

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

CALL TO ORDER

SALUTE TO COLORS

Mayor Maio invited all those present to stand in a salute to the 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 – yes	Councilman Depew – yes
Councilman Thornton - yes	Councilwoman Thistleton – yes
Councilwoman Kuncken - yes	Councilman Benson – absent

Mayor Maio – Present

CLOSED SESSION

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

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

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

1. The public shall be excluded from discussion of and action upon the hereinafter-specified subject matter(s).
2. The general nature of the subject matter(s) to be discussed is as follows:

1 – Potential Litigation
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 Councilwoman Kuncken, seconded by Councilman Depew, and unanimously carried by voice vote, the foregoing resolution was adopted.

Mayor and Council went into Closed Session at 8:01 P.M.

At the conclusion of the Closed Session, Mayor and Council reconvened the public meeting at 8:45 P.M. with all present.

ENGINEER'S REPORT

NJDEP Letter - Eric Keller, Borough Engineer, reported that a letter was received from NJDEP which was faxed to the Borough on July 3rd and a certified copy arrived on Monday. Mr. Keller stated that he will respond to the letter at this time stating that the letter has been received and a more detailed and thorough response will be provided. The 10 day requirement is not an adequate amount of time due to the July 4th holiday.

Mountain Terrace – Mr. Keller reported that survey information has been obtained which confirms the fact that the side of the road closest to 10 Mountain Terrace has an excessive cross slope. A normal slope is 2% but this slope is at 10%. The pavement has fallen below the foundation of the curb. The curb appears true and in line. The DPW was asked to video tape the sewer, both sanitary and storm, to see if there is an underground issue. This was done today. The sewer line is fine and the storm sewer, which is probably less of an issue because it is on the uphill side, does have a blockage which will need to be cleared. Mr. Keller stated that he consulted with Frank from his office and they have determined the plan to be followed. A 3 foot wide section along the curb will be excavated, the pavement removed, the stone compacted, more stone added and compacted, a leveling course added and the area resurfaced. Mayor Maio asked if the DPW can do this work in-house. Mr. Keller is of the opinion that the DPW can do this work. Councilwoman Kuncken asked if the budget will allow for the repair. Administrator McNeilly stated the project will take time and materials. Mr. Keller stated the materials would be purchased through the coop at a reasonable price. Administrator McNeilly stated the face of the stones may need to be repointed. Mr. Keller will look at the curbing to see if there are any issues to be addressed.

Mayor Maio stated this is a new project for DPW. Mayor Maio asked the Infrastructure Committee to schedule a meeting with Bill Storms to discuss the projects and set the priorities. The attendees for the meeting will be Mayor Maio, Councilman Thornton, Councilwoman Zdichocki, Administrator McNeilly and Bill Storms, DPW Superintendent. Administrator McNeilly stated this is not a big project. Mayor Maio stated there are several small projects and the priorities must be set. Councilman Thornton asked if an early morning meeting next week could be arranged. Mr. Keller stated that Frank from his office can attend an early morning meeting if necessary but Mr. Keller is unavailable.

Mr. Keller stated some of the inlets may need attention as well. There appears to be some deterioration of the walls. Administrator McNeilly is of the opinion that the bank may be pulling away from the curb line. The sidewalk in that area is broken. Mr. Keller stated that he has not seen any evidence of this based on the condition of the retaining wall that is located in that area. Administrator McNeilly stated the walkway shows evidence of an issue. Administrator McNeilly stated the homeowner may install a keystone wall in the back which may help to correct some of the problem. Mr. Keller stated if the resident is going to replace the wall with keystone, he would not need a permit because the wall is not 4 foot high, but it will need to be done the right way. If he uses geo grid it will go into the right of way. Administrator McNeilly stated that the resident has been made aware of that issue. Mr. Keller stated that a modular block wall with no geo grid is allowed when it is less than 3 feet, but the live load of the traffic passing nearby will effectively make it a taller wall because of the added pressure. Administrator McNeilly stated that the DPW will jet the line tomorrow to make sure all the drain lines are clear and then the camera will be run through the lines. The sewer pipe inspection was fine.

On motion by Councilwoman Kuncken, seconded by Councilman Thornton, and unanimously carried by voice vote, approval was granted for Eric Keller, Borough Engineer, to respond to the NJDEP letter which was received by the Borough relative to the work that was performed at Furnace Pond.

On motion by Councilman Depew, seconded by Councilwoman Thistleton, and unanimously carried by voice vote, approval was granted for Administrator McNeilly to meet with the Chairman of the Environmental Commission.

Water Main Replacement for Maple Terrace and Road Reconstruction - Mr. Keller stated that 3 years ago discussion began regarding the ongoing replacement of the old water mains at Maple Terrace. This area has been repaired several times. There is subsurface water that comes through there and enters into the manholes. There is a general lack of drainage and edge control which causes water to meander and it ends up in Musconetcong Avenue. Omland Engineering will conduct the survey, provide plans and follow through with the bidding and construction to its conclusion. Mr. Keller stated that he has spoken with Administrator McNeilly about adding a line item to include shade trees. Mr. Keller has reviewed the maps and is of the opinion that there are probably half a dozen areas where trees could be planted. Mayor Maio stated that ornamental trees would be planted like Japanese Lilacs or Dogwoods. Administrator McNeilly asked if drainage catch basins would be added. Mr. Keller replied there are currently 3 drainage catch basins. When one of the inlets was first inspected it was discovered that the whole side of the inlet was gone, which has since been repaired. Administrator McNeilly stated there is a water leak at the bottom in addition to issues with springs. There are several household leaders coming into the street. Administrator McNeilly asked if those leaders could be captured as well. Mr. Keller replied that this may be possible but inlets cannot be added just because there is a house leader in that area. In other towns they have been able to run the leader behind the curb and tie it in that way. It just requires a little more pipe. Much discussion took place regarding the house leaders. Mr. Keller stated the road is 25 feet wide. The right of way is 40 feet. A mountable curb may have to be used in this area. A 28 foot road only allows for parking on one side of the street. In order to allow parking on both sides of the street 30 feet is required. Utility poles may also be an issue.

Mr. Keller reported that the upper end of Maple Terrace will require sidewalk landing pads for the crosswalk on both sides of the street. This will not be an issue at the lower end of Maple Terrace. Administrator McNeilly asked if the Borough can save on any aspects of the project due to the fact that State money is not being used. Mr. Keller responded negatively. The process will be similar to what has been done in the past. The milling and paving will be an alternate bid and if the bid is not acceptable, the Borough will use the co-op. The crosswalks and landing pad are under federal rule. Mayor Maio asked if the County has to be contacted. Mr. Keller replied that the County will need to be contacted regarding the crosswalk. Administrator McNeilly asked Mr. Keller to provide a timeline. Mr. Keller replied that if the project begins at the end of this month with the survey, which will be available in late August, plans should be completed by October. This will allow the project to be scheduled for spring 2014. Mayor Maio stated the resolution is on for adoption this evening. Mayor Maio stated that Administrator McNeilly will contact Mr. Keller tomorrow to let him know if the resolution was adopted.

Manhole Rehabilitation on Maple Terrace, Hill Road and Musconetcong Avenue – Mr. Keller stated that the Borough has dealt with the pipes at these locations and now the manholes need to be addressed. Water is coming in through the stairs and through the separations in the different cones. Mr. Keller stated that this project should be done this year. The plans are much simpler and will require going out to bid. If the project begins at the end of July, the bid could be available in August and the bids would be received in September. The project could then be scheduled for late September or October.

Mayor Maio thanked Mr. Keller for attending tonight's meeting.

ADMINISTRATOR'S REPORT

Quarterly Safety Meeting – Administrator McNeilly reported that the quarterly safety meeting was held yesterday and was attended by Bill Storms, DPW Superintendent, Detective Chris Bork, John Whitley, Fire Chief Gary Card and Administrator McNeilly. Administrator McNeilly stated that recent claims were discussed, payouts for Super Storm Sandy, as well as active worker compensation case(s). The Borough received \$6,800.00, after the deductible, for damages sustained during Super Storm Sandy that occurred at Wells 3 & 4. Those funds are available in order to make repairs and replace the necessary equipment. The staff continues to work smartly with safety in mind. To date there have been no claims for 2013.

Certified Recycling Coordinator – Administrator McNeilly stated that for the past several years Bill Storms has served as the Borough's Certified Recycling Coordinator. The required Continued Education Credits (CEU's) for this position are not concurrent with the Public Works Manager requirements. Mr. Storms has to attend duplicate classes which cost the Borough

money and we lose Mr. Storms to class time. Administrator McNeilly recommended that a shared service agreement be arranged with the Sussex County Municipal Utilities Authority (SCMUA) to utilize the central Certified Recycling Coordinator. SCMUA has an established program county wide which is currently being used by other municipalities. The yearly cost is \$250.00, far less than the lost work hours and class costs. This would fulfill the requirement of a shared service for this year. Mayor Maio stated that this was discussed in the past and at that time there was some reluctance from the Governing Body to move forward with the shared service. Mayor Maio stated that duplicating a service which is available elsewhere is not practical. Administrator McNeilly stated that Reenee Casapulla, Recycling Coordinator at SCMUA, will review the information provided by the Borough and certify its accuracy to the NJDEP. Administrator McNeilly stated that he has sent the proposals to Mr. Stein who has indicated that the paperwork is in order. The Governing Body approved moving forward with the shared service and a resolution will be included on the next meeting agenda.

Well #5 Generator – Administrator McNeilly reported that the generator for well #5 is scheduled to be installed on Thursday, July 11th. Administrator McNeilly stated that he and Councilman Thornton visited the site while it was being taken apart in preparation for the installation.

DPW Roof – Administrator McNeilly stated that the contractor has begun the roof replacement for the DPW building.

DEP Park Agreements – Administrator McNeilly stated the 10 year agreement with DEP/Hopatcong State Park expired in May 2013. This agreement includes the park behind the Hess Station and the area across from the Borough's Musconetcong Park at the water's edge side. Administrator McNeilly is in the process of obtaining renewal agreements from the State. This must go in front of the State House Committee and will not be ready until September or October. The existing agreement has holdover language. The park is still the Borough's responsibility to maintain at this time. In 2004, the Governing Body wanted to sever the park from the agreement but if that had been done the grass would never be maintained. Mayor Maio and the Council agreed that this property needs to remain with the Borough. Administrator McNeilly stated that the Lake Community Association had asked what it would take to reestablish the beach. Administrator McNeilly sent a letter to the association informing them that the lease agreement states that no fees can be charged for the use of the property. Administrator McNeilly asked the Governing Body if a 20 year agreement should be obtained if the State offers. The Governing Body agreed to stay with the 10 year agreement. Much discussion took place regarding the park area's history.

McKinley Street – Administrator McNeilly stated that he and Councilman Thornton visited the area on McKinley Street. Councilman Thornton stated that the area from Councilman Depew's house all the way to the bottom is in serious disrepair. Administrator McNeilly stated there is approximately 85 feet which will need to be replaced. On Thursday the DPW will open up the sewer main and camera that area to check for leakage. If there is no leakage they will dig down and then cap it.

Mayor Maio asked if this project is being started now or should it be added to the project list. Administrator McNeilly replied this will be a three part project. The issue that was discovered today, which consists of the pipe from the midpoint of the hill down past Councilman Depew's house, is a long range project. On Thursday, the camera will be run through the sewer pipe and the hole between the two manhole covers which will be repaired at that time. The integrity of the road has not been affected. Administrator McNeilly stated there is a collapse that has affected the integrity of the road located on Dell Road. The Dell Road issue has a higher urgency.

Councilman Thornton stated the top part going up the hill looks better than the bottom section and asked why the top section would need to be replaced. The pipe appears to be in good condition except for the area that has dropped down by the manhole cover. Councilman Depew stated that the area has sunk several times. Administrator McNeilly stated that something significant is happening there but it is not coming into the storm drain pipes. Councilman Depew stated this area needs to be replaced because the cars coming down the hill are nearly airborne at times which is a hazard. Administrator McNeilly stated this must be done before school resumes. Mayor Maio stated that all the projects will need to be put in priority order.

Mayor Maio asked Administrator McNeilly if he has contacted Weichert Realty regarding the properties which the Borough has acquired. Administrator McNeilly replied that he has not contacted the realtor to date but will do so.

Councilman Thornton asked if a stipend is associated with the recycling coordinator position for Mr. Storms. Administrator McNeilly replied there is no stipend.

Mayor Maio stated that a business owner located on Route 183 contacted her with a complaint due to the fact that their recycling has not been picked up. Administrator McNeilly stated that issues with recycling can be directed to Linda Chirip, Deputy Clerk.

COUNCIL DISCUSSION

Recycling Dumpsters - Councilman Depew stated that the dumpsters at the recycling yard are too high. He suggested building a platform with stairs in order for residents to have easy access. Administrator McNeilly stated this has been discussed in the past and SCMUA does have platforms at their location. Residents can ask the attendant at the recycling center for assistance. The Governing Body asked Administrator McNeilly to add this to the project list.

Bungalow on Route 206 - Councilman Depew stated there is a bungalow located on Route 206 just past Dimitriou’s property which is in bad condition. Mayor Maio stated that Arlene Fisher, Zoning Officer, informed her that the property was recently sold. Administrator McNeilly stated that he will check on the status of the property.

Fire Department Bucket Drop - Councilwoman Kuncken stated that the Fire Department held their bucket drop this past weekend. Councilwoman Kuncken stated that she spoke with the Fire Chief and he was pleased with the turnout from the Fire Department and the fundraiser was successful. Approximately \$6,000 was collected.

Water Chestnut Pull – Councilwoman Kuncken reported that the water chestnut pull was done this weekend at Roxbury Park. There were 15 to 20 kayaks on the lake and the harvester was running. The watershed members were very pleased with the turnout. Mayor Maio stated this event was run by the watershed members and there were 27 boats on the lake.

OLD BUSINESS

Ordinance for Public Hearing and Final Adoption

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

Ordinance 2013-09 **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 Depew, seconded by Councilwoman Kuncken, and unanimously carried by the following roll call vote, the above ordinance was adopted.

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

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

Roll Call:

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

On motion by Councilwoman Kuncken, 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.

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 adopted.

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

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

Roll Call:

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

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

Ordinance 2013-11

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 Councilwoman Zdichocki, seconded by Councilman Depew, and unanimously carried by the following roll call vote, the above ordinance was adopted.

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

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

Roll Call:

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

On motion by Councilwoman Kuncken, 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	\$17,000	\$16,150

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) 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 Councilwoman Thistleton, seconded by Councilwoman Zdichocki, and unanimously carried by the following roll call vote, the above ordinance was adopted.

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

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

Roll Call:

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

On motion by Councilwoman Kuncken, seconded by Councilman Thornton 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

RESOLUTIONS

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

Resolution 138-13

RESOLUTION AUTHORIZING THE BOROUGH ENGINEER TO PERFORM CERTAIN ENGINEERING DESIGN SERVICES FOR MAPLE TERRACE ROADWAY RECONSTRUCTION & WATER MAIN REPLACEMENT PROJECT

WHEREAS, the Governing Body of the Borough of Stanhope hereby acknowledges the requirement of preliminary engineering design for bid documents for the proposed Maple Terrace Roadway Reconstruction and Water Main Replacement project; and

WHEREAS, the Borough Engineer has submitted a Proposal to prepare the Survey and Mapping; Design of Reconstruction; Preparation of Bid Documents and Project Administration for the Maple Terrace Roadway Reconstruction and Water Main Replacement project, which proposal is attached hereto;

WHEREAS, the Borough Engineer has advised that the fee for said preliminary engineering design services is \$19,650.00; and

WHEREAS, the purpose of the preliminary engineering design being for the Maple Terrace Roadway Reconstruction and Water Main Replacement project and the amount to be charged is a purpose for which bonds may be issued under Chapter 2 of Title 40A;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the amount appropriated for preliminary engineering design for the Maple Terrace Roadway Reconstruction and Water Main Replacement project shall not exceed \$19,650.00, and the Chief Financial Officer is authorized to set up a reserve for preliminary expenses out of the Capital Improvement Fund of the General Capital Fund.

On motion by Councilman Depew, seconded by Councilwoman Thistleton 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 – absent

Resolution 139-13

RESOLUTION AUTHORIZING THE BOROUGH ENGINEER TO PERFORM CERTAIN ENGINEERING DESIGN SERVICES FOR SANITARY MANHOLE REHABILITATION – MAPLE TERRACE, HILL ROAD & MUSCONETCONG AVENUE

WHEREAS, the Governing Body of the Borough of Stanhope hereby acknowledges the requirement of preliminary engineering design for bid documents for the proposed Sanitary Manhole Rehabilitation - Maple Terrace, Hill Road and Musconetcong Avenue project; and

WHEREAS, the Borough Engineer has submitted a Proposal to research appropriate rehabilitation methods for the site specific issues; preparation of bid documents and project administration for the Sanitary Manhole Rehabilitation - Maple Terrace, Hill Road and Musconetcong Avenue project, which proposal is attached hereto;

WHEREAS, the Borough Engineer has advised that the fee for said preliminary engineering design services is \$11,200.00; and

WHEREAS, the purpose of the preliminary engineering design being for the Sanitary Manhole Rehabilitation - Maple Terrace, Hill Road and Musconetcong Avenue project and the amount to be charged is a purpose for which bonds may be issued under Chapter 2 of Title 40A;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the amount appropriated for preliminary engineering design for the Sanitary Manhole Rehabilitation - Maple Terrace, Hill Road and Musconetcong Avenue project shall not exceed \$11,200.00, and the Chief Financial Officer is authorized to set up a reserve for preliminary expenses out of the Capital Improvement Fund of the General Capital Fund.

On motion by Councilman Thornton, 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 – absent

PAYMENT OF BILLS

Resolution 140-13

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 July 9, 2013 and on file and available for public inspection in the Office of the Chief Finance Officer and approved by the Chief Finance Officer for payment, be paid.

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

Councilman Depew asked if the bills were approved by the Finance Committee. Mayor Maio confirmed that the bills were approved. Councilwoman Kuncken stated that in Councilman Benson’s absence Councilwoman Kuncken signed the bills along with Mayor Maio.

Roll Call:

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

AGENDA ITEMS

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

CITIZENS TO BE HEARD

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

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

DISCUSSION

Mayor Maio reminded everyone that Sunday is Family Fun Day.

ADJOURNMENT

On a motion by Councilwoman Thistleton, seconded by Councilwoman Zdichocki, and unanimously carried by voice vote the meeting was adjourned at 9:35 P.M.

Approved:

Linda Chirip
Deputy Clerk
For Ellen Horak
Borough Clerk