

**MAYOR AND COUNCIL  
WORK SESSION AND  
AGENDA MEETING  
September 9, 2014  
7:00 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 8, 2014 and was placed on the Official Bulletin Board in the Municipal Building.

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

**ROLL CALL**

Council Members:

Councilwoman Zdichocki – present	Councilman Depew – present
Councilman Thornton - present	Councilwoman Thistleton – present
Councilwoman Kuncken - present	Councilman Benson – present

Mayor Maio – present

**PRESENTATION: Environmental Commission**

Mayor Maio introduced Owen Newson, Environmental Commission Secretary, and invited Mr. Newson to come forward to begin the presentation. Mr. Newson stated that Clean-up Day is scheduled for Sunday, September 28<sup>th</sup> from 1:00PM – 4:00PM. The Clean-up Day scheduled for the spring was rained out. Locations for the clean-up will be held at the Valley Road School and a request was made to include Furnace Pond. Mayor Maio asked if the clean-up will include any clipping, pruning or cutting. Mr. Newson replied that only trash will be collected. There are tires that have been dumped and there is quite a bit of trash on the slope behind the deli. The Salmon Park area will also be part of the clean-up. Mayor Maio asked the Governing Body if there were any objections to include the Furnace Pond and Salmon Park areas. There were no objections. Mr. Newson stated the trash collected will be placed near the bridge by the Plaster Mill and near the parking area at Valley Road School.

Mr. Newson stated there is a Mt. Olive-Stanhope Trail Grant which is almost two years old. Contact was lost with Mt. Olive when their representative Kathy Murphy retired. Mr. Newson stated Ms. Murphy is still the liaison. The Environmental Commission met with Ms. Murphy at their last meeting. Mr. Newson stated Ms. Murphy is on the Open Space Committee and she updated the Environmental Commission on the grant. None of the funds have been spent yet. The Braille Trail was funded by Givaudan. There will be signage and a kiosk was designed by the Canal Society. Mayor Maio asked where the kiosk will be located. Administrator McNeilly replied that he is of the opinion that a kiosk will be placed at both ends of the trail. Mt. Olive is waiting for approval for the kiosk and the signage from the Historic Preservation Office.

Mr. Newson stated Mt. Olive is going to pay their engineer to prepare a refurbishing proposal. The State Park is no longer insisting on a complete restoration of the bridge on Plane Street. The bridge needs to be refurbished in order to make it safe. A design will also be prepared for the Houdaille Bridge to make it a walkway. Mayor Maio stated that the State is no longer requiring

the bridge to be drivable. Mr. Newson explained the engineer's expenses will be funded by Mt. Olive and will not be coming from the grant funds at least for the planning portion.

Mr. Newson stated the Environmental Commission explained to Ms. Murphy that the Braille Trail, as it exists, blocks the Houdaille Trail. There is a rope across the trail. Administrator McNeilly stated that he has walked the trail with Sean Canning, Mt. Olive's Administrator, and the focus of the meetings has been to address this situation, as well as the fisherman's access. If the rope is removed from the section of the trail, some type of alert will have to be in place for those individuals using the Braille Trail, such as a tack pad, like a rumble strip, on the ground and/or a braille sign on the post.

Mr. Newson reported that the Environmental Commission informed Ms. Murphy that signage should also be placed on Stanhope's side. Mayor Maio replied that the original grant stated signage would extend all the way to the Netcong Train Station. Councilman Thornton asked Mr. Newson the amount of the original grant. Mr. Newson replied the grant was \$25,000. Administrator McNeilly stated that the engineers have been inspecting the bridge sites.

Mr. Newson stated the Council had asked the Environmental Commission to submit a plan for their vision of the trails at Furnace Pond. The Environmental Commission would like to see some improvements made over the next few years. The recommendations are as follows: Phase I (Fall 2014) – officially name the trail, place a bridge over the water outfall behind the deli, removal of dumped material on the State property, woodchips and tree pruning at Lookout Point, creation of boardwalk where needed; Phase 2 (Spring 2015) – address slope behind deli and firehouse, remove invasive species and replace with native plantings, extend trail along shore of Furnace Pond, create natural stairway connecting upper trail at Canal Slip spillway; Phase 3 (Fall 2015) – pond access improvements including fishing dock and benches.

Mayor Maio stated that some of the areas are not located on Borough property. Mayor Maio stated that she and Administrator McNeilly met with Cindy Randazzo from the NJDEP several months ago. Mayor Maio stated that Ms. Randazzo had been to the deli and saw the canal area out back. At that meeting Mayor Maio explained that the Borough had attempted to put a trail through the area and NJDEP stopped that plan. Mayor Maio stated that Ms. Randazzo agreed to meet with the Borough once a map and a plan could be provided and she would assist in preparing the necessary permit applications for the NJDEP and the State Park. Mayor Maio asked Administrator McNeilly to provide Mr. Newson with the survey map of Furnace Pond. Mayor Maio asked Mr. Newson to use the survey map to detail the proposed plan. Administrator McNeilly stated that the Borough Engineer will need to be involved and a budget needs to be determined. Mayor Maio suggested that Mr. Newson provide a "google" map to include the State area. Mayor Maio asked Mr. Newson to provide an overall map that outlines the portion of the trails plan showing the beginning and end of the trail along the canal and what is planned for those areas. Mr. Newson stated that he will provide the information. Mayor Maio and the Council thanked Mr. Newson for attending tonight's meeting.

## **ENGINEER'S REPORT**

*James Street* - Mayor Maio invited Eric Keller, Omland Engineering, forward to give his report. Mr. Keller stated three bids were received for the James Street Project. PACT was the lowest bidder. Mr. Keller stated he and Mr. Stein have provided letters recommending the award of the contract to PACT. Mr. Keller stated that Administrator McNeilly will provide the contact information and a pre-construction meeting will be scheduled. Mr. Keller stated based on PACT's history of efficiency with other work that has been done in the Borough, he is confident the project will be completed well within the 60 day timeframe. This project will consist of a new water main and services and new hydrants from Dell Road to Young Drive onto James Street.

*Road Reconstruction* - Mr. Keller stated the preliminary design has begun for the road reconstruction plan. Mr. Keller will present the proposal to the Governing Body in October. Mr. Keller would like to advertise in January and schedule the bid opening for February in order for work to begin April 1<sup>st</sup>.

Sidewalk Project - Mr. Keller reported the sidewalk project is moving along and information will be available for discussion next month. Mr. Keller stated that a letter will be sent to NJDOT asking permission to combine the two separate grants in order to combine both projects into one bid.

Gate Controllers - Mr. Keller stated the next bid will be held a week from today for the gate controllers. Mr. Keller has coordinated with the CFO to prepare the purchase orders. The fencing will be handled through the State contract with EB Fence. Upon receipt of the purchase order the work can be scheduled. The gate controllers are not part of the State contract and had to be bid separately.

Local Aid Grant - Mr. Keller stated last year the Local Aid Grant for James Street was not submitted as roadway reconstruction, but as Pennington Woods Phase I. This was done to show this as part of a larger project. Mr. Keller recommended, from an engineering perspective, that the submission for next year should be submitted as Pennington Woods Phase II which would be comprised of Young Drive and Maryann Terrace. Dell Road was done approximately fifteen years ago and is in the maintenance phase, not reconstruction. Seven years ago the speed bumps were installed in the Pennington Woods area and the roads were inspected at that time. Four years ago the roads were inspected again. Mayor Maio stated that Young Drive and Maryann Terrace are in disrepair. Mr. Keller stated consideration needs to be given to replacing the water mains in those areas. This would complete that area of the Borough. Dell Road now has ductile iron pipe in place and Young Drive and Maryann Terrace also need to have this type of pipe. Mr. Keller estimated that this project would be approximately one third larger than the current project on James Street.

Councilwoman Kuncken asked Mr. Keller if this project should be the only one submitted to Local Aid or should a second project also be submitted. Mr. Keller replied that several years ago he spoke with representatives from Local Aid regarding multiple submissions. Submitting two projects is not recommended. Mayor Maio stated she is of the opinion, from speaking with the representatives for Discretionary Aid, that the grants are cyclical and at this time the Borough is in that cycle. The opportunity to receive an additional grant next year is good. Much discussion took place regarding the past awards and phase two of the project to be submitted. Administrator McNeilly asked the Governing Body if Mr. Keller should work with Millennium Strategies to prepare the grant request. Mayor Maio confirmed.

Safe Routes To School Grant - Mayor Maio asked Mr. Keller if the Borough could work with the schools to submit an application for the Safe Routes to School Grant in order to obtain lights for the crosswalks. Mr. Keller stated that the Safe Routes to School is federally funded. Mayor Maio is of the opinion that the new school superintendent may be willing to work with the Borough on this project. Administrator McNeilly stated that he has reviewed the application and it requires input from teachers, parents, the Board of Education, the administration and clergy. Administrator McNeilly stated that he and Councilman Thornton spoke last year with the school board president. Administrator McNeilly stated there are four crosswalks. Mayor Maio asked if there are any other grants available for this purpose. Mayor Maio asked Mr. Keller to provide a copy of the application for the Safe Routes to School for the Governing Body to review. Mayor Maio also asked Mr. Keller to contact Millennium Strategies for any additional grant opportunities that may be available for the crosswalk lighting.

Mountain Terrace Project - Mayor Maio asked Mr. Keller for an update on the Mountain Terrace Project. Mr. Keller reported that Garcia Construction was onsite last week. The landscape restoration has been redone with new topsoil and has been reseeded. The inlets were all fixed. The depression on Maple Terrace was repaired. Mr. Keller stated he is not aware if the infrared machine has been brought back to complete the repair. Mr. Keller stated that he did not notice the patch when driving up and down the road so it may very well have been completed. All the other minor items on the punch list have been taken care of except for the stairs and the driveway. Mr. Keller stated after last month's meeting he contacted six masons. Three of the masons went to look at the location and are not interested in the job. Two did not go look at the job but stated they are not interested. One of the masons did not return the phone call. Three pavers have been contacted regarding the driveway. One returned the call today and stated he is too busy and cannot do the work this year. Mr. Keller stated he is expecting a quote tomorrow from one of the pavers. Mayor Maio asked what is going to be done regarding the stairs. Mr. Keller stated that a local pre-cast stair manufacturer was contacted. The manufacturer can only

install the stairs next to a house not into the earth. They do work with a mason for jobs such as this who is scheduled to look at the location tomorrow. Mr. Keller stated that a quote has also been requested from the manufacturer for a set of pre-cast stairs and railings. If necessary a contractor will have to be contacted to install the stairs. Mayor Maio asked if this is at the top of the priority list. Mr. Keller confirmed that he and Frank Russo from Omland Engineering are working on this daily. Mr. Keller stated he will keep Administrator McNeilly informed.

The Mayor and Council thanked Mr. Keller for attending tonight's meeting.

### **ADMINISTRATOR'S REPORT**

Water Main: Well #3, #4 to Kelly Place - Administrator McNeilly stated the water main work at Well #3 and #4 to Kelly Place is complete.

Water Main: The Point – Administrator McNeilly stated the additional water main was installed in Lloyd Avenue. PACT is well past the second turn, but they are now getting into the rock ledge which is slowing progress. There are approximately 65 house connections to be made.

Water Main: Brooklyn Road (Tower to Sparta Road) – Administrator McNeilly stated the water main on Brooklyn Road from Tower Road to Sparta Road is complete.

Water Main: Tower Driveway – Administrator McNeilly stated the water main at the Tower Driveway is complete.

Water Main: Sagamore Road and Highpoint Condominiums – Administrator McNeilly stated the work on Sagamore Road and at the Highpoint Condominiums is complete. This connection will remain closed until the water tower is back in operation. The cross trench on Dell Place will get final pavement when the entire project is complete. Administrator McNeilly stated that he has contacted Cindy from Highpoint Condominiums and assured her the contractor will complete the job to Highpoint Condominiums approval.

Water Main: Sparta Road to Canfield Street – Administrator McNeilly stated the water main from Sparta Road to Canfield Street is complete.

Water Tower Rehabilitation – Administrator McNeilly stated the inside of the water tower is complete and is now curing. A paint depth check was done and there were some areas that required attention. The outside is more than halfway complete. The anticipated completion date is later this week or early next week depending on the weather. Administrator McNeilly stated once the tank is cured the chlorination, cleaning and testing of the tank will be completed. Bill Storms, DPW Superintendent, present in the audience stated the curing time is approximately two weeks. Mayor Maio asked how many times the tank has to be filled and drained. Mr. Storms stated the tank will be filled and it will sit for a few days and then be drained. The tank will be filled again and a bacteria test will be conducted. The tank may be drained one more time. Work is still being done to the outside of the tank and it needs to cure as long as possible.

Police Certification – Administrator McNeilly stated Chief Pittigher has informed him that the audit team will be here on Sunday, September 28<sup>th</sup> to perform the final review of the new policy and procedures. The audit team will be here most of the day with audits also taking place at the DPW yard and at Sparta Dispatch. More information will be provided as the date gets closer. The audit has to be advertised to the public and a phone number provided for residents to call in and voice any concerns regarding the police department to the audit team. Councilman Benson asked how the public will be notified. Administrator McNeilly replied that a phone line will be obtained from Verizon for one month. The information will be advertised on the website, a Nixle message will be sent out and an advertisement will be run in the newspaper.

Brooklyn Road - Councilwoman Zdichocki asked Administrator McNeilly if the lane closures are still in effect on Brooklyn Road near the gas station. Administrator McNeilly replied the work on Brooklyn Road has been completed. The milling and paving of Brooklyn Road will be done sometime in October. From Canfield Street to Sparta Road and including the cross connections will be a single lane. Sparta Road to Tower Road will be paved the full width of the road.

Animal Control Officer - Mayor Maio stated Hopatcong Borough is in the process of replacing the Animal Control Officer. Mayor Maio asked Administrator McNeilly how coverage is being handled for the Borough. Administrator McNeilly replied that he has not spoken with the Administrator in Hopatcong. The last contract agreement addressed coverage for the Borough in an event such as this. There have been two instances recently when coverage was not available. Administrator McNeilly stated he will obtain more information regarding those issues. Mayor Maio asked Administrator McNeilly if the Board of Health has been made aware of the problems. Administrator McNeilly stated there was an incident in May and one in July. Councilwoman Thistleton stated the Board of Health receives a report from the Hopatcong Police Department and that information was not on their report.

## **WORK SESSION**

Tie A Ribbon Campaign - Mayor Maio stated that Sussex County will be sponsoring the Tie a Ribbon Campaign in October for breast cancer awareness. The Borough will receive 50 pink ribbons which need to be in place by October 1<sup>st</sup>. The members of the Governing Body and representatives from the Senior Citizens Club will meet at Borough Hall on Saturday, September 27<sup>th</sup> at 10:00AM.

Road Resurfacing (Sagamore Road & Spencer Street) – Mayor Maio asked Administrator McNeilly to recap the discussion which took place at the last Mayor and Council meeting regarding the road resurfacing for Sagamore Road and Spencer Street. Mayor Maio stated that the Governing Body questioned the need to have the roads resurfaced and had requested additional information. Administrator McNeilly stated there are five options available for resurfacing the entire length of both roads. One option is not to resurface the road which will cost nothing. The second is to re-apply the same application for an estimated cost of \$12,000. The third is to use a product with larger stone which would cost approximately \$12,000. The fourth option is to use micro-surfacing with an estimated cost of \$18,000 and the fifth would be to mill and pave at a cost of \$80,000.

Mayor Maio stated that the Governing Body is questioning why the entire length of the roads needs to be resurfaced as opposed to repairing only the sections of the roads that were damaged. There is a section of the road which PACT is responsible for. Mayor Maio asked Mr. Storms, DPW Superintendent, and Mr. Keller, Omland Engineering, for their recommendations. Mr. Keller stated the oil and stone that was used on these two roads was not the best resurfacing that has been done within the Borough but it has served its purpose. Mr. Storms stated that PACT will repair what was damaged during the construction with blacktop. There will be a blacktop area in the cul-de-sac next to the oil and stone areas. The oil is still pulling up. The scope of the work would be to try and reseal the road.

Councilman Thornton stated there were several other roads which were resurfaced at the same time as Sagamore Road and Spencer Street and no complaints were received from those residents. The complaints that have been received for the two roads in question include tack coming up and loose stones being brought into the homes. Councilman Thornton stated that his concern is why was there a problem with these two roads and not the others that were resurfaced at that same time. Mr. Storms replied that he does not know why this problem occurred from Spencer Street up to the cul-de-sac on Sagamore Road. The roads were all done at the same time but perhaps too much oil was put down, or not enough stone was put down or it could be that it was swept too soon. Mayor Maio stated if that is the case, the problem does not exist with the process or the product that was used. Mr. Keller stated all eight roads would not have been resurfaced on the same day and variations in temperature could have caused a problem. Councilman Thornton stated the bottom portion of Sagamore Road has a considerable amount of traffic on a daily basis as opposed to the upper portion where the problem exists. Mr. Keller stated that the extra tack on the upper section of the road could be due to the limited amount of traffic. The extra tack which may have been on the bottom section has been removed by the tires. Mr. Keller is of the opinion that the same product should be used. This process has been used for years and has not been a problem anywhere else in the Borough. The stone will have to sit long enough for the stone to be pressed into it. Administrator McNeilly stated the garbage and recycling trucks which turn around in the cul-de-sac pull up the pavement.

Councilwoman Zdichocki asked if a different process should be used to avoid the problem from occurring. Mayor Maio asked if the section from Spencer Street to the cul-de-sac where the problem exists could be repaired as opposed to the entire street. There is \$25,000 in capital for crack sealing and paving and the Borough does not have the funds available to resurface the entire road and Spencer Street. There are other roads in the Borough which are in need of repair. Mayor Maio asked Mr. Keller for his recommendation in order to rectify the problem from Spencer Street to the cul-de-sac. Mr. Keller stated the options are to do nothing or replace the oil and stone from Spencer Street to the cul-de-sac but let it sit long enough to settle. The smaller stone is better for filling in the spaces it packs tighter.

Mayor Maio stated that a list of the priority streets which need paving is usually provided and to date the Governing Body has not received the list. The funds are limited. Mr. Storms stated that he and Mr. Keller have not discussed the streets due to other issues and the water projects. Mayor Maio stated that time has to be made to prepare the list because the Borough is running out of time to make the repairs.

Councilwoman Kuncken asked how the road will look if only the top section of the road is repaired. Mr. Keller replied there will be a demarcation line where the new surface begins and the stone will be loose until it is vacuumed. After that time the road will be similar in appearance to the existing section. Councilwoman Kuncken asked what the cost would be to resurface just this section of the road. Administrator McNeilly replied the original cost was quoted by the Morris County Co-op using the square footage of the entire two roads. Mr. Keller estimated the cost to be one third of the original quote. Administrator McNeilly asked Mr. Keller for the latest date he would feel comfortable having the surface applied. Mr. Keller replied that the contractor will not pave if the weather is too cold. Administrator McNeilly asked about the curing time. Mr. Storms stated the colder it is after the paving is done, the faster it cures. Mayor Maio asked if there is time to do the work if a decision is made at the next meeting. Mr. Keller stated it will be tight. The smaller the job, the further down the list you will be placed.

Councilman Depew asked if PACT will have their work completed in time. Administrator McNeilly is of the opinion that PACT will be done by the beginning of October. Scheduling paving through the co-op may already be closed for the season by then. Mr. Keller suggested that the Borough contact Morris Asphalt, explain what needs to be done and ask when the work could be scheduled. The Borough would then have to contact PACT to see if the trench can be completed sooner. Mayor Maio asked the Governing Body if they are prepared to make a decision this evening. Councilman Depew stated the Borough Engineer has recommended that the road be resurfaced.

On motion by Councilman Depew, seconded by Councilwoman Thistleton and carried by the following majority roll call vote, approval was granted to resurface the section of Sagamore Road from Spencer Street to the cul-de-sac.

Councilman Thornton asked Mr. Keller if the adhesion process is different than it was two years ago. Mr. Keller replied that the process is the same.

Councilwoman Zdichocki asked if the problem will worsen over the winter if the work cannot be done at this time and would there be a higher repair cost in the spring. Administrator McNeilly replied that the road will continue to wear and the issue with the road is worse during the hot weather. Councilman Thornton stated by voting yes to the repairs this evening the Borough does not know if the work can be done this year. Councilman Thornton asked if there is any harm in waiting until the spring. Mr. Keller replied there are no cracks, and other than the reports of the oil still coming up to the surface making it tacky, the road is doing what it is supposed to. Mr. Keller has not noticed any issues with the road when driving on it.

Mayor Maio asked if the motion is moving forward or being rescinded. Councilman Depew replied in his opinion the road should be repaired. Councilwoman Thistleton stated that she seconded the motion but in light of Mr. Keller's comments she is of the opinion that the work can wait until next year. Councilwoman Zdichocki stated that the problem needs to be addressed and the Borough should try to repair the problem. Mayor Maio stated that a vote should be taken.

Roll Call:

Councilwoman Zdichocki – yes	Councilman Depew – yes
Councilman Thornton – yes	Councilwoman Thistleton – yes
Councilwoman Kuncken - yes	Councilman Benson – no

Mayor Maio asked Mr. Keller to contact the Morris County Co-op to check for availability. Councilwoman Thistleton asked if the work will be prolonged until spring if the co-op contractor is not available. Mayor Maio stated this is the only contractor available and if they cannot do the work it will not be done at this time. Councilwoman Zdichocki asked if this approval will remain in place for next year. Councilman Benson stated he is of the opinion that this road should be included on the list of roads requiring repair and ranked accordingly. Mayor Maio stated the list of roads needs to be prepared and submitted to the Governing Body as soon as possible. Much discussion took place regarding the various roads in the Borough that need attention.

Councilwoman Kuncken asked if the approval granted this evening for Sagamore Road will remain in effect next year. Traditionally once a decision is made it does not get reconsidered in the future. Mayor Maio stated the decision will stand. Councilman Thornton asked if this is the only street which will be paved this year due to the fact that a list has not been prepared to date. Administrator McNeilly replied that due to the complexities of the myriad of situations that took place during the calendar year of 2014 there will be no road condition list, hence no further oil and stone for this calendar year. Mayor Maio asked to have the Governing Body informed immediately after the co-op has been contacted. Mr. Storms and Mr. Keller stated they will do so. Mayor Maio stated this does not mean that the Governing Body does not want a list of streets that require attention. Administrator McNeilly replied the list will be prepared. Mayor Maio thanked Mr. Storms and Mr. Keller for attending tonight's meeting.

FEMA Grant to Fire Department – Mayor Maio stated a grant has been awarded in the amount of \$157,700 for the Fire Department. The Fire Department invited the Public Safety Committee to attend a meeting with Fire Fighter One last Tuesday. Samples of the air packs, which will be purchased with the grant funding, were displayed and an explanation of the packs and how they were created was presented. The packs have a 15 year life and full warranty. The plan was laid out for the purchase and what would be covered by the grant. The detail was received today and the members of the Public Safety Committee have some questions regarding quantities to confirm with Administrator McNeilly. Mayor Maio stated the question arose as to whether or not a future council will be tasked with having to replace the packs in 15 years when they need to be replaced for a cost of \$158,000. The answer is yes unless this Governing Body plans for it. Mayor Maio stated she has asked Dana Mooney, CFO, to contact Ray Sarinelli, Borough Auditor, to find out if the Borough can create a dedicated reserve fund to have a contribution made to it every year. The answer was yes we can just as we do for snow removal and the salt fund. Mayor Maio asked Administrator McNeilly to remind the Council to include this item in the budget planning. A discussion will have to take place during the budget process to determine the amount of funds to be dedicated each year.

Councilman Benson asked if the packs can be purchased in increments such as five at a time. Mayor Maio confirmed the packs can be purchased in that way however the packs, not the bottles, have a 15 year life span and warranty. Administrator McNeilly stated at year ten the packs should begin to be replaced. Mayor Maio stated the existing equipment is being turned in for a credit and the new bottles are not compatible with the old packs. Councilman Benson asked if the new equipment could be phased in until the existing equipment is phased out. Mayor Maio stated that question was addressed at the meeting. The representative of Fire Fighter One had stated it is difficult to tell one fireman he/she has to use the old equipment while another is using new equipment. Mayor Maio stated the upgrades to the new equipment are significant enough that if both systems are in use, you are clearly putting the firefighters with the old system at a disadvantage. The purpose for purchasing the new units is for the safety of the firefighters. Councilwoman Kuncken stated that the grant will cover the replacement. Mayor Maio stated this will allow 24 firefighters to be equipped. Administrator McNeilly stated the grant has to be used within one year and this will provide 24 firefighters to enter a fire at one time if necessary. Councilwoman Kuncken stated the grant was applied for, approved and the funds awarded. The Borough must abide by the grant and spend the money that was called out for in the grant. Mayor Maio stated the Governing Body has the responsibility to ensure this

investment is protected for the future by setting up the reserve fund. Mayor Maio congratulated Millennium Strategies and the Fire Department for their efforts in obtaining the grant.

Business Signs - Councilman Depew stated the signs at the entrance to Main Street are accumulating and unattractive. Councilman Depew asked if the Chamber of Commerce is planning to install one sign for all the businesses. Mayor Maio stated she spoke with Administrator McNeilly yesterday regarding this issue. The Chamber of Commerce needs to be contacted.

Administrator McNeilly stated that approximately two and a half years ago a discussion took place regarding the issue to enforce or not enforce the existing signage regulations. There was concern that enforcing the regulations would be a hardship to the businesses on Main Street. Administrator McNeilly stated, from the Administration and Code Enforcement perspective, direction is needed from the Governing Body as to whether or not to enforce the regulations.

Mayor Maio is of the opinion that if the regulations are enforced it would push the Chamber of Commerce to install a sign. Mayor Maio stated the Chamber of Commerce has funds available and many of the businesses agree that the signs, as they are now, are unattractive and a single sign should be put in place. Councilwoman Zdichocki stated this topic was discussed within the past year and the Chamber of Commerce needs to be contacted. Administrator McNeilly asked if the regulations should be enforced or not enforced. Councilman Depew is of the opinion that the law should be enforced. Councilwoman Kuncken stated the Chamber of Commerce needs to be contacted. Mayor Maio stated the Chamber of Commerce agreed to the concept long ago. Mayor Maio is of the opinion that a letter should be sent to the Chamber of Commerce stating as of a specified date the Borough will begin enforcing the signage regulations. No more signs will be permitted anywhere. Councilwoman Zdichocki stated she is of the opinion that temporary signs for events such as garage sales or church functions are permitted as long as they are taken down immediately after the event. Mayor Maio asked Administrator McNeilly to obtain a copy of the signage ordinance for discussion at the next Mayor and Council meeting.

## **NEW BUSINESS**

### **RESOLUTIONS**

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

#### **Resolution 150-14**

#### **RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2014 BUDGET TO INCLUDE THE 2014 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 2014 Click It or Ticket Grant, and

**WHEREAS**, the Borough of Stanhope now wishes to amend its 2014 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 2014 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: 2014 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:  
2014 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 Councilwoman Kuncken, seconded by Councilman Depew and unanimously  
carried by the following roll call vote the foregoing resolution was duly adopted.

Roll Call:

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

**Resolution 151-14**                      **RESOLUTION AUTHORIZING REFUND OF  
OVERPAYMENT OF TAXES**

**WHEREAS**, the homeowners have successfully made application for the Veteran’s  
deduction of \$250.00 for the year 2014; and

**WHEREAS**, the homeowners have already made all payments for the 2014 tax year, and  
therefore this credit of \$250.00 has resulted in an overpayment of taxes on this property.

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

**Homeowner Information:**

Block	Lot	Qual	Name & Address	Tax Year	Amount
11501	2	C0235	James & Blanche Donahue 13235 Dell Place Stanhope, New Jersey 07874	2014	\$ 250.00

On motion by Councilman Benson, 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 – yes

**Resolution 152-14**                      **RESOLUTION AUTHORIZING THE SALE OF EXCESS  
MOTOR VEHICLES AND EQUIPMENT**

**WHEREAS**, the Borough of Stanhope is the owner of various motor vehicles and other  
equipment; and

**WHEREAS**, said motor vehicles and equipment are listed on the attached inventory; and

**WHEREAS**, said motor vehicles and equipment are no longer needed for public use; and

**WHEREAS**, N.J.S.A. 40A:11-36 provides for the manner and method of sale of  
municipal personal property no longer needed for public use;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stanhope that the Borough shall sell at public auction the vehicles and equipment listed on the attached inventory; and

**BE IT FURTHER RESOLVED**, that said public sale shall be held on September 23, 2014 at the regularly scheduled Council Meeting; and

**BE IT FURTHER RESOLVED**, that the Borough Clerk be and is hereby authorized and directed to advertise the sale of said motor vehicles and excess equipment by publication in an official newspaper of the Borough not less than seven (7), nor more than fourteen (14) days prior to said sale.

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

Roll Call:

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

Mayor Maio asked Administrator McNeilly when the sale will be held. Administrator McNeilly replied the sale will be held during the next Mayor and Council meeting. The advertisement will be in the paper on Friday.

**Resolution 153-14**

**RESOLUTION AUTHORIZING EXECUTION OF REIMBURSEMENT AGREEMENT WITH HIGHPOINT CONDOMINIUM ASSOCIATION FOR CALENDAR YEAR 2013**

**WHEREAS**, the Highpoint Condominium Association is located in the Borough of Stanhope; and

**WHEREAS**, pursuant to the provisions of the Qualified Community Act, N.J.S.A. 40:67-23.2, the Highpoint Condominium Association is entitled to receive certain services from the Borough or to receive compensation for said services in lieu of the Borough providing same; and

**WHEREAS**, the Borough has elected to reimburse the condominium association for street lighting, leaf removal and snow plowing for the internal roadways in the condominium; and

**WHEREAS**, the Borough and the Highpoint Condominium Association have agreed on a formula for the calculation of the reimbursement; and

**WHEREAS**, the Borough prepared reimbursement agreements for the calendar year 2013 based on said reimbursement formula; and

**WHEREAS**, said reimbursement agreements have been offered to the Association and have been signed and returned to the Borough;

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Stanhope that the Mayor and Clerk be in the same are hereby authorized to execute a reimbursement agreement with the Highpoint Condominium Association for the year 2013.

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

Roll Call:

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

**Resolution 154-14**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE  
BOROUGH OF STANHOPE AUTHORIZING THE  
ISSUANCE OF RAFFLE LICENSE RA-599**

**WHEREAS** the following Raffle Application with required fees has been submitted for Mayor and Council approval;

<b><u>Raffle #</u></b>	<b><u>Applicant</u></b>	<b><u>Date</u></b>	<b><u>Type of Game</u></b>
RA-599	American Legion Post #278 Musconetcong	8/13/2014 through 8/12/2015	Instant Raffle

and;

**WHEREAS** said Raffle Application has been provided to the Mayor, Council and Police Department for their review;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, the following:

1. The appropriate officials are hereby authorized to execute the findings and determination for the above application and shall forward same to the Legalized Games of Chance Control Commission (LGCCC) for review.
2. That the above license shall be issued pending LGCCC approval, pursuant to N.J.A.C. 13.1 et seq.

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

**Resolution 155-14**

**RESOLUTION AWARING CONTRACT FOR JAMES  
STREET WATER MAIN REPLACEMENT**

**WHEREAS**, the Borough of Stanhope heretofore advertised for the receipt of sealed competitive bids for James Street Water Main Replacement; and

**WHEREAS**, the Borough accepted sealed, competitive bids on September 4, 2014 for James Street Water Main Replacement; and

**WHEREAS**, the Borough received three (3) sealed competitive bids in the following amounts: PACT Construction, Inc., \$184,480.00; M.S.P. Construction Corp., \$249,560.00; and John Garcia Construction Co., Inc., \$264,060.00; and

**WHEREAS**, the Borough Attorney has reviewed the bids for compliance with the Local Public Contracts Law and the Borough’s bidding requirements; and

**WHEREAS**, PACT Construction, Inc. is the lowest responsive, responsible bidder for the Borough’s request for bids on September 4, 2014; and

**WHEREAS**, the Borough Engineer concurs in the recommendation of the award of a bid to PACT Construction, Inc.;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Stanhope that the Borough does hereby award a bid to PACT Construction, Inc. in an amount not to exceed \$184,480.00 for James Street Water Main Replacement; and

**BE IT FURTHER RESOLVED** that the award of this bid is subject to certification of the availability of funds by the Chief Financial Officer; and

**BE IT FURTHER RESOLVED** that the Borough Clerk shall notify all bidders on September 4, 2014 of the award of the bid to PACT Construction, Inc.; and

**BE IT FURTHER RESOLVED** that the bid bond of all of the bidders be returned to said bidder.

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 – yes

### **PAYMENT OF BILLS**

#### **Resolution 156-14**

#### **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 September 9, 2014 and on file and available for public inspection in the Office of the Chief Finance Officer and approved by the Chief Finance Officer for payment, be paid.

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

Roll Call:

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

### **AGENDA ITEMS**

All items listed on the Agenda for September 23, 2014 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.

Jim Gibney, 28 Sagamore Road, stated according to the Borough Engineer he understands the matrix of using the finer stone. There were six or seven roads that were successful with this material however Sagamore Road was not. Mr. Keller stated the end result was not as successful as the other roads. Mr. Gibney stated this summer the temperatures did not reach 90 degrees but last summer tar was being tracked into his home and the homes of his neighbors. Mr. Gibney stated it is incumbent upon the Council to fix the road. Despite the fact that other roads were successful with this process, Sagamore Road must be repaired. The product was inferior and there may have been variables which affected the outcome but it is unacceptable. Mr. Gibney stated he lives in an area of the Borough with higher taxes and wants the road to be fixed. Mayor Maio stated that no one disagrees with Mr. Gibney. Everyone wants their roads to look good. The Borough certainly does not provide services based on the amount of taxes paid. Services are based on need. Mayor Maio stated the Governing Body is doing their best to address the situation on that portion of the road because they too are not satisfied with the condition.

Councilwoman Kuncken stated that the Council voted tonight to redo Sagamore Road from Spencer Road up to the cul-de-sac. Councilwoman Kuncken asked Mr. Gibney if he is dissatisfied with that decision. Mr. Gibney thanked Councilwoman Kuncken for asking and he stated he personally feels the road should be redone in its entirety. Mr. Gibney stated the bottom

portion of the road has a problem as well. Mr. Gibney is concerned that if the problem on the upper portion of the road is due to the lack of traffic, then why is the same process going to be used to fix the problem when that portion of the road will never have an increase in traffic. Mayor Maio stated this process was used on six or seven roads at the same time Sagamore Road was done. More than twenty roads have been resurfaced in the Borough using this process; some with high traffic, some with low traffic, some with truck traffic and some without, the only road with a problem has been Sagamore Road. The Council, Engineer and DPW Superintendent have come to the conclusion this was a bad application, the mix or temperature was incorrect or the stone was vacuumed up too quickly. Sagamore Road was the last of the seven or eight streets which were done at that time. Mayor Maio stated the problem is not with the product. The Borough is not providing an inferior product or process.

Mike Ryan, 24 Sagamore Road, stated he is concerned about placing the new surface over the existing surface. Mr. Ryan is of the opinion that skim coating the road with the micro-surface material would be a better choice. Administrator McNeilly stated that the appearance would be very different. Mayor Maio stated there is no guarantee the micro-surface would work. Mr. Ryan appreciates the Council trying to repair the problem. The issue is not as bad in the fall and the resurfacing could wait until the spring. Mayor Maio stated if the County Co-op is available, the road will be resurfaced this year. The road can then be monitored during the winter and the spring.

Councilwoman Zdichocki asked if the new surface would be placed over the existing surface. Mayor Maio confirmed this. Councilman Thornton suggested that a conversation be held with the contractor explaining the problem and to determine if this process will rectify the problem. Councilman Thornton stated the contractor may have seen this problem in other towns and may know how best to address it or why it happened. Administrator McNeilly stated he attended the annual Morris County Co-op Meeting and he has asked neighboring towns if there were any instances where there was a road surface failure. There are no other instances such as what happened on Sagamore Road.

Mr. Ryan stated that approximately four years ago he asked for and was granted approval to remove dead trees in the conservation area behind his home. Mr. Ryan stated he would again like to tag the dead trees for permission to remove them. Mayor Maio instructed Mr. Ryan to submit a Shade Tree Permit Application. Mr. Ryan stated there are approximately six trees to be removed.

Mike Choquette, 12 Mountain Terrace, stated new topsoil was placed in front of his house but the left side of the driveway by the telephone pole was not done. Mayor Maio stated that section was not done yet due to the fact the driveway next door has not been completed. Mr. Choquette asked if the curb between 12 and 10 Mountain Terrace will be installed to close in the area which is open on his property line. The survey indicates the property line is at the telephone pole as you are looking at the property. Mr. Choquette stated the curb entry for 10 Mountain Terrace extends approximately three feet onto his property. Administrator McNeilly provided before and after pictures of the area in question. Mr. Keller stated the curb was replaced just as it was previously. Mr. Choquette disagrees and stated that the curbing has been changed. Administrator McNeilly stated Mr. Choquette's property line terminates behind the telephone pole and ten feet back from the curb. Where the opening exists is in the Borough right-of-way.

Mr. Choquette stated that he and his wife drive SUV's but he recently discovered that cars bottom out when accessing their driveway. Mayor Maio asked Mr. Keller if he has looked at the driveway. Mr. Keller replied he has not. Mayor Maio stated the Engineer will have to examine the driveway. Mr. Keller stated he will take measurements and review the situation. Mayor Maio stated Mr. Keller will advise the Governing Body if there is a problem and if so what the solution will be.

Andy Orinick, 10 Mountain Terrace, the lawn restoration has not been done on his property. Mr. Orinick stated he has hired an engineer and provided copies to the Administrator. Mr. Orinick needs to know when the stairs will be installed. Mayor Maio stated that Frank Russo, Omland Engineering, is meeting with a contractor regarding the stairs tomorrow. Administrator McNeilly told Mr. Orinick he will contact him tomorrow with the results of the meeting. Mr. Orinick has tried to contact someone to install the steps but no one is interested because the job is too small. Mayor Maio stated that is the same problem the Borough has encountered. Mr.

Orinick stated he will do the work himself if necessary. The driveway is a problem but the stairs have compounded the issue. Mayor Maio agreed and assured Mr. Orinick that he will be contacted tomorrow.

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

### **ADJOURNMENT**

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

Approved:

Linda Chirip  
Deputy Clerk for  
Ellen Horak  
Borough Clerk