

**MAYOR AND COUNCIL  
REGULAR MEETING  
August 27, 2013  
7:00 P.M.**

**SALUTE TO COLORS**

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

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

Adequate Notice of this Meeting has been provided according to the Open Public Meetings Act, Assembly Bill 1030. Notice of this Meeting was included in the Annual Meeting Notice sent to the New Jersey Herald and the Daily Record on January 2, 2013 and was placed on the Official Bulletin Board in the Municipal Building.

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

**ROLL CALL**

Council Members:

Councilwoman Zdichocki – Present  
Councilman Thornton – Present  
Councilwoman Kuncken – Present

Councilman Depew – Present  
Councilwoman Thistleton – Present  
Councilman Benson – Absent

Mayor Maio – Present

**CITIZENS TO BE HEARD**

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

Nancy Hoyt, 33 Lawrence Avenue, asked if the DPW could cut the grass at the entrance to Canfield Street. Mayor Maio stated they are aware of the situation and there are many areas within the Borough where grass cutting has been delayed due to emergency and critical projects which have taken precedence. Ms. Hoyt asked if community volunteers could assist. Administrator McNeilly stated that volunteers cannot operate the machinery, it would be a liability.

Ms. Hoyt asked if plastic bags can be included in the recycling. Mayor Maio replied that plastic bags are not included in the curbside collection but they can be brought to the grocery store to be recycled.

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:

June 25, 2013                  Business Meeting

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

## **CORRESPONDENCE (List Attached)**

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

## **COUNCIL COMMITTEE REPORTS**

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

**Police, Fire, Ambulance, Court & Violations Bureau, Emergency Management** – Councilwoman Kuncken stated that the two new patrol cars are being outfitted and the detective's car has been ordered. The Police Department report indicates there were 40 total violations. The majority of these are moving violations.

Councilwoman Kuncken stated for the month of July the Ambulance Squad had 31 calls in Stanhope, 35 in Netcong, 2 standbys and 1 out of town call to Hopatcong for a total of 69 calls. They treated 43 patients, made 43 trips to the hospital for a total of 1,067 miles and 288 man hours.

Councilwoman Kuncken stated there is no report from the Stanhope Fire Department. The County Fire Marshal, Joe Inga, submitted a report stating that 3 inspections and re-inspections of life hazard use businesses were performed, 6 inspections and re-inspections for non-life hazard use businesses were done and a total of 62 active businesses are now in Stanhope Borough's database. There were 6 notices of violation served and 3 certificates of inspection issued.

### **Community Development – Councilwoman Zdichocki/Councilman Thornton**

**Zoning, Construction, Code Enforcement, Economic Development, Chamber of Commerce, Downtown Revitalization** – Councilwoman Kuncken stated that the new lower wattage lighting for Main Street has been ordered. They are due to be delivered the third week of September. Mayor Maio asked if the Borough will be installing the new fixtures. Administrator McNeilly confirmed that the fixtures will be installed by the DPW.

### **Municipal Infrastructure – Councilman Thornton/Councilwoman Zdichocki**

**Water Distribution, Sewer Collection System, Road Construction & Maintenance, Buildings & Grounds** – Councilman Thornton reported that the DPW replaced 600 feet of drainage pipe and 4 catch basins on Dell Road. Minor restoration and top coat will be combined with other paving jobs. Road striping will take place after Labor Day. The work has begun on the municipal building parking lot and that work should be completed within the next two weeks. Mayor Maio asked Administrator McNeilly if the striping of the crosswalks will be done before school starts. Administrator McNeilly stated that the weather has delayed the crosswalks. Two men are required to stripe the crosswalks. The DPW are all needed to work on the parking lot and tomorrow one of them will have to cover the recycling center.

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

Councilman Depew reported that the new shredder has been delivered and meets the State requirements for destroying sensitive records. Councilman Depew stated that funds need to be allocated in 2014 to create a new website. Mayor Maio asked Councilman Depew to make sure this item is included in the budget. Mayor Maio suggested that Councilman Depew obtain price quotes prior to the budget process.

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

Councilwoman Thistleton stated that all of the Boards and Commissions with the exception of the Board of Health have received the letter that outlines the procedure to be followed when applying for a grant. Councilwoman Thistleton stated that the Board of Health will meet on September 11<sup>th</sup>. Some of the Boards and Commissions did not like that there are no exceptions to the procedure.

The ACO report for July totaled 4 hours. The Recreation Commission has tickets available for the Halfway to St. Patrick's Day Dinner on September 21<sup>st</sup>. The Fire Department is also selling tickets for this event. The Mt. Airy Bus trip is scheduled for October 19<sup>th</sup> and the Halloween Parade will be held on October 26<sup>th</sup>. The movies in the park have concluded for the season. The summer camp program has concluded. There were several Stanhope children that participated.

The reports from Byram Township have not been received to date. Mayor Maio stated that she heard the number of Stanhope children that participated had tripled since last year. Councilwoman Zdichocki stated that the number of Stanhope children that attended may also have been triple the amount of the other participating towns. Councilwoman Thistleton stated the increase may have been due to the fact that the summer program was held in Stanhope. Councilwoman Zdichocki stated the information from Byram Township is expected to be sent to Stanhope's CFO by Friday. Administrator McNeilly stated if the paperwork is submitted by September 5<sup>th</sup> it can be included on the bills list.

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

Councilwoman Kuncken stated that the tax sale list is being compiled by the Finance Department. The CFO reports indicate that the tax collection, as of July 31<sup>st</sup>, has increased slightly over 2012. The tax collection rate is 71.74 % and the prior delinquency collection has increased.

The water collection has increased over 2012 and is beginning to show the turn around. The sewer collection has decreased approximately \$10,000.

**ADMINISTRATOR'S REPORT**

Water Improvement Project – Administrator McNeilly reported that Mr. Purcell will be attending the Mayor and Council Meeting on September 10<sup>th</sup> to provide a project status update. Mr. Purcell will also discuss dates for the first public information session to be held in October or November.

Omland Engineering – Administrator McNeilly stated that he met with Eric Keller today. Mr. Keller met with John Rogalo at Furnace Pond to review the progress. Mr. Keller will be sending the close out letter to NJDEP. Everything has been stabilized and Mr. Keller does not foresee any issues.

Administrator McNeilly stated the Maple Terrace project is now in the planning stage and will go to bid in January 2014. There is an issue with the width of the road and the type of curbing which has to be determined. Traditional curbing will not allow for residents to park on the street. Widening the road would involve moving telephone poles. The other option is to have the curbs lean back as they were done on Linden Avenue or the curbs can be installed at driveway height. Mayor Maio asked if the driveway height curbing would help the drainage. Administrator McNeilly replied that he has asked Mr. Keller to provide all those details.

Administrator McNeilly stated that Frank, Omland Engineering, Bill Storms, DPW Superintendent, and the vendor will be meeting on Thursday to discuss the manhole project. The specifications will be given to Mr. Stein to develop the bid packet. The project should be ready to go to bid in September.

Administrator McNeilly stated that Mr. Keller is checking to see if the speed bump on Dell Road that was lost during the storm needs to be replaced.

Main Street Sign – Administrator McNeilly stated the Main Street sign was the casualty of a hit and run approximately three weeks ago. The sign is at Sign Art Graphics for repair and should be reinstalled next week. Councilwoman Thistleton stated that the small signs being placed at each end of Main Street do not look nice. Councilwoman Thistleton stated that the signs are necessary for the businesses to bring in business, but she is of the opinion that there should be a better alternative. Administrator McNeilly stated that a Borough sponsored sign would have to be installed and all the businesses would have to be able to utilize it. Mayor Maio stated that the Chamber of Commerce did look into having a sign made but the size of the board which would allow for all the businesses to be listed would be too large. Administrator McNeilly stated if the project planned for the park is approved, a sign may be able to be placed at that location. Much discussion took place regarding the sign situation, site distance and options available.

Musconetcong Watershed Association – Administrator McNeilly stated that the Musconetcong Watershed Association will present "Stormwater Training for Elected Municipal Officials" on September 10<sup>th</sup>. Administrator McNeilly stated that the MWA is interested in having representatives from the municipalities join. Mayor Maio stated the individual from Stanhope

that is most qualified is John Rogalo. Mr. Rogalo is involved with the Lake Board and active with the Watershed. Administrator McNeilly and/or Mayor Maio will contact Mr. Rogalo.

Recycling Center Employee – Administrator McNeilly asked Mr. Stein to advise how the advertisement for the recycling center employee needs to be handled. Mr. Stein stated that it has to be determined whether or not the title is a civil service position.

Councilman Depew stated that the dumpsters at the recycling center are too tall. Administrator McNeilly stated that he has requested to have the low dumpsters delivered.

DPW Roof – Administrator McNeilly stated the DPW roof is complete. It is no longer raining inside the building and when the rain is falling outside, it can barely be heard inside.

## **COUNCIL BUSINESS**

Sussex County Fair Bulletin Board – Mayor Maio and the Council thanked Linda and Kayla Chirip for the display they designed for Stanhope Borough's bulletin board at the Sussex County Fair.

October Breast Cancer Awareness – Mayor Maio stated that October is Breast Cancer Awareness month and volunteers are needed to tie the pink ribbons throughout the Borough.

Plaster Mill (Musconetcong Foundrymen Historical Society) – Mayor Maio stated that a letter has been received from the Musconetcong Foundrymen Historical Society stating that they do not want anything done to the Plaster Mill. Mayor Maio is of the opinion that the Plaster Mill should be leased to the Musconetcong Foundrymen to maintain. Councilwoman Kuncken asked Mr. Stein if the Borough can legally lease the property. Mr. Stein replied that municipalities can lease property on a long term lease of 50 years to a non-profit or educational group for a nominal consideration. Generally speaking, the property could be leased to the Historical Society for \$1.00 for a period of time and they would have the responsibility of maintaining the property. Mr. Stein stated that he would need to research the matter further but the law does allow for it. Mayor Maio is of the opinion that the Historical Society would not want the responsibility. Councilman Depew asked where the liability would fall if someone should get hurt on the property. Mr. Stein replied that there is always a liability issues but with the insurance coverage and tort claims law this would be a relatively remote situation. Mayor Maio stated this is a problem going forward. Councilwoman Kuncken stated that the Foundrymen are tying the Borough's hands, yet they do not have a plan for the Plaster Mill. Mayor Maio stated that the Environmental Commission was in favor of having the Borough lower the Plaster Mill walls to a safe level and provide a plaque with the history and open it to the public. As it stands now the fencing is unattractive and maintaining it is an issue. Administrator McNeilly stated that he has gone back and reviewed the past plans for that area and the follow up reports. Much discussion took place regarding the Plaster Mill area and the various regulations and groups involved with the property. Mayor Maio is of the opinion that maintaining the Plaster Mill area should not be done any longer. Administrator McNeilly stated from a liability standpoint that no one should be in that area.

Lakeview Estates Block Party Request (September 21<sup>st</sup>) – Mayor Maio stated that Lakeview Estates is requesting permission to hold their annual block party. Mayor Maio asked the Council if there were any objections. The Council had no objections and granted permission for Lakeview Estates to hold their block party on September 21<sup>st</sup>.

Transitional Aid (Sidewalk Plan) – Mayor Maio stated that Millennium Strategies scheduled a meeting with NJDOT to find out why the grant was not approved. Administrator McNeilly stated that the project was good but the other applications submitted out classed our plan in location and style. The Borough project submitted was a request to complete the sidewalk to nowhere which was created by the State at Acorn Street. There was a million dollars available and the Borough request was for ¼ of a million. Only 9% of all the applications submitted received funding. The project was declined due to the fact that the Borough does not have any mass transit stops. Mayor Maio stated that the NJDOT was in favor of the project but once it was sent to Trenton it was declined. Transitional Aid is normally used for emergency situations. The State has created an emergency situation by installing a sidewalk that ends onto a major highway. The Borough had only applied for half of the project with a 90/10 local contribution.

Administrator McNeilly is of the opinion that the Borough should submit the project again in its entirety with the 90/10 split. Administrator McNeilly stated that Katie from Millennium Strategies is preparing the grant application.

Local Aid (James Street) – Mayor Maio stated that the Maple Terrace project was not awarded. The aid was denied based on their opinion that the condition of the road was not bad enough. Administrator McNeilly stated only 42% of the projects submitted were awarded. James Street is a good candidate for submission based on the fact the house count is high, drainage is a problem, there are only two catch basins, the curbs are crumbling and the surface condition is poor. Administrator McNeilly stated that Mr. Keller has forwarded the specification to Katie at Millennium Strategies in order to prepare the grant application. The corresponding resolution will be on the agenda for September 10<sup>th</sup>. The application deadline is September 21<sup>st</sup>.

Administrator McNeilly stated that the other application submitted for the streetscape site was denied by their Environmental Department due to the fact that the gas station is located in that area. The concern was that if there was an acquisition of the gas station site and a problem was encountered, the Borough may not have the money required for any remediation and the project would not be completed. In the future the Borough can resubmit an application for the pocket park.

Councilman Depew asked Administrator McNeilly how much water is being lost at the end of Maple Terrace. Administrator McNeilly stated it is not a significant amount of water. The contractor for Maple Terrace will repair this. Administrator McNeilly stated that Mr. Keller has suggested that the Mountain Terrace project be combined with the Maple Terrace project. Mayor Maio asked if this is a good idea. Administrator McNeilly stated that Mr. Keller will explain the reasoning for his recommendation. Administrator McNeilly will ask Mr. Keller to attend the 2<sup>nd</sup> meeting in September.

By-Laws and Rules of Order (Nominate Committee) – Mayor Maio stated that according to the by-laws, three members of the Council must be appointed to review the by-laws and the suggested changes that have been made by Mr. Stein. Mayor Maio appointed Councilwoman Kuncken, Councilwoman Thistleton and Councilman Depew to meet and review the changes and make their recommendations at the September 10<sup>th</sup> meeting.

## **NEW BUSINESS**

### **RESOLUTIONS**

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

#### **Resolution 147-13**

#### **RESOLUTION AUTHORIZING THE CANCELLATION OF GRANT APPROPRIATIONS**

**WHEREAS**, certain grant appropriations totaling \$2,043.24 remain on the Current Fund balance sheet dedicated to municipal grants; and

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

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

<u>APPROPRIATED GRANTS</u>	<u>GRANT YEAR</u>	<u>DEBIT</u>	<u>CREDIT</u>
Community Stewardship IP Grant	2006	\$ 543.24	
North Jersey Conservation Grant	2005	\$1,500.00	
Surplus			\$2,043.24

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

Roll Call:

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

**Resolution 148-13**

**RESOLUTION AUTHORIZING REFUND OF  
REDEMPTION MONIES TO OUTSIDE LIEN HOLDER**

**WHEREAS**, the Tax Collector has received payment for the redemption of Tax Title Lien No. 2012-03, representing 2011 property taxes and/or utility charges on Block 10611, Lot 5, known as 1-3 Port Morris Avenue, assessed to Sherrin J. Claesson, and;

**WHEREAS**, the Tax Collector certifies that reimbursement is now required to be made to the following lien holder for the required redemption amounts as shown below:

To Lienholder:	US Bank Cust for Pro Capital I, LLC 50 South 16 <sup>th</sup> St, Suite 1950 Philadelphia, PA 19102
Redemption Amount:	Tax Title Lien #2012-03 and Interest to Date of Meeting   \$       3,115.21 Premium Paid by Lienholder <u>0.00</u>
Total From Current Fund:	\$       3,115.21
Total From Tax Premium Account	0.00

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that the Borough Treasurer be authorized to prepare the necessary check as stated above and to forward same to the lien holder.

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

On motion by Councilwoman Zdichocki, 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 149-13**

**RESOLUTION AUTHORIZING REFUND OF  
REDEMPTION MONIES TO OUTSIDE LIEN HOLDER**

**WHEREAS**, the Tax Collector has received payment for the redemption of Tax Title Lien No. 2011-11, representing 2010 property taxes and/or utility charges on Block 11501, Lot 2, C0248, known as 14248 Dell Place, assessed to Barbara Jennings, and;

**WHEREAS**, the Tax Collector certifies that reimbursement is now required to be made to the following lien holder for the required redemption amounts as shown below:

To Lienholder:	Elliot Loeb-Keogh Plan 1 Lakewood Road Saratoga Springs, NY 12866
Redemption Amount:	Tax Title Lien #2011-11 and Interest to Date of Meeting   \$       15,262.76 Premium Paid by Lienholder <u>0.00</u>

Total From Current Fund:	\$	15,262.76
Total From Tax Premium Account		0.00

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that the Borough Treasurer be authorized to prepare the necessary check as stated above and to forward same to the lien holder.

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

On motion by Councilwoman Kuncken, seconded by 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 150-13**

**RESOLUTION AUTHORIZING REFUND OF  
REDEMPTION MONIES TO OUTSIDE LIEN HOLDER**

**WHEREAS**, the Tax Collector has received payment for the redemption of Tax Title Lien No. 2012-17, representing 2011 property taxes and/or utility charges on Block 11501, Lot 2, C0198, known as 11198 Dell Place, assessed to Robert J & Yolanda Marns, and;

**WHEREAS**, the Tax Collector certifies that reimbursement is now required to be made to the following lien holder for the required redemption amounts as shown below:

To Lienholder:	Elliot Loeb-Keogh Plan 1 Lakewood Road Saratoga Springs, NY 12866	
Redemption Amount:	Tax Title Lien #2012-17 and Interest to Date of Meeting	\$ 11,692.18
	Premium Paid by Lienholder	<u>0.00</u>
Total From Current Fund:	\$	11,692.18
Total From Tax Premium Account		0.00

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that the Borough Treasurer be authorized to prepare the necessary check as stated above and to forward same to the lien holder.

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

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

Roll Call:

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

**Resolution 151-13**

**RESOLUTION APPROVING THE TRANSFER OF PLENARY RETAIL  
CONSUMPTION LIQUOR LICENSE #1919-33-004-007 TO KACZ  
MJ CORP. [BELL'S MANSION]**

**WHEREAS**, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption Liquor License #1919-33-004-007 to Kacz MJ Corp. for premises located at 11 Main Street, Stanhope, New Jersey; and

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS**, the applicant has disclosed, and the issuing authority reviewed, the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Stanhope do hereby approve the transfer of the aforesaid Plenary Retail Consumption License to Kacz MJ Corp., and do hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to Kacz MJ Corp. for premises at 11 Main Street, Stanhope, NJ effective August 28, 2013.”

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

**Resolution 152-13**

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

**WHEREAS**, the liquor license renewal application submitted is complete in all respects, the renewal fees have been paid, Tax Clearance Certificate received, the license has been reviewed, and the premise inspected;

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

***Plenary Retail Consumption Licenses:***

1919-33-004-007 Kacz MJ Corp., t/a Bell’s Mansion, 11 Main Street

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

**Resolution 153-13**

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF A  
GRANT FROM THE MORRIS COUNTY JOINT  
INSURANCE FUND FOR BASE ACCREDITATION  
SERVICES AND EXECUTION OF A GRANT  
AGREEMENT**

**WHEREAS**, the New Jersey Association of Chiefs of Police offer a program to obtain accreditation in order to attain the highest standards of police department management; and

**WHEREAS**, The Morris County Municipal Joint Insurance Fund is seeking to encourage police departments to pursue such excellence by providing a grant in the amount not to exceed \$50,000 to support the Borough of Stanhope’s Police Department’s efforts to attain accreditation from the New Jersey Chiefs of Police Association; and

**WHEREAS**, the Chief of Police is committed to taking necessary action in order to support the accreditation process.



**NOW, THEREFORE**, be it resolved by the Borough of Stanhope, in the County of Sussex, and the State of New Jersey, as follows:

1. The Mayor, Borough Administrator and Chief of Police are hereby authorized to enter into a Grant Agreement with the Morris County Municipal Joint Insurance Fund for the receipt of funding not to exceed \$50,000 for the Police Accreditation Program.
2. The Borough of Stanhope agrees to abide by the terms of the Grant Agreement, (a copy of which is attached to this resolution) to attain certification within two years of the date of the Agreement.
3. That certified copies of this resolution along with the signed Grant Agreement shall be forwarded to the Morris County Municipal Joint Insurance Fund and the Chief of Police for reference and action purposes.

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 Thornton – yes  
Councilwoman Kuncken – yes

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

**Resolution 154-13** **Resolution Authorizing A Refund of Overpayment of Taxes (Verizon)**  
Mayor Maio stated this resolution has been pulled pending receipt of further documentation.

**Resolution 155-13**                      **AUTHORIZING AN AMENDMENT TO THE 2013 BUDGET  
TO INCLUDE THE 2013 CLICK IT OR TICKET GRANT**

**WHEREAS**, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for an equal amount, and

**WHEREAS**, the Borough of Stanhope has received a total of \$4,000.00 from the Division of Highway Traffic Safety for the 2013 Click It or Ticket Grant, and

**WHEREAS**, the Borough of Stanhope now wishes to amend its 2013 budget to include the additional grant funds approved of \$4,000.00 as a revenue.

**NOW THEREFORE, BE IT RESOLVED** that the Council of the Borough of Stanhope does hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$4,000.00, which will be available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written  
Consent of the Director of Local Government Services – Public  
And Private Revenues Offset with Appropriations: 2013 Click It or Ticket  
Grants, and

**BE IT FURTHER RESOLVED** that a like sum of.....\$4,000.00  
be and the same is hereby appropriated under the caption of:

General Appropriations

(A) Public and Private Programs Offset by Revenues:  
2013 Click it or Ticket Grant, and

**BE IT FURTHER RESOLVED** that the Chief Financial Officer submit one copy of the Chapter 159 certification form to the Director of Local Government Services.

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

Roll Call:

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

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

**Resolution 156-13**

**RESOLUTION AUTHORIZING BID FOR TWO NEW FUEL PUMPS FOR STANHOPE DPW**

**WHEREAS**, the gasoline and diesel fuel pumps at the DPW Building of the Borough of Stanhope are in need of replacement; and

**WHEREAS**, the cost for the purchase, removal and installation of one gasoline fuel pump and one diesel fuel pump at the DPW building is anticipated to exceed the bid threshold, pursuant to the Local Public Contracts Law; and

**WHEREAS**, the Borough has prepared bid specifications to publicly bid for the purchase, removal and installation of one gasoline fuel pump and one diesel fuel pump at the DPW Building.

**NOW, THEREFORE**, be it resolved by the Mayor and Council of the Borough of Stanhope that the Borough is hereby authorized to publically advertise for the receipt of sealed competitive bids for the purchase, removal and installation of one gasoline fuel pump and one diesel fuel pump with monitoring systems at the DPW building; and

**BE IT FURTHER RESOLVED**, that said bids shall be received and publically opened on Thursday, September 19, 2013 at 10:00am.

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

Roll Call:

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

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

**Mayor's Acceptance of Resignation**

**Resolution 157-13**

**MAYOR'S ACCEPTANCE OF RESIGNATION OF GLENN CROSS FROM HIS EMPLOYMENT WITH THE BOROUGH OF STANHOPE WITH COUNCIL CONCURRENCE**

**THEREFORE, BE IT RESOLVED** by the Council of the Borough of Stanhope they do hereby concur with the Mayor's acceptance of Glenn Cross's resignation from all positions of employment with the Borough of Stanhope, effective August 5, 2013.

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

**PAYMENT OF BILLS**

**Resolution 158-13**

**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 August 27, 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 Zdichocki, seconded by Councilman Thornton and unanimously carried by the following roll call vote, the foregoing resolution was duly adopted.

Councilwoman Kuncken, as member of the Finance Committee, asked that Invoice 88409 be held and pulled for further explanation.

Roll Call:

Councilwoman Zdichocki – yes

Councilman Thornton – yes

Councilwoman Kuncken – yes

Councilman Depew – yes

Councilwoman Thistleton – yes

Councilman Benson – absent

### **ATTORNEY REPORT**

*Sale of Properties* - Mr. Stein stated that he sent a letter to Administrator McNeilly regarding the possible use of a broker for the sale of the vacant lot next door to the municipal building and the site on Route 206 that was previously approved for a gasoline/retail station several years ago that was never built. Both of these properties are now owned by the Borough by virtue of in-rem foreclosure actions and are both commercial properties. The statute, as it is written, makes it impossible to use a broker and pay them a straight commission. The Borough can self-advertise by placing ads in various publications that the properties are for sale with the minimum bid price and bid date to be announced. Signs can be placed on the properties listing them to be bid publically with the minimum bid price and date to be announced. A broker can be hired for a flat fee type basis to market the properties. The broker can market the properties and contact potential parties that may be interested. A buyer's commission type situation is an option which would require the buyer to pay up to an additional 5% for the commission. The Council needs to discuss the options and agree that the properties should be sold and not retained by the Borough for any other purpose. Much discussion took place regarding the various options and how the sale should be handled. Administrator McNeilly asked what the procedure is going forward. Mayor Maio stated that the Finance Committee will review the proposals and make a recommendation to the Governing Body. Mr. Stein stated that the RFP needs to be drafted first and an ordinance will have to be adopted to sell the properties. Mayor Maio asked Administrator McNeilly to contact Quick Chek to see if they are interested in the property on Route 206. Councilwoman Kuncken asked if the Borough can make certain requirements for the property next door. Mr. Stein confirmed that the Borough can set the parameters. Mr. Stein will work with Administrator McNeilly on the RFP for review at the September 10<sup>th</sup> meeting.

*Mountain Terrace (Salt & Light Co.)* – Mr. Stein stated that the Mountain Terrace property is almost complete and ready to be sold. The Salt & Light Company had asked if they could sell the property at fair market price because they did not feel it should be sold as an income restricted property. That request was denied. This project was done outside of the context of COAH. There is a separate provision in the municipal lands and buildings law that allows towns to obtain properties and to sell them for nominal consideration to be sold for income restrictive purposes. The agreement with the Salt & Light Company was that they had to do all the marketing and qualification and to sell the property with the HUD standards for income restricted properties. Mr. Stein is of the opinion that Arlene Fisher, Housing Liaison Officer, should be involved to have the HUD process match up as closely as possible to the COAH income. In the future the Borough may want to claim a COAH credit for the house. The Borough should review the HUD requirements as they are now and what the COAH regulations were for an income restricted property and match them up so that when Salt & Light sells the property it will be income restricted and as close to COAH as possible. Mayor Maio stated that the original reason for not having the property as a COAH property was due to the impact it would have on the property tax. Mr. Stein stated that a COAH property can only be assessed at its COAH value, not fair market price. The owner can only sell it at the COAH value. Mayor

Maio stated that the Borough wanted the house listed at fair market value because of the effect on the property tax revenue and the neighborhood. Mr. Stein stated that he is unaware of the HUD restrictions on the assessment value. Much discussion took place regarding this issue.

### **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.

### **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 – Personnel
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 9:24 P.M.

At the conclusion of the Closed Session, Mayor and Council reconvened the public meeting at 9:27 P.M. with all present.

### **Council Discussion**

On motion by Councilwoman Kuncken, seconded by Councilwoman Zdichocki, and unanimously carried by voice vote, approval was granted for a stipend of \$150 per week to be paid to Linda Chirip, Deputy Clerk, retroactive to July 11<sup>th</sup> and until the Borough Clerk returns to work full-time.

### **ADJOURNMENT**

On a motion by Councilwoman Kuncken, seconded by Councilwoman Zdichocki, and unanimously carried by voice vote the meeting was adjourned at 9:28 P.M.

Approved:

Linda Chirip  
Deputy Clerk