

**MAYOR AND COUNCIL  
WORK SESSION AND  
AGENDA MEETING  
October 8, 2013  
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 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 Thornton - present  
Councilwoman Kuncken – present

Councilman Depew – present  
Councilwoman Thistleton – present  
Councilman Benson – present

Mayor Maio – Present

**WORK SESSION**

Stanhope Hose Company No. 1 - Mayor Maio stated that the Stanhope Hose Company No. 1 attended a parade this past Saturday and the ladder truck was awarded first prize. Mayor Maio extended her congratulations.

Laddey, Clark & Ryan – Mayor Maio stated that Laddey, Clark & Ryan are sponsoring Harassment & Bullying in the Workplace seminar on October 29<sup>th</sup>. Administer McNeilly and Mayor Maio will be attending. Councilman Benson suggested that Bill Storms, DPW Superintendent, attend.

By-Laws – Councilwoman Kuncken stated that a meeting will be held by the By-Law Committee next Wednesday at 2:00PM at Borough Hall.

Water System Project Open House Meeting – Mayor Maio stated that a news release announcement has been prepared, which is a summary of the water system project, will be published in the Musconetcong News scheduled to be delivered on the day of the meeting. Mayor Maio will send an announcement to be published in the NJ Herald and the Township Journal. Information will also be provided on Facebook, Nixle, the Borough Website and a mailing will be sent out. Administrator McNeilly stated that he spoke with the administration at Lenape Valley Regional High School and he will meet with them to explain the project. Meetings will also be held with the Little League and the Lutheran Church. Councilwoman Kuncken asked if the Byram Bus Company should be informed. Administrator McNeilly stated that detour signs will be in place well in advance. Councilwoman Kuncken stated that she would

like to attend the meeting with Lenape Valley Regional High School. Administrator McNeilly stated that he received a telephone call today from the Ductile Iron Pipe Company. They saw an advertisement in a trade magazine regarding the project. They were inquiring about the amount of pipe that will be needed.

Administrator McNeilly stated the Open House will be held at Borough Hall. The chairs will be removed from the Council Chambers, maps will be set up at several stations and Mr. Purcell's team will be available to answer questions. Mr. Purcell will have handouts available summarizing the project. The Open House will be advertised as a meeting of the Mayor and Council and therefore a quorum will be needed to open the meeting.

Administrator McNeilly will attend Highpoint Condominium's Board Meeting on October 24<sup>th</sup> to inform them about the project. The "A" frame signs may also be used to advertise the Open House.

Administrator McNeilly stated that Mr. Purcell has asked that a resolution to advertise the bid be adopted at the October 22<sup>nd</sup> meeting in order to move forward by November 1<sup>st</sup>.

Finance Issues – Councilman Benson and Councilwoman Kuncken asked Administrator McNeilly to clarify a bill from Netcong Hardware for one light bulb totaling \$505. There is another bill from a different vendor for 10 lights at \$840 each. Administrator McNeilly explained that the bill for 10 lights at a cost of \$840 each are for the housings and lenses for the decorative Main Street lights. The bulbs from Netcong Hardware are the light bulbs for the Main Street lights. The Borough purchased one case for \$505.

Councilwoman Kuncken asked Administrator McNeilly to clarify the purchase order for the NJ League of Municipalities Conference. Changes to the reservations were requested by the Governing Body at a previous meeting. Councilwoman Kuncken stated that she, Mayor Maio and Councilman Depew cancelled their reservations. Those changes have been made. Councilwoman Zdichocki, Councilman Thornton, Councilwoman Thistleton will be attending. The paperwork indicates the Clerk is registered for four nights. Councilwoman Kuncken stated that Borough policy has been two nights for Governing Body members and two nights for the Chief Financial Officer, even though the CFO will be attending for four nights. Administrator McNeilly replied that the Clerk's reservation will be corrected once it is determined whether or not she will be attending. Mayor Maio asked the Deputy Clerk for the deadline date for cancellations. Ms. Chirip replied that cancellations made after November 7<sup>th</sup> will not be refunded. Councilwoman Kuncken asked if employees attending the NJLM Conference are considered on the job during that time or are they using vacation or sick days. Administrator McNeilly stated that employees are on the job during attendance at the conference. Mayor Maio stated that the Council members are attending for two nights. Administrator McNeilly will be attending 3 nights. The CFO will be attending four nights but the Borough will cover two nights. Ms. Mooney, CFO, present in the audience, stated that changes to the reservations have not been confirmed in a timely manner. Changes have not been made for the Clerk to date due to the fact that a determination has not been made as to which days she will attend, if any. Mayor Maio is of the opinion that any employee that is attending the conference should be looked at in terms of what CEU's will be earned and what the purpose of attending will be. Administrator McNeilly replied that the reservations must be submitted long before the actual schedule of classes is available.

Tie A Ribbon Campaign for Breast Cancer – Mayor Maio thanked Councilman Depew and his brother Bob Depew, Councilman Thornton, Councilwoman Kuncken, Councilwoman Zdichocki and Councilwoman Thistleton for their assistance in tying the pink ribbons for breast cancer awareness month along Main Street.

Fire Department – Councilman Depew stated that while he is pleased that the Fire Department won a trophy this past weekend, he is concerned that driving through the Borough with the sirens blaring to celebrate may have alarmed residents. Mayor Maio asked the Public Safety Committee to mention this issue to the Fire Department.

## **ADMINISTRATOR'S REPORT**

*Affordable Homes* – Administrator McNeilly stated that Mr. Stein has drafted a letter to the Salt and Light Company, Inc. regarding 14 Mountain Terrace. Minimal progress has been made on this property and it continues to be an eyesore in the neighborhood. This was an abandoned home that was under HUD's jurisdiction because they held the loan. There was a program at that time which allowed the municipality to purchase the home for \$1.00 and immediately transfer it to a non-profit. The non-profit was then required to renovate the home and sell it as an affordable home. The home was purchased for \$1.00 and the deadlines were set in place at that time. In order to have the home maintain its assessed value, the owner agreed to hold a \$100,000 mortgage for ten years. After ten years, if the person who purchased the home remained in the home, the mortgage would be forgiven. The Borough has been patient but action needs to be taken. Mayor Maio stated that the arrangement was made with the contractor to maintain the ratable for the Borough and the appearance of the neighborhood. The contractor has not met the requirements.

*Waste Management* – Administrator McNeilly stated that he spoke with the new representative at Waste Management in the roll-off container department. Waste Management will provide the low-side 20 yard dumpster tomorrow.

*Gas Pumps* – Administrator McNeilly stated that the site work can begin now that the signed contracts from Petro Mechanics have been received. Some modifications will be made in order to have the pumps remain open just prior to being replaced. Extra conduit will allow for one more camera and a light fixture to be installed over the pumps. Councilwoman Kuncken asked how the procedure will work with the various departments. Administrator McNeilly replied that a heavy duty plastic key will be placed on the key ring for each vehicle which will be used to access the pumps.

*JIF / Rogers Group* – Administrator McNeilly stated that he was informed by Chief Pittigher that the kick-off meeting with the Rogers Group is scheduled to take place early this month. Officer Popelka had an impact with a deer in the old police car. Administrator McNeilly stated the damage is below the insurance threshold. Motion Autobody will take the vehicle that is being retired to use for parts.

*Brush Pick-up* – Administrator McNeilly stated that brush pick-up has been completed for the year. The chipper will be winterized. Leaf pick-up will begin in Zone 1 next week. A message will be sent out reminding residents not to put leaves in the street.

## **PRESENTATIONS**

*Concord Engineering (Energy Proposal)* – Mayor Maio invited John Fish to come forward to begin his presentation. Mr. Fish stated he is from Commercial Utility Consultants and is working with Concord Engineering. Mr. Fish began a slide presentation and spoke about community energy aggregation. The BPU has awarded Concord Engineering the contract for the State and they are licensed by the BPU. The online auction platform is approved by the DCA. Energy deregulation separates delivery and supply. JCP&L delivers energy but they do not produce it. Deregulation has been in effect since 1999. Less than 16% of the state has changed to a third party of their choice. Deregulation allows customers to switch suppliers and it is in their best interest to do so. Everyone is already on a 3<sup>rd</sup> party program because JCP&L does not generate power. Mr. Fish explained that BPU held a statewide auction several years ago to pull together for supply which resulted in basic generation services and all customers were automatically changed to a third party vendor. The Government Energy Aggregation Act of 2003 was put into place to help foster deregulation and allow customers to save money on electricity costs. This gave the municipalities a legal basis to wrap their residents together and compete against the State auction. Mr. Fish asked if the Borough currently uses a 3<sup>rd</sup> party for the municipal bills to reduce electricity costs. Mayor Maio confirmed this. Mr. Fish stated that means the Borough has a history of choosing a third party vendor and saving money by doing so. N.J.A.C. Title 14:4-6.1 (2012) allows the Borough to pool together in order for third party vendors to compete for your business in order to save the residents money.

This would require the Borough to pass an ordinance that will allow the residents to be grouped together in order to do the program. It is not a commitment to the program. This will allow the Borough to ultimately get to the auction process. Then a contract would be signed with JCP&L that allows confidentiality and rules and responsibilities. An auction would be held in conjunction with other municipalities to provide a rate. The rate will either be better than the State cost or the rate will not be acceptable and the Borough remains with JCP&L. The Borough is not committed until a third party provider is chosen. If the rate comes in at 8 ½ and JCP&L is at 10 ½ this would be a savings of 2 cents. For an electric bill that averages \$100 per month the savings would amount to \$150-\$200 for the year. At that time the outreach would begin to inform the residents. A meeting would be advertised and representatives would be available to answer any questions. Press releases and advertising would be done to explain the program. Mailings would be sent out along with a card that will allow residents to opt out if they do not wish to be part of the program. Mayor Maio confirmed that before residents are switched from JCP&L they can choose to opt out. Mr. Fish stated that the Borough would only be implementing the program if it will save the residents money. However, if the residents want to opt out they can send in the postage paid card stating that or they can call an 800 number or opt out online.

Councilman Benson stated if the auction determines the rate what happens if the volume is not obtained. Mr. Fish replied that if for example there are 10,000 residences in town and if the total of those opting out amount to 7,500, by law the third party vendor has to maintain the rate that was agreed upon for the remaining residents. Councilwoman Kuncken stated she is concerned that residents will not understand the process for opting out. Mr. Fish replied that the Borough would take responsibility for ensuring that the rate is good. Mayor Maio stated that teaching the residents is key to this program. Councilwoman Zdichocki asked how the third party can come in with a rate without knowing the actual number of residents that will opt in to the program. Mr. Fish replied there is protection in the contract and the outreach plan will be determined by the Borough in conjunction with Concord Engineering. Nationwide less than 5% ever opt out.

Mayor Maio asked if the businesses are included in this program. Mr. Fish replied that the residences would be done first and then the businesses would be addressed. The businesses cannot be handled in the same way. They are more complex because businesses vary in size. The program for residents is an opt out situation and the commercial program is an opt in. Mayor Maio stated that there are residences and businesses in the Borough that use a single meter. Mr. Fish stated the determination would be made based on the type of meter. If their main meter is commercial that is where they would be classified.

Councilwoman Zdichocki asked what happens if the Borough wants to switch back in the future. Mr. Fish replied that the contract would be in place for one year. If nothing is done the customers revert back to JCP&L. Before the contract is scheduled to end, a renewal rate would be determined. If the rate is not acceptable the customers would revert back to the JCP&L third party vendor. Councilman Depew stated that if the contract came in higher most people would opt out. Mr. Fish replied that the Borough would never commit to a contract which would cause a higher fee to be charged. Mr. Fish stated that the State implemented the third party system without making customers aware. This program simply allows for competitive pricing.

Councilwoman Zdichocki asked if residents can opt out at any time. Mr. Fish replied there are no penalties for opting out at any time. Administrator McNeilly stated that the municipal framework allows for more control. Councilwoman Kuncken stated that some residents are going to ask why the Borough is concerning itself with the resident's electric bills. Mr. Fish replied that some people will feel that way but stated again that the State has already allowed it. This allows the Borough to compete against what the State has already done. No one will be locked into a contract. Administrator McNeilly stated that if a resident is currently paying \$400 per month and by signing up for this program that resident can save money, that is a service the elected officials are providing to benefit the residents. Councilwoman Thistleton asked how the program would affect residents who are already contracted with a third party vendor. Mr. Fish stated that the existing third party vendor would have to be contacted to determine if there is a cancellation penalty. If there are no penalties then the resident can switch. If there are penalties for transferring the customer would have to wait until the end of their contract to switch over. The residents would not have any change to the way in which they are currently billed other than under Basic Generation Services the new company name would appear and the rate would be lower. Mr. Fish stated that currently if an individual resident is on a budget plan with JCP&L

and then switches to a third party vendor, JCP&L will remove that resident from the budget plan. With the municipal third party vendor program residents will not be removed from the budget plan. Mr. Fish stated that if JCP&L's rate is lowered during the contract time the lower rate will be honored. Mayor Maio stated that there are some residents that she has spoken with that switched to a third party provider and are now paying a higher rate than JCP&L's rate. Mr. Fish stated this will not happen with this program because of the protection with the BPU oversight and Title 14. A lengthy discussion continued regarding how the residents would be informed and how the auction and contracts would be handled. Mayor Maio asked Mr. Fish to provide additional information to Administrator McNeilly for further review. Mr. Fish stated there is a website [www.NJAggregation.US](http://www.NJAggregation.US) and he will forward an electronic book that contains sample letters and information. Mr. Fish stated that \$400 million could be saved if the entire state of New Jersey joined this program. That is money that could be put back into our communities. Mayor Maio thanked Mr. Fish for attending tonight's meeting.

*CFO Report – Dana Mooney (Budget and Best Practices Checklist)* – Mayor Maio invited Dana Mooney, CFO, to come forward to discuss the Best Practices Checklist. Administrator McNeilly explained this is a NJ State requirement used to determine how much aid the Borough will receive. Ms. Mooney stated at this time the Borough is at 86% which is well within the area to receive 100% of the State aid. Many of the questions pertain to policy decisions that will not change.

The Best Practices Checklist was reviewed and the following items were discussed:

#7 Ms. Mooney stated that this question asks if elected officials are “required” to attend, on an annual basis, at least one instructional course. Councilwoman Kuncken suggested that the policy be changed for 2014 to state that it is required. Councilwoman Kuncken stated that most of the Governing Body does attend training every year. Councilman Thornton asked if it is possible to indicate that the Governing Body currently attends training on a voluntary basis in the comment section.

#15 Ms. Mooney stated this questions concerns audit findings. Ms. Mooney stated that the Borough audit states, “The Borough maintain an adequate segregation of duties, where possible, with respect to the recording and treasure functions.” This will recur because the Borough cannot employ enough personnel to distribute duties to satisfy desired level. The Borough will appeal this item.

#17 Ms. Mooney stated that the Local Finance Board recently adopted new rules regarding procurement cards. Ms. Mooney stated she will be attending a course to learn more about the procurement cards. After attending the class Ms. Mooney will present her findings to the Mayor and Council in order to determine if the program would benefit the municipality.

#22 Ms. Mooney stated that the Borough has not indirectly pledged any debt service issued by counties, independent authorities or developers. Councilman Benson asked if SCMUA or the MSA apply to this situation. Mayor Maio asked Ms. Mooney to consult with the Borough Auditor regarding the MSA issue.

#38 Ms. Mooney stated she has answered no to the question because the Borough sets a specific dollar amount as opposed to a specific date.

#42 Mayor Maio stated that she is not comfortable answering no to this question and suggested that a comment be added. Ms. Mooney stated this question asks if light duty is available for employees on workers compensation to return to work. Administrator McNeilly stated that when light duty is available it is implemented. There were two instances this year where this occurred. Ms. Mooney was asked to change the answer to this question to yes.

#44 Administrator McNeilly stated that if an employee is injured and has remaining sick time or vacation time they are allowed to use that. After much discussion the Governing Body asked Ms. Mooney to change the answer to question #44 to yes and remove the comment.

#47 Mayor Maio stated this question deals with the Master Plan and the answer “prospective” is correct.

Administrator McNeilly stated that all the information submitted on the Best Practices Checklist must be correct and it is certified by the CFO's license, the Clerk's license and if the Administrator had a license that would also be included. Certification is required from the Clerk stating that the Best Practices Checklist was discussed at a meeting and once the corrections are made it can be submitted.

2014 Budget – Ms. Mooney, CFO, stated that the Shade Tree Commission, Environmental Commission, Construction and the Tax Assessor have completed and submitted their budget paperwork. Ms. Mooney stated that Bill Storms, DPW Superintendent, has completed his budget but she has not received it as yet. The Fire Department budget is nearly complete and the Board of Health is waiting for final approval. The Clerk's budget will be slightly delayed. Administrator McNeilly stated that the Police Department budget is almost completed. Mayor Maio stated that the deadline is October 11<sup>th</sup>.

Mayor Maio asked Ms. Mooney to provide information for dues and membership costs for the entire Borough broken down by department. Ms. Mooney replied that she will get that breakdown.

Tax Sale Report - Ms. Mooney provided the Governing Body with a written Tax Sale Report. Ms. Mooney stated that 1 of the properties was redeemed on the day of the tax sale. There is one property located on Spruce Drive with a municipal lien with a value of \$95.41. The tax sale list as of July 25<sup>th</sup> contained 170 properties. On September 9<sup>th</sup> the list was placed in the newspaper with a total of 91 properties. The tax sale was held on October 7<sup>th</sup> and contained 36 properties. On September 9<sup>th</sup> the total dollar amount outstanding was \$155,771.06. The total amount paid by lienholders at the sale was \$41,425.35. The Borough received premiums (held in interest bearing account) in the amount of \$135,200.00. Ms. Mooney stated that most of the lien holders were new and one of them, which has only been in a business a year, has several of the liens. The tax sale for 2012 delinquencies was a success.

Administrator McNeilly stated that the Borough only held onto 1 property for \$95.00. After the last tax sale the Borough held onto three properties. Administrator McNeilly stated that a great deal of work was done in the office by Ms. Mooney and Toni Grisaffi. They have successfully contacted mortgage companies and homeowners to inform them of how the process works and how to limit their costs. The original tax sale list contained 91 properties and they were able to have it down to 36 properties by the time of the sale.

Mayor Maio thanked Ms. Mooney 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.

### **MINUTES FOR APPROVAL**

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

July 9, 2013                      Work Session & Agenda Meeting

On motion by Councilwoman Kuncken, seconded by Councilwoman Zdichocki and carried by a majority voice vote, Councilman Benson abstained; the above listed minutes were approved.

### **CORRESPONDENCE (List Attached)**

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

## **COUNCIL DISCUSSION**

*Liquor License Expansion (Shakey Jakes)* – Mayor Maio stated that Shakey Jakes has submitted a request to expand his liquor license. Administrator McNeilly stated that Shakey Jakes has been granted zoning approval and construction permits to extend a supplemental bar and outdoor patio area in front of the existing location. There is a resolution on the agenda this evening requesting approval from the Governing Body for the expansion of the liquor license which will be sent to the State. Councilman Thornton stated that the resolution reads to the rear of the primary establishment. Administrator McNeilly replied that the wording will be modified to include the proper area. Mayor Maio stated that in her opinion the exterior of the business has been improved upon, this is an established business and will bring increased revenue to the Borough. Administrator McNeilly stated that smokers will be located outside to the side of the front building. The front building has had several turnovers and the front buildings' appearance has been updated. Mayor Maio asked the Governing Body if they had any objections moving forward with the resolution. The Governing Body had no objections.

*Real Estate Sale* – Mayor Maio stated that Judy Togno, Weichert Realtor, is a former Stanhope resident and has marketed several developments in the community. Ms. Togno has submitted her resume and has seen the properties that the Borough is planning to sell. Weichert Realtors bid was the only one submitted. Administrator McNeilly stated that he met with Ms. Togno and Weichert Realtors has agreed to the 5% commission and they will provide signs and the MLS listing. Administrator McNeilly advertised and sent information out to other realtors in the area. No other responses were received. Mayor Maio asked the Governing Body if they had any objections entering into a contract with Weichert Realtors. The Governing Body had no objections.

## **OLD BUSINESS**

Ordinance for Public Hearing and Final Adoption

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

### **Ordinance 2013-14**

### **AN ORDINANCE TO AMEND CHAPTER 126 OF THE CODE OF THE BOROUGH OF STANHOPE, SUSSEX COUNTY, NEW JERSEY, ENTITLED "TAXI CABS" BY REVISION SECTION 126-13 CONCERNING REQUIRED INSURANCE**

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

#### **SECTION I.**

1. Section 126-13 entitled "Insurance" of the Code of the Borough of Stanhope is hereby repealed in its entirety and replaced with the following:
  - A. No license granted hereunder shall become effective until the owner of the autocab shall have filed with the Borough Clerk an insurance policy which shall be issued by an admitted insurance company duly licensed to transact business under the insurance laws of New Jersey or a company registered to do business in New Jersey with the policy providing for not less than \$35,000 of motor vehicle liability insurance coverage or the amount of motor vehicle liability insurance coverage required pursuant to Section 1 of P.L. 1972, c. 197 (C.39:6B-1), whichever is greater, to satisfy all claims for damages, by reason of bodily injury to, or the death of, any person or persons resulting from, or on account of, an accident, by reason of the ownership, operation, maintenance, or use of such autocab upon any public street; and to satisfy any claim for damages to property of any person or persons resulting from, or on account of, an accident by reason of the ownership, operation, maintenance, or use of such autocab upon any public street.
  - B. Nothing contained in this subsection shall prohibit the owner of an autocab from

obtaining any additional amount of motor vehicle liability insurance coverage from a company licensed outside the State of New Jersey.

- C. The consent shall be effective and operation thereunder shall be permitted only so long as the insurance policy shall remain in force to the full and collectible amounts as aforesaid.
- D. The insurance policy shall provide for the payment of any final judgment recovered by any person on account of the ownership, maintenance, or use of the autocab or any fault in respect thereto, and shall be for the benefit of every person suffering loss, damage or injury as aforesaid.
- E. Any corporation organized under the laws of the State of New Jersey having complied with the provisions of N.J.S.A. 48:16-8 shall be exempt from the provisions of this Section.

## **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 Depew, and unanimously carried by the following roll call vote, the above ordinance was adopted.

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

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

Roll Call:

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

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

## **NEW BUSINESS**

### **RESOLUTIONS**

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

#### **Resolution 170-13**

#### **RESOLUTION AUTHORIZING EXECUTION OF REIMBURSEMENT AGREEMENTS WITH HIGHPOINT CONDOMINIUM ASSOCIATION**

**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 years 2010, 2011 and 2012 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 Acting Clerk be in the same are hereby authorized to execute reimbursement agreements with the Highpoint Condominium Association for the years 2010, 2011 and 2012.

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

Councilman Depew asked if all of the agreements have been signed. Mayor Maio confirmed that the agreements have been signed and returned to the Borough.

Roll Call:

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

**Resolution 171-13**

**RESOLUTION AUTHORIZING EXECUTION OF REIMBURSEMENT AGREEMENTS WITH STONEGATE CONDOMINIUM ASSOCIATION**

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

**WHEREAS**, the Borough prepared reimbursement agreements for the calendar years 2011 and 2012 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 Acting Clerk be in the same are hereby authorized to execute reimbursement agreements with the Stonegate Condominium Association for the years 2011 and 2012.

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

Administrator McNeilly stated that there was a considerable amount of coordination between the boards at Highpoint Condominiums and Stonegate Condominiums. This is the first time that the

Borough is current within the current calendar year. Now that the system is in place Administrator McNeilly is confident that the agreements will be received on time in the future.

**Resolution 172-13**

**RESOLUTION ACCEPTING PROPOSAL FROM WEICHERT REALTORS FOR MARKETING AND AUCTION OF BLOCK 11703, LOT 1 AND BLOCK 11207, LOT 11**

**WHEREAS**, the Borough of Stanhope heretofore published notice of a request for proposals from licensed real estate agents to market and auction two commercial properties consisting of undeveloped lots designated as Block 11703, Lot 1 and Block 11207, Lot 11 on the Tax Maps of the Borough of Stanhope; and

**WHEREAS**, the Borough received one written proposal from Weichert Realtors, Succasunna, New Jersey, providing the qualifications of the licensed agent and a summary plan for the marketing and public auction of the property; and

**WHEREAS**, the Governing Body believes that it is in the best interest of the Borough to obtain the maximum possible number of interested bidders to bid for each property at a public auction when scheduled by the Borough.

**NOW, THEREFORE**, be it resolved by the Mayor and Council of the Borough of Stanhope that the Borough shall enter into an agreement with Weichert Realtors for the marketing and bid public auction of Block 11703, Lot 1 and Block 11207, Lot 11.

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

**Resolution 173-13**

**RESOLUTION AUTHORIZING CHANGE TO LICENSED PREMISES FOR C K J CORPORATION, INC.**

**WHEREAS**, C K J Corporation, Inc. is the holder of liquor license No. 1919-33-002-009, issued by the Borough of Stanhope for premises at 134 Route 183; and

**WHEREAS**, said premises are more commonly known as Shakey Jakes Café; and

**WHEREAS**, Shakey Jakes has applied to the Borough for an amendment to its liquor license to include an exterior area to the front of the primary establishment and the area around, and in, the secondary building on the property; and

**WHEREAS**, said licensee has applied for and has received a zoning permit approving a proposed exterior area as part of the licensed premises.

**NOW, THEREFORE**, be it resolved by the Mayor and Council of the Borough of Stanhope that the Borough does hereby approve an amendment to liquor license No. 1919-33-002-009, issued to C K J Corporation, Inc. for premises at 134 Route 183 as approved on the zoning permit obtained by the license holder.

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

Mayor Maio asked Administrator McNeilly to confirm the corrections describing the location. Administrator McNeilly stated the change will go to front of primary establishment and the area in and around the secondary building as per the map.

Roll Call:

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

**PAYMENT OF BILLS**

**Resolution 174-13**

**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 8, 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

**AGENDA ITEMS**

All items listed on the Agenda for October 22, 2013 were approved.

**CITIZENS TO BE HEARD**

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

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

**ADJOURNMENT**

On a motion by Councilman Depew, seconded by Councilwoman Zdichocki, and unanimously carried by voice vote the meeting was adjourned at 9:05 P.M.

Approved:

Linda Chirip  
Deputy Clerk