

**MAYOR AND COUNCIL  
REGULAR MEETING  
June 26, 2012  
7:00 P.M.**

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

Adequate Notice of this Meeting has been provided according to the Open Public Meetings Act, Assembly Bill 1030. Notice of this Meeting was included in the Annual Meeting Notice sent to the New Jersey Herald and the Daily Record on January 3, 2012 and was placed on the Official Bulletin Board in the Municipal Building.

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

**ROLL CALL**

Council Members:

|                                   |                             |
|-----------------------------------|-----------------------------|
| Councilwoman Kuncken – Absent     | Councilman Murphy – Absent  |
| Councilman Depew – Present        | Councilman Graham – Present |
| Councilwoman Thistleton – Present | Councilman Benson – Present |

Mayor Maio – Present

**CLOSED SESSION**

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231 P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

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

1. The public shall be excluded from discussion of and action upon the hereinafter-specified subject matter(s).
2. The general nature of the subject matter(s) to be discussed is as follows:
  - 2 Personnel
  - 1 Litigation
  - 2 Potential Litigation (1-rundown building and 1-escrow protest)
3. It is anticipated at this time that the above stated subject matter(s) will be made public at the conclusion of each individual specified subject matter.
4. This resolution shall take effect immediately.

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

Mayor and Council went into Closed Session at 7:01 P.M.

At the conclusion of the Closed Session, Mayor and Council reconvened the public meeting at 7:50 P.M. with all present.

**SALUTE TO COLORS**

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

## **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 8, 2012  | Work Session/Agenda Meeting & Closed Session |
| May 22, 2012 | Regular Business Meeting & Closed Session    |

Councilman Graham asked what the procedure is for addressing issues with closed session minutes. Mayor Maio stated any questions regarding the closed session minutes must be discussed in closed session.

On motion by Councilman Benson, seconded by Councilman Graham and unanimously carried by voice vote, the above listed minutes were approved.

## **CORRESPONDENCE (List Attached)**

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

## **ADMINISTRATOR'S REPORT**

*Police* – Administrator McNeilly reported that he received a memo from the PBA indicating their desire to begin contract negotiations. Mayor Maio stated that she will be appointing a committee and the PBA will be notified as soon as the committee is formed.

*DPW* – Administrator McNeilly reported that the chlorine system is ready to be shipped and should be installed late next week. Bill Storms has devised a specific sequence for the installation so that water capacity is not a problem during the installation. The chlorine tablets have been received.

*14 Mountain Terrace* – Administrator McNeilly reported that he spoke with Kent Pipes regarding the condition and status of the abandoned house and yard at 14 Mountain Terrace. Mr. Pipes indicated that a crew has been assigned to the house and work will begin in July. The permit process will begin tomorrow. Mr. Pipes was unaware that the landscaper was not maintaining the yard and he will arrange to have it cleaned up as soon as possible. Administrator McNeilly will be in contact within two days to see that progress has begun. Councilman Graham asked how long ago ownership of the property was transferred. Mr. Stein stated that the transfer occurred in September of 2011. Councilman Graham stated that 9 months ago the Borough was told that work would begin immediately. Mayor Maio stated that the original plan was to have the home ready and available for sale within three month. Mr. Stein stated that he spoke with Mr. Pipes and he apologized for the delay. They had some contracts with the state that had to be completed. Mr. Pipes assured Mr. Stein that this home would be addressed next. Administrator McNeilly will follow up with the construction department to see that the permit process is underway.

*Musconetcong Sewerage Authority* – Administrator McNeilly reported that as of today no response has been received regarding the water connection request. Councilman Benson stated that he has a meeting on Thursday and he will inquire as to the status.

*OEM* – Administrator McNeilly distributed a copy of Wayne Anthony's email regarding his review of the County's All Hazard Pre-Disaster Mitigation Plan. Mr. Anthony recommends that the plan be endorsed as presented.

*Fire Inspector* – Administrator McNeilly reported that the Tax Assessor has provided mailing labels for the Borough businesses. A cover letter and a copy of the Knox Box ordinance will be mailed to each business later this week.

Safety Committee – Administrator McNeilly reported that the quarterly management safety committee meeting was held this week. The open and closed claims were reviewed along with the training schedules and safety videos. Preparation was done for the JIF renewal survey.

Mayor Maio asked Administrator McNeilly if he has received a response from the Shade Tree Commission and the Environmental Commission regarding the letter that was sent May 9<sup>th</sup> concerning the invasive species list. Administrator McNeilly stated that he has not received a response and will follow up with the commissions.

Councilman Graham asked what the status is regarding the helicopter fly overs. Administrator McNeilly has contacted Netcong to determine what the current agreement allows. Administrator McNeilly will continue to research the issue.

## **COUNCIL COMMITTEE REPORTS**

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

**Police, Fire, Ambulance, Court & Violations Bureau, Emergency Management** – No Report.

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

Councilman Benson reported that the total water rents collected including interest was \$9,444.22 compared to prior year of \$16,437.91. Sewer collections this year were \$26,017.71 compared to \$35,654.53. Councilman Benson spoke with the CFO and requested that additional information be added to the report to indicate when the bills were mailed out, timing etc. to provide a better comparison. The tax collection reports are not available at this time due to the absence of the CFO. Mayor Maio asked Councilman Benson to arrange a Finance Committee meeting to discuss the CFO's request to set up a program allowing residents to pay their taxes and utility bills with credit/debit cards.

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

**Zoning, Construction, Code Enforcement, Economic Development, Chamber of Commerce, Downtown Revitalization** – No Report

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

**Water Distribution, Sewer Collection System, Road Construction & Maintenance, Buildings & Grounds** – Councilman Graham reported that a Municipal Infrastructure meeting will be held in the near future to discuss which roads are on the list to be paved, new ideas for recycling and logistics at the DPW yard and building improvements and schedules. Councilman Graham and Mayor Maio have a meeting scheduled for Thursday. Mayor Maio has asked Councilman Benson to be available for that meeting. In the event that Councilman Murphy is not available, Councilman Benson will sit in on the meeting. Councilman Graham reported that he visited the DPW yard to investigate the fuel pump situation. He also had the opportunity to watch how the crack sealing machine operates. The system works very well. Councilman Graham is of the opinion that logistically things need to be improved with regard to the recycling procedures at the DPW yard. Mayor Maio and Administrator McNeilly have spoken with Bill Storms about reconfiguring the recycling.

Councilman Graham reported that he attended a Highlands Council meeting last week. There are several new members. Repeatedly the members requested information from the Council who did not have the answers at this time.

Councilman Graham stated that the Sussex County Chamber of Commerce and the Sussex County League of Municipalities will be holding a symposium tomorrow night.

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

**Acquisition of Hardware & Software, Technical Equipment Services, Telecommunication, Cable Television Franchise** – Councilman Depew stated that the Information Technology Committee is still reviewing various websites. Byram Township has a nice website set up. A meeting will be scheduled in the near future. Councilman Depew reported that issue with the dispatch phone number being charged as a toll call when it is transferred will be reviewed by the CFO.

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

**Board of Health, Regional Planning Board, Environmental Commission, Musconetcong Sewerage Authority, Sanitation & Recycling, Recreation Commission, Shade Tree Commission, Land Use Board** – Councilwoman Thistleton reported that the Board of Health has no issues to report at this time. The summer recreation program will begin on July 9<sup>th</sup> and run through August 10<sup>th</sup>. The flyers have been sent out. Family Fun Day will be held on July 15<sup>th</sup> from 12:00 – 4:00PM.

**COUNCIL BUSINESS**

**Fuel Pumps** – Mayor Maio stated that at the previous Mayor and Council meeting a discussion took place regarding the capital item changes that have been suggested for the fuel tanks. There are some repairs that need to be done and the Borough is looking into the addition of a system that would allow better control and identification of who is getting gas in what vehicles, when deliveries are made and the system would provide electronic reports that would replace the manual reports currently being generated. Mayor Maio stated that the council members have all received and reviewed Administrator McNeilly's report on the fuel pumps.

Mayor Maio asked Administrator McNeilly to provide an overview. Administrator McNeilly reported that the current system is 18 years old which contains 2,000 gallons of unleaded fuel and 2,000 gallons of diesel fuel in an above ground double hulled concrete encased tank system. No aspect of the system is underground except for the electricity for the service island and the low voltage wiring for the leak detection system. The system is operated by individual keys which are specific to each department. This system keeps track of the department usage but it must be manually read and transferred to accounting for billing purposes. During the budget meetings discussion took place regarding the new technology available. Administrator McNeilly met with the vendor, Petro Mechanics, and it was determined that the venting system is not correct and the leak detection system is not functioning properly. This item would have to go out to bid but Petro Mechanics explained that the pumps would be replaced, all of the mechanicals for the pumps would be replaced and the pumps would be mounted on one side, not two like the current system. The computer system with a coded card system would be installed. A card would be issued to every person who is allowed access and they would be provided with a 4 digit code. To access the system the individual would swipe their card, enter the code, enter the mileage on the vehicle and then the fuel will be dispensed. This will allow the system to track the miles per gallon, assist with maintenance schedules, track usage and control who can access the system. The addition of the new surveillance equipment will also help to aid in control of the pumps. The tanks are in good condition but one of the pumps is no longer connected to the ground and the key boxes are in disrepair.

Mayor Maio asked Councilman Graham for his comments because of his concerns which were raised at the previous meeting. Councilman Graham does not disagree that repairs are necessary but he is opposed to the cost of replacing the system. Administrator McNeilly stated that the estimate is \$36,660. Councilman Graham stated that a key system is necessary but he is of the opinion that there are other options available. Councilman Graham is of the opinion that a town the size of Stanhope does not warrant a \$36,000 fuel distribution system and there is nothing available to compare it to. The cameras have been installed to monitor the pumps and once a month someone has to read the meters and provide that information to the accounting department. Councilman Graham estimated that one hour of administrative time at \$50.00 per hour once a month would only cost the Borough \$600.00 for the year. Mayor Maio stated that in the past there have been instances where the accounting is not done on a monthly basis due to varying circumstances. Councilman Graham is of the opinion that this system will not save the Borough any money and it is too costly. Mayor Maio stated that the main purpose of installing the new system would be for accountability. Administrator McNeilly stated that the cost to repair the leak detection system would be \$10,000. There are two options available for the leak detection system. Option 1 which is a basic system is estimated to cost \$1,500. Option 2 which can monitor various aspects of the system is estimated to cost \$9,800.

Councilman Depew asked Administrator McNeilly to confirm that the actual estimate to replace the fuel pump system would be approximately \$46,000. Administrator McNeilly confirmed the cost estimate of \$46,000 which would have to go out to bid. Mayor Maio stated that the Mayor and Council can make a determination to proceed with this concept and have a place holder. The other option would be to repair the system and look for options for the key system.

Administrator McNeilly stated that if the Borough moves ahead to repair the service it is no longer a capital budget item it becomes an operating budget item. Councilman Graham asked if shared service is an option. Mayor Maio stated that it is her opinion that the asset is already in place and it currently serves many vehicles including the DPW, police, ambulance, fire department and schools. Mayor Maio does not want to eliminate a service that is currently provided. Councilman Benson stated that there are a number of considerations beyond the price to be considered. The broad aspect of who is being serviced with this facility and the man hours for each of the departments that draw upon this system need to be look at. If vehicles were sent out of town to refuel there would be additional costs incurred. Snow plowing in the winter has a constant rotation of trucks for refueling. There is a convenience and practicality factor that needs to be considered. Councilman Benson is of the opinion that the specifications should be determined and the Borough should go out to bid to see what the actual costs would be. Councilman Benson is of the opinion that a fleet contract would not be beneficial to the Borough.

Mayor Maio asked Councilman Depew for his opinion. Councilman Depew is of the opinion that the Borough should go out to bid for the fuel pump system. Councilman Benson stated that this issue was being looked into originally due to security and access. Mayor Maio stated that this was put into the capital plan as a place holder. The Borough is not bound to the detail and regardless the system does need to be repaired. Councilwoman Thistleton is in agreement with going out to bid. Mayor Maio asked Administrator McNeilly to look into other companies. Administrator McNeilly is of the opinion that there are probably only two or three companies that are viable options. Mayor Maio stated that the bid should have options. Administrator McNeilly stated that if the Borough moves away from the electronic system and goes to the key format the vehicle individuality and operator individuality will be lost. Councilman Benson stated that the reason for looking into the new system was to have the individual accountability. Mayor Maio asked Councilman Graham’s opinion. Councilman Graham stated that he wants to steer away from the high end costs. He is of the opinion that if the system needs to be read on a monthly basis then the employees have to be required to do so. Councilman Graham agrees that repairs need to be made. Mayor Maio asked Administrator McNeilly to define the parameters of what is required. Administrator McNeilly stated that the items listed on his report include all the issues that need to be addressed.

**OLD BUSINESS**

Mayor Maio offered the following ordinances which were read by title for Public Hearing and Final Adoption.

**Ordinance 2012-11**

**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 ADDITIONAL TIME RESTRICTED TURNS ONTO VALLEY ROAD**

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

**SECTION 1.** Section 133-48, “Schedule XVII: Prohibited Turn at Intersections” is hereby amended to include the following:

| <b><u>Name of Street</u></b> | <b><u>Direction of Travel</u></b> | <b><u>Prohibited Turn</u></b>   | <b><u>At Intersection of</u></b> |
|------------------------------|-----------------------------------|---|----------------------------------|
| Valley Road                  | South                             | No right turn between the hours of 2:00pm and 3:00pm, Monday through Friday or during early dismissal while school is in session. | Valley Road School entrance      |

**SECTION 2.** All other provisions of Section 133-48 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 Graham and carried by the following unanimous roll call vote the foregoing ordinance was adopted.

Mayor Maio opened the meeting to the public for comment on this ordinance only. Mayor Maio stated that this request was made by the Valley Road School to include those times when school is out for early dismissal.

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

Roll Call:

|                               |                            |
|-------------------------------|----------------------------|
| Councilwoman Kuncken - absent | Councilman Murphy – absent |
| Councilman Depew -yes         | Councilman Graham – yes    |
| Councilwoman Thistleton – 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 Municipal Clerk to post the ordinance, and authorized publication of same.

**Ordinance 2012-12**

**AN ORDINANCE OF THE BOROUGH OF STANHOPE  
AMENDING CHAPTER 84 OF THE CODE OF THE  
BOROUGH OF STANHOPE ENTITLED ‘FIRE  
PREVENTION’ TO PROVIDE FOR ENFORCEMENT OF  
THE UNIFORM FIRE SAFETY CODE BY THE SUSSEX  
COUNTY FIRE MARSHALL**

**WHEREAS**, the Borough of Stanhope heretofore adopted Chapter 84 of the Code of the Borough of Stanhope entitled “Fire Prevention” to provide that the Borough of Stanhope shall enforce the Uniform Fire Safety Act, pursuant to the provisions of N.J.S.A. 52:27D-202; and

**WHEREAS**, the Borough of Stanhope has heretofore entered into a Shared Services Agreement with the County of Sussex wherein the Sussex County Fire Marshall shall enforce the Uniform Fire Code in the Borough of Stanhope effective July 1, 2012; and

**WHEREAS**, Chapter 84 of the Code of the Borough of Stanhope must be amended to be consistent with the Shared Services Agreement.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Stanhope as follows:

**SECTION I.**

Chapter 84 of the Code of the Borough of Stanhope is hereby repealed in its entirety and replaced with the following:

**§ 84-1. Enforcement of statute.**

Pursuant to § 11 of the Uniform Fire Safety Act (P.L. 1983, c. 383), N.J.S.A. 52:27D-202, the New Jersey Uniform Code shall be enforced locally in the Borough of Stanhope.

**§ 84-2. Local enforcement agency; establishment.**

The local enforcing agency shall be the Sussex County Fire Marshall pursuant to a Shared Services Agreement between the Borough of Stanhope and the County of Sussex, which Agreement is incorporated by reference herein. A copy of said Agreement is on file with the Borough Clerk.

**§ 84-3. Duties of agency.**

The Sussex County Fire Marshall shall enforce the Uniform Fire Safety Act and the codes and regulations adopted thereunder in all buildings, structures and premises within the established boundaries of the Borough of Stanhope covered by the Act and the codes and regulations and shall faithfully comply with the requirements of the Uniform Fire Safety Act and the New Jersey Uniform Fire Code.

**§ 84-4. Inspections**

The Sussex County Fire Marshall shall conduct all life hazard and non-life hazard building inspections. The Sussex County Fire Marshall shall carry out the periodic inspection of life hazard uses or whenever conditions which constitute an imminent hazard are found to exist as required by the Uniform Fire Code on behalf of the Commissioner of Community Affairs.

**§ 84-5. Appeals.**

Pursuant to §§ 15 and 17 of the Uniform Fire Safety Act, N.J.S.A. 52:27D-206 and 52:27D-208, any person aggrieved by any order of the Sussex County Fire Marshall shall have the right to appeal to the Construction Board of Appeals of Sussex County. The appeal shall be filed with the Construction Board of Appeals by the 15<sup>th</sup> day after the receipt by the person of notice of the ruling, action, order or notice complained of.

**§ 84-6. Permit fees.**

The permit fees established by the Uniform Fire Code and as are incorporated in the Shared Services Agreement referred to in § 84-2 above are hereby adopted.

**§ 84-7. Fire incident reports.**

Fire incident reports shall be made available to interested parties after such parties make a request, in writing, to the Sussex County Fire Marshall for such reports.

**§ 84-8. Recordkeeping of activities.**

The Sussex County Fire Marshall shall maintain all records of its activities on file in accordance with the Shared Services Agreement referred to in Section 84-2 above.

**§ 84-9. Violation and penalties.**

Violations and penalties shall be as prescribed by N.J.S.A. 52:27D-207 through 52:27D-211 and as set forth in the New Jersey Administrative Code pursuant to duly adopted regulations by the Department of Community Affairs.

**SECTION II. When Effective**

This ordinance shall take effect on July 1, 2012 after passage and publication as required by law.

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

Mayor Maio opened the meeting to the public for comment on this ordinance only. Mayor Maio stated that this ordinance establishes the Borough's relationship with the Sussex County Fire Marshall's Office for inspections as opposed to using the State of New Jersey which the Borough has been using in the past.

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

Roll Call:

|                               |                            |
|-------------------------------|----------------------------|
| Councilwoman Kuncken - absent | Councilman Murphy – absent |
| Councilman Depew -yes         | Councilman Graham – 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 Municipal Clerk to post the ordinance, and authorized publication of same.

**Ordinance 2012-13**                    **CAPITAL ORDINANCE APPROPRIATING \$20,500 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 \$20,500, 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 \$20,500 appropriations, the Borough will use \$5,500 from the General Capital Improvement Fund, and \$15,000 from the Water 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 – MSA Style Cylinders/Air Bottles | \$ 5,500.00 | General C.I.F. |
| Purchase of Radio Read Units & Touchpads    | \$15,000.00 | Water C.I.F.   |

All the aforestated 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 Councilman Depew and carried by the following unanimous roll call vote the foregoing ordinance was adopted.

Mayor Maio opened the meeting to the public for comment on this ordinance only. Mayor Maio stated this is part of the capital ordinance which covers some equipment for the fire department and the radio read units for the water department.

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

Roll Call:

|                               |                            |
|-------------------------------|----------------------------|
| Councilwoman Kuncken - absent | Councilman Murphy – absent |
| Councilman Depew -yes         | Councilman Graham – yes    |
| Councilwoman Thistleton – 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 Municipal Clerk to post the ordinance, and authorized publication of same.

**Ordinance 2012-14**

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW AND ADDITIONAL VEHICULAR EQUIPMENT FOR USE BY THE WATER UTILITY OF THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$60,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$60,000 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 \$60,000, said sum, except as provided below, being inclusive of all appropriations heretofore made therefor.

For the financing of said improvement or purpose and to meet said \$60,000 appropriation negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$60,000 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 \$60,000 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 of new and additional vehicular equipment for use by the Water Utility of the Borough, including one (1) utility vehicle, together with all radios, equipment, appurtenances and attachments 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 pursuant to this bond ordinance is \$60,000.

The estimated cost of said purpose is \$60,000.

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 five (5) 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 \$60,000, 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 \$8,000 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.

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

Mayor Maio opened the meeting to the public for comment on this ordinance only. Mayor Maio asked Administrator McNeilly to state the specific item to be replaced by this ordinance. Administrator McNeilly stated that this ordinance is for the purchase of a cab and chassis to replace the 32 year old water truck.

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

Roll Call:

|                               |                            |
|-------------------------------|----------------------------|
| Councilwoman Kuncken - absent | Councilman Murphy – absent |
| Councilman Depew -yes         | Councilman Graham – 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 Municipal Clerk to post the ordinance, and authorized publication of same.

**Ordinance 2012-15**

**BOND ORDINANCE APPROPRIATING \$359,000, AND AUTHORIZING THE ISSUANCE OF \$341,000 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:**

(a) 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 \$359,000 including the aggregate sum of \$18,000 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.

(b) For the financing of said improvements or purposes and to meet the part of said \$359,000 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 \$341,000 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 \$341,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

(c) 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<br/>AND ESTIMATED COST</u> | <u>ESTIMATED<br/>MAXIMUM AMOUNT<br/>OF BONDS AND NOTES</u> |
|---|---|--|
| (a) Improvement of Church Street and Linden Avenue in and by the Borough, by the construction or reconstruction therein of new roadway pavements at least equal in useful life or durability to a roadway pavement of Class B reconstruction (as such term is used or referred to in section 40A:2-22 of said Local Bond Law) including also the resurfacing of the Municipal Building parking lot, together with all milling, sidewalks, curbing, drainage facilities, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved | \$75,000                                    | \$71,250   |
| (b) Acquisition by purchase and installation, as necessary, of new and additional equipment, including radio equipment, thermo-imaging cameras and protective equipment for use by the Fire Department of the Borough and a gas pump system for use by the Department of Public Works 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 plans specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved  | 140,000                                     | 133,000  |
| (c) Acquisition by purchase of new and additional vehicular equipment, including one (1) ambulance for use by the Ambulance Squad 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  | 79,000                                      | 75,000   |
| (d) Improvement of municipally-owned buildings and facilities in and by the Borough, including the Public Works Garage by rehabilitation and upgrade of the roof thereof, together with all site work, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved   | <u>65,000</u>                               | <u>61,750</u>  |
| Totals  | <u>\$359,000</u>                            | <u>\$341,000</u>   |

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.

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

1. 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.

2. 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 11.75 years.

3. 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 \$341,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

4. Amounts not exceeding \$35,000 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.

(e) 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.

(f) 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.

(g) 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.

(h) 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 Councilman Graham and carried by the following unanimous roll call vote the foregoing ordinance was adopted.

Mayor Maio opened the meeting to the public for comment on this ordinance only. Mayor Maio stated that this is part of the capital plan that includes the milling and paving of Church Street and Linden Avenue, the purchase of a high band radio system including base radios, hand helds and antennas for the fire department, thermal imaging camera, protective gear for the fire department, the repair and/or purchase for the gas pumping system, \$75,000 for the purchase of a new ambulance which is 50% of the cost and a new roof for the DPW.

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

Roll Call:

|                               |                            |
|-------------------------------|----------------------------|
| Councilwoman Kuncken - absent | Councilman Murphy – absent |
| Councilman Depew -yes         | Councilman Graham – yes    |
| Councilwoman Thistleton – 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 Municipal Clerk to post the ordinance, and authorized publication of same.

**Ordinance 2012-16**

**BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE SANITARY SEWERAGE SYSTEM IN AND BY THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$60,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$60,000 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 \$60,000, said sum being inclusive of all appropriations heretofore made therefor.

For the financing of said improvement or purpose and to meet said \$60,000 appropriation negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$60,000 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 \$60,000 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 improvement of the sanitary sewerage system in and by the Borough, including the installation of new manholes along Musconetcong Avenue, Spring Street and Lake Street, together with all structures, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and 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 \$60,000.

The estimated cost of said purpose is \$60,000.

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 forty (40) 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 \$60,000, 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 \$8,000 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 of (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 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.

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 Councilman Depew and carried by the following unanimous roll call vote the foregoing ordinance was adopted.

Mayor Maio opened the meeting to the public for comment on this ordinance only. Mayor Maio stated that this ordinance is for the replacement of manholes on Musconetcong Avenue, Spring Lane and Lake Street.

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

Roll Call:

|                               |                            |
|-------------------------------|----------------------------|
| Councilwoman Kuncken - absent | Councilman Murphy – absent |
| Councilman Depew -yes         | Councilman Graham – yes    |
| Councilwoman Thistleton – 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 Municipal Clerk to post the ordinance, and authorized publication of same.

### **NEW BUSINESS**

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

#### **Resolution 128-12**

#### **RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE AUTHORIZING THE ISSUANCE OF A TAXICAB LICENSE TO DENISE PADILLA**

**WHEREAS**, Chapter 126 of the Stanhope Code of Ordinances requires that anyone operating a taxicab service within the Borough must obtain a license for same; and

**WHEREAS**, Nelson Zuniga, operating at 108 Route 183, Stanhope has received a taxicab license and has complied with all the provisions of Chapter 126; and

**WHEREAS**, Nelson Zuniga is requesting that Denise Padilla be added as an additional driver; and

**WHEREAS**, the Municipal Clerk and the Police Chief have reviewed said application and recommend approval; and

**WHEREAS**, said approval is contingent upon receipt by the Borough Clerk of payment of all fees;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that the Borough Clerk is hereby authorized to issue, for the year 2012, said taxicab license to operate expiring at midnight December 31, 2012.

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

#### **Resolution 129-12**

#### **RESOLUTION ADOPTING THE SUSSEX COUNTY, NEW JERSEY PRE-DISASTER HAZARD MITIGATION PLAN**

**WHEREAS**, the Borough of Stanhope is vulnerable to damages from hazard events which pose a threat to public health and safety and could result in property loss and economic hardship; and

**WHEREAS**, a multi-jurisdictional All-Hazards Pre-Disaster Hazard Mitigation Plan (the Plan) has been developed through the work of the Sussex County Hazard Mitigation Working Group, and interested parties within the Borough of Stanhope; and

**WHEREAS**, the Plan recommends hazard mitigation actions that will protect people and property affected by hazards occurring within the Borough of Stanhope, that will reduce future public, private, community and personal cost of disaster response and recovery; and that will reinforce the Borough of Stanhope's leadership in emergency preparedness efforts; and

**WHEREAS**, the Disaster Mitigation Act of 2000 (P.L. 106-390) (DMA 2000) and associated Federal regulations published under 44 CFR Part 201 require the Borough of Stanhope to formally adopt a Hazard Mitigation Plan subject to approval of the Federal Emergency Management Agency to be eligible for federal funds for hazard mitigation projects and activities; and

**WHEREAS**, public meetings were held to receive comment on the Plan as required by DMA 2000; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stanhope, New Jersey as follows:

1. The Borough of Stanhope hereby adopts the Sussex County, New Jersey Pre-Disaster Hazard Mitigation Plan, dated March 4<sup>th</sup>, 2011 as this jurisdiction's official Hazard Mitigation Plan, and resolves to execute the actions in the Plan.
2. The Borough of Stanhope officials identified in the Mitigation Action plan (Section 6) are hereby directed to implement the recommended actions assigned to them. These officials will report quarterly on their activities, accomplishments and progress to the Borough of Stanhope Office of Emergency Management.
3. The Borough of Stanhope Office of Emergency Management will provide annual progress reports on the status of implementation of the Plan to the Mayor and Council. This report shall be submitted to the Mayor and Council by December 31<sup>st</sup>. of each year.
4. The Borough Stanhope Office of Emergency Management will undertake periodic updates of the Plan in concert with the Sussex County Division of Emergency Management as indicated in the Plan Maintenance Program (Section 7) but not less frequent the every five years.

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

Mayor Maio stated that this plan was put forward by the County. Administrator McNeilly stated that this began approximately four years ago and is a County wide plan. A team was established that included all the jurisdictional areas and every municipality. The plan is being submitted to FEMA to set the stage for pre-disaster mitigation to address areas that are potential disasters, such as dams. For Stanhope this plan is a funding mechanism as stated in Mr. Anthony's recommendation. It allows the Borough to be open to funding availability for disaster mitigation and for any projects that come up on the pre-disaster mitigation. The report consists of 250 pages and addresses the dams located further out in Sussex County. Mayor Maio asked Administrator McNeilly if he is in favor of the plan. Administrator McNeilly stated that he does approve the plan as presented. Mayor Maio asked the Council if they were all in favor of the plan. All Council members present approve of the plan.

**Resolution 130-12**

**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, 2012 to June 30, 2013 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
- 1919-33-004-005 MJ Kacz LLC., t/a Bell’s Mansion, 11 Main Street
- 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 Councilman Benson, seconded by Councilman Graham and carried by a unanimous voice vote, the foregoing resolution was duly adopted.

**Resolution 131-12**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE  
BOROUGH OF STANHOPE AUTHORIZING  
PROFESSIONAL APPRAISAL SERVICES**

**WHEREAS**, there exists a need for the services of an appraisal firm to provide reassessment technical assistance to the Tax Assessor of the Borough of Stanhope in conjunction with a town-wide reassessment for the 2013 Tax Year; and

**WHEREAS**, funds are available for these purposes; and

**WHEREAS**, the Tax Assessor solicited quotations from three state certified appraisal firms for the technical assistance; and

**WHEREAS**, the Tax Assessor received quotations from Appraisal Systems, Inc. and Certified Valuations Inc.; and

**WHEREAS**, the proposal of Appraisal Systems Inc. was the lowest quotation received in the amount of \$15,000; and

**WHEREAS**, said amount does not exceed the bid threshold of the Borough of Stanhope.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stanhope, Sussex County, that subject to the concurrence of the Sussex County Tax Board and the Director of the Division of Taxation that a contract be awarded to Appraisal Systems, Inc. not to exceed \$15,000 to provide technical assistance to the Tax Assessor of the Borough of Stanhope for a town-wide reassessment for the year 2013.

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

Roll Call:

- |                               |                            |
|-------------------------------|----------------------------|
| Councilwoman Kuncken - absent | Councilman Murphy – absent |
| Councilman Depew -yes         | Councilman Graham - no     |
| Councilwoman Thistleton – yes | Councilman Benson – yes    |

Mayor Maio stated, for the benefit of public information that the Tax Assessor, as suggested by the County Tax Board, has requested that a reassessment of all properties in the Borough be done, similar to what was done three years ago. This will assure that the valuations are balanced, equal and equitably shared in the community. The reassessment is scheduled to begin in August. Borough residents will receive a letter from the Tax Assessor explaining the reassessment. Mayor Maio stated the Tax Assessor indicated that three-fifths of the properties will be examined.

**Resolution 132-12**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE  
BOROUGH OF STANHOPE AUTHORIZING  
PROFESSIONAL APPRAISAL SERVICES**

**WHEREAS**, there exists a need for the services of an appraisal firm to provide reassessment technical assistance to the Tax Assessor of the Borough of Stanhope in conjunction with a town-wide reassessment for the 2013 Tax Year; and

**WHEREAS**, funds are available for these purposes; and

**WHEREAS**, the Tax Assessor solicited quotations from three state certified appraisal firms for the technical assistance; and

**WHEREAS**, the Tax Assessor received quotations from Appraisal Systems, Inc. and Certified Valuations Inc.; and

**WHEREAS**, the proposal of Appraisal Systems Inc. was the lowest quotation received in the amount of \$15,000; and

**WHEREAS**, said amount does not exceed the bid threshold of the Borough of Stanhope.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stanhope, Sussex County, that subject to the concurrence of the Sussex County Tax Board and the Director of the Division of Taxation that a contract be awarded to Appraisal Systems, Inc. not to exceed \$15,000 to provide technical assistance to the Tax Assessor of the Borough of Stanhope for a town-wide reassessment for the year 2013.

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

Roll Call:

|                               |                            |
|-------------------------------|----------------------------|
| Councilwoman Kuncken - absent | Councilman Murphy – absent |
| Councilman Depew -yes         | Councilman Graham - no     |
| Councilwoman Thistleton – yes | Councilman Benson – yes    |

**Resolution 133-12**

**AWARD OF CONTRACT TO MILLENNIUM STRATEGIES**

**WHEREAS**, the Borough of Stanhope is in need of the services of a grant consulting firm with knowledge of all aspects of the availability of applications for state and federal grants that may be available to the Borough of Stanhope on a competitive basis to assist the Borough in identifying and applying for such grants; and

**WHEREAS**, the services of a grant consultant constitute extraordinary unspecifiable services pursuant to the provisions of N.J.S.A. 40A:11-5(1)(a)(ii); and

**WHEREAS**, Millennium Strategies, LLC has the necessary experience and qualified staff to provide grant consulting services to the Borough on an ongoing basis; and

**WHEREAS**, Millennium Strategies, LLC has made a written proposal to the Borough of Stanhope to provide grant consultation services; and

**WHEREAS**, the proposed agreement between the Borough and Millennium Strategies, LLC provides for a retainer of \$1,000 per month, which amount is not in excess of the Borough’s bid threshold; and

**WHEREAS**, said agreement with Millennium Strategies, LLC is terminable at will by the Borough.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stanhope that the Borough does hereby award a contract for extraordinary unspecifiable services to Millennium Strategies, LLC, a copy of which agreement is attached hereto;

**BE IT FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized to execute said agreement on behalf of the Borough.

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

Roll Call:

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

Mayor Maio stated that Millennium Strategies is a company that writes grants and the Borough is hopeful that they will provide new ideas for grants and process our requests. Millennium Strategies has already submitted a list of potential areas that they believe will benefit the Borough.

### **MAYOR’S APPOINTMENTS**

#### **Resolution 134-12**

#### **RESOLUTION APPROVING THE MAYOR’S APPOINTMENT OF TYLER M. UKLEYA, AS AN ACTIVE MEMBER TO THE STANHOPE FIRE DEPARTMENT**

Mayor’s appointment of Tyler M. Ukleya, 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 Tyler M. Ukleya, as an active member to the Stanhope Fire Department.

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

#### **Resolution 135-12**

#### **RESOLUTION APPROVING THE MAYOR’S APPOINTMENT OF CRAIG ANTHONY VELARD, AS A JUNIOR MEMBER OF THE STANHOPE FIRE DEPARTMENT**

Mayor’s appointment of Craig Anthony Velard, as a junior member to the Stanhope Fire Department.

**BE IT RESOLVED** by the Council of the Borough of Stanhope that they do hereby concur with the Mayor’s appointment of Craig Anthony Velard, as a Junior Member of the Stanhope Fire Department effective immediately.

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

### **ATTORNEY REPORT**

Mr. Stein reported that the Borough is now the owner of the vacant lot next door. The property was foreclosed on by the Borough for non-payment of taxes. The court entered a final judgment on May 31, 2012 and the judgment was recorded by the County Clerk’s Office on June 20, 2012 in deed book 3,292 on page 479 and confirmation has been received. Mr. Stein stated that the land was foreclosed on for taxes and therefore there are no restrictions on the Borough’s use of the property, as opposed to being condemned for public purpose. This property should be added to the inventory of properties owned by the Borough and disposed of as seen fit by the Council.

Mayor Maio stated that many suggestions have been raised as to what should be done with this property. Mayor Maio asked the Council to make a list of suggestions for future discussion.

Mr. Stein stated that the Borough approved a taxi cab license this evening. The State has amended the law with regard to taxi cab licenses. All municipalities are required to set the number of taxi licenses allowed by ordinance. If a request is ever made for more licenses than are allowed for by ordinance, then those in affect are auctioned off to the highest bidder. Mayor Maio asked if there is a fixed fee. Mr. Stein replied that it would be awarded to the highest bidder. Mr. Stein stated that the Council needs to determine how many licenses to include in the ordinance to be in conformance with the State statutes. Mayor Maio asked what the time frame for adopting the ordinance is. Mr. Stein stated that this needs to be done before the end of the year.

### **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.

Don Drake, 2 Summit Street, stated that Jimmy's old gas station has opened under the name of Delta. Mr. Drake stated that there is a sign that says Food Mart and ATM. Mr. Drake asked if that use had been approved. Mayor Maio stated that the sign was taped off. Administrator McNeilly stated that the owner is aware that he is only allowed to sell gas and repair cars. Administrator McNeilly will ask the Zoning and Code Enforcement Officer to investigate the sign on Wednesday.

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

### **GENERAL DISCUSSION**

Administrator McNeilly stated that he had submitted the draft water report to the Governing Body. Administrator McNeilly asked if the Mayor and Council would like to have Mr. Purcell attend the July 10<sup>th</sup> meeting to answer any questions. Administrator McNeilly stated that John Black was here and substantial corrections have been made to the map as far as piping is concerned. Mr. Black and Bill Storms have done a first pass on hydrant locations and are now working on valve locations. For the first time the Borough will have an open format computer copy of the map with the piping, connections, valves and hydrants, as well as a paper copy. Councilman Benson asked if the Borough will own that electronic copy. Administrator McNeilly replied that the Borough will own the electronic copy. The Mayor and Council agreed to have Mr. Purcell added to the agenda for July 10<sup>th</sup>.

Councilman Graham stated that the Council passed a resolution of support for two Bills, 2921 and 1900, property tax relief restoration regarding the imaging tax. The Assembly Bill 2921 passed last night by a vote of 51 to 14. The Senate Bill is being heard on Thursday and Assemblywoman Allison McHose is the only one from this area that voted for the Bill. Councilman Graham has requested that everyone contact our Senator because Thursdays vote is going to be a tighter situation. None of the assembly members in Morris County voted for the Bill. Mayor Maio stated that the Borough did pass resolutions supporting the Bills which were sent to the Senator and the Assembly Representatives for the restoration of monies to the municipalities. The Borough has lost approximately \$750,000 over the past ten years. Mayor Maio encouraged the Council to call our Senator.

Councilman Benson asked if anyone from the County was scheduled to speak to the Mayor and Council this evening. Mayor Maio responded to the negative.

### **ADJOURNMENT**

On a motion by Councilman Depew, seconded by Councilman Graham, and unanimously carried by voice vote the meeting was adjourned at 8:55 P.M.

Approved:

Linda Chirip  
Deputy Clerk  
For Ellen Horak  
Borough Clerk