

**MAYOR AND COUNCIL
WORK SESSION AND
AGENDA MEETING
March 13, 2012
7:30 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 3, 2012 and was placed on the Official Bulletin Board in the Municipal Building.

Furthermore, notice of the early Closed Session was forwarded to the New Jersey Herald and Daily Record on March 5, 2012 and was placed on the Official Bulletin Board in the Municipal Building.

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

ROLL CALL

Council Members:

Councilwoman Kuncken - Present	Councilman Murphy - Present
Councilman Depew - Present	Councilman Graham - Present
Councilwoman Thistleton - 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:

1 Personnel

3. It is anticipated at this time that the above stated subject matter(s) will be made public at the conclusion of each individual specified subject matter.
4. This resolution shall take effect immediately.

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

Mayor and Council went into Closed Session at 7:31 P.M.

At the conclusion of the Closed Session, Mayor and Council reconvened the public meeting at 7:38 P.M. with all present.

Mayor Maio called a 20 minute recess.

SALUTE TO COLORS

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

COUNCIL DISCUSSION

Resolution Opposing Proposed Legislation Known as the New Jersey Public Water Supply Fluoridation Act – Mayor Maio asked the Clerk what resolution was used as the sample. The Clerk replied that Hampton Township’s resolution was used to draft this resolution. Byram Township’s resolution contained specific information as a result of research that they had conducted. Councilwoman Kuncken stated that she is in favor of opposing the Fluoridation Act. Councilwoman Kuncken is of the opinion that the Borough needs to provide clean safe drinking water and not medicated water. Councilman Graham is also in favor of opposing the Fluoridation Act. Administrator McNeilly stated that any additives to the water system must be extracted at the other end. This information has not been addressed and if the fluoride is used on the lawns, what happens to the lawn and the fluoride when it is dispersed into the surrounding area. Councilman Murphy stated that he was concerned about what the cost to the Borough would be. Mayor Maio stated that the cost for the MSA to remove the fluoride would also be a concern. Mayor Maio asked the Clerk to put this item on the agenda for the next meeting.

James McNeilly Community Service Award – Mayor Maio asked the Council if they were in favor of approving the James McNeilly Community Service Award. The Governing Body approved the award. The CFO will be asked to send the appropriate paperwork to the school.

Memorial Day Parade Request – Mayor Maio stated that the American Legion Post #278 has requested permission to hold their annual Memorial Day Parade on Monday, May 28th. Mayor Maio asked the Clerk to notify the American Legion that their request is approved. The Clerk will add this resolution to the agenda for the next Mayor & Council meeting.

Fire Department Request for Knox Boxes – Mayor Maio stated that Knox Boxes are lock units that are put on commercial buildings that allow emergency personnel access without causing damage to doors. This issue is quite common and is being requested as a result of the recent problem that occurred at Dollar General. Mayor Maio stated that in the past the Borough has instructed the owner of a vacant building to have a Knox Box installed. Mayor Maio asked the Clerk to have Mr. Stein, the Borough Attorney, draft an ordinance. Roxbury Township and Mount Olive currently use Knox Boxes. Councilman Murphy asked how many businesses will be affected by this ordinance and what the cost to install the system is. The cost will be incurred by the businesses and no one will be grandfathered. Councilwoman Kuncken asked if there is a provision to allow the businesses to opt out of installing this system. Councilman Murphy is of the opinion that all the information needs to be available prior to adopting the ordinance. Councilman Graham stated that a window for compliance needs to be included in the ordinance. Mayor Maio asked Administrator McNeilly to gather the pricing information for the Knox Boxes.

Outdoor Wood Burning Boilers – Mayor Maio stated that the Construction Official and Zoning Officer are concerned about the use of outdoor wood burning boilers due to the fact that the lot sizes in the Borough of Stanhope are small. Administrator McNeilly stated that he researched the use of the outdoor wood burning boilers. The DEP website states that the units cannot have any visible smoke for longer than 3 minutes in a 30 minute time frame. Due to the rising fuel costs, these creative solutions are going to become an issue. The quarter acre lots are not sufficient in size either to accommodate these boilers. The Zoning Officer gave Administrator McNeilly a sample resolution from Stillwater Township and Fredon Township. Mayor Maio stated that Lafayette Township has a resolution regarding wood burning boilers also. Councilman Benson and Councilman Graham both stated that there are outdoor wood burning boilers already existing in the Borough. Mayor Maio stated that according to the DEP website the particulates that are generated can be harmful to anyone with lung issues or asthma. Administrator McNeilly stated that the chimneys on the units need to be higher than any surrounding structures.

Recreation Commission – Mayor Maio stated that the Recreation Commission has requested permission to distribute a flyer for Family Fun Day with the water and sewer mailing. The next bill will be sent out in May. The Governing Body gave their approval for the flyers. Mayor Maio asked the Clerk to inform the Recreation Commission that the request was approved and to make them aware of the quantity needed and the size requirements.

Engineer's Report – Mayor Maio stated that Councilman Graham requested this item to be on the agenda and asked for his input. Councilman Graham stated that the Governing Body has had preliminary discussions with regard to other engineering aspects that must be dealt with in the Borough, such as the water project. Councilman Graham stated that often times the Engineer's report is restating what has gone on in the previous months. Councilman Graham requested that the Engineer attend the Mayor and Council meetings every other month unless there is something pertinent to report. The written report would still be submitted to the Administrator who will keep the Governing Body apprised of the ongoing projects. Councilman Depew stated that many times the Administrator's report and the Engineer's report overlap with information. The Mayor and Council made the decision to approve Councilman Graham's request.

ADMINISTRATORS REPORT

Water Project - Administrator McNeilly reported that after the bid opening was completed he met with Councilman Graham, Councilman Benson and Lee Purcell to discuss the water project. The feasibility of the project and the various costs were discussed. Councilman Graham stated that the possibility of doing the work in phases was discussed. Currently the Borough is working on theories for some aspects of the project but engineering needs to determine if the plans will be feasible. A proposal is forthcoming from Mr. Purcell. Councilman Benson stated that the Finance Committee needs to meet with the CFO and Administrator to determine what is needed for the system to upgrade and maintain it and to devise a plan on how to fund the project. Councilman Benson stated that a budget amount needs to be determined in order to create a surplus so that when we look at NJEIT the Borough will know how to configure the rate schedule going forward. Administrator McNeilly stated that he will be meeting with Mr. Purcell on March 22nd for the bid opening. All the necessary information should be available in order for the Governing Body to vote on this project at the next Mayor and Council Meeting. Councilman Graham reported that from the time approval is given it will be three years before digging will begin. It is very important that each item is handled in the right order. Councilman Benson stated that financing has to take place by October. Councilwoman Kuncken asked Councilman Benson from the perspective of the Finance Committee should the Borough wait to see what the proposal will be. Councilman Benson replied that the Borough needs to calculate what accumulated cash will be available. The budget will need to be reviewed for next year and the year after to determine what needs to be developed as capital. Administrator McNeilly stated that there will be a 5th phase that needs to be reviewed which involves the transmission lines for wells 3 and 4 to Continental Drive to Waterloo Valley and across the new bridge. Administrator McNeilly stated that once the feasibility has been determined, John Black will be working with Administrator McNeilly and the DPW Superintendent. Mayor Maio asked Councilman Benson to schedule a Finance Committee meeting with the CFO.

COUNCIL DISCUSSION

2012 Municipal Budget – Mayor Maio stated that the reports provided by the CFO reflect where the Governing Body ended discussion at the last budget meeting and include the changes to the Fire Department budget which is a result of the meeting that was held between the Public Safety Committee and the Fire Department. The Fire Department budget is just over 2% from last year which has been significantly reduced.

There are two scenarios for the budget. The first scenario has money set aside for a grant writer and the other scenario is without. In both cases the ERI for \$2,500 was put into the budget. With the changes from the Fire Department and including the \$2,500 for the ERI, without any consideration for a grant writer or consultant, the levy increase is 1.44%. The Finance Committee met with the CFO and a total of \$9,000 was calculated to use as a budget amount for the grant writer costs. This amount was based on a contract price of \$1,000 per month for 6 months, along with an estimate of \$3,000 for physical grant writing costs. This increases the levy to 1.73%. Councilwoman Kuncken stated that this leaves two items that need a determination. A decision needs to be reached as to whether or not to budget for the ERI and

whether or not to budget for contracting with a grant consultant. Mayor Maio stated that Mount Olive still needs to be contacted regarding the grant consultant. Mayor Maio stated that the CFO will have to make one change to the budget on the salary increases to bring them down to 1%. The CFO reported that the total savings in the current fund is \$1,353 and water and sewer are each \$211. Councilwoman Kuncken stated that the Governing Body has to decide if the benefits outweigh the risks of contracting with a grant consultant. Mayor Maio stated that the Sustainable Jersey Energy Grant that the Borough received this past year allowed for a lot of work to be done at Borough Hall and the DPW building with virtually no cost to the Borough. There is funding available that the Borough is not aware of. Councilman Graham is of the opinion that a grant writing consultant could be beneficial but is concerned that Millennium Strategies may not be the right choice because of the geography, who they are familiar with and who their contacts are. Councilman Graham would like to have another company to compare with. Grant money is essential to enable the Borough to move forward. After much discussion the Mayor and Council approved to include the \$9,000 for a grant consultant in this year's budget.

Mayor Maio stated that the determination needs to be made with regard to the ERI. Councilman Graham stated that the ERI information was formatted onto a disk and includes several maps along with additional information. Councilman Graham stated that he gave a copy of the CD to the Environmental Commission quite some time ago and Councilman Graham retained a copy as well. The 1984 ERI was completely scanned in and formatted. The information for the Highlands' ERI is also included. Councilman Graham is of the opinion that how the information should be printed and layed out needs to be discussed but this is not a project that should cost \$10,000. Much discussion took place regarding the information that is currently included in the ERI, what needs to be updated and what direction should be taken, grants that may be available and who should take responsibility for the updating of the ERI. Councilman Graham stated there are maps for zoning, geological, density, water and maps from the Highland's. One or two specific maps that were requested do not exist but Councilman Graham stated that these are not required maps for an ERI. Mayor Maio stated that there was an issue in the past regarding the fact that the maps were not all formatted in the same style. Councilman Graham believes that in 2005 all the information was formatted appropriately. Councilman Benson stated that he reviewed the old ERI information and what he has collected over the years and does not feel that the ERI can be updated in a timely manner. Councilman Murphy stated that at this point a decision just needs to be made on whether or not to include the ERI in the budget. Mayor Maio asked if the Council was in favor of including \$2,500 in the budget for the purposes of an ERI in the event that a decision is made to go forward. The Governing Body approved including the \$2,500 to the budget for the ERI. The ERI will be reviewed by the Mayor and Council in the future and a determination made at that time as to the direction that needs to be taken.

Mayor Maio recapped the changes to the budget. Mayor Maio stated that \$2,500 will stay in for the ERI, the salaries will be adjusted from 1 1/2 % to 1% and an additional \$9,000 will be allocated for a grant writer. This brings the scenario close to but not exactly the 1.73% increase. The CFO stated it will be closer to 1.70%.

11-1 Recreation – The CFO stated that this year's request is \$13,500 for the Recreation Commission. Mayor Maio stated that last year's budget was \$4,100 for salaries and \$10,100 for operating expenses which totaled \$14,500. The difference being that the salaries that were expended for the summer camp were rolled into the line item for summer camp and the initiative being that just as the Borough had underwritten the cost of the camp by paying the salaries last year we were underwriting the costs to residents this year by providing a \$50 per registrant reduction in the cost. Councilwoman Kuncken stated that the thought was that by subsidizing the program it might enable a child to participate that would not have the opportunity to do so otherwise. Councilwoman Thistleton stated that a cap was put on the number of registrants. Councilman Graham asked the CFO if the Little League amount allocated is in line with the number of participants. The CFO replied that the \$2,000 is sufficient. Administrator McNeilly stated that there were a large number of children born in 1998 and the fluctuation in the number of participants may be a reflection of this. Administrator McNeilly reported that he has spoken with Tom from Little League and has asked to be notified when the billing starts coming in so that he can follow up on it.

Councilman Murphy asked if any provisions have been included in this year's budget for the creation of a garbage utility. Mayor Maio stated that due to the fact that the tipping fees for this year and possibly for next year will not be changing, it was determined that budgeting for this was not necessary at this time.

Councilman Benson asked the CFO what prompted the change in the surplus from \$650,000 to \$700,000. The CFO responded that the decision was made after speaking with Ray Sarinelli. The CFO stated that this change makes the increase more palatable and in her opinion the Borough is still going to see some regeneration of the surplus though it may not be as much as last year. Councilman Graham asked how the reserve fund collected compares to last year. The CFO stated that originally this was brought up to \$30,000 but has since been lowered by \$10,000 which has been moved to pay down debt. The CFO will prepare an updated spreadsheet and will provide an analysis of what is being adopted. Councilman Benson reported that in the future the monthly financial report will be more credible and understandable and will compare monthly collections to the prior year. Councilwoman Kuncken stated that there is a valid concern with guarding the surplus. Councilman Benson stated that this needs to stay in the forefront and it needs to be understood that this source of revenue is a limited source of revenue. Councilwoman Kuncken is of the opinion that the Borough is being mindful of how every dollar is spent. Several departments had a zero increase in their budgets for this year. The CFO stated that the budget is just under a 1½% increase. The things that have to be done and the high percentage of increases that the Borough has had for some of the line items have still allowed the budget to include a lot. Councilman Graham stated that the line items that have increased are ones that the Borough has no control over such as pensions and fuel. Last year the Recreation Commission spent \$3,000 less than the budget. The surplus that has been forecasted year after year has come in slightly higher. Councilman Benson stated that the surplus has grown due to the fact that some of the costs that were anticipated did not occur. Councilwoman Kuncken noted that some of the departments have trimmed down their budgets to bare bones for the second year in a row and she is concerned that next year there will be nothing they will be able to trim.

Capital – The CFO reviewed the worksheet for capital items. The Fire Department has asked for the replacement of the base radio, thermo imaging camera, air bottles which is year 4 of 5, and their personal protective equipment which is year 2 of 3. The CFO stated that the only item to be fully funded is the base radio because the cost is \$3,500 which would not need to be bonded. As time goes on this could be handled differently. The air bottles for example could be removed from capital and purchased outright.

Mayor Maio reported that a Public Safety Committee meeting was held with the Ambulance Squad. There are three options available. A demo, a lease or a purchase of a new chassis, not the box. They are looking for a serviceable unit and the estimate is \$150,000. The Borough's share would be half which would be \$75,000. Netcong would be responsible for the other half. The CFO stated that Mr. Sarinelli's opinion is that a lease will incur higher finance charges than what the Borough can bond for. If we pay it down in a consistent fashion, as has been done in the past, the Borough would not go to formal bonding but instead take out a note, pay our share of it over time and could get 2% or less. Councilwoman Kuncken stated that the leases were investigated by the Ambulance Squad due to the financial constraints of both municipalities. Demo vehicles do become available however the funding has to be in place to be able to pursue that option. The ambulance to be replaced is 13 years old and only the chassis is going to be replaced. Mayor Maio stated that it is her understanding that Netcong will be doing the same. The CFO stated that Netcong has already introduced their budget but they did not include anything in their budget specifically because a determination was not made at the time. Jason Gatwell stated that Netcong will have to amend their capital budget. The Town of Netcong was also against the idea of leasing a vehicle.

Public Works – Administrator McNeilly reported that a meeting will be held with Petro Mechanics on March 14th to discuss the costs for replacing the pumps. The system that Administrator McNeilly is researching would allow for capturing as much information as possible. The information collected would identify the vehicle, the person, would assist in maintenance, determine the miles per gallon of each vehicle, data could be used for special projects and snow storms. Reports would be electronically submitted. This would be a card based system. The current pumps are very old and deteriorating. This system would also allow for cards to be assigned to the 5 gallon cans that are allocated for the generators and a limit can be set for the number of times they can be filled.

Administrator McNeilly stated that Church Street and Linden Avenue are in need of repair. These streets do not require engineering. These two roads need to be milled and surfaced. Tilcon can be called to schedule these repairs. This would be a bondable item. Councilman Murphy asked when these roads were built. It appears that the surfaces are not lasting 15 years. Administrator McNeilly is of the opinion that the highway was done back in 1999 and these roads were done 4 or 5 years prior to that which would have been 1994 or 1995. Councilwoman Kuncken has been on the Council for 15 years and she believes that the roads were done during that time. Administrator McNeilly stated that Councilman Murphy's observation is correct. This may be a result of the chemicals that are being put down on the road because sand cannot be used. This is also affecting the catch basins. Councilman Murphy asked why sand is not allowed. Administrator McNeilly stated that if sand is used it has to be removed. Councilman Graham stated that some leveling of these roads is going to be required especially near the schools.

Administrator McNeilly stated that an aggressive program for paving/crack sealing and oil and stone needs to be implemented. Many of the roads have not been repaired due to weather issues. Canfield Street needs to be completed first. Work has begun in Lenape Woods. The curb line has sunk and is in serious need of repair and the road will be oiled and stoned. Pennington will be next. Administrator McNeilly stated that hopefully the catch basins will be in better shape this year due to the mild winter. Last year nine basins collapsed in one week. The CFO reported that none of this work is coming out of this year's budget. \$25,000 is budgeted in the capital portion of the current budget. \$24,488 is the amount of money that is left over from last year. Only \$512 was used last year. The CFO reported that \$45,000 remains from the 2010 Improvements to Roads Project. The CFO stated that she spoke with Mr. Keller, the Borough Engineer, to verify that there are no outstanding expenses associated with this project. The paving of the municipal parking lot is also a carryover from last year and the amount is bondable.

The CFO stated that the Main Street Rehab Phase II is complete. There is a balance remaining of \$15,000 which can be used for the decorative lighting for Main Street which was discussed at the last meeting and estimated to cost \$10,000. Councilwoman Kuncken asked if all the issues pertaining to the project have been completed. Administrator McNeilly confirmed that the contractor issues have been completed. Mayor Maio stated that there are several trees that need to be replaced. The nursery in Florida, where Shade Tree purchased the original trees for downtown, should be contacted for the replacement trees. Councilman Graham questioned where the funding was coming from for the replacement trees. Administrator McNeilly stated that the funds were taken from the contractor. Mayor Maio stated that the \$10,000 covers the cost for rehabilitating the ten Main Street lights that have not been altered to date. The cost per unit is \$1,000 which includes the globe, cap, luminary inside and the new wattage. Administrator McNeilly stated that once the lights are consistent with the other Main Street lighting, a full time schedule can be implemented and the overhead lights can be turned off. Councilman Graham asked if the lighting will be sufficient when the overhead lights are turned off. Much discussion took place with regard to how much light should be provided for Main Street. Councilman Graham is concerned that there is a great deal of evening activity in the Borough and he wants to maintain safety. Mayor Maio asked the Administrator to contact Mr. Farmer from JCP&L to get a determination on the amount of lumens that should be provided. Councilman Murphy asked if the overhead lights will be removed once they are no longer needed. This issue will be readdressed in the future.

DPW Garage Roof - The CFO stated that when this roof was first presented the contractor stated that solar lights could be installed on it. The roof is not a special roof for this purpose. It is special in that it is a metal roof. Administrator McNeilly stated that the price listed in the budget is far in excess and is a place holder only. When it is time to replace the roof specifications will be determined and the project will go out to bid. Councilman Graham stated that the current roof is leaking, rotting and is in need of repair. Councilman Murphy asked about the basic structural integrity of the roof. Administrator McNeilly stated that if additional work is required it will be captured at the time of the bid process which will involve the Borough Engineer.

Water & Sewer – The CFO reported that the chlorination system will be funded with funds left over from one of the water improvements from a prior year. The 2012 preliminary engineering for the Water Project of \$15,000 can be taken from money which is left over from Reservoir #2 which is completed. There is a total of \$15,788 remaining. The radio read units are a fully funded item. \$20,000 is from last year's capital outlay and \$20,000 is from this coming year's capital outlay. Councilman Graham asked how substantial that is to the system and whether or not it is incremental. Administrator McNeilly stated that the Borough is approaching one complete book on the reads. When the one book is complete it will allow for the reads to be done in 15 minutes as opposed to 3-4 days. The CFO stated that one order has already been placed using last year's money. Administrator McNeilly stated that due to the fact that other projects could not be done because of the weather it allowed more installations than were anticipated to be completed this year. The CFO stated that the replacement of the water utility truck is a co-op pricing item. The \$60,000 includes bonding costs. Administrator McNeilly reported that this water truck is 30 years old. It is a heavy duty pickup truck. The box is still in good condition and will be moved onto the new truck. Councilman Benson asked if the truck was a necessary dedicated unit. Administrator McNeilly stated that it is fairly significant. This truck carries the spooled copper and fittings. The weight that goes into the back of this truck has to be in the heavy duty 550 category. This truck is not used for just meter reading. This truck is equipped with everything necessary for repairing a water main break, water line replacement or water line break. The current truck is a 1982 Ford F450. The CFO stated that the Sparta Road Phase 2 item is not a finalized number. There are still some items to be reviewed with the Borough Engineer. There is \$80,000 remaining in Phase 1.

Sewer Utility – The CFO stated that the Manhole Replacement Project is being revisited. It was never funded and final numbers were never obtained. The amount listed is the estimate from last year. Mayor Maio asked if engineering is involved in the project. Administrator McNeilly stated that sometimes engineering may be involved but these are catalog items. The DPW Superintendent is of the opinion that the manholes can be measured and pricing obtained. Councilman Benson asked if the chimneys are going to be replaced. Administrator McNeilly stated that fabric goes down inside and gets pressed into every surface and then a dremmel type machine is pulled through which will result in a significant reduction in infiltration. Mayor Maio stated that this project does need to be done and will save the Borough money in the future. The CFO stated that there is a share for the radio read units that is allocated to the sewer utility. Administrator McNeilly stated that one item is missing from the document. A price has not been obtained yet for cleaning and running the cameras in the sewer system from Lloyd Avenue to Port Morris. The CFO stated that the surplus for water and sewer was changed but it should be able to be regenerated.

Mayor Maio asked the Council if there were any other questions with regard to the budget. With no additional items to be discussed, Mayor Maio and the Council thanked Dana Mooney, CFO, for her time. Administrator McNeilly requested to have a follow-up meeting regarding the budget process to determine how timing, setup and schedule should be followed in the future.

OLD BUSINESS

Ordinance for Public Hearing and Final Adoption

Mayor Maio offered the following ordinances for public hearing and final adoption:

Ordinance 2012-02

**AN ORDINANCE OF THE BOROUGH OF STANHOPE,
SUSSEX COUNTY, NEW JERSEY AMENDING
ORDINANCE 2011-14 FIXING THE SALARY AND WAGES
FOR BOROUGH EMPLOYEES AND OFFICIALS**

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

SECTION I.

The annual salary, wage and compensation to be paid to Borough employees and officials as contained in Section 1 of Ordinance 2011-14 is hereby amended to create the following position and salary:

Water and Sewer Collector/Assistant to the Tax Collector: \$40,000.00

SECTION II.

The salary for the Water and Sewer Collector/Assistant to the Tax Collector shall be per annum and shall be effective January 1, 2012.

SECTION III.

This Ordinance shall become effective immediately upon final adoption and publication as required by law.

On motion by Councilman Graham, seconded by Councilman Depew, and carried by the following unanimous roll call vote, the above ordinance was adopted.

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

Roll Call:

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

On motion by Councilman Graham, 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 2012-03

CALENDAR YEAR 2012 ORDINANCE 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 2.5% 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 Borough of Stanhope in the County of Sussex finds it advisable and necessary to increase its CY 2012 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 3.5 % increase in the budget for said year, amounting to \$33,965.30 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 2012 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 \$118,878.55, and that the CY 2012 municipal budget for the Borough of Stanhope be approved and adopted in accordance with this ordinance; and,

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 Councilwoman Thistleton, and carried by the following unanimous roll call vote, the above ordinance was adopted.

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

Roll Call:

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

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

NEW BUSINESS

INTRODUCTION AND APPROVAL OF THE 2012 MUNICIPAL BUDGET

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

Resolution 075-12

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE INTRODUCING THE 2012 MUNICIPAL BUDGET

BE IT RESOLVED that the attached Statements of Revenues and Appropriations shall constitute the Municipal Budget for the 2012 calendar year; and

BE IT FURTHER RESOLVED that a Summary of said Budget shall be published in the *New Jersey Herald* and the public hearing and final adoption shall be held on April 10, 2012 at 8:00 p.m. at the Municipal Building at which time and place objections to the 2012 Municipal Budget may be presented by taxpayers or other persons of interest.

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

Roll Call:

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

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

RESOLUTIONS

Resolution 076-12

SELF-EXAMINATION OF BUDGET RESOLUTION *[as required by DCA]*

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the *Borough of Stanhope* has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2012 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the *Borough of Stanhope* that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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

Roll Call:

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

Resolution 077-12 AWARD OF CONTRACT TO INFORMATION SYSTEMS GROUP FOR THE INSTALLATION OF A VIDEO MONITORING SYSTEM

WHEREAS, the Borough of Stanhope has a need for a video monitoring of critical facilities within the Borough;

WHEREAS, said system will enable remote monitoring as well as digital recording of events;

WHEREAS, Information Systems Group has submitted a proposal for the installations of monitoring systems at the Department of Public Works and the Musconetcong Facilities, which proposal is attached hereto; and

WHEREAS, the Borough desires to enter into an agreement with Information System Group, 189 Beaver Run Road, Hamburg, New Jersey for the installation of video monitoring systems at a cost of \$4803.75;

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 for installation being \$4803.75.
2. This contract is being awarded without competitive bidding.
3. Award of this contract is contingent upon the certifications as to the availability of funds by the Chief Financial Officer.
4. This Resolution shall take effect immediately.

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

Roll Call:

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

Mayor Maio asked the Administrator when this installation will take place. Administrator McNeilly stated that he will check on that tomorrow morning and get a schedule but he is of the opinion that it should not take long.

Resolution 078-12 AWARD OF CONTRACT TO ADK HOME IMPROVEMENTS FOR THE RENOVATION OF FACILITIES

WHEREAS, the Borough of Stanhope has a need for renovation of critical facilities within the Borough;

WHEREAS, ADK Home Improvements has submitted a proposal for the renovation of the Court Clerk’s Office to accommodate the Police Department, proposal is attached hereto; and

WHEREAS, the Borough desires to enter into an agreement with ADK Home Improvements, 10 Mountain Terrace, Stanhope New Jersey for the renovation of certain facilities at a cost of \$8500.00;

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 for installation being \$8500.00.
2. This contract is being awarded without competitive bidding.
3. Award of this contract is contingent upon the certifications as to the availability of funds by the Chief Financial Officer.
4. This Resolution shall take effect immediately.

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

Roll Call:

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

Resolution 079-12

**RESOLUTION REJECTING BID FOR TABLET
CHLORINATION SYSTEMS FOR MUNICIPAL WELLS**

WHEREAS, the Borough of Stanhope heretofore obtained a permit from NJDEP to replace the existing disinfection system at 4 potable water supply wells within the Borough with calcium chloride tablet application equipment; and

WHEREAS, the Borough of Stanhope heretofore advertised for the receipt of sealed competitive bids on March 8, 2012 for the purchase of the calcium chloride tablet application equipment; and

WHEREAS, the Borough received one sealed competitive bid from Coyne Chemical; and

WHEREAS, the bid from Coyne Chemical failed to comply with the mandatory provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-23.2, in that the Bidder failed to provide a bid guarantee, a consent of surety and a corporate ownership disclosure statement; and

WHEREAS, the failure to comply with the mandatory provisions of the Local Public Contracts Law is a material non-waiveable defect in the bid of Coyne Chemical requiring the Borough as a matter of law to reject said bid.

NOW, THEREFORE, be it resolved by the Mayor and Council of the Borough of Stanhope that the March 8, 2012 bid of Coyne Chemical for the calcium chloride tablet application equipment be in the same and is hereby rejected;

BE IT FURTHER RESOLVED, that the Borough shall notify the Bidder of the rejection of its bid for failure to comply with the Local Public Contracts Law.

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

Roll Call:

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

Mayor Maio stated that this item will be revisited with the bid opening on March 22nd. Administrator McNeilly stated that this item should be ready for bid acceptance at the March 27th Mayor and Council Meeting. Councilman Graham stated that the bid that was submitted was incorrect and had to be rejected.

MAYOR’S APPOINTMENTS

Resolution 080-12

MAYOR’S APPOINTMENT OF TONI GRISAFFI AS WATER/SEWER COLLECTOR & ASSISTANT TAX COLLECTOR WITH COUNCIL CONCURRENCE

Mayor’s appointment of Toni Grisaffi as Water/Sewer Collector and Assistant Tax Collector 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 Toni Grisaffi as Water/Sewer Collector and Assistant Tax Collector, effective January 1, 2012;

BE IT FURTHER RESOLVED, that Toni Grisaffi shall receive an annual compensation of \$40,000.00 retroactive to January 1, 2012.

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

PAYMENT OF BILLS

Resolution 081-12

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 March 13, 2012 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:

- | | |
|-------------------------------|-------------------------|
| Councilwoman Kuncken - yes | Councilman Murphy – yes |
| Councilman Depew -yes | Councilman Graham - yes |
| Councilwoman Thistleton – yes | Councilman Benson – yes |

AGENDA ITEMS

All items listed on the Agenda for March 27, 2012 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.

GENERAL DISCUSSION

Councilman Murphy requested that the Governing Body direct the department heads and employees to change their voice mail messages to indicate when they are out of the office. In addition part time employees should state the hours when they are in the office. Administrator McNeilly will address this issue.

ADJOURNMENT

On a motion by Councilman Graham, seconded by Councilwoman Kuncken, and unanimously carried by voice vote the meeting was adjourned at 9:45 P.M.

Approved:

Linda Chirip
Deputy Clerk
For Ellen Horak
Borough Clerk