

**MAYOR AND COUNCIL  
REGULAR MEETING  
October 28, 2014  
6:00 P.M.**

**CALL TO ORDER**

**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.

Furthermore notice of the early Closed Session was sent to the New Jersey Herald and Daily Record on October 17, 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 – absent | Councilman Depew – present       |
| Councilman Thornton - present   | Councilwoman Thistleton – absent |
| Councilwoman Kuncken - present  | Councilman Benson – present      |

Mayor Maio – present

**CLOSED SESSION**

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

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

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

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

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

Mayor and Council went into Closed Session at 6:01 P.M.

At the conclusion of the Closed Session, Mayor and Council reconvened the public meeting at 6:53 P.M. with all present.

### **SALUTE TO COLORS**

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

### **CITIZENS TO BE HEARD**

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

Gloria Spencer, 3 Linden Avenue, stated there is a problem on Linden Avenue where the tree roots are raising the sidewalk. Administrator McNeilly stated the maintenance of sidewalks is the responsibility of the homeowner. Mr. Stein confirmed that the Borough ordinance does state the homeowner is responsible. Mrs. Spencer asked if she has the right then to remove the tree. Mayor Maio informed Mrs. Spencer that she would have to contact the Shade Tree Commission. Administrator McNeilly stated the ordinance is very specific. The Shade Tree Commission has the ultimate authority for all trees in the Borough right of way or on Borough property. If the tree is deemed to be dead, diseased or damaged to the point that it cannot be saved, the Shade Tree Commission will advise the Borough to remove the tree. Private citizens are not permitted to remove Borough trees. Mrs. Spencer asked why the trees were planted. Administrator McNeilly stated the newer trees have been chosen due to the fact the roots grow down and will not cause damage. Administrator McNeilly stated if there is a safety hazard he can ask the Zoning Official to investigate.

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

### **MINUTES FOR APPROVAL**

Mayor Maio read aloud the list of minutes being presented for approval:

|                    |   |
|--------------------|---|
| September 9, 2014  | Work Session/Agenda Meeting               |
| September 23, 2014 | Regular Business Meeting & Closed Session |
| October 6, 2014    | Special Meeting                           |

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

### **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**

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

(Police, Fire, Ambulance, Court & Violations Bureau, Emergency Management) Councilwoman Kuncken stated the Police Department report for September indicates there were 333 total calls. Most of the incidents involved motor vehicle violations.

Councilwoman Kuncken stated the Ambulance Squad reported a total of 52 calls for the month of September. There were 16 calls in Stanhope, 31 in Netcong and 5 stand-bys. There was 1 out of town call to Roxbury and 4 to Hopatcong for an overall total of 57 calls. The squad attended to 32 patients and made 32 trips to the hospital. They travelled 920 miles and had 196 hours of volunteer time.

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

Councilman Benson reported the year to date tax collections are \$8,300,411 compared to \$7,970,365 last year. The tax levy for this year is approximately \$11,000,000 compared to

\$10,000,700 for the prior year. The first two quarter tax collections are higher on a percentage basis than last year. The third quarter is lower by approximately 1.2%. Taxes are due November 1<sup>st</sup> for the last quarter.

Councilman Benson stated the Governing Body has been monitoring the utility collections for the past few months. Councilman Benson stated that he spoke with Dana Mooney, CFO, regarding this issue and the numbers are correct. The total water utility collection for the month of September is \$41,000 compared to \$110,000 last year. The year to date figure is approximately \$368,000 compared to \$431,000 last year. The sewer collections for September are \$62,400 compared \$171,260 last year. The year to date sewer rent collection is \$561,678 compared to the prior year of \$694,000.

Councilwoman Kuncken asked why the numbers show such a discrepancy. Mayor Maio stated the numbers do not look right. Councilwoman Kuncken asked how September 2014 is only \$41,000 and last year was \$110,000 when the switch in rates had already taken place. Administrator McNeilly stated the discrepancy could be due to the date of the report, when the bills were due and what is received. When figures are looked at in month increments it can give a false impression of what the situation is. Councilwoman Kuncken stated the quarterly figures need to be looked at. A discussion took place regarding when the water/sewer bills were mailed out and the due date. Administrator McNeilly stated the end of year figures and the tax sale results are the significant numbers to be reviewed. Mayor Maio stated the issue will continue to be monitored.

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

(Zoning, Construction, Code Enforcement, Economic Development, Chamber of Commerce, Downtown Revitalization) No report was given due to Councilwoman Zdichocki's absence.

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

(Water Distribution, Sewer Collection System, Road Construction & Maintenance, Buildings & Grounds) Councilman Thornton stated the James Street Water Main Replacement Project is almost complete. There are approximately 10-15 homes remaining to be connected. The site restoration is scheduled to be complete by the second week in November. The curbing, drainage and new road surface are scheduled to be completed in the spring of 2015.

**Information Technology – Councilmen Depew/Benson**

Councilman Depew had no report.

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

No report was given due to Councilwoman Thistleton's absence.

**Public Safety** - Councilwoman Kuncken stated there was an additional piece of information to add under Public Safety. Councilwoman Kuncken stated there is an agreement with Hopatcong Borough for volunteers to assist with domestic violence incidents. Councilwoman Kuncken stated there is a training program for the volunteers and she asked if Stanhope Borough is seeking volunteers for this program. Administrator McNeilly replied that Stanhope Borough is not responsible for obtaining a certain number of volunteers. Mayor Maio asked how the Borough residents are being notified that volunteers are needed. Administrator McNeilly stated the information just became available. A Nixle message will be sent and information will be listed on the Borough website.

**ADMINISTRATOR'S REPORT**

**Domestic Violence Response Team** – Administrator McNeilly stated the Domestic Violence Response Team Program is a collaboration between Stanhope Borough and Hopatcong Borough. Community volunteers will undergo a background check and receive a 40 hour training course through DASI in order to become part of the domestic violence response team. The volunteers will be called in should there be a domestic violence incident in either Borough. Mayor Maio stated a Nixle message is not going to be sufficient enough to explain the program. Mayor Maio suggested the information be placed in the New Jersey Herald and reach out to the churches in the Borough. Administrator McNeilly stated he will speak with Chief Pittigher regarding the notification.

Water Project – Administrator McNeilly stated a request has been received from Lee T. Purcell Associates for additional engineering funds. The extra engineering costs were a result of running the water line at the Folding Box Company and the difficulties that were encountered with the river crossing. A resolution for this increase is on the agenda for consideration.

Water Project (Part II) – Administrator McNeilly stated PACT has made arrangements with a paving contractor to pave Brooklyn Road. They will be doing milling and paving on November 3<sup>rd</sup>, weather permitting. PACT is also arranging for the notification as well as traffic control and they have notified the County. PACT has been informed that work cannot start until after 9:00 A.M. in order to prevent delays in commuter and school traffic. The road will remain open but there will be delays. The paving will take approximately two or three days. Mayor Maio asked about Lloyd Avenue, Lawrence Avenue and Reeve Avenue. Councilman Thornton asked if the Lutheran Church Nursery School has been notified. Administrator McNeilly stated access will be available to the church but there will be a delay. The road will be paved in a single lane from Sparta Road to Canfield Street and the full width from Sparta Road to Tower Road.

Administrator McNeilly stated he received an email from John Black today regarding the paving issue. Given the variables which still exist in the costs for change orders, there is no definitive response as to whether funds are available for paving Lloyd Avenue, Lawrence Avenue and Reeve Avenue. Administrator McNeilly stated John Black has recommended, in conjunction with the Superintendent of Public Works, that the interest of the trenches is to have the current paving remain in place until the Spring to allow for additional settling. When the project is complete a determination can be made as to whether or not funds are available to pave the three roads. Mayor Maio stated the residents were informed this was a temporary fix and a permanent fix would be done on top of the trenches. Administrator McNeilly stated the roads will be watched carefully and should any issues arise during the winter, DPW will cold patch the areas. Mayor Maio agreed this is a better long term fix.

James Street – Administrator McNeilly stated on Wednesday, October 29, 2014 PACT will be connecting the new water main to Young Drive. This will cause a periodic loss of water on Young Drive for a portion of the day. A leaflet was distributed to the neighbors door to door.

Shared Service – Animal Control Hopatcong – Administrator McNeilly stated the current agreement with Hopatcong for animal control services is for 2014 only. The Governing Body needs to make a determination as to whether or not the shared service with Hopatcong will continue. Administrator McNeilly asked if other options should be investigated. Mayor Maio stated an incident occurred recently where a dog was in the river in Stanhope Borough. It appeared that the dog had a broken leg and/or a broken hip. A call was made to Animal Control in Hopatcong Borough and our Police Department was told the Animal Control Officer was in Montclair and it would be at least an hour for him to get here. Mayor Maio received a call from Chief Pittigher at that time and she suggested contacting Animal Control in Mount Olive. Mount Olive Animal Control came and took the dog to the emergency veterinarian in Newton. Mayor Maio stated that it turned out the dog was fine. Mayor Maio stated due to the fact that Hopatcong is using a floating Animal Control Officer other options should be investigated.

Councilman Depew asked for a status update on the cat bill that the Borough received. Administrator McNeilly stated he is waiting for additional information.

Mayor Maio asked Administrator McNeilly to contact the Board of Health and notify them that the Borough will be investigating other options.

Shared Service – OEM Netcong – Administrator McNeilly stated he has received the 2015-2016 OEM agreement from Netcong. The increase is 2% per year, consistent with the previous agreement. All other terms and conditions remain the same. Administrator McNeilly stated if the Governing Body wants to continue the agreement, a resolution can be added to the November 25<sup>th</sup> agenda. Councilwoman Kuncken stated there have not been any issues and she recommends renewing the service. Mayor Maio asked if the Governing Body had any objections. The Governing Body had no objections.

Dental Benefits – Administrator McNeilly stated Dana Mooney, CFO, has provided a letter to the Governing Body regarding dental benefits. Mayor Maio asked for a clarification of the request. Administrator McNeilly stated the plan does not allow an employee to spend more on their premium than what is contributed by the municipality. In 2011 the municipal premium contribution was determined to be \$40.58 allowing an employee to choose a plan that would cost \$81.00. There are other plans available for the employees but at this time they cannot choose them due to the cost. Administrator McNeilly stated the CFO is requesting the municipality to increase their contribution to \$47.00 in order for more options to be available to the employees. Administrator McNeilly stated this is a budget item. Mayor Maio stated a decision cannot be made at this time without knowing the budget situation.

## **COUNCIL DISCUSSION**

Sign Ordinance – Mayor Maio stated that Community Development was asked to meet with the Chamber of Commerce representative to find a solution to the cluttered signs located at the entrance to Main Street. The meeting was held and as a result they met with Sign Art to discuss altering the existing signs to include the names of the businesses in the business district. Councilman Thornton stated the costs and options were discussed for replacing the existing signs or altering them. Additional information is needed from the Administrator and the DPW Superintendent regarding the site line distances. Once that information is obtained, Sign Art will prepare their proposal.

Mayor Maio stated she and Administrator McNeilly had discussed adding Welcome To Stanhope signs at the Route 206 intersection and on Sparta Road. One option that was presented to Sign Art was to completely replace the existing signs at each entrance to Main Street and move the existing signs to the Route 206 intersection and to Sparta Road without the attachments. Mayor Maio stated Administrator McNeilly will have to speak with Mike from Sign Art. Mayor Maio stated the Chamber of Commerce is being asked to fund the attachments, not the cost of the new signs. Councilwoman Kuncken asked if Councilman Thornton was impressed with the design. Councilman Thornton stated there are different types of materials available and different methods for applying the lettering. Businesses will change from time to time and new placards could be made at that time. Mayor Maio stated the project looks promising and it will depend upon the site distance and costs. Administrator McNeilly asked if a discussion took place regarding the relocation of the sign at Route 183 to the other side of the road. Placing the sign on the other side of the road is a better option. Mayor Maio stated the relocation was discussed. Only the businesses located on Main Street in the business district will be placed on the sign.

Parking on Main Street - Councilman Thornton asked for a status update on the auto repair shop cars being parked on Main Street. Administrator McNeilly stated there will have to be an administrative code that will prevent the cars from being able to be parked indefinitely. If cars are registered and are legally parked on the road which allows parking there is no recourse to prevent it. Mr. Stein stated that unintended consequences need to be considered. Administrator McNeilly stated the situation will have to be monitored. Mr. Stein stated in five days overnight parking will not be permitted. Much discussion took place regarding the situation.

Borough Property for Sale - Mayor Maio asked if a decision was made regarding the reduction in price for the Borough property located on Main Street and Kynor Avenue. Administrator McNeilly replied that he will follow up with the realtor. Mayor Maio stated the key issue for the property on Main Street is getting it back on the tax roll. Mayor Maio asked the Clerk to add this item to the next agenda for Council Discussion.

## **NEW BUSINESS**

### **ORDINANCES**

Mayor Maio offered the following ordinances for introduction which were read by title:

**Ordinance 2014-19**

**AN ORDINANCE TO AMEND AND SUPPLEMENT  
CHAPTER 32 OF THE CODE OF THE BOROUGH OF  
STANHOPE ENTITLED “PERSONNEL POLICIES AND  
STANDARDS” BY ADOPTING REGULATIONS FOR THE  
USE AND PROTECTION OF BOROUGH PROPERTY**

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

**SECTION I.**

Chapter 32 of the Code of the Borough of Stanhope is hereby amended by the adoption of a new Article VI “Protection and Use of Borough Property” to read as follows:

Section 32-27: Policy regarding Borough Property

This article establishes the policy of the Borough of Stanhope that Stanhope property shall only be used for the conduct of Borough business. This policy further establishes that inoperative, obsolete, broken or beyond its useful life Borough property shall only be disposed of in accordance with this policy.

Section 32-28: Definitions

“Stanhope Borough property” or “property” shall be defined to include all personal property owned, leased, or entrusted to the Borough including, but not limited to, equipment, tools, materials, uniforms, supplies, furnishings and vehicles.

“Borough employee” shall include all Borough employees, Governing Body members, members of all Boards and Commissions, volunteers and members of volunteer agencies providing essential government services to the Borough that have use of or access to Borough property.

Section 32-29: Protection and Use of Borough Property

Every Borough employee has a personal responsibility for the safeguarding of all Borough property as follows:

- A. Borough property may only be used for the conduct of Borough business and shall not be used by any employee for any other purpose.
- B. Borough property shall be used only for the conduct of Borough business and no Borough employee is authorized to use, or to allow the use of, any such Borough property for any other purpose.
- C. All Borough employees must take all necessary steps to prevent the damage to, theft of, loss or misuse of Borough property. Such steps shall include, but shall not be limited to, insuring that buildings and storage areas are properly locked before leaving employment, that parked vehicles are properly locked, that tools, supplies, equipment and the like are properly used, stored and safeguarded.
- D. No Borough employee may take, sell or give away Borough property, regardless of its condition without prior specific authorization of the Mayor and Council. Borough property that is inoperative, obsolete, broken or beyond its useful life, shall only be disposed of upon the prior specific authorization of the Mayor and Council.
- E. Any employee failing to comply with the conditions of this ordinance or to fulfill the employee’s responsibility thereunder for the proper use and safeguarding of Borough property shall be subject to disciplinary action, including dismissal.

Section 32-30: Exceptions

This policy does not prohibit the loaning or exchanging for temporary use Borough property with another municipal agency in the normal course of and in furtherance of Borough business as authorized by an appropriate Borough official. This policy further does not prohibit the routine incidental use of Borough property in the normal course of business by Borough employees.

**SECTION II - WHEN EFFECTIVE.**

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

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

Roll Call:

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

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

**Ordinance 2014-20**

**AN ORDINANCE OF THE BOROUGH OF STANHOPE COUNTY OF SUSSEX, NEW JERSEY, AMENDING ORDINANCE 2014-09, FIXING THE SALARY AND WAGES FOR BOROUGH EMPLOYEES AND OFFICIALS**

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

SECTION 1. The annual salary, wage and compensation to be paid to Borough Employees and Officials as contained in Section 1 of Ordinance 2014-09 is hereby amended as follows:

Retroactive to October 15, 2014:

|   |           |
|---|-----------|
| Utility Collector/Asst to Tax Collector | 35,626.00 |
|---|-----------|

Retroactive to October 31, 2014:

|                        |           |
|------------------------|-----------|
| Accounts Payable       | 22,000.00 |
| Clerical –Construction | 8,000.00  |

SECTION 2. This Ordinance shall become effective immediately upon final adoption and publication as required by law.

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

Roll Call:

|                                 |                                  |
|---------------------------------|----------------------------------|
| Councilwoman Zdichocki – absent | Councilman Depew – yes           |
| Councilman Thornton - yes       | Councilwoman Thistleton – absent |
| 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 Clerk to post the ordinance and authorized publication of same.

**RESOLUTIONS**

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

**Resolution 169-14                      RESOLUTION AUTHORIZING RENEWAL OF  
MEMBERSHIP IN THE MORRIS COUNTY MUNICIPAL  
JOINT INSURANCE FUND**

**WHEREAS**, the Borough of Stanhope is a member of the Morris County Municipal Joint Insurance Fund; and

**WHEREAS**, said renewed membership terminates as of December 31, 2014 unless earlier renewed by agreement between the Municipality and the Fund; and

**WHEREAS**, the Municipality desires to renew said membership;

**NOW THEREFORE**, be it resolved as follows:

1. The Borough of Stanhope agrees to renew its membership in the Morris County Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Morris County Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

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

**Resolution 170-14                      REGARDING MAINTENANCE OF MUNICIPAL ROADS**

**WHEREAS**, local municipalities must provide for the maintenance of roads within their jurisdiction; and

**WHEREAS**, municipal road infrastructure has deteriorated throughout the State due to the inability to fund these repairs without increasing the budget beyond the allowable 2% tax levy cap, within any given year; and

**WHEREAS**, given the opportunity to determine where their tax dollars are spent, it would be in the best interest of the public to have a dedicated trust fund to be used to provide for the proper maintenance of local roads; and

**WHEREAS**, the State has allowed local voters to create, by referendum, local funded programs, for certain defined purposes, with the proceeds sequestered in a Dedication by Rider Trust Fund, for a specific purpose; and

**WHEREAS**, voters should be given the right to choose this process for road repairs in their communities; and

**WHEREAS**, New Jersey Statutes authorize or require municipalities to secure voter approval in order to adopt specific ordinances, there is no basis to justify submission of a question authorizing municipalities in *all fo<sup>r</sup>ms of government* to dedicate tax revenues for road improvements purposes.



**NOW, THEREFORE, BE IT RESOLVED**, by the New Jersey State League of Municipalities, in conference assembled, to appeal to the New Jersey State Legislature to allow for a Special Item of Revenue to be included as an permitted revenue that may be collected after a referendum is approved by the voter for local road improvements in all municipal forms of government; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Commissioner of the Department of Transportation, the Commissioner of the Department of Community Affairs, the State Treasurer, the members of the State Legislature and the Governor of the State of New Jersey.

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

**Resolution 171-14                      RESOLUTION AUTHORIZING REFUND OF  
REDEMPTION MONIES TO OUTSIDE LIEN HOLDER**

WHEREAS, the Tax Collector has received payment for the redemption of Tax Title Lien No. 2014-029, representing 2013 property taxes and/or utility charges on Block 11501, Lot 2, C0272, known as 15272 Aspen Court, assessed to Jon Demarest, and;

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

|                                |   |
|--------------------------------|---|
| To Lienholder:                 | US Bank Cust for BV001 Trust<br>50 S. 16 <sup>th</sup> Street, Suite 1950<br>Philadelphia, PA 19102-2513                            |
| Redemption Amount:             | Tax Title Lien #2014-029 and<br>Interest to Date of Meeting     \$     1,019.55<br>Premium Paid by Lienholder <u>      1,200.00</u> |
| Total From Current Fund:       | \$     1,019.55   |
| Total From Tax Premium Account | 1,200.00  |

**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 voice vote, the foregoing resolution was duly adopted.

**Resolution 172-14                      RESOLUTION AUTHORIZING REFUND OF  
REDEMPTION MONIES TO OUTSIDE LIEN HOLDER**

WHEREAS, the Tax Collector has received payment for the redemption of Tax Title Lien No. 2014-040, representing 2013 property taxes and/or utility charges on Block 11701, Lot 20, known as 177 State Route 183, assessed to Milelli, Salvatore & Ann Marie, and;

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

|                |   |
|----------------|---|
| To Lienholder: | US Bank – Cust-Actlien Holding Inc.<br>50 South 16 <sup>th</sup> Street, Suite 2050<br>Philadelphia, Pennsylvania 19102 |
|----------------|---|

|                                |                              |                  |
|--------------------------------|------------------------------|------------------|
| Redemption Amount:             | Tax Title Lien #2014-040 and |                  |
|                                | Interest to Date of Meeting  | \$ 18,442.28     |
|                                | Premium Paid by Lienholder   | <u>37,100.00</u> |
| Total From Current Fund:       |                              | \$ 18,442.28     |
| Total From Tax Premium Account |                              | 37,100.00        |

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 voice vote, the foregoing resolution was duly adopted.

**Resolution 173-14                      RESOLUTION AMENDING 2014 BUDGET TO INCLUDE 2014 BODY ARMOR GRANT OF \$1,259.16**

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 \$1,259.16 from the Division of Criminal Justice for the 2014 Body Armor Grant, and

WHEREAS, the Borough of Stanhope now wishes to amend its 2014 budget to include the additional grant funds approved of \$1,259.16 as a revenue.

NOW THEREFORE, BE IT RESOLVED that the Council of the Borough of Stanhope does hereby request 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 \$1,259.16, 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 Body Armor Grant, and

BE IT FURTHER RESOLVED that a like sum of.....\$1,259.16 be and the same is hereby appropriated under the caption of:

- General Appropriations
  - (A) Public and Private Programs Offset by Revenues:
    - 2014 Body Armor Grant, and

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

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

Roll Call:

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

**Resolution 174-14**

**A RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION AND THE EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR PENNINGTON HOMES PHASE II RECONSTRUCTION PROJECT**

**WHEREAS**, the Borough of Stanhope wishes to make a grant application for State Aid for the roadway reconstruction project entitled “Pennington Homes Phase II Reconstruction Project”;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Stanhope, in the County of Sussex, State of New Jersey formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as *MA-2015-Stanhope Borough-00543* to the New Jersey Department of Transportation on behalf of the Borough of Stanhope.

**BE IT FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Stanhope and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

Roll Call:

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

**Resolution 175-14**

**RESOLUTION AMENDING CONTRACT WITH LEE T. PURCELL ASSOCIATES, CONSULTING ENGINEERS FOR CONTRACT NO. WM-1-12 - WATER MAIN REPLACEMENTS**

**WHEREAS**, the Borough of Stanhope heretofore engaged the services of Lee T. Purcell Associates, Consulting Engineers, to perform various engineering services for the Borough of Stanhope to conduct a major rehabilitation and upgrade to its existing municipal water system; and

**WHEREAS**, the contract with Lee T. Purcell Associates was a Professional Services Agreement pursuant to the Local Public Contracts Law; and

**WHEREAS**, the contract with Lee T. Purcell Associates provided for planning and design period services, bid period services and construction period services, each with a fixed not to exceed cost for the services in question; and

**WHEREAS**, the Water System Rehabilitation Project is nearing completion; and

**WHEREAS**, during construction, the Borough determined to add additional services to the contract to provide for a new water main to service a property which would be disconnected from the existing municipal water system as a result of the construction of new water mains by the Borough; and

**WHEREAS**, the Contractor hired by the Borough as the lowest responsible bidder required additional oversight for its Musconetcong River crossing, resulting in additional unanticipated time for the Consulting Engineer to properly review said construction; and

**WHEREAS**, the Consulting Engineer has requested additional compensation for the extra work directed by the Borough and for the unanticipated time spent on the river crossing as is documented in a memorandum from the Consulting Engineer to the Borough dated October 21, 2014 in the total amount of \$14,400.00; and

**WHEREAS**, the Borough accepts the Consulting Engineer's justification for the additional compensation as being warranted;

**NOW, THEREFORE**, be it resolved by the Mayor and Council of the Borough of Stanhope that the Borough does hereby authorize an increase in the Professional Services Agreement with Lee T. Purcell Associates in the amount of \$14,400.00.

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

Roll Call:

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

Mayor's Appointments

**Resolution 176-14**

**MAYOR'S APPOINTMENT OF MARIA MASCUCH AS WATER/SEWER COLLECTOR & ASSISTANT TAX COLLECTOR WITH COUNCIL CONCURRENCE**

Mayor's appointment of Maria Mascuch as Water/Sewer Collector and Assistant Tax Collector with Council concurrence.

**BE IT RESOLVED** by the Council of the Borough of Stanhope that they do hereby concur with the Mayor's appointment of Maria Mascuch as Water/Sewer Collector and Assistant Tax Collector effective October 15, 2014 at a prorated annual salary of \$35,626.00.

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

**Resolution 177-14**

**MAYOR'S APPOINTMENT OF ROSANNE WERNER AS ACCOUNTS PAYABLE/CONSTRUCTION SECRETARY WITH COUNCIL CONCURRENCE**

Mayor's appointment of Rosanne Werner as Accounts Payable/Construction Secretary with Council concurrence.

**BE IT RESOLVED** by the Council of the Borough of Stanhope that they do hereby concur with the Mayor's appointment of Rosanne Werner as Accounts Payable/Construction Secretary effective November 3<sup>rd</sup>, 2014 at a prorated annual salary of \$30,000.00

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

**PAYMENT OF BILLS**

**Resolution 178-14**

**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 October 28, 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 – absent | Councilman Depew – yes           |
| Councilman Thornton - yes       | Councilwoman Thistleton – absent |
| Councilwoman Kuncken - yes      | Councilman Benson – yes          |

### **ATTORNEY REPORT**

Mr. Stein stated the Police Department received the donation of an office chair from Mr. Cortez. Apparently Mr. Cortez had a new office chair that he had no need for and the Police Department chairs wear out rather quickly due to all the equipment that the officers wear. All donations that come to the Borough that are not directly through the Mayor and Council should be authorized by the Governing Body.

On motion by Councilwoman Kuncken, seconded by Councilman Depew and unanimously carried by voice vote, the donation of an office chair from Mr. Cortez to the Police Department was accepted.

### **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.

Peggy Findley, 88 Main Street, thanked the Governing Body for having the trailer removed from in front of her home. Mrs. Findley asked where the auto repair shop owner will be storing the vehicles. Administrator McNeilly stated the owner has a location in Netcong where the cars are being kept.

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

### **ADJOURNMENT**

On a motion by Councilman Benson, seconded by Councilwoman Kuncken, and unanimously carried by voice vote the meeting was adjourned at 7:50 P.M.

Approved:

Linda Chirip  
Deputy Clerk for  
Ellen Horak, RMC  
Borough Clerk