

**MAYOR AND COUNCIL
WORK SESSION AND
AGENDA MEETING
November 12, 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.

OATH OF OFFICE

Ellen Horak, Borough Clerk, administered the Oath of Office to Patricia Zdichocki, who was elected Councilwoman at the November 5, 2013 election.

ROLL CALL

Council Members:

Councilwoman Zdichocki – present
Councilman Thornton - present
Councilwoman Kuncken – present

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

Mayor Maio – Present

Mayor Maio acknowledged the passing of Audrey Dressel, retired Stanhope Borough Clerk. Mayor Maio stated that Audrey was a good friend and a courageous lady. She will be missed. Mayor Maio stated that Audrey contributed a great deal to the Borough and the employees during her years as Clerk and she was an amazing representation of the Borough to the public. Audrey was a very professional lady and there will never be another Audrey. Councilwoman Kuncken spoke of Audrey's kindness, spirit and how she dealt with all the adversity that she experienced in her life. Administrator McNeilly commented that Audrey always had a smile on her face and was a pleasure to work with.

WORK SESSION

Electric Co-op – Mayor Maio stated that a corrected handout has been distributed to the Governing Body regarding the electric co-op. Administrator McNeilly stated that he and Mayor Maio attended a Sussex County meeting regarding the electric co-op. Several other Sussex County towns attended the meeting. John Eskilson spoke about the favorable aspects of the co-op. Mayor Maio stated that the reaction of those in attendance was positive. The presentation was similar to the one that was held at Borough Hall. Most of the towns were concerned about public opinion and outreach, which are also concerns for the Borough. The intended goal of the co-op is to save approximately one and a half months of the electric bill charges over the course

of the year. Mayor Maio stated that the Governing Body must decide if an ordinance should be introduced and adopted. Administrator McNeilly stated that once the ordinance is adopted it allows Concord Engineering, via the co-op, to analyze the amount of power that is actually used in the residential section of the Borough. Once all the information is gathered then it will go out to bid. Mayor Maio stated that by adopting the ordinance it allows the collection of data to be done. It does not commit the Borough to participation in the program. Councilwoman Kuncken asked if once the outreach begins and the community is not in favor of it, does the Borough have to move forward. Councilwoman Zdichocki asked what percentage of the community has to participate. Mayor Maio stated that the percentage of those participating does not affect the program. It is a co-op consisting of many communities. If JCP&L's rate drops below the co-op rate, the co-op rate will match that amount. Councilman Thornton suggested waiting a year to find out how other towns handle the program. Councilman Thornton feels that the program should be an "opt-in" if you want to participate, not an "opt-out". Mayor Maio stated that regulations do not allow for that. If residents are already contracted with a third party provider, they will not be included in the program. Much discussion took place regarding the electric co-op benefits and regulations. Administrator McNeilly stated that additional information regarding energy aggregation may be available at the NJLM Conference next week.

Mayor Maio took a straw poll of the Governing Body for approval to move forward with adopting an ordinance on November 26th regarding the energy aggregation program. The results of the poll are as follows: Councilman Depew – yes, Councilman Thornton - yes, Councilwoman Kuncken - yes, Councilwoman Thistleton - yes, Councilwoman Zdichocki – yes. Mayor Maio stated that the results of the poll approve introducing the ordinance on November 26th.

2014 Municipal Calendar - Mayor Maio stated the draft of the 2014 Borough Calendar was distributed to the Governing Body. Mayor Maio asked if anyone had additions or changes to be made. Mayor Maio asked what is planned for the cover. Ellen Horak, Borough Clerk, stated that this year the cover will be done in house. It will be a picture of the municipal building or a graphic of the Borough logo. Ms. Horak stated that new information regarding damaged mailboxes, off street parking and parking permits has been added to the calendar. Ms. Horak asked Mayor Maio to provide the Mayor's letter for inclusion on the calendar. The Governing Body had no additions or changes to be made.

Re-examine ACH Debiting – Mayor Maio stated that the ACH Debiting program needs to be re-examined. The CFO had asked a year ago to implement the ACH Debiting program which allows residents to have their accounts automatically debited to pay their taxes and/or water/sewer bills. The program has been in place for a year and only 16 people have made use of the program to pay their taxes and 21 have signed up for payment of their water/sewer bills. Residents were charged \$5.00 to enroll in order to cover the costs of offering the program. Based on 37 enrollments, the Borough collected \$185.00 and the bank charged the Borough \$442.20. This program has cost the Borough \$257.20 this year. Mayor Maio stated there are two options. One is to discontinue the program because it is not cost effective or the second would be to continue the program for another year and see if more people sign on to the program.

After much discussion, Mayor Maio polled the Governing Body to determine if the program should be continued. The results of the poll are as follows: Councilwoman Zdichocki – no, Councilwoman Thistleton - no, Councilwoman Kuncken - no, Councilman Thornton – no, Councilman Depew – no. Mayor Maio stated that the program will not be continued and asked Administrator McNeilly to inform the CFO. Mayor Maio asked Administrator McNeilly what the issue is with using credit cards. Administrator McNeilly stated that the fees pose a problem. The fees are a percentage of what the payment is. Other towns have implemented the use of credit cards. Administrator McNeilly asked if the Governing Body would like to have the CFO gather information from other Sussex County communities to see how they are utilizing credit cards. Mayor Maio replied that having the information may be helpful.

ENGINEER'S REPORT

Maple Terrace - Mayor Maio welcomed Eric Keller, Omland Engineering, and invited Mr. Keller to give the Engineer's report. Mr. Keller stated that he has prepared a plan for a 24 foot wide roadway with mountable curbing for Maple Terrace. It would be similar to what was used

on High Street but would be elevated with a bit of a lip. Mr. Keller stated that he will email a photo to Administrator McNeilly. This plan shows the existing pavement, fence, hedges, arborvitae, retaining wall and pull off area would not have to be removed. Mayor Maio stated that the pull off area is located at lot 2. Mr. Keller stated that in trying to determine where the lot lines are, the deeds mentioned a file map for a subdivision called Rita Estates. Everything but the corner lot where the daycare is located was part of the subdivision. Much discussion took place regarding the mountable curbing and parking issues. Mr. Keller stated the mountable curbing would be raised approximately two inches off the road, will direct the water runoff and can be driven over. Administrator McNeilly stated there are three choices for Maple Terrace. A 30 foot road will move the road out to the right of way and will cause a considerable amount of disruption. The 28 foot plan will have parking restrictions. The 24 foot plan will keep the width of the road as it is now, will have mountable curb, new surface, drainage and a new water main.

Mayor Maio polled the Governing Body as to which plan should be implemented. The results of the poll are as follows: Councilman Depew – 24 foot plan, Councilman Thornton – 24 foot plan, Councilwoman Kuncken – 24 foot plan, Councilwoman Thistleton – 24 foot plan and Councilwoman Zdichocki – 24 foot plan. Councilman Thornton asked why the crosswalk could not be located on the other corner so it would be lined up better with Maple Terrace. Administrator McNeilly stated there is a site distance problem. Mayor Maio stated that the Governing Body has approved the 24 foot plan for Maple Terrace.

Mayor Maio asked Mr. Keller what the next step is for this project. Mr. Keller replied that he will begin work on the design plans. The preliminary drawings will include the water main and an infrastructure meeting will be held to discuss the plans, make any adjustments, finalize the plans and prepare the bid documents. Mayor Maio asked what the tentative date for construction will be. Mr. Keller replied that the project will be ready to start in the spring. Mayor Maio asked if the project would take longer than thirty days. Mr. Keller confirmed that the project should not take more than thirty days however the contract will state sixty days.

Mr. Keller stated at the last meeting a discussion took place regarding a video inspection from Port Morris out to the point. National Water Main was contacted for an estimate. National Water Main had just completed a job for the MSA and their estimate from Port Morris up around the lake just past Lawrence Avenue would be approximately \$25,000 to video and clean the pipe. The debris disposal would be an extra cost. The section between Port Morris to the back of the point behind the church that is all wetlands could be accessed from Port Morris going in and then from the point going back the other way. Some residents may need to be contacted in order to get permission to use their driveways to access the area. Mayor Maio asked what the schedule would be for this project. Mr. Keller stated due to the cost the Borough will have to go out to bid. The bid documents need to be prepared which will include maps of the sewer system. Bill Storms, DPW Superintendent, provided Omland Engineering with all the sewer maps available which were scanned and stored digitally. Administrator McNeilly suggested that the area behind the old Morris Canal be added because that pipe is located in the water. Mayor Maio stated that the Governing Body is in agreement to move forward with the project and the funds are available in the budget.

Survey of Salmon Park & Furnace Pond – Mr. Keller stated that a survey of the Borough's property at Salmon Park, Furnace Pond and the Morris Canal from the Post Office to Route 183 is in the planning stages. Mayor Maio stated the property needs to be surveyed and staked. Mr. Keller had a partial survey prior to when this became one lot. There are monuments at three of the corners at the Tannery property. The surveyors also found one behind the firehouse off the back right corner. Administrator McNeilly asked Mr. Keller if monuments and stakes with flags would be put in place when the survey is conducted. Mr. Keller stated that by law with a boundary survey they are required to set the corners or the owner has to waive the setting of the corner markers. The proposal will have a waiver. Mayor Maio stated that the Borough does not wish to waive that right. Mr. Keller stated they will use iron pipe with a cap. Concrete monuments can be used but that is an additional cost. Mayor Maio asked if the property can also be flagged initially. Administrator McNeilly stated that would allow for pictures of the area to be taken. Mr. Keller stated that the estimate is \$8,750 for the 3.6 acres. The survey will clearly define Hopatcong State Park, Borough property and the adjoining properties.

Mayor Maio asked if permission to conduct the survey is required from NJDEP. Mr. Keller replied that permission is not required. Mayor Maio asked how long it will take to conduct the

survey and what time of year would be best. Mr. Keller replied that the survey can be conducted in the winter. Copies of the deeds or titles will have to be obtained. Mr. Keller stated that Mr. Stein has a company that he uses. Administrator McNeilly stated that a resolution authorizing the work to be done and authorizing who can sign the contract must be adopted first. The CFO will be consulted for funds availability. A resolution for the transfer of funds will have to be on the agenda for the meeting on November 26th. Mr. Keller stated that the title search does not have to be done before work begins. The deeds will supply information necessary. Because of the complexity of the lots it will take approximately six weeks for the survey which would be completed in January.

Administrator McNeilly stated that a survey of wells 3 and 4 will need to be done in the future. The buildings are secured and alarmed. There is approximately 7 acres which needs to be secured with a proper gate and fencing all the way around. The tower property also needs to have the fence secured. Approximately an acre and a half is not inside the fence at this time. This should be done during the construction this summer. Mr. Keller stated each property would cost approx. \$5,000 each. Administrator McNeilly stated the wells and tower property will be a separate project. Much discussion took place regarding the properties.

Mountain Terrace – Mr. Keller stated a preliminary evaluation has been done. The design proposal was sent to Administrator McNeilly today. Mountain Terrace will be part of the Maple Terrace bid packet. Administrator McNeilly asked the Governing Body for approval to prepare the resolution for next meeting. The CFO will be consulted regarding funds availability.

Mayor Maio thanked Mr. Keller for attending tonight's meeting.

ADMINISTRATOR'S REPORT

Water Project – Administrator McNeilly stated that the Borough is waiting for a formal response from the Sussex County Engineering Department regarding the road opening and detour plan for Brooklyn Road. Once the written response is received the bid documents can be finalized and advertised. Administrator McNeilly stated that Mr. Purcell has indicated to him that as long as a response is received by early next week the Borough will be able to go to bid prior to the deadline of December 7, 2013.

Affordable Homes – Administrator McNeilly stated that a response was received from Affordable Homes regarding 14 Mountain Terrace. Administrator McNeilly stated that he and Mr. Stein will monitor the progress and adhere to the timeline that was outlined in Mr. Stein's letter to the Salt and Light Company, Inc..

Animal Control – Administrator McNeilly stated that the Borough's contract with Hopatcong is ending on December 31, 2013. Administrator McNeilly stated that he has been reviewing the contract and will discuss the proposed changes with the Mayor and Council at the November 26th meeting. Coverage during the ACO's absence needs to be addressed. The length of time that the animals remain the Borough's responsibility needs to be determined. The medical care that stray cats receive must also be addressed. Public relation issues must be handled by the Stanhope Police Chief or Administrator. Mayor Maio asked Administrator McNeilly to contact the Stanhope Board of Health with his recommendations and ask if they have any changes or comments to add.

Land Sale – Administrator McNeilly stated that Mr. Stein was in the process of preparing the contract with Weichert Realtors and discovered that this is a conflict of interest for him. Administrator McNeilly stated that Mr. Stein forwarded the information to the Borough's conflict counsel to prepare the contract. Administrator McNeilly stated that Mr. Stein has informed him that Mr. Hontz, conflict counsel, indicated to Mr. Stein that he will no longer be the Borough's conflict counsel after 2013 and does not wish to become involved in any new issues for the Borough this close to the end of the year. Mr. Hontz has not informed the Borough that he does not intend to be conflict counsel for next year. Administrator McNeilly left a message for Mr. Hontz. Mayor Maio asked Administrator McNeilly to speak with Mr. Hontz and ask if he can write the contract. This is a major delay. Mr. Hontz does not have to see the sale through to the end. Administrator McNeilly stated that he will have a new conflict counsel recommendation for the November 26th meeting. Mr. Stein will be available that evening to answer any questions.

Police Department – Administrator McNeilly stated that, as previously reported by Chief Pittigher, the Police Departments have been anticipating the change over from the Spillman System to the Enforsys Program which is preferred by Sparta Township. The changeover is scheduled to take place on or near January 1, 2014. The one-time cost remains at \$6,000. A budget transfer will be on the agenda for the November 26th meeting. Mayor Maio asked if this is the Borough's cost regardless of what anyone else at Sparta Dispatch decides to do. Is this prorated by the number of towns participating or is it a set cost. Administrator McNeilly replied that the Police Departments do not have an option to not participate. All the towns that use Sparta Dispatch have to make the change and therefore this is a fixed cost. Mayor Maio stated that the approval needs to be worded to indicate that the purchase order cannot exceed \$6,000.

Fire Department – Administrator McNeilly stated that the connection which would allow for the Fire Department to continue receiving run call information directly into the NIFRS system via the Enforsys Fire Reporting System is complicated. Enforsys has quoted \$20,000 to assemble the required software for the system. If all five towns in Sparta Dispatch, which consists of Sparta, Stanhope, Byram, Franklin and Ogdensburg, agree to split the cost, each town's upfront cost would be \$4,000. The cost would increase if all the towns do not participate. Each town would have a yearly maintenance fee of \$300. If the Borough chooses not to participate, the Fire Department will have to revert back to using the manual system that was used two years ago.

Councilwoman Kuncken suggested that Fire Chief Card contact the other fire departments to determine which ones will be participating. Councilwoman Thistleton asked why this system has a yearly maintenance fee and the Police Department system does not. Mayor Maio replied that the Fire Department system is not part of the contract with Sparta. On the Police Department side it is included in the contract. Mayor Maio stated that prior to Chief Card contacting other fire departments; the Borough needs to determine if they are going to participate. Much discussion took place regarding the costs and benefits of participating in the program. Administrator McNeilly asked the Governing Body for approval to contact Chief Card to discuss the issues with the system and to ask him to contact the other towns for their input. Administrator McNeilly will ask Chief Card to attend a meeting to discuss his findings with the Governing Body. Administrator McNeilly stated that Joe Inga, Sussex County Fire Marshal, is working on a Sussex County-wide system. The Governing Body agreed to have Administrator McNeilly ask Chief Card to gather the necessary information and present his findings at the December 10th Work Session Meeting.

Mailboxes – Administrator McNeilly stated that last year several mailboxes were replaced. Administrator McNeilly stated that the Borough policy needs to be revised to clearly state the policy and procedure to be followed.

Capital Project Status – Administrator McNeilly stated that the Fire Department has printed all its purchases for equipment. The police car is on order and due in shortly. The gas pumps are under contract. The pretreat system is on hold pending review of the type of equipment that will have to be purchased. The DPW garage renovations are ongoing. The plows and box spreaders are all in and installed. The new pickup truck is ordered and due in two weeks. Mr. Keller reported to Administrator McNeilly that Maple Terrace is underway. Funds are in place for the coming year for crack sealing. The lighting on Main Street is complete. The paving of the Borough Hall parking lot is complete. The DPW roof is complete. The Radio Reads in the water utility are on order. The variable frequency drive bids are due to be opened on November 21st and the contract will be awarded on November 26th. Well 4 still has to go out to bid but is on hold. The bid opening for the generator at well 3 will take place on November 21st and the contract will be awarded on November 26th. The Borough is ready to purchase the first years complement of the water meters for the replacement program. The manhole cover funds will be moved to the camera investigation and cleaning of the sewer main.

DPW Garage Renovation - Mayor Maio stated there are bills for the DPW renovation on the bills list and she asked Administrator McNeilly for a status update. Administrator McNeilly replied that the bathroom shower area is 90% complete. The walls are tiled and the showers are installed. They have cut through the concrete to install new doorways. The kitchen area and the area above for sleeping still need to be completed.

COUNCIL DISCUSSION

Accreditation Program - Councilwoman Kuncken stated that Chief Pittigher informed her that the accreditation program is moving forward. The Police Department was inspected and recommendations were made. Discussion took place regarding the securing of evidence. Administrator McNeilly stated that once Chief Pittigher gives him a list of requirements, Administrator McNeilly will contact Sussex Vo-Tech to see if the machine shop can fabricate what is needed. Councilwoman Kuncken stated once the policies are reviewed the Borough will have to revise some of the ordinances.

Fire Department Tie Lines - Councilman Thornton asked Administrator McNeilly to explain the Fire Department tie line costs that are referenced on the CFO's memo of shortages for the resolution on tonight's agenda. Administrator McNeilly replied that the start-up costs and the day to day costs for the tie lines was greater than anticipated due to the use of the two different phone systems. Mayor Maio stated that the tie lines were installed when the sirens were eliminated and the high band radios were implemented for the Fire Department.

OLD BUSINESS

Ordinances for Public Hearing and Final Adoption

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

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 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 – absent

On motion by Councilwoman Zdichocki, 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 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 Councilwoman Zdichocki, seconded by Councilwoman Kuncken, 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 – absent

On motion by Councilwoman Thistleton, seconded by Councilwoman Kuncken and unanimously carried by voice vote, the Mayor and Council instructed the 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 186-13 RESOLUTION REGARDING ACTING BOROUGH CLERK

WHEREAS, the Borough of Stanhope heretofore appointed Deputy Borough Clerk, Linda Chirip, to the position of Acting Borough Clerk at a salary of \$150 per week, in addition to her other duties as a result of a temporary vacancy in the position of Stanhope Borough Clerk due to medical reasons; and

WHEREAS, on October 24, 2013 Ellen Horak returned to full-time employment as the Borough Clerk; and

WHEREAS, it will no longer be necessary for the Deputy Borough Clerk to continue her duties as Acting Borough Clerk.

NOW, THEREFORE, be it resolved by the Mayor and Council of the Borough of Stanhope that Linda Chirip's duties as Acting Borough Clerk for the Borough of Stanhope shall terminate effective October 24, 2013.

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

Resolution 187-13 RESOLUTION AUTHORIZING EXECUTION OF SETTLEMENT AGREEMENT WITH NJDEP

WHEREAS, the Borough of Stanhope operates a public community water system, duly licensed by NJDEP; and

WHEREAS, NJDEP has adopted the National Primary Drinking Water Regulations at 40 CFR Part 141; and

WHEREAS, said regulations require the testing of all wells in the municipal water system quarterly for volatile organic chemicals; and

WHEREAS, due to an administrative oversight, the Borough failed to conduct volatile organic chemicals testing at Wells #3 and #4 in the first quarter of 2012; and

WHEREAS, NJDEP has issued a Notice of Violation to the Borough and has offered a Settlement Agreement to resolve said violation by the payment of \$2,000 penalty; and

WHEREAS, the Borough believes that it is in its best interest to enter into the Settlement Agreement with NJDEP, a copy of which is attached hereto.

NOW, THEREFORE, be it resolved by the Mayor and Council of the Borough of Stanhope that the Mayor be and the same is hereby authorized to execute the Settlement Agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to issue payment to NJDEP in accordance with the terms of the Settlement Agreement.

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

Roll Call:

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

Resolution 188-13

RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER

WHEREAS, the Tax Collector has received payment for the redemption of Tax Title Lien No. 2012-11, representing 2011 property taxes and/or utility charges on Block 11208, Lot 1, known as 5 Main Street, assessed to John E & Karen A Mohrle, 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:	Ridgeback Ventures LLC P.O. Box 503 Mount Freedom, NJ 07970
Redemption Amount:	Tax Title Lien #2012-11 and Interest to Date of Meeting \$ 13,830.54 Premium Paid by Lienholder <u>0.00</u>
Total From Current Fund:	\$ 13,830.54
Total From Tax Premium Account	0.00

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

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

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

Resolution 189-13

RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER

WHEREAS, the Tax Collector has received payment for the redemption of Tax Title Lien No. 2013-014, representing 2012 property taxes and/or utility charges on Block 11102, Lot 6, B01 (Billboard) known as 5 Linden Avenue, assessed to James & Patricia Dimitriou, 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:	Ridgeback Ventures LLC P.O. Box 503 Mount Freedom, NJ 07970
Redemption Amount:	Tax Title Lien #2013-014 and Interest to Date of Meeting \$ 473.38 Premium Paid by Lienholder <u>100.00</u>
Total From Current Fund:	\$ 473.38
Total From Tax Premium Account	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 Depew, seconded by Councilwoman Kuncken and unanimously carried by voice vote, the foregoing resolution was duly adopted.

Resolution 190-13

RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER

WHEREAS, the Tax Collector has received payment for the redemption of Tax Title Lien No. 2013-028, representing 2012 property taxes and/or utility charges on Block 11501, Lot 2, C0302, known as 16302 Dell Place, assessed to Estate of Steven M Kelley, 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:	John Lami 307 West Shore Trail Sparta, NJ 07871
Redemption Amount:	Tax Title Lien #2013-028 and Interest to Date of Meeting \$ 1,850.14 Premium Paid by Lienholder <u>3,200.00</u>
Total From Current Fund:	\$ 1,850.14
Total From Tax Premium Account	3,200.00

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

Resolution 191-13

RESOLUTION AUTHORIZING AFFORDABLE HOUSING PROGRAM HOME REHABILITATION LOAN FOR 6 GROVE ROAD, BLOCK 10905, LOT 17

WHEREAS, the Borough of Stanhope has heretofore received a Community Development Grant from the State of New Jersey; and

WHEREAS, pursuant to said grant, the Borough made no interest loans to income qualified homeowners to rehabilitate their homes by providing the funding to make essential repairs; and

WHEREAS, all of the loans made by the Borough were to income qualified people and satisfied a portion of the Borough's COAH obligation to assist in the rehabilitation of existing housing; and

WHEREAS, the Borough has now received repayment of some of the loans upon the resale of the property to a third party; and

WHEREAS, the Borough wishes to re-circulate the repaid loans into the community to continue to provide funding for essential home repairs for income qualified people; and

WHEREAS, the owner of 6 Grove Road, Block 10905, Lot 17 has submitted an Affordable Housing Program Loan Application to the Borough seeking a no interest loan in the amount of \$1,410.00 to perform essential repairs; and

WHEREAS, the Borough's Housing Rehabilitation Program Coordinator has reviewed and approved the application; and

WHEREAS, the Housing Rehabilitation Loan will satisfy a part of the Borough's COAH obligation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the Governing Body does hereby approve of an Affordable Housing Program Home Rehabilitation Loan to the owner of 6 Grove Road, Block 10905, Lot 17 in the amount of \$1,410.00; and

BE IT FURTHER RESOLVED that this approval is subject to the property owner executing an Affordable Housing Program Note and Mortgage to the Borough and complying with all Borough ordinances and state law regarding Affordable Housing Program Loans.

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

Roll Call:

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

Resolution 192-13

RESOLUTION AUTHORIZING A TRANSFER OF 2013 APPROPRIATIONS

WHEREAS, the Finance Officer certifies that there appear to be insufficient funds in the budgetary accounts listed below to meet the demands thereon for the balance of the year; and

WHEREAS, the Finance Officer certifies that there appears to be a surplus in the budgetary accounts listed below, over and above the demand deemed necessary for the balance of the year; and

WHEREAS, N.J.S. 40A:4-58 provides that transfers of funds may be made during the last two months of the budget year;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stanhope that the Borough Finance Officer is authorized to make a transfer in 2013 budget appropriations in the amount of \$6,050.00 within the Current Fund, as follows:

CURRENT FUND	From:	To:
Solid Waste - O/E	\$ 6,050.00	
Municipal Clerk - S & W		\$ 2,250.00
Tax Collection - O/E		\$ 200.00
Telephones - O/E		\$ 3,600.00
	<u>\$ 6,050.00</u>	<u>\$ 6,050.00</u>

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

Roll Call:

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

Mayor's Acceptance of Resignation

Resolution 193-13

MAYOR'S ACCEPTANCE OF THE RESIGNATION OF JOIE BENSON FROM THE STANHOPE BOARD OF HEALTH WITH COUNCIL CONCURRENCE

BE IT RESOLVED by the Council of the Borough of Stanhope that they do hereby concur with the Mayor's acceptance of Joie Benson's resignation as a member of the Board of Health, effective immediately.

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

Mayor's Appointment

Resolution 194-13

MAYOR'S APPOINTMENT OF PART-TIME HIRE FOR THE DPW RECYCLE YARD WATCH 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 Gary Stevens as a Part-time Hire for the DPW Recycle Yard Watch for the Borough of Stanhope, effective, November 13, 2013 at the hourly salary rate of \$12.00 per hour.

BE IT FURTHER RESOLVED that said appointment and offer of employment shall be subject to the candidate passing a pre-employment physical examination, drug testing, criminal background check, and licensing verification, where appropriate.

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

Administrator McNeilly stated that the new employee will begin work tomorrow.

PAYMENT OF BILLS

Resolution 195-13

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 November 12, 2013 and on file and available for public inspection in the Office of the Chief Finance Officer and approved by the Chief Finance Officer for payment, be paid.

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

Roll Call:

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

AGENDA ITEMS

All items listed on the Agenda for November 26, 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.

DISCUSSION

Mayor Maio stated that she will be unable to attend the next scheduled meeting. Council President Kuncken will run that meeting. Mayor Maio wished everyone a Happy Thanksgiving.

ADJOURNMENT

On a motion by Councilwoman Kuncken, seconded by Councilwoman Thistleton, and unanimously carried by voice vote the meeting was adjourned at 9:40 P.M.

Approved:

Linda Chirip
Deputy Clerk
For Ellen Horak
Borough Clerk