

**MAYOR AND COUNCIL  
REGULAR MEETING  
March 27, 2012  
8:00 P.M.**

**MAYOR'S STATEMENT AS TO COMPLIANCE WITH P.L. 1975**

Adequate Notice of this Meeting has been provided according to the Open Public Meetings Act, Assembly Bill 1030. Notice of this Meeting was included in the Annual Meeting Notice sent to the New Jersey Herald and the Daily Record on January 3, 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.

**SALUTE TO COLORS**

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

**ROLL CALL**

Council Members:

Councilwoman Kuncken – Present

Councilman Depew – Present

Councilwoman Thistleton – Present

Councilman Murphy – Present

Councilman Graham – Present

Councilman Benson – Present

Mayor Maio – Present

**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.

Paula Zeliff-Murphy, 2 Plane Street, as member of the Shade Tree Commission stated that Forester, Ron Farr, will be conducting an inspection which will begin at Salmon Park and continue on to Musconetcong Park on Sunday, April 1<sup>st</sup>, at 9:00 A.M. Mr. Farr will be inspecting the condition of the trees, determining locations for new trees and searching for the existence of any invasive species. In addition, the Shade Tree Commission and the Environmental Commission will be sponsoring the Arbor Day Clean-Up on Saturday, April 28<sup>th</sup>. The details are still being finalized.

Marie Jozowski, 117 Main Street, Chairperson of the Recreation Commission, reported that the Recreation Commission is fully staffed. The Easter Egg Hunt will take place at Musconetcong Park this year. The Easter Bunny will be there, pictures with the bunny will be taken, refreshments will be served and goodie bags will be handed out. This past Saturday Mayor Maio and Patti Zdichocki rode on the fire truck as the Easter Bunny greeted the residents. The Recreation Commission is planning to partner with the Home School Association to sponsor a Safe Walk to School Program. This may take place for a week in May and/or one week in October. Flyers are going to be sent out with the next water/sewer bills which will provide information about Family Fun Day. The Recreation Commission is investigating the possibility of running bus trips to provide activities for adults. Stanhope School has given approval for the first 3 weeks of the summer recreation program to be held at the school and Netcong will host the last 3 weeks. This will be a tri-town program which includes Stanhope, Netcong and Byram. There will be a half day program in the morning which will cost \$110 for the week from kindergarten through age 14. The all day program will cost \$180 for the week and will run from age 6 through 14. Friday's there will be trips scheduled. Janet Meisner, Director of Recreation in Byram, is scheduling the trips. The program will include trips to the Hackettstown pool, presentations, music, science, and health and wellness activities. There is an afternoon program which will cost \$100. The first 100 Stanhope residents to register will receive \$50 toward one week of the registration costs. This year money is not required for salaries so this will help some

of the residents financially. The costs for the program include the cost of the trips. Councilwoman Kuncken asked if the registration dates have been determined and will sign-ups be taking place in one location or in every town. Mrs. Jozowski stated that registration information is still being finalized. Flyers will be available at Borough Hall. Mrs. Jozowski asked Administrator McNeilly to provide a certificate of insurance for Stanhope School. Administrator McNeilly asked Mrs. Jozowski to send an email with all of the information and he will submit the request for the certificate. Patti Zdichocki stated that pictures will be taken with the Easter Bunny for free thanks to a donation by Shop Rite. The pictures will be developed and will be placed at Borough Hall for parents to pick up. The pictures will not be posted anywhere.

Mayor Maio presented Marie Jozowski with an award for the Sussex County Volunteer of the Year for 2011. This award is in recognition of exemplary service and dedication to the Alliance to Prevent Alcoholism and Drug Abuse from the Governor's Council on Alcoholism and Drug Abuse. Mayor Maio stated that Mrs. Jozowski was selected for her work on the Municipal Alliance.

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

### **MINUTES FOR APPROVAL**

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

February 14, 2012	Work Session/Agenda Meeting
February 21, 2012	Special Meeting & Closed Session
February 28, 2012	Regular Business Meeting & Closed Session

On motion by Councilman Benson, seconded by Councilwoman Thistleton and carried by majority voice vote, the above listed minutes were approved. Councilman Graham abstained from the February 21st minutes.

### **CORRESPONDENCE (List Attached)**

On motion by Councilman Graham, seconded by Councilman Benson and unanimously carried by voice vote the list of correspondence was accepted and ordered placed on file.

### **ADMINISTRATOR'S REPORT**

CR 602 Rail Crossing – Administrator McNeilly reported that he has been working with Todd Hirt from DOT with regard to the quiet crossing to confirm the hiking trail along the railroad and the location of where the trail crosses the tracks. Electronic copies of the trail maps have been sent to Mr. Hirt. The gates will have flashing lights and bells on both sides and will be geared to accommodate pedestrian crossing. There are some issues relative to the right of way on the other side that have not been solved yet.

Security Camera System – Administrator McNeilly stated that the parts are on order for the camera system for the DPW yard, Musconetcong well, pump station, records room and playground area. Once the parts are received in approximately 2 weeks, they will be installed and at that time Administrator McNeilly and Bill Storms will be trained on the operation of the system.

Church Street – Administrator McNeilly reported that on March 19<sup>th</sup> he received a letter from Mr. & Mrs. Spooner regarding the condition of Church Street. Administrator McNeilly spoke with Mrs. Spooner and let her know that DPW would be there as soon as possible to provide temporary repairs and that Church Street is in the capital plan for milling and paving this year, most likely by midsummer. Temporary repairs were made on Tuesday.

FEMA – Administrator McNeilly reported that he, Wayne Anthony and Bill Storms have been finishing the paperwork required to close out Hurricane Irene and the October 29<sup>th</sup> snow storm. They will be meeting with the representative from FEMA on Thursday, March 29<sup>th</sup> to review the report. The new representative has been very helpful in assisting with discovery of reimbursable items that were not anticipated.

Hazel Street (Windt Drainage) – Administrator McNeilly reported that the DPW has completed the Hazel Street drainage project. The next project will be Dell Road Creek.

Email Blast List – Administrator McNeilly stated that a NJ State League Advisory was received that states that due to a recent ruling email lists become public record. A disclaimer would need to be included on the form for residents to be aware of this ruling.

Safety Committee – Administrator McNeilly reported that the first quarterly meeting for the Safety Committee was held on Monday, March 26<sup>th</sup>. D&H assisted in the running of the meeting. JIF is monitoring this along with several other functions of the Borough's safety program to consider if the Borough will receive incentive refunds for the premiums at the end of the year.

MEL Training – Administrator McNeilly stated that the MEL training will be held on Thursday, April 18<sup>th</sup>, at 6:30 PM at the Hopatcong Civic Center. This training is for elected officials and includes the Administrator. Attendance at this training provides for a \$250 refund to the Borough for each elected official that attends.

Street Sweeper – Administrator McNeilly reported that the street sweeper is out for repair. Several issues were discovered that have delayed its return to service. It is anticipated that the sweeper will be repaired within two weeks.

Sussex County Fire Shared Service Agreement – Administrator McNeilly stated that the shared service resolution is on the agenda for the Sussex County Freeholders meeting scheduled for tomorrow.

Mt. Olive Grant Writer – Administrator McNeilly has spoken with Mt. Olive's Administrator, Sean Canning, regarding the potential of a shared service for a grant writer. The Administrators have a meeting scheduled for Thursday to discuss the option.

Court Clerk's Office – Administrator McNeilly stated that a final pre-construction meeting will be held with the contractor tomorrow. The initial demolition will begin this Saturday. The contractor has met with Tom Pershouse.

Councilwoman Kuncken asked Administrator McNeilly why the traffic meter has not been in Stanhope for quite some time. Councilwoman Kuncken stated that Stanhope and Netcong jointly own the traffic meter. Administrator McNeilly stated that the traffic meter that is being used in Netcong is not the shared unit. Netcong purchased a new traffic meter on their own. Chief Pittigher stated that the unit will no longer charge itself. In order to be repaired, the traffic meter has to be brought to R&R in South Jersey. The cost to repair it is unknown and the unit is 12 years old and has been out in the weather for a long time. Mayor Maio asked the Administrator to find out what it will cost to repair the traffic meter.

Councilman Benson stated that the original estimate called for 22 blocks for the Dell Road Creek project. Administrator McNeilly stated earlier that there are still blocks that need to be delivered. The invoice on the bills list indicates that the Borough has received 32 blocks already. Administrator McNeilly stated that several blocks were utilized for the repair at Roberts Place.

## **COUNCIL COMMITTEE REPORTS**

### **Public Safety – Councilwomen Kuncken/Thistleton**

**Police, Fire, Ambulance, Court & Violations Bureau, Emergency Management** – Councilwoman Kuncken reported that Stanhope Hose Company #1 had 7 calls answered, 6 drills and 1 meeting for a total of 278 man hours volunteered. The Police Department had 311 incidents with traffic stops totaling 190. The Ambulance Corp. for the month of February had 23 calls in Stanhope and 13 calls in Netcong for a total of 36. There was one out of town call to Byram and one out of town call to Roxbury. There were 8 advanced life support issues and 23 basic life support issues for a total of 31 patients. 25 trips were made to the hospital for a total of 587 miles. Volunteer hours totaled 115 hours and 32 minutes.

Councilwoman Kuncken reported that two Public Safety meetings were conducted since the last Mayor and Council Meeting. The first meeting was held with the Chief and 1<sup>st</sup> Assistant Chief from the Fire Department along with Mayor Maio, Administrator McNeilly, Councilwoman Thistleton and Councilwoman Kuncken regarding the use of the siren and to develop a plan for the future that would use technology to be able to move away from the use of the siren with more modern uses of communication. The Fire Department is in the process of researching the costs of a base radio and a high band radio system and some other aspects of technology that they may require. A plan was put forward by the Fire Department for the negating of the siren. A letter has been sent to the Administrator, from the Fire Department, with suggested changes. This information will be forward to dispatch. A follow-up meeting is scheduled for 3 weeks from now to continue discussion. The second meeting was held last night in Netcong with their Public Safety Committee, the Mayor and the Administrator. The meeting was a preliminary discussion regarding the purchase of a new ambulance.

Councilman Murphy asked if the high band radio system will connect everyone. Councilwoman Kuncken stated that high band is used throughout Sussex County and the Fire Chief is of the opinion that it would meet those needs. Councilman Murphy asked if the system would be compatible with Morris County. Councilwoman Thistleton stated that they are checking to see if the system would be compatible with Morris County. Administrator McNeilly stated that the collective goal is that once everyone is in agreement and the new system is put into place, then the siren would not be needed any longer. Councilwoman Kuncken stated that they are looking to develop a plan collectively with the Fire Department.

#### **Finance & Administration – Councilman Benson/Councilwoman Kuncken**

Councilman Benson stated that the CFO has provided a comprehensive collection report that includes the current year tax collections, which includes the prior year tax collection through the end of February for last year and this year, liens, interest and other fees. This year aggregate collected is \$2,266,000 compared to \$2,448,000 last year. The collection rate this year for the 1<sup>st</sup> and 2<sup>nd</sup> quarter percentages were aggregate of 93.946% compared to what was budgeted at 94.07%. This compares to 94.966% for last year. The collection rate is not too far off what was anticipated. Delinquencies have increased slightly from \$234,775 last year to \$246,591 this year. Councilman Benson reported that utility rents and interest for water collected this year is \$13,318 compared to \$15,309 last year. Sewer rents collected including interest for this year are \$34,630 compared to \$35,381 last year. Councilman Benson will request that delinquencies on a monthly and aggregate basis be included as part of the report in the future.

#### **Community Development – Councilmen Murphy/Graham**

**Zoning, Construction, Code Enforcement, Economic Development, Chamber of Commerce, Downtown Revitalization** – Councilman Murphy reported that a meeting was held 2 weeks ago with Wayne McCabe who is a county historian and a professional planner/historical architect. The meeting, which was held at the Plaster Mill, was attended by Councilman Murphy, Wayne McCabe, Mayor Maio, Councilman Graham, Administrator McNeilly and Paula Zelif-Murphy. Councilman Graham stated that he saw Mr. McCabe earlier in the day and he is putting together a letter that will acknowledge what he saw, his recommendations and a proposal. This is not a letter of engagement.

#### **Municipal Infrastructure – Councilmen Graham/Murphy**

**Water Distribution, Sewer Collection System, Road Construction & Maintenance, Buildings & Grounds** – Councilman Graham reported that Lee Purcell needs to submit his preliminary response for the water tower/water infrastructure before the Borough can proceed to the next step of the project. Administrator McNeilly stated that he spoke with Mr. Purcell today and the proposal is being compiled.

#### **Information Technology – Councilmen Depew/Benson**

**Acquisition of Hardware & Software, Technical Equipment Services, Telecommunication, Cable Television Franchise** – Councilman Depew stated there is no report at this time.

#### **Boards/Commissions – Councilwoman Thistleton/Councilman Depew**

**Board of Health, Regional Planning Board, Environmental Commission, Musconetcong Sewerage Authority, Sanitation & Recycling, Recreation Commission, Shade Tree Commission, Land Use Board** – Councilwoman Thistleton reported that the Board of Health will be holding a free rabies clinic on Friday, April 20<sup>th</sup>, from 6:00PM to 8:00PM at the Stanhope Fire House.

On motion by Councilman Graham, seconded by Councilwoman Kuncken, and unanimously carried by voice vote the committee reports were accepted.

### **COUNCIL BUSINESS**

Mayor Maio stated that only one Mayor and Council meeting was scheduled for the month of April due to the fact that the school board election was scheduled to be held on April 24<sup>th</sup>. The School Board will not be holding an election on Tuesday, April 24<sup>th</sup>, therefore the Mayor and Council will hold their second meeting of the month on that date. Mayor Maio asked the Deputy Clerk to ask the Municipal Clerk to advertise the meeting.

Knox Box Ordinance – Mr. Stein stated that he has examples of two ordinances for Knox Boxes, one from Chatham Borough and another from a township in Pennsylvania. This type of system will allow the fire department, in the event of an emergency, to have a key available on site to gain access. Councilman Graham asked if any of the surrounding towns have this system in place. Administrator McNeilly stated that Roxbury, Dover, Hackettstown and Allamuchy use the Knox Box system. Mayor Maio stated that it became apparent after a recent issue at Dollar General that the Fire Department needs to be able to access commercial buildings in an emergency. Mayor Maio worked for a company in Roxbury back in the 80's which used this system. Councilman Graham is also familiar with this type of system. Mayor Maio stated that after reviewing the two examples, she is of the opinion that Chatham's includes everything that the Borough needs. Administrator McNeilly stated that according to the price list this system can also be used for residential properties. This could be beneficial for elderly residents that may require assistance at some point or any resident that would like to have this installed in case of an emergency. Mayor Maio stated that the prices begin at \$215 and increase from there depending on the size of the box that is required. Councilwoman Kuncken stated that in Hackettstown their system incorporates any gates or fencing to be keyed the same as the door. Councilman Benson asked what happens with the security systems that may get activated. Administrator McNeilly stated that the alarms may still be set off. This system prevents physical damage from occurring to the building. Councilman Graham asked what the timeframe for implementing the ordinance would be. Councilman Murphy asked if there is a list of businesses that will be affected by this ordinance. Councilman Murphy is of the opinion that business owners may object to having to install the system which is ultimately going to cost them. He is of the opinion that a letter should be sent out ahead of time to inform the business owners so they understand why the system is going to be implemented and the benefit to their business. Mr. Stein suggested that a list be compiled and a letter sent out as soon as the ordinance is introduced which will inform the business owners of the ordinance and the date of the public hearing so that they can attend if they want to. Administrator McNeilly stated that the ordinance could be written to coincide with the move to the shared service with the Sussex County Fire Marshal's Office. Mr. Stein stated that the Borough can specify the timeframe for implementation in the ordinance. The ordinance will state that the businesses need to comply but will not specify means and methods. Administrator McNeilly stated that the business will determine which box is necessary for their particular location. Councilwoman Kuncken is of the opinion that private residences could benefit from this system as well. If someone's security system alarm is activated and they are unreachable for any reason, the police or fire department would need to break down the door to inspect the residence. The expense of installing the box would be less than having to replace the door. The Governing Body made the decision to go ahead with this ordinance. Mr. Stein will provide the ordinance for the April Mayor and Council Meeting.

Outdoor Wood Burning Boiler – Mayor Maio stated that the Governing Body is interested in adopting an ordinance that will prohibit outdoor wood burning boilers. Administrator McNeilly stated that Newton has an ordinance prohibiting the use of outdoor boilers. The lot sizes in the Borough of Stanhope are too small to permit use of the boilers. Mr. Stein will provide the ordinance for the April Mayor and Council Meeting.

Board of Health Request – School/Non-profit Food License Ordinance – Mayor Maio stated that a request has been received from the Board of Health asking that fees be waived for inspections of non-profit facilities. The Sanitarian informed the Board of Health that any non-profit that is selling food has to be inspected and a license needs to be issued. Administrator McNeilly stated that at the next Board of Health meeting the issue of inspections for the churches should be addressed to determine their status. Little League and any sports events where food is sold need to be inspected. Mayor Maio asked Councilwoman Thistleton to follow up with the Board of

Health. Mr. Stein stated that an ordinance can be put in place that would require the non-profit organizations to obtain a license but no fee would be required. Mr. Stein will provide the ordinance.

Smoke Free Ordinance – Mayor Maio stated that she has received a request from the Center for Prevention and Counseling for the establishment of a smoke free ordinance that would include municipal buildings, borough parks, recreation facilities and any and all public events. A kick-off meeting will be held on April 5<sup>th</sup> which the Mayor and anyone that wishes may attend. Helen Homayer, who resides in town and is the nurse for the center, will be attending the Mayor and Council Meeting on April 10<sup>th</sup>. The Governing Body stated that they are all in approval of moving ahead with this ordinance. Mr. Stein stated that the schools would not be included in this ordinance because they are covered by state statute. Mr. Stein will provide the ordinance.

Sussex County Relay for Life – Mayor Maio stated that a request has been received requesting a resolution be adopted in support of the Sussex County Relay for Life which will be held on May 19<sup>th</sup>. Mayor Maio asked that a resolution be drafted and added to the agenda for the next Mayor and Council Meeting.

Sussex County League of Municipalities – Mayor Maio reminded the Council that the next meeting for the Sussex County League of Municipalities will be held on April 11<sup>th</sup>. Councilman Graham stated that only four seats are available. This meeting is being held at the Sussex County Jail and space is limited.

Complete Streets – Mayor Maio stated that an invitation has been received to attend a meeting regarding the Complete Streets Program that will be held Wednesday, April 4<sup>th</sup>, at the County College of Morris. Councilman Graham stated that he will be attending because this is being sponsored by the Sussex County League of Municipalities. Councilman Depew will also attend.

Budget Impacts - Mayor Maio spoke to the schools regarding the impact of their budgets on the taxpayers of the Borough of Stanhope. Lenape Valley shows a 2 cent decrease per assessed value. The impact on an average home will be a decrease of \$55.00. Stanhope has benefitted from the fact that Byram's enrollment has increased and Stanhope's enrollment has declined this year and also due to the fact that Lenape Valley received funding for being a Choice School. The Valley Road School budget came in at exactly 2%. This will result in a \$57.62 impact on an average home. The Borough's budget is at 1.73% which equates to \$34.75 per average home. The net effect of the 3 budgets is an increase of \$37.37. The County and library budgets are not available yet. There will be an increase overall to everyone.

## **NEW BUSINESS**

Ordinance for Introduction [Public Hearing on April 10, 2012]

### **Ordinance No. 2012-04**

**CAPITAL ORDINANCE APPROPRIATING \$13,000.00  
FROM THE WATER CAPITAL FUND TO SUPPLEMENT  
ORDINANCE 08-10/11-08 FOR IMPROVEMENTS TO THE  
WATER SYSTEM TO BE UNDERTAKEN BY THE  
BOROUGH OF STANHOPE IN THE COUNTY OF SUSSEX,  
NEW JERSEY.**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY AS FOLLOWS:

Section 1. The sum of \$13,000.00 is hereby appropriated from the Water Capital funds of the Borough of Stanhope for the purposes set forth above. \$13,000.00 shall be drawn from Water Capital Fund Balance. Such sums are available by virtue of provision in a previously adopted budget or budgets of the borough for capital improvement purposes.

Section 2. The capital budget of the Borough of Stanhope is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 3. This ordinance shall take effect as provided by the law.

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

Mayor Maio stated that this ordinance is in connection with the chlorinator and will provide the additional funding required against the previous ordinance.

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 Kuncken, and unanimously carried by voice vote, the Mayor and Council instructed the Deputy Clerk to post the ordinance, and authorized publication of same.

## **RESOLUTIONS**

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

### **Resolution 082-12**

### **RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE GRANTING APPROVAL TO THE AMERICAN LEGION, MUSCONETCONG POST 278 TO CONDUCT A PARADE ON MEMORIAL DAY, MONDAY, MAY 28, 2012**

**WHEREAS**, the Borough of Stanhope received a request from the American Legion, Musconetcong Post 278 to conduct their annual Memorial Day Parade through the Borough of Stanhope; and

**WHEREAS**, said parade is scheduled for Monday, May 28, 2012 to begin at 1:00 p.m. at the College Road School in Netcong and end at the American Legion, Musconetcong Post 278 on Route 183 in Stanhope.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, hereby grants approval to the American Legion, Musconetcong Post 278 to hold a parade on Memorial Day, Monday, May 28, 2012 to begin at 1:00 p.m. at the College Road School in Netcong and end at the American Legion, Musconetcong Post 278 on Route 183 in Stanhope.

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

### **Resolution 083-12**

### **RESOLUTION OPPOSING THE PROPOSED LEGISLATION KNOWN AS THE NEW JERSEY PUBLIC WATER SUPPLY FLUORIDATION ACT (A1811/8959)**

**WHEREAS**, clean, safe drinking water is a necessity for life; and

**WHEREAS**, Sussex County is located in the heart of the New Jersey Highlands, a geographic region that is the source of clean, safe drinking water for nearly six million New Jersey residents; and

**WHEREAS**, the residents of Sussex County are served by eleven small, private and public water companies; and

**WHEREAS**, the purpose of a public water supply is to provide safe drinking water to the entire community, which is composed of people with varying health conditions, in varying stages of life, and of varying economic status; not to forcibly mass medicate the population, which is a civil rights violation; and

**WHEREAS**, mandated fluoridation of drinking water is mass medication of the public through the public water supply; and

**WHEREAS**, current science shows that fluoridation chemicals can pose increased risk to sensitive subpopulations, including infants, the elderly, diabetics, kidney patients, and people with poor nutritional status; and

**WHEREAS**, the National Research Council in 2006 established that there are large gaps in the research on fluoride's effects on the whole body; a fact that contradicts previous assurances made by public health officials and by elected officials that fluorides and fluoridation have been exhaustively researched; and

**WHEREAS**, a growing number of cities and health professionals have rejected fluoridation based on current science and the recognition of a person's right to choose what goes into his/her body; and

**WHEREAS**, the Center for Disease Control now recommends that non-fluoridated water be used for infant formula (if parents want to avoid dental fluorosis — a permanent mottling and staining of teeth), the purchase of which would create an economic hardship for large numbers of families, minority and otherwise; and

**WHEREAS**, the U.S. Health and Human Services and the Environmental Protection Agency (January 2011) have recently affirmed the results of a National Research Council's Study stating citizens may be ingesting too much fluoride and that the exposure is primarily from drinking water; and

**WHEREAS**, while the proponents of fluoridation promise a safe and effective dental health additive, these same benefits can be achieved by use of fluoridated toothpastes, oral hygiene products and treatment by dental professionals at the discretion and personal choice of individuals; and

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Stanhope opposes pending legislation, the proposed New Jersey Public Water Supply Fluoridation Act (A1811/S959) and commends efforts by all citizens, organizations and public or private local water companies that oppose forced mass medication of public drinking supplies using fluorides that are industrial grade, toxic waste by-products which may contain contaminants (arsenic, lead, mercury) which may further endanger life; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council of the Borough of Stanhope supports efforts by all citizens, organizations and public or private local water companies working to stop the unreasonable added expenses and forced medication through the public water system because it could be considered an unfunded mandate by State government that violates the civil rights of New Jersey residents; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council of the Borough of Stanhope questions why the New Jersey Legislature and New Jersey's government agencies entrusted with protecting the public health and well being — would enact a policy or fluoridation before any and all threats to the public health and well-being are considered; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council of the Borough of Stanhope directs the Borough Clerk to forward copies of this resolution to New Jersey Governor Chris Christie; New Jersey State Senator Steven Oroho; New Jersey Assembly Members Alison McHose and Gary Chiusano; The Sussex County Board of Chosen Freeholders; the New Jersey League of Municipalities; the Governing Bodies of all other Sussex County Municipalities.

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



**Resolution 084-12**

**RESOLUTION AUTHORIZING SALE OF ABANDONED  
MOTOR VEHICLE SEIZED BY POLICE DEPARTMENT**

**WHEREAS**, the Police Department of the Borough of Stanhope has taken possession of a 1999 Chevrolet Cavalier motor vehicle abandoned on public property;

**WHEREAS**, the provisions of N.J.S.A. 39:10A-1 provide for the specific procedure for the sale of abandoned motor vehicles taken into possession by any public agency such as the Borough of Stanhope; and

**WHEREAS**, the Police Department has obtained the authorization of the New Jersey Motor Vehicle Commission to sell said abandoned vehicle; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stanhope that the Borough shall proceed to sell the aforesaid motor vehicle at public auction pursuant to the provisions of N.J.S.A. 39:10A-1, said auction to be held at the April 24, 2012 Council Meeting; and

**BE IT FURTHER RESOLVED** that notice of said public sale shall be published by the Borough of Stanhope in accordance with the provisions of N.J.S.A. 39:10A-1.

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

**Resolution 085-12**

**RESOLUTION AUTHORIZING SALE OF EXCESS POLICE  
MOTOR VEHICLE**

**WHEREAS**, the Borough of Stanhope is the owner of a 2005 Ford motor vehicle utilized by the Stanhope Borough Police Department; and

**WHEREAS**, said motor vehicle is no longer needed for public use; and

**WHEREAS**, N.J.S.A. 40A:11-36 provides for the manner and method of sale of municipal personal property not needed for public use;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stanhope that the Borough shall sell at public auction the 2005 Ford police motor vehicle; and

**BE IT FURTHER RESOLVED** that said public sale shall be held at the April 24, 2012 regularly scheduled Council Meeting; and

**BE IT FURTHER RESOLVED** that the Borough Clerk be and is hereby authorized to advertise sale of the said motor vehicle by publication in an official newspaper of the Borough not less than seven (7), nor more than fourteen (14) days prior to said sale.

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

**Resolution 086-12 (TABLED)    Resolution Awarding Contract For Tablet Chlorination Systems**

Mr. Stein stated that Resolution 086-12 must be tabled until Ordinance 2012-4 is adopted to have the necessary funding. Mr. Stein stated that the Council needs to be aware that the bids were accepted last Thursday, March 22<sup>nd</sup>, and from that time the Borough has 60 days to award the bid. This does allow time to adopt the ordinance and still award the bid. This can be tabled to the April 10<sup>th</sup> Mayor and Council Meeting. This is not a bond ordinance and as such does not require a 20 day hold. As soon as the ordinance is adopted on April 10<sup>th</sup>, Resolution 086-12 can be adopted. Mayor Maio asked the Deputy Clerk to have this item brought forward to the April 10<sup>th</sup> agenda.

**Resolution 087-12**

**RESOLUTION AUTHORIZING REIMBURSEMENT TO  
STONEGATE CONDOMINIUM ASSOCIATION FOR SOLID  
WASTE COLLECTION AND DISPOSAL**

**WHEREAS**, the Stonegate Condominium Association is located in the Borough of Stanhope; and

**WHEREAS**, pursuant to the provisions of the Qualified Community Act, N.J.S.A. 40:67-23.2, the Condominium Association is entitled to receive certain services from the Borough or to receive compensation for said services in lieu of Borough providing same; and

**WHEREAS**, the Borough has elected to reimburse the Stonegate Condominium Association for the collection and disposal of solid waste in lieu of providing said services; and

**WHEREAS**, the Qualified Community Act requires the execution of a written Agreement between the Borough and the Condominium Association prior to the Borough reimbursing the Association for the services in question; and

**WHEREAS**, the Borough has a defined cost for the collection and disposal of municipal solid waste under a Contract entered into with *Blue Diamond Disposal, Inc.*; and

**WHEREAS**, pursuant to the provisions of the Act, the Borough shall reimburse the Association at the Borough's cost or the Association's cost for the collection and disposal of municipal solid waste, whichever is less; and

**WHEREAS**, a form of Agreement has been prepared by the Borough Attorney to be entered into with the Stonegate Condominium Association, which Agreement is attached hereto and made a part hereof.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Clerk are hereby authorized to execute said Agreement on behalf of the Borough; and

**BE IT FURTHER RESOLVED** that the Chief Financial Officer is authorized to issue payment to the Stonegate Condominium Association to reimburse the Association for the collection and disposal of municipal solid waste for the period of January 1, 2011 through December 31, 2011 provided that the Borough has received written proof from the Condominium Association as to its costs for the collection and disposal of municipal solid waste for the Association.

On motion by Councilman Graham, seconded by Councilwoman Thistleton, 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

Mr. Stein stated, for the benefit of the Governing Body and the Audience, that Resolution 087-12 is for the year 2011 and Resolution 088-12 is for 2012.

**Resolution 088-12**

**RESOLUTION AUTHORIZING REIMBURSEMENT TO  
STONEGATE CONDOMINIUM ASSOCIATION FOR SOLID  
WASTE COLLECTION AND DISPOSAL**

**WHEREAS**, the Stonegate Condominium Association is located in the Borough of Stanhope; and

**WHEREAS**, pursuant to the provisions of the Qualified Community Act, N.J.S.A. 40:67-23.2, the Condominium Association is entitled to receive certain services from the Borough or to receive compensation for said services in lieu of Borough providing same; and

**WHEREAS**, the Borough has elected to reimburse the Stonegate Condominium Association for the collection and disposal of solid waste in lieu of providing said services; and

**WHEREAS**, the Qualified Community Act requires the execution of a written Agreement between the Borough and the Condominium Association prior to the Borough reimbursing the Association for the services in question; and

**WHEREAS**, the Borough has a defined cost for the collection and disposal of municipal solid waste under a Contract entered into with *Blue Diamond Disposal, Inc.*; and

**WHEREAS**, pursuant to the provisions of the Act, the Borough shall reimburse the Association at the Borough's cost or the Association's cost for the collection and disposal of municipal solid waste, whichever is less; and

**WHEREAS**, a form of Agreement has been prepared by the Borough Attorney to be entered into with the Stonegate Condominium Association, which Agreement is attached hereto and made a part hereof.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Clerk are hereby authorized to execute said Agreement on behalf of the Borough; and

**BE IT FURTHER RESOLVED** that the Chief Financial Officer is authorized to issue payment to the Stonegate Condominium Association to reimburse the Association for the collection and disposal of municipal solid waste for the period of January 1, 2012 through December 31, 2012 provided that the Borough has received written proof from the Condominium Association as to its costs for the collection and disposal of municipal solid waste for the Association.

On motion by Councilwoman Kuncken, 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

**MAYOR'S APPOINTMENTS**

**Resolution 089-12**

**RESOLUTION APPROVING THE MAYOR'S APPOINTMENT  
OF PANAGIOTIS TSILIOS, AS AN ACTIVE MEMBER TO  
THE STANHOPE FIRE DEPARTMENT**

Mayor's appointment of Panagiotis Tsilios, as an active member to the Stanhope Fire Department.

**BE IT RESOLVED** by the Council of the Borough of Stanhope, County of Sussex, State of New Jersey that they do hereby concur with the Mayor's appointment of Panagiotis Tsilios, as an active member to the Stanhope Fire Department.

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

## **PAYMENT OF BILLS**

### **Resolution 090-12**

### **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 27, 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

### **ATTORNEY REPORT**

Mr. Stein stated that he had no report.

### **CITIZENS TO BE HEARD**

Mayor Maio opened the meeting to the public after advising attendees that there is a five (5) minute time limit for each speaker.

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

### **ADJOURNMENT**

On a motion by Councilman Graham, seconded by Councilwoman Kuncken, and unanimously carried by voice vote the meeting was adjourned at 9:07 P.M.

Approved:

Linda Chirip  
Deputy Clerk