

**MAYOR AND COUNCIL
WORK SESSION AND
AGENDA MEETING
April 9, 2013
8:00 P.M.**

CALL TO ORDER

SALUTE TO COLORS

Mayor Maio invited all those present to stand in a salute to 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 2, 2013 and was placed on the Official Bulletin Board in the Municipal Building.

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

ROLL CALL

Council Members:

Councilman Thornton – Absent	Councilwoman Thistleton - Present
Councilwoman Kuncken – Present	Councilman Graham - Present
Councilman Depew - Present	Councilman Benson - Present

Mayor Maio – Present

ADMINISTRATOR'S REPORT

Lake Rescue Boxes – Administrator McNeilly stated he received an email from John Whitley from D&H Alternative Risk Solutions regarding the throw rope boxes and distributed a copy to the Governing Body. A photograph of what the throw rope boxes would look like was provided by Councilman Graham. Administrator McNeilly stated D&H had several questions which he was able to answer. The risk management concerns are as follows:

- Someone must maintain the throw rope boxes to keep them in good condition on a regular basis and an inspection log must be kept.
- The areas where the throw rope boxes will be located must be clear of debris and clearly visible.
- Proper training on the usage of the throw rope boxes must be provided annually to the community.
- Signage is important. If the manufacturer does not provide instructions, simply label the units front and back to “Call 911”

Administrator McNeilly stated that someone would have to be designated to maintain the units. A flyer could be mailed to the residents in the water/sewer bills with instructions for the use of the throw rope boxes and the information could be printed in the Borough calendar. Mayor Maio asked that this issue be tabled for discussion until the next meeting when Mr. Stein, Borough Attorney, will be present.

Lackawanna Cutoff – Administrator McNeilly stated he received a phone call from Eric Snyder and John Risko from Sussex County regarding the Lackawanna Cutoff. They are preparing their packet of information for the State and there is an issue regarding a proposed rail crossing. In order to proceed with the application for a quiet zone, the Borough would have to formally adopt a resolution stating there will not be an organized trail in the vicinity of the crossing. They also wanted the Borough to state that pedestrians would not be crossing in this area. Administrator McNeilly stated it is not possible to guarantee pedestrians will not cross.

Much discussion took place regarding the proposed trail. Mayor Maio stated that it was made very clear that the whistle is going to sound when the train passes at this crossing due to the possibility that there may be a pedestrian in the area. Administrator McNeilly confirmed this and stated that even if the quiet zone is authorized, the Federal Railroad Administration has the authority to override the Commissioner of the DOT. In the event that this request is granted, it would be the first quiet zone in the nation granted to a brand new railroad crossing. Councilman Graham stated the other problem is that the only other crossing in this line is located in Green Township and it is at a 90 degree angle. The crossing in the Borough is an acute angle.

Councilwoman Kuncken stated that for the past 20 years this issue has been discussed and during that time the Borough has supported the Lackawanna Cutoff with the stipulation that there would be a quiet zone. The Borough was led to believe that the quiet zone was possible and now it appears that it is not. Administrator McNeilly stated that more than the quiet zone has been lost in this process. The environmental impact study indicates there are 265 residents impacted from Scranton to Lake Hopatcong and 80+ are in Stanhope. There were other items that were supposed to be available in order to lower the noise level such as skirts on the trains and foliage which are not going to be provided. The train is going to pass four times in the morning and four times in evening. The sound of wheels will be heard and the bell which rings the entire time the train is moving. The horn may or may not sound. Mayor Maio stated that if the engineer feels the angle is such that he cannot stop if a pedestrian is coming, it is at his discretion whether or not to blow the whistle. Administrator McNeilly stated if the engineer sees a person or animal he will sound the whistle.

Councilman Graham asked if Hopatcong has been involved. Administrator McNeilly stated they have a previous resolution requesting the quiet zone. This resolution does not affect them because it is strictly for the trail. Mayor Maio stated her concern is if the resolution is not passed and the quiet zone is not granted it will be because the Borough did not cooperate. If the Borough does pass the resolution, there is no guarantee that the quiet zone will be granted. Councilman Graham asked if the resolution can be rescinded if the quiet zone is not granted. Administrator McNeilly will contact Mr. Stein and ask if a "whereas" can be included in the resolution to re-enter the trail into the plan if obtaining the quiet zone is unsuccessful. Administrator McNeilly is of the opinion that the concern is less about the crossing but more about having the trail run alongside of the track. Mayor Maio stated the Borough had asked for fencing to be installed. Councilwoman Kuncken asked if there is an official record of this trail. Administrator McNeilly stated it appears on the map at the DOT office as a proposed trail. Councilwoman Kuncken asked if there are any other groups that are involved with the trails that will be affected. Mayor Maio stated if the resolution is passed and if the quiet zone does not get approved, the NJ Trails Group may want to complete that loop of the trail. A stipulation needs to be added to the resolution. Administrator McNeilly will ask Mr. Stein to prepare the resolution for the next meeting on April 23rd. Mr. Stein will also be in attendance to address any questions or concerns.

10 Mountain Terrace – Administrator McNeilly stated that he met with Eric Keller, Borough Engineer, and Bill Storms, DPW Superintendent, to discuss the drainage issue. Mr. Keller will have a preliminary report available for the April 23rd meeting.

22 Young Drive – Administrator McNeilly reported that he has spoken with Gary Card, Fire Chief, regarding the several fire calls that have occurred at 22 Young Drive. The property has been sold and the residence is in the process of being renovated. The electrical service has been restored to the house. The smoke detectors are hard wired and once the batteries began to recharge, it caused intermittent failures which set off false alarms. The Fire Chief met with the contractor and explained that the detector heads were old and needed to be replaced. The contractor promptly fixed all the units and there have been no further false alarms.

Main Street Lighting – Administrator McNeilly reported that he has received the pricing information from Holophane for the modifications to the Main Street lighting. A detailed report will be available for the April 23rd meeting. Administrator McNeilly stated there are two lighting options available. Administrator McNeilly stated that he would like to have a sample light installed as was done in the past to determine what type of lighting will work best. Mayor Maio stated that if a sample light is installed and the Governing Body finds it unacceptable, the

company will have to remove the fixture. The LED lighting, if acceptable, would be more energy efficient and would last longer.

Riggs Sewer Ejector – Administrator McNeilly stated Bill Storms has received 2 out of the 3 quotes required for the installation of the sewer ejector system. This contractor will begin this job as soon as possible.

Water System Improvement Project – Administrator McNeilly reported that the Sussex County Soil Conservation approval has been received for the water system improvement project. Administrator McNeilly stated that he, Lee Purcell and John Black are in the process of scheduling an initial meeting with Sussex County Engineering.

The County has begun repair of the potholes at the approaches to the orange bridge.

COUNCIL DISCUSSION

Fire Department (Bucket Drop Fundraiser) – Mayor Maio stated the Fire Department has submitted a request to conduct a “Bucket Drop Fund Drive” on July 5th, 6th and 7th at the intersection of Route 183 and Brooklyn Road. Administrator McNeilly stated that Don Drake mentioned to him that the Fire Department would also like to be stationed at Linden Avenue by the traffic light. They would not be in the highway. Councilwoman Kuncken asked if the First Aid Squad was contacted to confirm when their fundraiser will be held. Mayor Maio stated that she is concerned with having two locations. Mayor Maio asked Administrator McNeilly to contact Chief Card to confirm that the Fire Department will be stationed at two locations. Councilman Benson, Councilwoman Kuncken and Mayor Maio stated they are pleased to hear that the Fire Department will be holding a fund raiser. This is not something that they have done in the past. Administrator McNeilly stated he will contact the First Aid Squad and Chief Card. Ellen Horak, Municipal Clerk, stated that according to Mr. Stein the fundraiser must be approved by ordinance which can be introduced at the next meeting.

Street Banners – Mayor Maio stated that last year the Governing Body decided to order a third set of banners for the light poles. The company that was used previously was Project Graphics. Administrator McNeilly stated that he will request a catalog and the seasonal banners were changed over last week.

Environmental Commission (Tree Dedication Request) – Mayor Maio stated that an email was received from the Environmental Commission formally requesting approval for the tree dedication. The Governing Body discussed this matter at the last meeting.

On motion by Councilwoman Kuncken, seconded by Councilman Benson, and unanimously carried by voice vote, approval was granted for the Environmental Commission to purchase and plant a tree on Borough property with a dedication marker.

Mayor Maio stated that the tree should be purchased with the assistance of the Shade Tree Commission.

DOT Box - Councilman Benson asked Administrator McNeilly if the issue regarding the missing cover from the DOT box located at the corner of Linden Avenue and Route 183 is being addressed. Administrator McNeilly replied that DOT has been contacted but a response has not been received. Mayor Maio stated this is a dangerous situation due to the fact that many children pass by there.

Wires - Councilwoman Kuncken stated there are guidelines lying in the street on Linden Avenue. Administrator McNeilly stated that the guidelines will be taken care of along with phone lines and cable lines that still need to be addressed.

Trees – Councilwoman Kuncken asked Administrator McNeilly if the trees that have fallen or been cut down on Borough property are going to be left as they are. There is a tree in the easement that runs from Hickory Drive, under Oak Drive and Valley Road to the detention basin. The tree is lying across the brook. Councilwoman Kuncken suggested that Bill Storms check the tree to see if it may pose a problem in the event of a major rain storm.

Much discussion took place regarding the many trees that the Borough lost during the storm and the number of trees that residents are removing to avoid any future damage to their property. Administrator McNeilly reported that the tree that fell on a building out near wells 3 and 4 was not from the Borough's property.

PUBLIC HEARING ON THE 2013 MUNICIPAL BUDGET

Mayor Maio introduced Raymond Sarinelli, the Borough's Auditor, and invited Mr. Sarinelli to come forward.

Mr. Sarinelli stated that the Division of Local Government Services reviews the Borough's budget every three years. This was the year for the review and the Division of Local Government Services has approved the budget for adoption. Mr. Sarinelli stated that he has studied the budget. The total tax levy is up by \$41,000 and the garbage contract is up by \$40,000. There are other pluses and minuses, some individual expenses such as social security and pensions have increased and others have decreased. Overall, very little has increased other than the garbage contract which is almost the entire tax increase. The \$41,000 increase on tax is just short of 1.3 % which is low in comparison to other municipalities. Mr. Sarinelli state this is a point of confusion when there is a reassessment involved. One third of the taxpayers will be pleased, one third will feel this is an average increase and one third will feel that this is too much of an increase. Mr. Sarinelli stated this is a good budget. Many line items have not changed and very few have gone up. The next part of the process is to hold the public hearing and then adopt the budget.

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

**Resolution 087-13 RESOLUTION OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF STANHOPE AUTHORIZING READING OF
THE MUNICIPAL BUDGET BY TITLE**

WHEREAS, N.J.S.40A:4-8 provides that the budget may be ready by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full Governing Body, provided that at least one (1) week prior to the date of public hearing a complete copy of the approved budget, as advertised, has been posted in the Municipal Building, the local public library and copies have been made available by the Clerk to persons requesting them; and

WHEREAS, these conditions have been met;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that the 2013 Municipal Budget shall be read by title at this public hearing for same.

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

Roll Call:

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

**Resolution 088-13 RESOLUTION OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF STANHOPE ADOPTING THE 2013
MUNICIPAL BUDGET**

BE IT RESOLVED by the Governing Body of the Borough of Stanhope, County of Sussex, that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$4,580,857.26 for municipal purposes.

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

Mayor Maio opened this portion of the meeting for public comment on the 2013 Municipal Budget.

Mayor Maio stated that the tax increase is 1.29%. On an average house of \$191,400 the estimated increase is \$2.28. As Mr. Sarinelli indicated not much has increased except for the items that the Governing Body has no control over. Some items have been decreased. The Governing Body has none of the exclusions in the budget that the State allows. No exclusions were taken. Mayor Maio stated the Governing Body is pleased with the budget. Councilwoman Kuncken stated that a few years ago in the State of New Jersey when the pension costs were permitted to be postponed or deferred, the Borough, with Mr. Sarinelli's guidance, chose not to do this. Councilwoman Kuncken is of the opinion that it was a good decision on the part of the Governing Body not to have postponed or deferred the pension costs. There are several municipalities in the area that are now struggling with this issue. Councilman Graham stated that the Borough is in the fifth year of a five year contract for garbage collection. The added money to the budget is due to the fact that the Borough does not know what the new contract costs will be.

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

Roll Call:

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

Mayor Maio thanked Mr. Sarinelli for his help and ongoing guidance.

OLD BUSINESS

Ordinance for Public Hearing and Final Adoption

Mayor Maio offered the following ordinance for public hearing and final adoption which was read by title:

Ordinance 2013-03

AN ORDINANCE OF THE BOROUGH OF STANHOPE COUNTY OF SUSSEX, NEW JERSEY FIXING THE SALARY AND WAGES FOR BOROUGH EMPLOYEES AND OFFICIALS

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

SECTION 1. That the Annual salary, wage and compensation to be paid to Borough employees and officials in 2013 be as follows:

Mayor	\$ 3,013.00
Borough Council Member	2,739.00
Administrator	94,078.00
Borough Clerk	56,146.00
Deputy Borough Clerk	33,379.00
Registrar	3,400.00
Deputy Registrar	1,640.00
Chief Financial Officer/ Tax Collector	92,296.00
Utility Collector/ Asst to Tax Collector	40,700.00
Accounts Payable	22,289.00
Tax Assessor	24,615.00
Custodian	7,225.00

POLICE DEPARTMENT

Chief of Police	As per contract
Sergeant	As per contract
Sergeant's Stipend	As per contract
Detective's Stipend	As per contract
Patrolman	As per contract
Clerk Typist - Police Dept.	31,844.00
Police Matron	\$20.56 per hour
Police Matron – Call-out	\$50.00 per call-out
Special Officer	\$19.91 per hour
Crossing Guard	\$13.95 per hour

DEPARTMENT OF PUBLIC WORKS

Superintendent	\$ 79,282.00
Water Operator	6,076.50
Sewer Operator	6,076.50
Water T-1 License Stipend	3,500.00
Public Works Repairer	As per contract
Laborer	As per contract
Part-time Laborer	\$12.00 to \$12.83 per hour

CONSTRUCTION DEPARTMENT

Construction Official	21,403.00
Fire Subcode Official	3,174.00
Plumbing Subcode Official	3,649.00
Electrical Inspector	9,186.00
Zoning Officer	10,084.00
Code Enforcement Officer	10,496.00
Municipal Housing Stipend	2,016.00
Clerical – Construction	8,105.00

BOARDS AND COMMISSIONS:

Land Use Secretary	\$ 8,719.00
Board of Health Secretary	4,118.00
Secretary to:	
Shade Tree	\$25.00 per month*
Environmental Commission	\$25.00 per month*
Recreation Commission	\$25.00 per month*

*submission of monthly minutes required.

SECTION 2. Salaries and wages for all Borough employees and officials shall be paid in bi-weekly installments as nearly equal as possible.

SECTION 3. Unless otherwise provided herein, remuneration for all employees shall be retroactive to January 1st of each year.

SECTION 4. The salaries and wages herein established shall be in lieu of any and all fees to which the respective incumbents of said offices might otherwise be entitled by statute or ordinance; which fees shall immediately upon collection thereof be paid over to the Treasurer for use of the Borough except as otherwise provided herein.

SECTION 5. The Borough shall pay medical insurance premiums in accordance with State law, collective bargaining agreements and the Borough's elected participation in any State health benefit program for all eligible employees and their eligible dependents.

SECTION 6. The terms and conditions of all collective bargaining agreements negotiated between the Borough and any bargaining unit representing Borough employees are hereby incorporated into this Ordinance.

SECTION 7. All Ordinances and Resolutions, or parts thereof, inconsistent herewith are hereby repealed.

SECTION 8. This Ordinance shall become effective immediately upon final adoption and publication as required by law.

On motion by Councilwoman Kuncken, seconded by Councilwoman Thistleton, and unanimously carried by the following roll call vote, the foregoing ordinance was adopted.

Mayor Maio opened this portion of the meeting for public comment on this ordinance only.

Mayor Maio stated that the ordinance provides a 1.75% increase for salaries and wages for non-contracted employees. The contracted employees also received a 1.75% increase.

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

Roll Call:

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

On motion by Councilman Benson, 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

Ordinance for Introduction [Public Hearing on April 23, 2013]

Mayor Maio offered the following ordinance for introduction which was read by title:

Ordinance 2013-04 **AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 44 OF THE CODE OF THE BOROUGH OF STANHOPE ENTITLED “BOARD OF RECREATION COMMISSIONERS” BY PROVIDING FOR THE APPOINTMENT OF TWO ALTERNATE MEMBERS TO THE BOARD**

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

SECTION I.

Section 44-2 “Appointment of Members; terms; vacancies; compensation” is hereby amended to read as follows:

- A. The Board of Recreation Commissioners shall be comprised of five (5) members and two (2) alternate members who shall be designated as Alternate No. 1 and Alternate No. 2. All members shall be residents of the Borough and appointed by the Mayor with the advice and consent of the Council.
- B. Members first appointed to the Board shall serve for terms of one (1), two (2), three (3), four (4) and five (5) years. Appointments thereafter shall be for terms of five (5) years each. The length of the terms of the alternate members shall be the same as the length of the terms of the regular members of the Board of Recreation Commissioners. If two alternates are appointed, their terms shall be staggered by the appointment of one of the alternates for an initial term that is a year less than a regular term.

- C. Whenever a vacancy occurs among the Commissioners, the Mayor shall appoint a replacement with the advice and consent of the Council for the unexpired term only.
- D. Commissioners shall serve without compensation.

SECTION II. When Effective

This ordinance shall take effect after passage and publication as required by law.

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

Mayor Maio stated, for the benefit of the public, that the Recreation Commission has requested additional members. The Recreation Commission has become more active and as a result they have asked to have alternate members added to the Commission.

Roll Call:

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

On motion by Councilman Benson, 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.

RESOLUTIONS

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

Resolution 089-13 RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE FIXING THE 2013 SALARIES OF BOROUGH EMPLOYEES

WHEREAS, the Borough Council adopted Ordinance # 2013-03 on April 9, 2013; and

WHEREAS, the Borough Council of the Borough of Stanhope desires to set the specific salaries for full-time and part-time non-contract Borough employees for the year 2013,

NOW, THEREFORE, BE IT RESOLVED that the following salaries are retroactive to January 1, 2013:

Rosemarie Maio	Mayor	\$ 3,013.00
James Benson	Council Member	2,739.00
Michael Depew	Council Member	2,739.00
George Graham	Council Member	2,739.00
Diana Kuncken	Council Member	2,739.00
Bill Thornton	Council Member	2,739.00
Doreen Thistleton	Council Member	2,739.00
Brian McNeilly	Administrator	94,078.00
Ellen Horak	Borough Clerk	56,146.00
Linda Chirip	Deputy Borough Clerk	33,379.00
Ellen Horak	Registrar	3,400.00
Linda Chirip	Deputy Registrar	1,640.00
Dana Mooney	Chief Financial Officer/ Tax Collector	92,296.00
Toni Grisaffi	Utility Collector/ Asst. to Tax Collector	40,700.00
Maria Mascuch	Accounts Payable	22,289.00
Maureen Kaman	Tax Assessor	24,615.00
Ward Sherrer	Custodian	7,225.00

POLICE DEPARTMENT

Steven Pittigher	Chief of Police	As per contract
	Sergeant	As per contract
	Sergeant’s Stipend	As per contract
	Detective’s Stipend	As per contract
	Patrolman	As per contract
Virginia Citarella	Clerk Typist - Police Dept	31,844.00
Rebecca Duenskie	Police Matron	\$20.56 per hour
Rebecca Duenskie	Police Matron – Call-out	\$50.00 per call-out
Various	Special Officer	19.91 per hour
Various	Crossing Guard	13.95 per hour

DEPARTMENT OF PUBLIC WORKS

William Storms, Jr.	Superintendent	79,282.00
William Storms, Jr.	Water Operator	6,076.50
William Storms, Jr.	Sewer Operator	6,076.50
William Storms, Jr.	Water T-1 License Stipend	3,500.00
	Public Works Repairer	As per contract
	Laborer	As per contract
Various	Part-time Laborer	\$12.00 to \$12.83 per hour

CONSTRUCTION DEPARTMENT

Thomas Pershouse	Construction Official	21,403.00
Joseph Olivo	Fire Subcode Official	3,174.00
Joseph Olivo	Plumbing Subcode Official	3,649.00
Robert Moentenich	Electrical Inspector	9,186.00
Arlene Fisher	Zoning Officer	10,084.00
Arlene Fisher	Code Enforcement Officer	10,496.00
Arlene Fisher	Municipal Housing Stipend	2,016.00
Maria Mascuch	Clerical - Construction	8,105.00

BOARDS AND COMMISSIONS:

Ellen Horak	Land Use Secretary	8,719.00
Monique McNeilly	Board of Health Secretary	4,118.00
Secretary to:		
Shade Tree		25.00 per month*
Environmental Commission		25.00 per month*
Recreation Commission		25.00 per month*

*submission of monthly minutes required.

BE IT FURTHER RESOLVED that the Borough Administrator is authorized to set the salary level according to the salary amounts in Ordinance #2013-03 for the temporary part-time positions of police matron, crossing guards, general part-time, DPW part-time and seasonal employees.

BE IT FURTHER RESOLVED that this Resolution shall become effective upon publication of Ordinance 2013-03 fixing the salary and wages for Borough employees and officials.

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

Roll Call:

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

Resolution 090-13

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF STANHOPE AUTHORIZING THE
ISSUANCE OF RAFFLE LICENSE RA-588**

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

<u>Raffle #</u>	<u>Applicant</u>	<u>Type of Game</u>	<u>Dates</u>
RA-588	American Legion Post #278	Off-Premise 50/50	June 9, 2013 Raindate: June 23, 2013

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.

Mayor Maio stated this resolution for a raffle license is for the American Legion and it will be a 50/50 to benefit the Lake Musconetcong Regional Planning Board.

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

Resolution 091-13

**RESOLUTION WAIVING PEDDLER’S LICENSES FOR
STANHOPE DAY**

WHEREAS, the Borough of Stanhope will celebrate Stanhope Day on June 9, 2013; and

WHEREAS, said day is a Borough-wide celebration, generally benefiting the citizens and civic organizations of the Borough of Stanhope; and

WHEREAS, many vendors participate in Stanhope Day, enhancing the overall experience of Stanhope Day for the public’s benefit; and

WHEREAS, Chapter 108 of the Code of the Borough of Stanhope requires a Peddler’s license; and

WHEREAS, the Governing Body of the Borough of Stanhope believe that it is in the best interest of the Borough to encourage participation in Stanhope Day to the greatest extent practical; and

WHEREAS, requiring obtaining a Peddler’s permit for a one day event could discourage participation in Stanhope Day;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the Borough does hereby waive the requirement to obtain a Peddler’s license for any vendor participating in Stanhope Day on June 9, 2013 for that day only.

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

Resolution 092-13

RESOLUTION RECOGNIZING APRIL AS VOLUNTEER APPRECIATION MONTH

WHEREAS, every U.S. President since President Nixon in 1974 has signed an executive order establishing a National Volunteer Week and promoting an annual celebration of volunteering; and

WHEREAS, April 21-27 has been established as the 2013 National Volunteer Week as the official time to recognize and celebrate the efforts of volunteers at the local, state and national levels; and

WHEREAS, volunteerism strengthens communities, improves vital social concerns and enhances the overall quality of life for all citizens; and

WHEREAS, our Borough government could not function without volunteers who serve on our boards, commissions and committees; and

WHEREAS, volunteers are motivated by the simple satisfaction of helping their fellow citizens and making their community a better place to live; and

WHEREAS, the Governing Body deems it appropriate to recognize and pay tribute to the Borough's many volunteers and express sincere appreciation for their dedication and valued service to our community and the lives of others;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Stanhope hereby designates the month of April as "*Volunteer Appreciation Month*" to honor the hard work and selfless dedication of the many volunteers who serve the Borough and the community.

Mayor Maio stated April is Volunteer Appreciation Month and the resolution will be presented to all of the Boards and Commissions.

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

Resolution 093-13

RESOLUTION AUTHORIZING CANCELLATION OF MUNICIPAL CERTIFICATE OF SALE

WHEREAS, Certificate of Sale #2012-25 was issued to Stanhope Borough, 77 Main Street, Stanhope, New Jersey 07874 for delinquent 2011 taxes and/or utility charges on Block 11702, Lot 5, 256 US Highway 206, assessed to Christostomos & Angela Dimitriou, at a tax sale held on November 19, 2012; and,

WHEREAS, the certificate was redeemed on March 25, 2013 by paying the full amount of the delinquency.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Clerk of the Borough of Stanhope are hereby authorized to endorse Certificate of Sale #2012-25 for cancellation.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer/Tax Collector.

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

Roll Call:

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

Resolution 094-13

RESOLUTION AUTHORIZING THE CANCELLATION OF GRANT APPROPRIATIONS AND RECEIVABLES

WHEREAS, certain grant receivable balances totaling \$5,439.00 remain on the Current Fund balance sheet dedicated to municipal grants that have expired and will not be paid to the Borough; and

WHEREAS, certain grant appropriations totaling \$7,939.00 related to those grants remain on the Current Fund balance sheet dedicated to municipal grants; and

WHEREAS, it is necessary to formally cancel the receivable and appropriation balances from the balance sheet;

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that the following grant receivable and appropriated grant reserve balances be cancelled:

<u>APPROPRIATED GRANTS</u>	<u>GRANT YEAR</u>	<u>DEBIT</u>	<u>CREDIT</u>
Business Stimulus Forestry Grant	2010	\$ 439.00	
Smart Growth ERI Grant	2010	5,000.00	
Smart Growth Match	2010	2,500.00	
 <u>GRANTS RECEIVABLE</u>			
Business Stimulus Forestry Grant	2010		\$ 439.00
Smart Growth ERI Maps Grant	2010		5,000.00
 <u>SURPLUS</u>			
Smart Growth Match	2010		2,500.00

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

Mayor Maio stated this resolution was requested by Mr. Sarinelli, Borough Auditor, to cancel these items which need to be removed from the books.

Roll Call:

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

Resolution 095-13

RESOLUTION AUTHORIZING BID FOR ROOF AND EXHAUST FANS FOR DPW BUILDING

WHEREAS, the roof and exhaust fans of the DPW Building of the Borough of Stanhope are in need of replacement; and

WHEREAS, the cost for the acquisition and installation of the roof and exhaust fans for the DPW building is anticipated to exceed the bid threshold, pursuant to the Local Public Contracts Law; and

WHEREAS, the Borough has prepared bid specifications to publicly bid for the purchase and installation of a new roof and exhaust fans for the DPW Building.

NOW, THEREFORE, be it resolved by the Mayor and Council of the Borough of Stanhope that the Borough is hereby authorized to publically advertise for the receipt of sealed competitive bids for the purchase and installation of a new roof and exhaust fans for the DPW building; and

BE IT FURTHER RESOLVED, that said bids shall be received and publically opened on Thursday, May 16, 2013 at 10:00am.

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

Roll Call:

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

MAYOR'S APPOINTMENT

Resolution 096-13

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE APPROVING THE MAYOR'S APPOINTMENT OF TRACY STAPLES TO THE RECREATION COMMISSION WITH COUNCIL CONCURRENCE

Mayor's appointment to the Recreation Commission with Council concurrence as follows:

Tracy Staples to fill vacant unexpired term, said term to expire December 31, 2013.

BE IT RESOLVED by the Council of the Borough of Stanhope that they do hereby concur with the Mayor's appointment of Tracy Staples as a Member of the Recreation Commission, effective immediately, to fill the vacant unexpired term, with said term to expire December 31, 2013.

Mayor Maio stated that Tracy has been volunteering on the Recreation Commission for nearly a year.

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

Resolution 097-13

RESOLUTION APPROVING THE MAYOR'S APPOINTMENT OF NICHOLAS M. BERNABEI, AS AN ACTIVE MEMBER TO THE STANHOPE FIRE DEPARTMENT

Mayor's appointment of Nicholas M. Bernabei, 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 Nicholas M. Bernabei, 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 098-13

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE AUTHORIZING PAYMENT OF BILLS

WHEREAS, the Chief Finance Officer has certified that funds are available in the proper account; and

WHEREAS, the Chief Finance Officer has approved payment upon certification from the Borough Department Heads that the goods and/or services have been rendered to the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the current bills list, dated April 9, 2013 and on file and available for public

inspection in the Office of the Chief Finance Officer and approved by the Chief Finance Officer for payment, be paid.

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

Roll Call:

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

AGENDA ITEMS

Mayor Maio stated that Fred Brody from Cross River Fiber will be making a presentation on April 23rd. There was an article in Sunday’s New Jersey Herald stating that Sussex County College will be using dark fiber which is being brought into Sussex County by Newton Memorial Hospital. The article specifically mentioned Cross River Fiber.

All items listed on the Agenda for April 23, 2013 were approved.

DISCUSSION

Arbor Day - Administrator McNeilly asked if an invitation has been received from the Stanhope School regarding Arbor Day. Mayor Maio replied that an invitation has not been received to date. Administrator McNeilly stated that he was contacted by the Superintendent and the date of the event is April 25th and invitations will be sent.

Trails - Mayor Maio stated that she spoke with John Rogalo, Environmental Commission Chairman, earlier today and asked him to attend tonight’s meeting. Mayor Maio asked Mr. Rogalo to come forward. Mr. Rogalo stated that he participated in the planning and mapping regarding the trail along the railroad. The trail location along the railroad is not on railroad property. The trail is located on McMickle Road, which is Borough property. The trail crossing takes place using the existing underpass. At no point would pedestrians cross the railroad. Administrator McNeilly stated that the concern is the trail being located in the vicinity. Mr. Rogalo stated that currently McMickle Road where the proposed trail would be is very over grown. The trail would be completely off the railroad bed and located on Borough property. This would be at least 30 to 40 feet from the railroad bed and the trail could have a vegetative border left between the trail and the railroad bed. Much discussion took place regarding the location of the trail. Administrator McNeilly read the section of the resolution that is significant to this issue, “Whereas the Borough of Stanhope has no intentions of establishing an organized trail at the grade crossing in the future”. Mr. Rogalo stated there is no intention to locate the trail at the grade crossing.

Mr. Rogalo stated when the trail network was originally being set up the railroad was contacted to request access to cross their property where it flairs out, not on the railroad bed, to access McMickle Road. Mr. Rogalo stated that there is an adjacent piece of property on Brooklyn-Stanhope Road that he believes is now owned by the Borough. Mayor Maio stated that the Borough will own that property in a few days. Mr. Rogalo suggested that the acquired property could be used to redirect the trail when the time comes.

ANJEC Grant – Public space stewardship grant reads “the Plaster Mill Trail and Public Park project will include the following components: 1. The removal of overgrown invasive plants and deadfalls from past storms. 2. The continued establishment of a walking trail along Furnace Pond to link up with the Towpath Trail in Salmon Memorial Park. This trail is identified in our Borough Master Plan as a link for connecting our town trails to Mt. Olive and Netcong. 3. Planting of native trees, shrubs and wildflowers to establish a new more desirable vegetative cover after removal of invasive plant species and deadfalls. 4. The removal of debris from the outfall of the storm water discharge pipe from Main Street; then lining of the banks along the drainage ditch with stones found on site for stabilization; the installation of a small foot bridge to provide for a trail crossing of the drainage ditch. 5. Installation of a sign detailing the rich history of the area.” Mr. Rogalo read the remainder of the grant application which states that the Environmental Commission will be sponsoring a clean-up on April 27th. Students from the Go

Green Club at the Lenape Valley High School will assist with the plantings and foot bridge construction. Students from the Middle School will be invited to plant the wildflower seeds.

Mr. Rogalo stated that the Borough has to provide 80 hours of labor at the site for which the grant has been requested in order to qualify for the grant. Mr. Rogalo stated he has taken pictures of the dead trees and invasive plants to be removed. The storm water outflow was completely blocked. Mr. Rogalo removed a large rock and placed it on the bank. There was also road grit and garbage filling the drain pipe. There was only two inches of open space left in the pipe. There is a great deal of multiflora rose which is an invasive species. Mr. Rogalo stated he has removed some of the multiflora rose but there is another 35 feet that needs to be removed. All the invasive vines, called bittersweet, have been pulled out by the roots. Each tendril is approximately 80 feet long and was wrapped around everything in the woods. The native species were identified and left in place.

The seeds will be purchased from Ernst Seeds in Pennsylvania. There is a mix of seeds available that consist of native grasses and flowers which will establish themselves on this site. Mayor Maio asked if the students will be able to handle planting the seeds. Mr. Rogalo stated they will simply hand cast the seeds. The plants are low maintenance and consist of annuals and perennials that will reseed themselves. There is a wetland meadow mix which will be used along the border of Furnace Pond and the drainage area. Mr. Rogalo stated he has gotten the heavy work done because he will not be able to work on clean-up day. Councilman Benson stated he is pleased with how the area looks and thanked Mr. Rogalo for his time and effort. Councilman Benson stated that the Musconetcong Park riparian buffer has held up well and is maintained by the DPW. Councilman Depew stated that Mr. Rogalo has done a very good job. Councilwoman Kuncken stated what Mr. Rogalo has done in order to prepare for the grant looks good but the Governing Body was unaware that the work was going to be done prior to receiving the grant which is why there was initial concern. Mayor Maio stated she was awestruck at the appearance of the property and is certain this will be used by residents as it never has been before. Councilman Graham stated he is concerned about Mr. Rogalo working alone. Mr. Rogalo replied that Owen Newson has been assisting him occasionally. Mr. Rogalo stated that the DPW had been attempting to clear the drain but they were unable to get a machine into that location and they were pleased to see that the drain was cleared. Residents have also stopped by and commented on how nice the area looks. Mr. Rogalo stated that he will pull the rest of the multiflora rose and he will remove as much of the vines as possible. He has cut up and removed four trees that had fallen during Hurricane Sandy, six alanthus trees which are invasive were removed and a few other trees that had been severely damaged by the vines were removed. Mayor Maio thanked Mr. Rogalo for the time and effort that he has put into clearing the area.

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.

Owen Newson, Environmental Commission member, stated he has been working with Mr. Rogalo and supports what he has been doing. Mr. Newson asked the Governing Body if he and Mr. Rogalo have approval to continue moving forward with the clean-up of the area. Mayor Maio replied that they do have approval to proceed. Mr. Newson stated Mr. Rogalo is able to maneuver the machine very well and is very knowledgeable with regard to the plants.

Don Drake, SWAC Representative, stated that he had been unable to attend the past few meetings but wanted to provide an update. SCMUA has some new recycling dates set. There is a Senate Bill #2528 which will allow trash to go into the landfills without recycling. The issue is due to all the debris in South Jersey from the storm but this bill will affect all of New Jersey. Mr. Drake suggested that the Governing Body should adopt a resolution opposing the bill. They are still waiting to see what will happen with the State recycling grant. SWAC passed a resolution asking the Freeholders to request DEP approval to expand the landfill. The expansion is a six stage process. The projected closure is estimated to be in 2020. In 2016 the bonds will be paid off. SWAC is in the process of obtaining approval now for the expansion. If the expansion is approved, with today's numbers, the landfill would function until 2062. The closure fund is \$19 million in debt. With the current figures and tonnage and no rate increase this will equal out in approximately 2030. Councilwoman Kuncken asked if the issue of how to pay the bond will be eliminated. Mr. Drake stated the rates will not be increased and there will be enough funding

available for the closure by that time. There will be new technology in the future and there are companies that are currently looking into mining the existing landfills for metal. Councilwoman Kuncken stated her opinion that Stanhope Borough was instrumental in having this issue addressed because of the concerns that were raised a few years ago. Much discussion took place with regard to the future plans for SCMUA. The hours at SCMUA impact the costs incurred by the garbage haulers.

Administrator McNeilly asked the Governing Body, in light of the information that Mr. Rogalo stated about the trail system location, if he should drop that reference from the resolution. The Governing Body stated that they are in agreement that the Borough will not have a trail crossing in that area.

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

ADJOURNMENT

On a motion by Councilwoman Kuncken, seconded by Councilman Benson, and unanimously carried by voice vote the meeting was adjourned at 9:15 P.M.

Approved:

Linda Chirip
Deputy Clerk
For Ellen Horak
Borough Clerk