; 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 2015; 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 2015;

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 these contracts 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.

On motion by Councilman Thornton, 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

Resolution 048-15

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES FOR THE BOROUGH OF STANHOPE FOR THE YEAR 2015 FOR CONFLICT COUNSEL

WHEREAS, the Borough of Stanhope has need for professional legal services for the year 2015 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, Robert Morgenstern, Esq. has submitted a proposal indicating that he will provide legal services to the Borough as Conflict Counsel for the year 2015; and

WHEREAS, the agreement with Mr. Morgenstern 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. Morgenstern as Municipal Conflict Counsel for the Borough of Stanhope for the year 2015.

On motion by Councilwoman Kuncken, seconded by Councilman Thornton 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

Resolution 049-15

RESOLUTION AUTHORIZING AN APPROPRIATION RESERVE TRANSFER FOR THE YEAR 2014

WHEREAS, various 2014 bills have been presented for payment this year, which bills were not covered by order number and/or recorded at the time of transfers between the 2014 Budget Appropriations in the last two months of 2014; and

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allows transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stanhope that transfers be made in the amount of \$490.00 in Current Fund between the 2014 Budget Appropriation Reserves as follows:

CURRENT FUND	<u>From:</u>	<u>To:</u>
Mayor & Council	\$ 490.00	
Telecommunications		\$ 490.00
	<u>\$ 490.00</u>	<u>\$ 490.00</u>

On motion by Councilwoman Zdichocki, seconded by Councilman Romano 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

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 050-15 RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF LIMOUSINE LICENSE

WHEREAS, Jorge Ardon of Stanhope Limo LLC had paid \$125 for an application fee to obtain a Limousine License on December 5, 2014, and

WHEREAS, it was determined that State regulations do not allow the fee to be more than \$50 for a license, and this was verified by the Borough Attorney, and therefore the business owner was overcharged \$75.00; and

WHEREAS, the clerk’s office recommends that we refund \$75.00;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, that a warrant be drawn to the business owner listed below in the designated amount representing a refund of an overpayment on a limousine license:

Name & Address	Amount
Stanhope Limo LLC 249 Highway Route 206 North Stanhope, New Jersey 07874	\$ 75.00

Resolution 051-15 RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER

WHEREAS, the Tax Collector had received payment for the redemption of Tax Title Lien No. 2013-002, representing 2012 property taxes and/or utility charges on Block 10605, Lot 12, known as 110 Brooklyn Road, assessed to Ralph J Elpin; and

WHEREAS, the redemption payment was calculated for a January 13, 2015 redemption date, but was not placed on the bills list for that date due to ongoing Property Tax and Fund Accounting closeout processes; and

WHEREAS, the Tax Collector certifies that reimbursement was required to be made prior to this resolution to avoid further interest charges, to the following lien holder for the required redemption amounts as shown below:

To Lienholder:	US Bank Cust for BV001 Trust 50 S. 16 th Street, Suite 1950 Philadelphia, PA 19102-2513
----------------	--

Redemption Amount:	Tax Title Lien #2013-002 and	
	Interest to Date of Meeting	\$ 18,652.43
	Premium Paid by Lienholder	<u>15,100.00</u>

Total From Current Fund:	\$	18,652.43
Total From Tax Premium Account		15,100.00

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 052-15 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 th 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 053-15 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. 2012-22, representing 2011 property taxes and/or utility charges on Block 11701, Lot 13.18, C0814, known as 814 Stonegate Lane, assessed to Harold & Patricia Coppla, 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 th St, Suite 1950 Philadelphia, PA 19102
----------------	---

Redemption Amount:	Tax Title Lien #2012-22 and	
	Interest to Date of Meeting	\$ 7,392.09
	Premium Paid by Lienholder	<u>0.00</u>

Total From Current Fund:	\$	7,392.09
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 054-15

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE AUTHORIZING THE ISSUANCE OF RAFFLE LICENSE RA-602

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

<u>Raffle #</u>	<u>Applicant</u>	<u>Date</u>	<u>Type of Game</u>
RA-602	Lakeland Little League	April 25, 2015	50/50 Raffle (Off Premise)

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 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 – yes
Councilman Thornton - yes	Councilwoman Thistleton – yes

Mayor's Appointments

Resolution 055-15

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

Mayor's appointment of Thomas Bruno 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 Thomas Bruno as the Borough's representative to the Musconetcong Sewerage Authority for a 5-year term effective February 1, 2015;

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.

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

Resolution 056-15

MAYOR'S APPOINTMENT OF MARIA GRIZZETTI TO THE BOROUGH OF STANHOPE SHADE TREE COMMISSION

Mayor's appointment to the Shade Tree Commission as follows:

Maria Grizzetti as Alternate #2 for a term of one year, said term to expire 12/31/2015

BE IT RESOLVED by the Council of the Borough of Stanhope that they do hereby concur with the Mayor’s appointment of Maria Grizzetti as Alternate #2 to of the Shade Tree Commission, for a term of one year, with said term to expire December 31, 2015.

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

Resolution 057-15 **MAYOR’S APPOINTMENT OF ROSALIND BRUNO TO THE BOROUGH OF STANHOPE BOARD OF HEALTH**

Mayor’s appointment to the Board of Health as follows:

Rosalind Bruno to fill an unexpired term, said term to expire 12/31/2016

BE IT RESOLVED by the Council of the Borough of Stanhope that they do hereby concur with the Mayor’s appointment of Rosalind Bruno as a member of the Board of Health, to fill the unexpired 3-year term of Marie Van Ness, with said term to expire December 31, 2016.

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

PAYMENT OF BILLS

Resolution 058-15 **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 February 10, 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 |

AGENDA ITEMS

All items listed on the Agenda for February 24, 2015 were approved.

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 – Personnel (Electrical Inspector)
 - 1 – Potential Litigation
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 Zdichocki, seconded by Councilwoman Kuncken, and unanimously carried by voice vote, the foregoing resolution was adopted.

Mayor Maio and Council went into Closed Session at 9:42 P.M.

At the conclusion of the Closed Session, Mayor Maio and Council reconvened the public meeting at 10:05 P.M. with all present.

ADJOURNMENT

On a motion by Councilman Depew, seconded by Councilwoman Thistleton, 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