

**MAYOR AND COUNCIL
REGULAR MEETING
June 25, 2013
7:00 P.M.**

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:

Councilwoman Zdichocki – Present	Councilman Depew – Present
Councilman Thornton – Present	Councilwoman Thistleton – Present
Councilwoman Kuncken – Present	Councilman Benson – Present

Mayor Maio – Present

COMMENDATION

Mayor Maio stated over the course of their careers our police officers find themselves in situations from the mundane to the extraordinary. Mayor Maio stated that she was pleased on behalf of the Governing Body to acknowledge the efforts of Officer Montella for an extraordinary activity. Mayor Maio invited Officer Montella to come forward. Mayor Maio stated that this commendation, from the Borough of Stanhope, is awarded to Officer Fortunato Montello in recognition of his actions resulting in the saving of a life on May 6, 2012 in Allamuchy Township, NJ. Mayor Maio thanked and congratulated Officer Montella on behalf of the Governing Body for a job well done.

Mayor Maio announced a ten minute recess for refreshments and to congratulate Officer Montella.

The meeting resumed at 8:03PM.

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 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:

May 14, 2013 Agenda & Work Session Meeting & Closed Session

On motion by Councilman Depew, seconded by Councilwoman Kuncken and unanimously carried by voice vote, the above listed minutes were approved.

CORRESPONDENCE (List Attached)

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

COUNCIL COMMITTEE REPORTS

Public Safety – Councilwomen Kuncken/Thistleton

Police, Fire, Ambulance, Court & Violations Bureau, Emergency Management – Councilwoman Kuncken stated for the month of April the Fire Department had 9 calls, 74 ¼ man hours, 2 mutual aid calls and 4 drills. For the month of May there were 2 calls, 1 mutual aid call and 4 drills. Councilwoman Kuncken asked Chief Card, who was present in the audience, to explain the additional report that was submitted. Chief Card stated the report is a log of all the activities for the Fire Department.

Councilwoman Kuncken stated that the Police Department had 261 motor vehicle violations. There were 140 traffic citations by violation.

Councilwoman Kuncken stated that the Ambulance Squad for the month of May had 19 calls in Stanhope, 37 in Netcong and 2 standbys for a total of 58 calls. There were 3 out of town calls to Hopatcong. There were a total of 40 patients, 40 trips to the hospital, 1,047 miles travelled and 243 volunteer hours. Mayor Maio asked if it was unusual for the Ambulance Squad to respond to calls in Hopatcong. Councilwoman Kuncken replied that it is not unusual and Hopatcong Borough covers for Stanhope as well.

Finance & Administration – Councilman Benson/Councilwoman Kuncken

Councilman Benson stated the year to date general tax collections have increased but the percentages for the second quarter have decreased slightly. These figures are through to the end of May.

Councilman Benson stated the utility collections are low. The water rents and sewer rents were changed and it appears that those numbers have decreased. These figures will need to be monitored along with the accumulation of funds for the projects going forward. Mayor Maio asked Councilman Benson if the year to date figures are lower. Councilman Benson confirmed this and stated the figures for sewer are lower and higher on water. There is not an equal shift at this time. Administrator McNeilly stated it will eventually become self-correcting. Right now there is a difference between on time pay and delinquencies. The numbers will approach 100% after the tax sale. Dana Mooney, CFO, has already prepared the date for the tax sale and will begin advertising in September. Correspondence has been sent out as well. Councilman Benson stated there are still a few months for the figures to balance out.

Community Development – Councilwoman Zdichocki/Councilman Thornton

Zoning, Construction, Code Enforcement, Economic Development, Chamber of Commerce, Downtown Revitalization – Councilwoman Zdichocki stated there were 9 zoning permit applications and 8 code violations and complaints. Councilwoman Zdichocki reported that she, Administrator McNeilly and Mayor Maio met with John Kline, owner of the Stanhope House, regarding an idea for a common farmers market. Mr. Kline supplied information for the farmers market and explained his intentions and asked for suggestions and questions. He has more research to do but he is not planning to start this until next year. Mr. Kline was advised that permits would be required.

Municipal Infrastructure – Councilman Thornton/Councilwoman Zdichocki

Water Distribution, Sewer Collection System, Road Construction & Maintenance, Buildings & Grounds – Councilman Thornton had no report.

Information Technology – Councilmen Depew/Benson

Councilman Depew had no report.

Boards/Commissions – Councilwoman Thistleton/Councilman Depew

Councilwoman Thistleton stated that the Board of Health will not meet in July or August due to a lack of quorum due to vacations. The next meeting will be held in September.

Councilwoman Zdichocki reported that the registrations for the summer recreation program currently totals 47 weeks, 32 of them are paid. This is double the amount of last year. There are 25 people who will benefit from the \$50 incentive supplemented by the Borough.

Councilwoman Thistleton stated that Family Fun Day will be held on July 14th. There are 3 Movies in the Park scheduled for July 24th, 31st and August 9th. Halfway to St. Patrick's Day will be held on September 21st which is a corned beef and cabbage dinner sponsored by the Recreation Commission and the Fire Department. There will be a bus trip to Mt. Airy Casino on October 19th. The Chamber of Commerce will be running another town wide garage sale on October 12th. The Recreation Commission is sponsoring a contest for the high school students. Students will have the opportunity to design a flag for the Recreation Commission. The flag will be displayed at the various activities throughout the year. This will be an opportunity to involve the older students in the community. The contest will take place sometime before the Christmas tree lighting.

ADMINISTRATOR'S REPORT

JCP&L – Administrator McNeilly stated that he and Mayor Maio met with the new area representative from JCP&L today. Mayor Maio stated that the new manager's office is located in Dover and JCP&L is going back to allowing the supervisor on the truck to be in charge. The supervisor will not have to wait for someone else to give him instructions. JCP&L's equipment has been upgraded with smart books which include the grid for the area and a definition of what type of equipment is in the area and where it is located. The company has a new President. In the event of a storm, the Borough will meet with the area managers in our region which includes Newton, Dover and Boonton. Administrator McNeilly stated that important priority areas have been designated and placed on file with JCP&L such as the wells, fire department and polling locations. The area manager is planning to attend a Mayor and Council meeting in order to meet everyone. Councilman Depew asked if any maintenance will be done on the equipment. Mayor Maio replied that there will be crews working this summer. Much discussion took place regarding the maintenance issues. Administrator McNeilly stated that he informed the area representative about some of the ongoing issues with street lights at Stonegate Condominiums and Highpoint Condominiums, as well as other open issues within the Borough.

Millennium Strategies – Administrator McNeilly stated that he and Mayor Maio met with Ed Farmer and Katie from Millennium Strategies this afternoon to discuss the outcome of the recent round of grants and some new opportunities. A meeting will be scheduled with region one in the DOT office to review the applications. Maple Terrace does not have the amount of traffic required for DOT to approve this project. In the future, roads with heavier traffic may be considered. Millennium Strategies was surprised that the beautification was not awarded. They were of the opinion that the project was going to be successful. Millennium Strategies is of the opinion that the grant was not received because the sidewalks connecting Stanhope Borough to Byram Township do not lead to a NJ Transit train station or bus station. Councilwoman Kuncken asked when the contract with Millennium Strategies expires. Mr. Stein replied that the contract is for one year and will end in December. Mayor Maio stated that Millennium Strategies is going to arrange a meeting to discuss applying for aid with DOT for the sidewalks. The representatives feel there is a chance for a grant to be obtained for the sidewalks.

Police Station – Administrator McNeilly reported that the Police Station renovation is complete except for a small list of minor items. The trailer has been disconnected and we are waiting for the vendor to remove it.

Maple Terrace Project – Administrator McNeilly stated that the Borough will be reconstructing Maple Terrace from Brooklyn Road to Musconetcong Avenue. This is a distance of 770 feet in length. The roadway will be widened slightly, curbs installed, the water pipes will be replaced and the road will be repaired. The cost is \$19,650 and the first reading for the capital budget is on the agenda this evening. Administrator McNeilly stated he would like to have a professional services agreement drafted and ready for the next meeting. Mr. Keller, Borough Engineer, will be in attendance at that time and will be available to answer any questions.

Councilman Benson stated there is water runoff from the south side of Maple Terrace through the yards. He asked if that will be addressed with this project. Administrator McNeilly replied that the private property will not be part of the project. There will be drainage improvements

made in the roadway along with the installation of curbs, solid footings and a proper base in the road. The project will be designed this year and construction can begin in the spring. This area will not be affected by school traffic.

Renovation Project – Administrator McNeilly stated the sanitary manhole rehabilitation is another capital project. Twelve or more manholes will be reviewed and a determination made as to which ones need repair to remove the infiltration of water. Administrator McNeilly asked for a resolution to be drafted for the next meeting in order for Mr. Keller to begin the preparation of the bid documents. The project administration costs will be \$11,200. This project does not have to wait until next year. Work can begin in the fall. Mr. Keller will be present at the first meeting in July.

DPW Roof – Administrator McNeilly reported that the contractor who was awarded the contract for the DPW roof has met with Tom Pershouse, Construction Official, and he has signed off on the project. The contractor will begin construction during the first week of July. The contractor is purchasing the supplies. This is a roof hugger system that goes over the existing roof with a layer of insulation which will add an additional “R” value. This roof is capable of supporting solar panels in the future.

NIXLE – Administrator McNeilly stated that he has worked with the vendor of the NIXLE program to correct some of the problems that have been encountered. NIXLE has acknowledged that the Borough is the lead agency for the 07874 area and there should not be any more issues going forward. Currently there are over 475 people signed up to receive notifications. Administrator McNeilly stated if residents are signed up for NIXLE through their phone, they must choose to receive community notices in order to receive them. If the messages are sent out as an advisory then everyone will receive the messages and alerts. Another notice will be sent out to the residents with sign up information in the next tax bill.

Water Improvement Project – Administrator McNeilly stated that the Borough has received the construction permit for all parts of the water system improvement project. We are waiting for NJEIT approval in order to go out to bid in early October 2013.

Fire Department – Administrator McNeilly stated that the Fire Department has received approval from Sussex County to hold the bucket drop on the July 4th weekend.

COUNCIL BUSINESS

Recreation Commission – Administrator McNeilly stated that an agreement has been written with Byram Township to authorize how the funds will be processed through Stanhope Borough to Byram Township for the recreation program. This agreement will be in place for one year and will provide the information necessary for the auditors. Mayor Maio stated that the document states that the Stanhope Board of Education is not a sponsor of Camp Lenape. Administrator McNeilly stated there will be a better streamlined approach in place for 2014. Administrator McNeilly asked for approval to sign the agreement. Mr. Stein stated that the agreement provides the auditors with a procedure that will be followed. Councilwoman Zdichocki stated that she has spoken with Janet Meisner from Byram Township regarding the process for registering Stanhope residents for the summer program. Councilwoman Zdichocki is of the opinion that Stanhope residents should register through Stanhope Borough. Administrator McNeilly stated next year Byram Township will dictate how the registration process will be handled. Mayor Maio stated that both municipalities had existing programs and a decision was made to merge the two programs. Mayor Maio stated that she is of the opinion that both towns need to meet and agree to how the program and payments will be handled for next year.

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:

**CAPITAL ORDINANCE APPROPRIATING \$5,150 FOR
VARIOUS IMPROVEMENTS OR PURPOSES
AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH
OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW
JERSEY**

BE IT ORDAINED by the Borough Council of the Borough of Stanhope, in the County of Sussex, New Jersey, AS FOLLOWS;

Section 1. The several improvements described in Section 3 of this capital ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Stanhope, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to \$5,150, which has heretofore been set aside for the improvement of purpose stated in Section 3 and now available therefore by virtue of provision in a previously adopted budget or budgets of the Borough for capital improvement purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$46,000 appropriations, the Borough will use \$5,150 from the General Capital Improvement Fund, as described in Section 3.

Section 3. The improvements hereby authorized and the several purposes for the allocation of which said obligations are to be spent, the appropriation made for an estimated cost of each such purpose, and the estimated maximum amount of funds to be spent for each such purpose, are respectively as follows:

Fire Dept – Communications Equipment – \$ 5,150.00 General C.I.F.

All the aforesaid improvements or purposes where applicable, are in accordance with specifications on file in the office of the Borough Clerk, which specifications are hereby approved.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

- (a) The said purposes described in Section 3 of this capital ordinance are capital expenses and are each a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specifically assessed on property specially benefited thereby.
- (b) The average period of usefulness of said purposes within the limitations of said Local bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed by this capital ordinance, is five (5) years.

Section 5. This capital ordinance shall take effect ten (10) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

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

Mayor Maio opened the meeting to the public for this ordinance only.

Seeing no one wishing to speak, this portion of the meeting was closed.

Roll Call:

Councilwoman Zdichocki – yes
Councilman Thornton – yes
Councilwoman Kuncken – yes

Councilman Depew – yes
Councilwoman Thistleton – yes
Councilman Benson – yes

On motion by Councilman Depew, seconded by Councilman Benson 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

Ordinances for Introduction [Public Hearing on July 9, 2013]

Mayor Maio offered the following ordinances for introduction which were read by title:

Ordinance 2013-09 **AN ORDINANCE OF THE BOROUGH OF STANHOPE, SUSSEX COUNTY, NEW JERSEY, AMENDING CHAPTER 133 OF THE CODE OF THE BOROUGH OF STANHOPE ENTITLED “VEHICLES AND TRAFFIC” BY PROVIDING FOR TIME RESTRICTED PARKING ON ELM STREET BETWEEN VALLEY ROAD AND HICKORY DRIVE**

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

SECTION 1. Section 133-33 of the Code of the Borough of Stanhope “Schedule II: No Parking Certain Hours” is hereby amended to include the following:

<u>Name of Street</u>	<u>Side</u>	<u>Hours</u>	<u>Location</u>
Elm Street	South	2:00pm to 3:00pm, Monday through Friday while school is in session	Between Valley Road and Hickory Drive

SECTION 2. All other provisions of Sections 133-33 of the Code of the Borough of Stanhope shall remain in full force and effect.

SECTION 3. When effective. This ordinance shall take effect upon passage and publication, as required by law.

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

Roll Call:

- | | |
|------------------------------|-------------------------------|
| Councilwoman Zdichocki – yes | Councilman Depew – yes |
| Councilman Thornton – yes | Councilwoman Thistleton – yes |
| Councilwoman Kuncken – yes | Councilman Benson – yes |

On motion by Councilman Benson, 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 2013-10 **BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW AND ADDITIONAL EQUIPMENT FOR USE BY THE SEWER UTILITY OF THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$105,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$105,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by The Borough of Stanhope, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$105,000, said sum being inclusive of all appropriations heretofore made therefor.

Section 2. For the financing of said improvement or purpose and to meet said \$105,000 appropriation negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$105,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$105,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the acquisition by purchase, and installation as necessary, of new and additional equipment for use by the sewer utility of the Borough, including radio read units and manhole covers, together with all structures, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$105,000.

(c) The estimated cost of said purpose is \$105,000.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is fifteen (15) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that, while the net debt of the Borough determined as provided in said Local Bond Law is not increased by this bond ordinance, the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$105,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$10,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in paragraph (h) of section 40A:2-7 of said Local Bond Law, and the said obligations authorized by this bond ordinance are to issued for a purpose which is self-liquidating within the meaning and limitations of section 40A:2-45 of said Local Bond Law and are deductible, pursuant to paragraph of (c) of section 40A:2-44 of said Local Bond Law, from the gross debt of the Borough.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and, unless paid from revenues of the sanitary sewerage system of the Borough, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

On motion by Councilwoman Kuncken, seconded by Councilwoman Zdichocki and unanimously carried by the following roll call vote, the above ordinance was introduced.

Roll Call:

Councilwoman Zdichocki – yes
Councilman Thornton – yes
Councilwoman Kuncken – yes

Councilman Depew – yes
Councilwoman Thistleton – yes
Councilman Benson – yes

On motion by Councilman Benson, 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.

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW AND ADDITIONAL EQUIPMENT FOR USE BY THE WATER UTILITY OF THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$140,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$140,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by The Borough of Stanhope, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$140,000, said sum being inclusive of all appropriations heretofore made therefor.

For the financing of said improvement or purpose and to meet said \$140,000 appropriation negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$140,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$140,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

a. The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the acquisition by purchase, and installation as necessary, of new and additional equipment for use by the water utility of the Borough, including water meters, variable frequency drives for wells #2 and #3, and a generator for well #3, including also the rehabilitation of well #4, together with all structures, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

The estimated maximum amount of bonds or notes to be issued for said purpose is \$140,000.

The estimated cost of said purpose is \$140,000.

The following additional matters are hereby determined, declared, recited and stated:

The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is fifteen (15) years.

The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that, while the net debt of the Borough determined as provided in said Local Bond Law is not increased by this bond ordinance, the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$140,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

An aggregate amount not exceeding \$15,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

This bond ordinance authorizes obligations of the Borough solely for purposes described in paragraph (h) of section 40A:2-7 of said Local Bond Law, and the said obligations authorized by this bond ordinance are to issued for a purpose which is self-liquidating within the meaning and limitations of section 40A:2-45 of said Local Bond Law and are deductible, pursuant to paragraph (c) of section 40A:2-44 of said Local Bond Law, from the gross debt of the Borough.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and, unless paid from revenues of the water supply and distribution system of the Borough, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

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

Roll Call:

Councilwoman Zdichocki – yes	Councilman Depew – yes
Councilman Thornton – yes	Councilwoman Thistleton – yes
Councilwoman Kuncken – yes	Councilman Benson – yes

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

Ordinance 2013-12

BOND ORDINANCE APPROPRIATING \$91,000, AND AUTHORIZING THE ISSUANCE OF \$86,450 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by The Borough of Stanhope, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$91,000 including the aggregate sum of \$4,550 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$91,000 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$86,450 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$86,450 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Acquisition by purchase, of new and additional equipment, including personal protective equipment for use by the Fire Department of the Borough, together with all appurtenances, apparatus, accessories, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	\$17,000	\$16,150
(b) Acquisition by purchase of new and additional vehicular equipment, including one (1) utility vehicle for use by the Police Department of the Borough, one (1) plow with spreaders and one (1) pickup truck for use by the Department of Public Works of the Borough, together with all appurtenances, apparatus, equipment and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	<u>74,000</u>	<u>70,300</u>
Totals	\$91,000	\$86,450

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 3. The following additional matters are hereby determined, declared, recited and stated:

- (a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- (b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 6.86 years.
- (c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$86,450, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.
- (d) Amounts not exceeding \$10,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 5. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 6. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 7. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

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

Roll Call:

Councilwoman Zdichocki – yes

Councilman Depew – yes

Councilman Thornton – yes

Councilwoman Thistleton – yes

Councilwoman Kuncken – yes

Councilman Benson – yes

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

RESOLUTIONS

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

Resolution 133-13

RESOLUTION APPROVING RIGHT-OF-WAY USE TO CROSS RIVER FIBER

WHEREAS, Cross River Fiber NJ, Inc. ("Cross River Fiber"), seeks to place its telecommunication facilities aerially on existing utility poles or in an underground conduit in the Public Rights-of-Way within the Borough of Stanhope for the purpose of owning, constructing, installing, operating repairing and maintaining a telecommunications system; and

WHEREAS, Cross River Fiber was approved by the New Jersey Board of Public Utilities to provide local exchange and interexchange telecommunications services throughout the State; and

WHEREAS, N.J.S.A. 48:3-19 requires Cross River Fiber to obtain the consent of the Borough of Stanhope for the joint use of any existing utility poles; and

WHEREAS, N.J.S.A. 54:30-124(a) provides that a municipality may not impose any fees, taxes, levies or assessments in the nature of a local franchise, right of way, or gross receipts fee, tax, levy or assessment against telecommunications companies but that a municipality may impose reasonable fees for actual services made by any municipal, regional or county governmental agency; and

WHEREAS, it is in the best interests of the Borough of Stanhope and its citizens to grant consent to Cross River Fiber; and

WHEREAS, the consent granted is for the non-exclusive use of the Public Rights-of-Ways for the purpose of owning, constructing, installing, operating repairing and maintaining a telecommunications system subject to the terms and conditions of the attached Use Agreement with Cross River Fiber.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope that Borough of Stanhope is hereby authorized to grant Cross River Fiber a non-exclusive use of the Public Rights-of-Ways for the purpose of owning, constructing, installing, operating repairing and maintaining a telecommunications system; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute any and all documents necessary to effectuate this Resolution.

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

Resolution 134-13

**RESOLUTION OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF STANHOPE
AUTHORIZING THE RENEWAL OF LIQUOR
LICENSES TO LICENSE HOLDERS IN THE
BOROUGH**

WHEREAS, the liquor license renewal applications submitted are complete in all respects, the renewal fees have been paid, Tax Clearance Certificates received, the licenses have been reviewed, and the premises inspected;

NOW, THEREFORE, BE IT RESOLVED that the statutory requirements thereto having been fulfilled, the applications for renewal of liquor licenses be granted and the Borough Clerk be authorized to complete, sign and deliver said licenses on behalf of the Mayor and Council to the below named applicants, said licenses being renewed for the period July 1, 2013 to June 30, 2014 in the Borough of Stanhope, County of Sussex, New Jersey:

Plenary Retail Consumption Licenses:

- 1919-33-001-002 Karlbar Inc., t/a Black Forest Inn, 249 Route 206
- 1919-33-002-009 CKJ Corporation, Inc., t/a Shakey Jake's, 134 Route 183
- 1919-33-005-009 Sammy's Italian Food, t/a Sal's Pizza, 81 Route 183
- 1919-33-006-005 JMK Hospitality Group, LLC t/a The Stanhope House, 45 Main Street

Plenary Retail Distribution Licenses:

- 1919-44-003-009 RMDM Enterprises, t/a Ted's Deli, 141 Route 183

Club Licenses:

- 1919-31-008-001 Musconetcong Post #278, American Legion, 119 Route 183
- 1919-31-009-001 Stanhope Hose Co. No. 1, 26 Main Street

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

Mayor Maio asked the Borough Clerk if this resolution includes all the liquor licenses for the Borough. The Borough Clerk stated that Bell's Mansion is not included. Bell's Mansion has an add-interim until July 30th.

Resolution 135-13

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
BYRAM TOWNSHIP AND STANHOPE BOROUGH
REGARDING THE CAMP LENAPE SUMMER CAMP**

WHEREAS, Byram Township offers a summer camp program, Camp Lenape, that is being sponsored by the Byram, Stanhope and Netcong Recreation Committees; and

WHEREAS, the Borough of Stanhope wishes to enter into an agreement with the Township of Byram relative to the collection and payment of registration fees for Camp Lenape from Stanhope residents; and

WHEREAS, the Borough of Stanhope is providing a \$50.00 subsidy, per child, for the first fifty (50) residents that register their children for Camp Lenape; and

WHEREAS, the Borough of Stanhope and the Township of Byram wish to enter into a written agreement regarding the collection and payment of registration fees for children participating in Camp Lenape; and

WHEREAS, a form of agreement has been prepared between Byram Township and Stanhope Borough regarding the collection and disbursement of fees for the Camp Lenape Summer Camp, a copy of which is attached hereto; and

WHEREAS, the Municipal Attorney has reviewed and approved the proposed form of agreement;

NOW, THEREFORE, be it resolved by the Mayor and Council of the Borough of Stanhope that the Borough Administrator be and is hereby authorized to execute the attached agreement between Byram Township and Stanhope Borough and to forward same to Byram Township for its reciprocal execution.

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

Roll Call:

Councilwoman Zdichocki – yes	Councilman Depew – yes
Councilman Thornton – yes	Councilwoman Thistleton – yes
Councilwoman Kuncken – yes	Councilman Benson – yes

Resolution 136-13

RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF TAXES

WHEREAS, the homeowners had a successful State Tax Appeal for 2012, and the credit due to the homeowners was applied to their second quarter 2013 property tax liability; and

WHEREAS, the homeowners' bank has made payment of the second quarter 2013 property taxes, creating an overpayment on their account; and

WHEREAS, the homeowners have requested a refund of this overpayment on this property since their bank will be paying their property taxes;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, that a warrant be drawn to the homeowners in the designated amount representing an overpayment of taxes, as follows:

Homeowner Information:

Block	Lot	Qual	Name & Address	Tax Year	Amount
11208	4		Jacek & Maria Kaczynski 11 Main Street Stanhope, New Jersey 07874	2012	\$4,603.13

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:

Councilwoman Zdichocki – yes	Councilman Depew – yes
Councilman Thornton – yes	Councilwoman Thistleton – yes
Councilwoman Kuncken – yes	Councilman Benson – yes

PAYMENT OF BILLS

Resolution 137-13

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 June 25, 2013 and on file and available for public inspection in the Office of the Chief Finance Officer and approved by the Chief Finance Officer for payment, be paid.

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

Roll Call:

Councilwoman Zdichocki – yes
Councilman Thornton – yes
Councilwoman Kuncken – yes

Councilman Depew – yes
Councilwoman Thistleton – yes
Councilman Benson – yes

ATTORNEY REPORT

Mr. Stein stated 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 Benson, seconded by Councilwoman Thistleton, and unanimously carried by voice vote the meeting was adjourned at 8:57 P.M.

Approved:

Linda Chirip
Deputy Clerk
For Ellen Horak
Borough Clerk