

**MAYOR AND COUNCIL
REGULAR MEETING
October 22, 2013
7:00 P.M.**

CALL TO ORDER

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.

Furthermore, notice of the meeting time change for the Work Session/Agenda Meetings was forwarded to the New Jersey Herald and Daily Record on July 25, 2013 and was placed on the Official Bulletin Board in the Municipal Building.

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

ROLL CALL

Council Members:

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

Mayor Maio – Present

Mayor Maio thanked Linda Chirip, Deputy Clerk, on behalf of the Governing Body for doing a tremendous job during the Borough Clerk's absence. Ms. Chirip thanked the Governing Body for allowing her the opportunity.

PRESENTATION

JCP&L – Mike Obremski – Mayor Maio invited Mike Obremski from JCP&L to come forward to begin his presentation. Mr. Obremski stated that his office is located in Dover. JCP&L is spending \$200 million this year on lines, substations, forestry, pole replacement and inspection repairs. Many residents are requesting to have trees trimmed. The Incident Command Center has been implemented and the planning function contains three parts; complaints, restoration time and road openings. The mini storm that occurred recently was a good test for the new system. When the need arises, dispatchers and crews will be sent to get roads open. There have been enhancements made in the communications area. More area managers have been hired and the number of towns per manager has been reduced from 45 to 19. Area managers will have more direct contact with the crews. Mr. Obremski stated that he is a former Mayor and Councilman for Randolph Township and served for eight years. He left office in December to focus on his job with JCP&L and he understands what it is like for those that serve on the Governing Body. Mr. Obremski stated that he meets with the Linemen every morning at 7:00 A.M. and the face to face contact is a much more effective way to operate.

JCP&L has also created a Facebook page and Twitter account to let customers know the status of events. There is a 24/7 power center and the My Town section provides information specific to individual towns. There is a new mobile app available and customers can register several phone numbers to coincide with their address. Freeholder George Graham, present in the audience,

stated that the system does work well. Administrator McNeilly stated that street light issues can also be entered into the app. Mr. Obremski provided Administrator McNeilly with information that can be placed on the Borough website. Mr. Obremski stated that the IBEW Local 102, which consists of 400 electricians from Parsippany, will be working with JCP&L during emergencies. JCP&L is holding monthly tours of the dispatch system. Mr. Obremski stated that he is glad to be working in Sussex County and he will stop in periodically and he can be contacted at any time.

Mayor Maio asked Mr. Obremski why we are experiencing intermittent outages. Mr. Obremski replied that JCP&L is in the process of replacing some equipment that acts like a fuse called a recloser. Mr. Obremski explained that if a tree or squirrel hits the line, the recloser will attempt to restart three times and then if it cannot reset a repair has to be made. Mayor Maio stated that a resident had inquired why the utility companies cannot join together with regard to the maintenance of the trees. Mr. Obremski replied that costs are the main issue. The telephone and cable companies do not trim trees unless there is a significant problem. Councilwoman Thistleton stated that the power goes out frequently in the Highpoint Condominiums. Mr. Obremski stated that because the lines are underground, it takes time to find the problem and then to repair it. Administrator McNeilly stated that the underground lines at Highpoint Condominiums and Stonegate are approximately 40 years old. Councilwoman Thistleton asked if the management company can make the outage calls instead of all the residents calling individually. Mr. Obremski replied that all the individuals should call. More attention will be brought to the issue when more calls are received. Mr. Obremski stated that in addition to the outage call he can be contacted to track the problem.

Councilwoman Zdichocki stated that many of the senior residents are not comfortable opening their doors to repairmen and she asked what type of credentials the workers carry. Mr. Obremski stated that he brought that concern to the attention of JCP&L but he has not received a reply to date. Councilman Thornton asked how to handle issues with trees that are located on private property where the branches are on or near the lines. Mr. Obremski stated that the trees are trimmed every four years. However, if someone notices a problem they can contact Mr. Obremski and he will inspect the issue and if necessary the forester will be contacted. Councilman Thornton asked how long it will take for the inspection to be done. Mr. Obremski replied that it should not be longer than a few days. The foresters in previous years were contracted through JCP&L and that too has changed. The foresters are now employees of JCP&L.

Councilwoman Zdichocki asked for the information for the phone app. Mr. Obremski stated that the app can be downloaded at FirstEnergy.com. Administrator McNeilly will provide the app information to the Governing Body. Administrator McNeilly stated that JCP&L had asked for a list of the Borough's main areas of concern during a storm. Administrator McNeilly has compiled a list which contains the actual physical address and he has provided a copy of the spreadsheet to Mr. Obremski. Mr. Obremski stated that he was pleased with the list which also included the location of the Borough generators. The list will be entered into the outage program and the critical areas will be monitored.

Mayor Maio stated that the lighting fixtures on Main Street have been changed. The Governing Body would like to turn off the overhead lights on the poles to determine if the decorative lighting will be sufficient. Administrator McNeilly stated that he will have to provide the pole numbers to Mr. Obremski. Councilwoman Kuncken asked if the lights would be turned off permanently once the request is made. Mr. Obremski stated that if the overhead lighting will not be in use, it will be removed in order to prevent residents from calling to report them broken.

Administrator McNeilly stated that providing the generator information to JCP&L will allow them to focus on critical areas that do not have generators. Mr. Obremski stated that changes and updates can be made to the list. Mayor Maio thanked Mr. Obremski for attending tonight's meeting.

ENGINEER'S REPORT

Omland Engineering – Eric Keller – Mayor Maio welcomed Eric Keller and invited him to begin his report. Mr. Keller began a discussion regarding the reconstruction for Maple Terrace. Administrator McNeilly stated at the last meeting Mr. Keller was asked to provide drawings for

stand up curbs, parking for both sides of the street and what the impact would be. Mr. Keller stated that the street was surveyed and he presented the plan. A 30 foot wide road with vertical curbs on both sides would be consistent with Elm Street and Grove Road and would allow two way traffic and parking on both sides of the street. Mr. Keller stated that he drove on Maple Terrace this evening and observed three cars parked on the street. The new Verizon pole which was placed in front of the older one can be moved but Verizon wants to know specifically where to place it. The curb radius at Brooklyn Road by the daycare needs to be increased. There are no issues at the other corner. The crosswalk can be moved closer to Maple Terrace and will have concrete landings and warnings for ADA compliance. Mayor Maio stated she is concerned about the location of the sidewalk. Mr. Keller stated it can be moved back. Councilman Benson stated there is a telephone pole in the way. The crosswalks need to remain in line so that the children do not remain in the road. Mayor Maio stated this would be a good location for a flashing sign. Mr. Keller replied that solar signs are now available. Mr. Keller stated the impacts to the south side are minimal. In order to use the necessary equipment to set the curb, the hedge will have to be removed. The hedge is in the right of way. Mayor Maio asked what would be taken from the driveways on the south side. Mr. Keller replied that a foot or two would be taken from the driveways. The first two residences would have the greatest impact. The pull off area at the third house will be removed but the wall, which sits behind the telephone pole, would remain. The picket fence located at the daycare will have to be moved back in order to use the equipment to build the curbs. Mayor Maio asked if the fence could be taken down and put back. The question was raised as to who would incur the costs associated with fencing, hedges, trees etc.

Mr. Keller stated there is a stone and mortar wall on the north side, two pine trees and a red maple that will have to be removed. Lot 7 has a privet hedge and Lot 5 has a row of arborvitae that will have to be removed. Administrator McNeilly stated that 8 feet on the north side and 10 feet on the south side will remain easement. Mr. Keller stated there is a hedge and a few trees toward Musconetcong Avenue which may have to be removed. Lots 7, 5, 8, 9 and 1 will be affected the most. The hydrant near lot 5 should be replaced. Councilwoman Zdichocki asked if the trees on lot 5 are a concern. Mr. Keller said those trees will not be an issue. Mayor Maio confirmed that a total of 5 lots would be affected. Mayor Maio stated that removing the wall and the slope of the property will be an issue for mowing purposes. Mr. Keller stated that it may be possible to grade the property.

Mayor Maio asked Mr. Keller what would have to be done if the north side is not altered and only the south side was changed. Mr. Keller stated all three utility poles would have to be moved and if they are all Verizon poles this could be a difficult process. Mayor Maio asked if the poles are in the right of way. Mr. Keller confirmed that the poles are in the right of way. Mayor Maio asked how the road will be affected if nothing is done to the north side. Mr. Keller stated the road will not be wide enough if nothing is done to the north side. A road width of 24 feet does not allow for parking on the street. A road width of 28 feet allows for parking on one side and a 30 foot wide road has space to park on both sides of the street. A road width of 24 feet with mountable curbing would accommodate parking in the grass and inlets will be added. Councilman Benson stated that lots 5, 6 and 7 have water runoff into the street. Mr. Keller replied that under drains will pick up that water. The mountable curbs will protect the edge of the road and will keep the water in the road. Mayor Maio stated that a 30 foot road is going to be out of character. Mr. Keller stated the road is fairly steep, 7% on average, and with no curbs in place erosion and undermining of the road occurs. Mr. Keller stated that the other option is to leave the road at 24 feet and use the mountable curbs. Main Street is 28 feet wide. Mr. Keller stated that parking on one side of the street may work with the 24 foot wide road. The guidelines for road width have been in place for the past 16 years. Reconstruction does not require that the guidelines be adhered to.

Administrator McNeilly asked the Governing Body if they would like to have Mr. Keller provide a plan with a 24 foot wide road and mountable curbing. The Governing Body confirmed that they would like to see plans for a 24 foot wide road.

Sewer Rehabilitation – Mr. Keller referenced a memo dated October 8th regarding the findings that the manholes do not have enough infiltration to warrant spending money and utilizing limited resources. The major concerns are flow monitoring or metering devices to identify areas experiencing the greatest flow increases during wet weather conditions and video inspection after the line is cleared from the Port Morris pump station toward Lawrence Avenue. The area behind

the Lutheran Church is nearly impossible to access and the Borough does not have the equipment needed. Mayor Maio asked if there are any NJDEP issues. Mr. Keller replied that permits may be required but there are allowances for a temporary disturbance. Mayor Maio stated that a resident told her there is an infiltration issue on Highland Avenue. Mr. Keller stated there is a large wetland area there and the sewer comes down Highland Avenue and cuts over to Elm Street. Mayor Maio asked what the cost would be for the project. Mr. Keller stated the cost will depend on how much pipe is needed and how much blockage there is in the line. Mr. Keller stated in another town their project had 2,300 feet of pipe for an approximate cost of \$13,000 – 14,000 including disposal costs. Mayor Maio asked how much pipe would be required. Administrator McNeilly estimated 3,000 feet. Mayor Maio stated this project has not been budgeted. Administrator McNeilly stated there are capital budgets in place for manhole rehabilitation which may not be necessary. Mr. Keller is of the opinion that video monitoring should be done first. Administrator McNeilly stated that a quote and bid specifications are needed. Mr. Keller replied that rough estimates can be obtained from companies that deal with this issue regularly. The estimate would be for video and cost of disposal. Administrator McNeilly asked the Governing Body if Mr. Keller should obtain an estimate for this area. This section of pipe has never been done and has the highest issue with infiltration. Mayor Maio asked if the information could be available for next month's meeting. Mr. Keller stated he will attend the November 12th meeting with the video information and the revised plans for Maple Terrace.

NJDEP – Mr. Keller stated that he submitted a letter to NJDEP regarding Furnace Pond. The letter stated that the Borough removed vegetation and replanted. Pictures, supplied by John Rogalo, Chairman of the Environmental Commission, were sent to NJDEP showing the condition of the property before the work was done. Mr. Keller provided pictures of the property as it looks now. Mayor Maio stated she was pleased with the report and thanked Mr. Keller for attending tonight's meeting.

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.

CORRESPONDENCE (List Attached)

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

COUNCIL COMMITTEE REPORTS

On motion by Councilman Benson, seconded by Councilman Depew, and unanimously carried by voice vote, the Council Committee Reports were waived for this meeting.

ADMINISTRATOR'S REPORT

Water System Improvement Project Open House - Administrator McNeilly stated that approximately 60 residents attended tonight's special meeting regarding the Water System Improvement Project. Administrator McNeilly will arrange meetings with Highpoint Condominiums, Stanhope School, Lenape Valley Regional High School, Little League, Police Department, Fire Department and Ambulance Squad to discuss the project. Mayor Maio asked Administrator McNeilly to officially notify Byram Township, Hopatcong Borough, Netcong Borough and Mount Olive Township.

Administrator McNeilly stated that Wayne Dietz, Risk Manager, would like to attend a meeting prior to the end of the year to speak to the Governing Body. Administrator McNeilly will ask Mr. Dietz to attend the November 26th meeting.

Mr. Keller, Omland Engineering, suggested contacting Port Morris, Landing and Roxbury Township who may need to be contacted for mutual aid during the project.

Administrator McNeilly replied that he will speak with Gary Card, Stanhope Fire Chief, and Allison Bookspan, Ambulance Squad Captain, with regard to arrangements that will need to be made during the construction process. Mayor Maio stated that the neighboring towns need to be contacted as a courtesy.

Councilman Thornton stated there is a sink hole located near the ambulance squad. Administrator McNeilly replied that the concrete block has disintegrated. The sink hole is on the list of repairs that need to be made.

COUNCIL BUSINESS

Mayor Maio stated that the Master Plan will be due in 2016. The information must be sent to the planner in 2015. The ERI must also be revised. These two projects will begin next year.

The budget has been completed and should be submitted by the end of the week. It was reduced by \$400 - \$500.

NEW BUSINESS

ORDINANCES

Mayor Maio read the following ordinances for introduction by title.

Ordinances for Introduction [Public Hearing on November 12, 2013]

Ordinance 2013-15

CAPITAL ORDINANCE APPROPRIATING \$19,650.00 FOR PRELIMINARY ENGINEERING DESIGN FOR PROPOSED MAPLE TERRACE ROADWAY RECONSTRUCTION AND WATER MAIN REPLACEMENT PROJECT TO BE UNDERTAKEN BY THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY

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

Section 1. There is a need for preliminary engineering design for the proposed Maple Terrace roadway reconstruction and water main replacement project in the Borough of Stanhope, New Jersey. For the said improvements or purposes stated, there is hereby appropriated the sum of \$19,650.00 for said improvements or purposes,

Section 2. For the financing of said improvements or purposes and to meet the part of said \$19,650.00 appropriations, the Borough shall use \$19,453.75 from General Capital Reserve for Road Improvements, and the balance of \$196.25 from the General Capital Improvement Fund.

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

- (a) The said purposes described in Section 1 of this capital ordinance are capital expenses and are each a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specifically assessed on property specially benefited thereby.
- (b) The average period of usefulness of said purposes within the limitations of said Local bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed by this capital ordinance, is a minimum of (5) years.

Section 4. This capital ordinance shall take effect ten (10) days after the first publication thereof after final adoption.

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

Roll Call:

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

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

Ordinance 2013-16 **AN ORDINANCE TO AMEND CHAPTER 88 OF THE CODE OF THE BOROUGH OF STANHOPE ENTITLED “GAMES OF CHANCE” BY REVISING SUBSECTION 88-4 THEREOF ENTITLED “FEES”**

BE IT ORDAINED by the Mayor and Council of the Borough of Stanhope as follows:

SECTION I.

Section 88-4 of the Code of the Borough of Stanhope entitled “Fees” is hereby amended to read as follows:

- A. (no change)
- B. (no change)
- C. For on-premises draw raffles for cash prizes (50/50) that do not exceed \$400.00 or merchandise prizes with a total combined retail value of prizes awarded does not exceed \$400.00, there shall be no licensing fee. In the event the retail value of the prize(s) offered or awarded should exceed \$400.00 in a raffle in which it was anticipated that the retail value would not exceed \$400.00, the licensee shall submit a check or money order made payable to the Legalized Games of Chance Commission in the amount of \$20.00 at the time of filing the report of operations required by N.J.A.C. 13:47-9 and shall pay a fee to the Borough of Stanhope of \$5.00, together with a copy of the report of raffle operations.
- D. In the event any licensee wishes to conduct any other legalized game of chance, as permitted by State law, the licensee shall pay a license fee to the Borough equal to the fee charged by the Legalized Games of Chance Control Commission pursuant to law.

SECTION II - WHEN EFFECTIVE

This ordinance shall take effect upon passage and publication as required by law.

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

Roll Call:

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

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

RESOLUTIONS

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

Resolution 154-13

RESOLUTION AUTHORIZING A REFUND OF OVERPAYMENT OF TAXES

WHEREAS, due to a successful Tax Appeal by Verizon-NJ, Inc. which allows the discontinuance of payment of Business Personal Property Taxes,; and

WHEREAS, Verizon had made payment of First and Second Quarter 2013 property taxes based on their 2012 property value, creating 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 property owner in the designated amount representing an overpayment of taxes, as follows:

Homeowner Information:

Block	Lot	Qual	Name & Address	Tax Year	Amount
90001	1		Verizon-NJ Property Tax Dept. PO Box 152206 Irving, Texas 75015-2206	2013	\$6,055.55

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

Resolution 175-13

RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF WATER & SEWER FEES

WHEREAS, the homeowner signed up for quarterly debiting of Water & Sewer Fees; and

WHEREAS, the account number that the homeowner authorized for use was incorrect, and the bank notified the Finance Office of this error; and

WHEREAS, the Utility Collector was able to input the correct account number into the system and put through the debit again, and on that same date, Fulton Bank researched and then debited the correct account number, creating a duplicate payment on the homeowner’s account;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, that a warrant be drawn to the homeowner listed below in the designated amount representing a refund of overpayment of Water & Sewer fees and interest paid:

Block	Lot	Qual	Name & Address	Amount
10607	13		Robert Nestor 3800 Dominion Mill Drive Alexandria, Virginia 22304	\$ 215.17

Property Location: 21 Walton Street

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 176-13

RESOLUTION TO REDEEM LIEN

WHEREAS, the Tax Collector has received payment for the redemption of Tax Title Lien No. 2013-033, representing 2012 property taxes and/or utility charges on Block 11701, Lot 2, known as 273 US Highway 206, assessed to John Mendez, and;

WHEREAS, the homeowner redeemed the lien prior to the printing and mailing of the Tax Sale Certificate on the afternoon of the Tax Sale, October 7, 2013, therefore avoiding charges other than the redemption fee and interest to October 22, 2013; 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:	Tower Fund ACF Ebury Fund 1NJ LLC P. O. Box 37695 Baltimore, MD 21297
Redemption Amount:	Tax Title Lien #2013-033 and Interest to Date of Meeting \$ 6,624.66 Premium Paid by Lienholder <u>0.00</u>
Total From Current Fund:	\$ 6,624.66
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 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

Resolution 177-13

RESOLUTION TO REDEEM LIEN

WHEREAS, the Tax Collector has received payment for the redemption of Tax Title Lien No. 2011-03, representing 2010 property taxes and/or utility charges on Block 11008, Lot 9, known as 3 Hill Road, assessed to Marek & Anna M. Cwalinski, 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
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Redemption Amount:	Tax Title Lien #2011-03 and	
	Interest to Date of Meeting	\$ 16,439.00
	Premium Paid by Lienholder	<u>3,000.00</u>
- Total From Current Fund:		\$ 16,439.00
Total From Tax Premium Account		3,000.00

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 Councilman Thornton, seconded by Councilman Depew and unanimously carried by the following roll call vote, the foregoing resolution was duly adopted.

Roll Call:

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

Resolution 178-13 RESOLUTION TO APPLY OVERPAYMENT OF TAXES FOR 100% DISABLED VETERAN

WHEREAS, John Monteiro, owner and resident of 10 High Street (Block 11102, Lot 3) with his wife, Mary Azagra-Monteiro, was approved to receive the property tax exemption of a totally disabled veteran on January 1, 2013 and is therefore exempt from property taxes from that date forward; and

WHEREAS, the property is a multi-family dwelling, and 30% of the full value of the property, or \$96,700, has been determined to be fully taxable since it is attributed to the tenant; and

WHEREAS, the other 70% of the full value of the property, or \$215,100, will be calculated as 365 days' exempt; and

WHEREAS, the total amount due in 2013 will now be \$3,534.39, and the property owner had in good faith paid the first three quarters of 2013 property taxes in the amount of \$5,551.57, creating an overpayment of \$2,017.18 taxes on this property; and

WHEREAS, the homeowner's former residence, Block 11208, Lot 9, also a multi-family dwelling and formerly approved for 60% of a totally disabled veteran exemption, will now become fully taxable retroactive to January 1, 2013; and

WHEREAS, there now exists a balance due of \$6,288.08 on Block 11208, Lot 9.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, that the overpayment of taxes on Block 11102, Lot 3 be applied to the balance due on Block 11208, Lot 9, as follows:

Homeowner Information:

Block	Lot	Name & Address	Tax Year	Amount
Transfer Overpayment from:				
11102	3	John Monteiro & Mary Azagra-Monteiro 10 High Street Stanhope, NJ 07874	2013	\$2,017.18

Transfer Overpayment to:
11208 9 John Monteiro 2013 \$2,017.18
 9-11 High Street
 Stanhope, NJ 07874

On motion by Councilwoman Zdichocki, 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 179-13

RESOLUTION TO AMEND 2013 BUDGET

WHEREAS, N.J.S.A. 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 \$1,900.05 from the Division of Motor Vehicles for the 2013 Drunk Driving Enforcement Fund Grant, and

WHEREAS, the Borough of Stanhope now wishes to amend its 2013 budget to include the additional grant funds approved of \$1,900.05 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 \$1,900.05, 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 Drunk Driving Enforcement Grant, and

BE IT FURTHER RESOLVED that a like sum of.....\$1,900.05 be and the same is hereby appropriated under the caption of:

- General Appropriations
 - (A) Public and Private Programs Offset by Revenues:
2013 Drunk Driving Enforcement 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.

BE IT FURTHER RESOLVED, that resolution 164-13 is hereby rescinded.

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

Resolution 180-13

RESOLUTION APPROVING EMERGENCY REPAIRS TO MUNICIPAL WATER SYSTEM

WHEREAS, an emergency arose in June, 2013 with respect to the operation of the municipal water tower pumps, motors and control system, requiring immediate emergency repairs to insure the safety and adequacy of the Borough’s municipal water system and to protect the health, safety and welfare of the public; and

WHEREAS, a subsequent emergency arose in October to the same systems; and

WHEREAS, N.J.S.A. 40A:11-6 provides for the awarding of contracts without public advertising for bids and bidding therefore and without the need to seek competitive quotations when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, R&R Pump and Control Services, LLC, the Borough’s usual vendor, was directed to make the emergency repairs to the water tower pumps and alarm system.

WHEREAS, emergency repairs were required to the water tower pumps and alarm system in the total amount of \$13,566.73; and

WHEREAS, the emergent condition at the water towers was properly reported by the water system operator and DPW Superintendent to the Borough Administrator in accordance with Borough practice and the provisions of N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope, Sussex County, State of New Jersey, that it does hereby concur in the payment to R&R Pump and Control Services, LLC for emergency repairs to the municipal water system as aforesaid.

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

Resolution 181-13

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE AUTHORIZING THE ISSUANCE OF RAFFLE LICENSE RA-593

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

<u>Raffle #</u>	<u>Applicant</u>	<u>Date</u>	<u>Type of Game</u>
RA-593	Patriot Wrestling Booster Club	December 14, 27 and 28, 2013 January 4, 8, 16, and 23, 2013 February 10, 12 and 14, 2013	On Premise 50/50

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

Resolution 182-13

RESOLUTION AUTHORIZING THE CONSULTING ENGINEER TO ADVERTISE FOR BIDS FOR THE PHASE I WATER SYSTEM IMPROVEMENTS UPON RECEIVING AUTHORIZATION FROM NJDEP

WHEREAS, the Borough of Stanhope has retained Lee T. Purcell Associates, Consulting Engineers, for the purpose of designing improvements to the municipal water system said project to be known as Phase I Water System Improvements; and

WHEREAS, the Borough has applied to the New Jersey Environmental Infrastructure Financing Program (NJEIT) to finance the construction of the designed facility improvements; and

WHEREAS, pursuant to NJEIT rules and regulations, the Borough may not advertise for bids for construction of NJEIT financed projects prior to receiving authorization from NJDEP; and

WHEREAS, by letter dated October 16, 2013, NJDEP granted authorization to the Borough to advertise for bids for the water main replacement contract (1919001-001) and for the rehabilitation and painting of the 50,000 gallons elevated water storage tank contract (1919001-002); and

WHEREAS, the Borough wishes to proceed with the Phase I Water System Improvements in an efficient and expeditious manner;

NOW, THEREFORE, be it resolved by the Mayor and Council of the Borough of Stanhope that the Consulting Engineer is authorized to advertise for bids for the Phase I Water System Improvements listed above.

On motion by Councilwoman Zdichocki, 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 183-13

RESOLUTION AUTHORIZING BID FOR VARIABLE FREQUENCY DRIVE CONTROLLERS FOR WELL NO. 2 AND WELL NO. 3

WHEREAS, the Borough of Stanhope operates a municipal water system, including wells and well pumps for providing municipal water service; and

WHEREAS, Well No. 2 and Well No. 3 are in need of Variable Frequency Drive Controllers to allow the Borough Water Department to manually adjust the speed of the well pumps when necessary for the safe and efficient operation of the wells; and

WHEREAS, the cost for the acquisition and installation of the Variable Frequency Drive Controllers for Well No. 2 and Well No. 3 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 and installation of Variable Frequency Drive Controllers for Well No. 2 and Well No. 3.

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 and installation of Variable Frequency Drive Controllers for Well No. 2 and Well No. 3; and

BE IT FURTHER RESOLVED, that said bids shall be received and publically opened on Tuesday, November 21, 2013 at 11:00am.

On motion by Councilman Benson, seconded by Councilman Thornton 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 184-13

RESOLUTION AUTHORIZING BID FOR 80KW DIESEL GENERATOR FOR WELL NO. 3

WHEREAS, the Borough of Stanhope operates a municipal water system, including backup generators for providing municipal water service during power outages; and

WHEREAS, Well No. 3 does not have an emergency backup generator to keep the well in service in time of a disruption in electrical service; and

WHEREAS, the cost for the acquisition and installation of the 80KW diesel generator for Well No. 3 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 and installation of a new 80KW diesel generator for Well No. 3.

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 and installation of a new 80KW diesel generator for Well No. 3; and

BE IT FURTHER RESOLVED, that said bids shall be received and publically opened on Tuesday, November 21, 2013 at 10:00am.

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 – yes

PAYMENT OF BILLS

Resolution 185-13

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 October 22, 2013 and on file and available for public inspection in the Office of the Chief Finance Officer and approved by the Chief Finance Officer for payment, be paid.

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

Roll Call:

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

ATTORNEY REPORT

Mr. Stein stated he had no report.

Mayor Maio asked Mr. Stein if he has received a reply from the Salt & Light Company. Mr. Stein stated he has not received a reply. Administrator McNeilly stated that the Salt & Light Company will be contacted if there is no activity in the next two weeks.

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

Mayor Maio stated there is a Closed Session Meeting scheduled for this evening. Councilwoman Kuncken requested that the closed session be postponed until the next scheduled Business Meeting in November when Mr. Stein will be present, due to the late hour and length of time necessary for the discussion. Mayor Maio asked the Council if they were in favor of postponing the Closed Session and polled the Council. The results of the poll are as follows: Councilman Depew – yes, Councilman Benson – yes, Councilman Thornton – yes, Councilwoman Kuncken – yes, Councilwoman Thistleton – yes, Councilwoman Zdichocki - yes

ADJOURNMENT

On a motion by Councilman Depew, seconded by Councilwoman Kuncken, and unanimously carried by voice vote the meeting was adjourned at 10:00 P.M.

Approved:

Linda Chirip
Deputy Clerk