

**MAYOR AND COUNCIL
REGULAR MEETING
December 17, 2013
7:00 P.M.**

CALL TO ORDER

COUNCIL PRESIDENT'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.

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

ROLL CALL

Council Members:

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

Mayor Maio – Absent

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
 - 1 Public Safety (Curfew Ordinance)
 - 2 – Attorney Client (Affordable Homes Contract and A Property Donation)
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 Councilman Depew, and unanimously carried by voice vote, the foregoing resolution was adopted.

Mayor and Council went into Closed Session at 7:01 P.M.

At the conclusion of the Closed Session, on motion by Councilman Benson, seconded by Councilman Thornton, and unanimously carried by voice vote the Mayor and Council reconvened the public meeting at 7:45 P.M. with all present.

Council President Kuncken called for a fifteen minute recess. The meeting reconvened at 8:00 P.M. with all present.

SALUTE TO COLORS

Council President Kuncken invited all those present to stand in a salute to colors.

CITIZENS TO BE HEARD

Council President Kuncken 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, Council President Kuncken closed the public portion of the meeting.

MINUTES FOR APPROVAL

Council President Kuncken read aloud the list of minutes being presented for approval:

August 27, 2013 Regular Business Meeting & Closed Session

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

CORRESPONDENCE (List Attached)

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

COUNCIL COMMITTEE REPORTS

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

ADMINISTRATOR'S REPORT

Administrator McNeilly stated that he did not prepare an Administrator's Report for tonight's meeting but gave a brief update on the following projects.

Water Improvement Project – Administrator McNeilly stated that the Water Improvement Project is moving forward. The bid packets are currently available. Administrator McNeilly stated that he and Mr. Stein have been working with the County. Administrator McNeilly reported that Mr. Purcell has informed him there are 16 qualified bidders to date and additional bid specifications are being prepared. John Black has visited with the homeowner located on the end of Sagamore Road to discuss how the pipe will transverse across the property. This is the only homeowner that will be affected by the project.

Natural Gas Line – Administrator McNeilly stated that the discussions regarding natural gas lines should continue. Elizabeth Town Gas has given the Borough the indication that they will not service the Borough because we are located too far away. Administrator McNeilly stated that he has contacted New Jersey Natural Gas and they have stated that public interest will be an important feature. New Jersey Natural Gas is interested in supplying government buildings such as the schools and locations on the highway. This is still a five to eight year process. Hopatcong Borough is also interested in having natural gas lines. The lines would come from the trunk line in the Trade Zone. Council President Kuncken asked what company services Netcong Borough. Administrator McNeilly stated that is a service line, not a transmission line, owned by New Jersey Natural Gas.

Affordable Care Act – Administrator McNeilly stated that the Borough is below the 50 person threshold for the Affordable Care Act. However, there is a problem with the government's

interpretation of what constitutes an employee. The Department of Labor considers volunteers as non-employees. The IRS considers a volunteer an employee. Currently there is an issue in South Jersey concerning this issue. In Stanhope Borough this would put our number of employees over 70. This issue is a nationwide problem and if it is not fixed this will require employers to provide health insurance. Administrator McNeilly has been in contact with Wayne Dietz from D&H regarding the issue.

JIF – Administrator McNeilly stated that he has been attending all the JIF meetings and following all the insurance issues for the Borough. Administrator McNeilly stated that at the next JIF meeting he will be appointed to the Executive Committee. Administrator McNeilly stated that he was asked to take the position of Chairman, which he declined, due to the upcoming projects that will be undertaken in the Borough which will require his time and attention.

COUNCIL BUSINESS

Reorganization Meeting – Council President Kuncken stated that all the Council Members have received a packet for review from the Borough Clerk. There are a number of resolutions which will be on the consent agenda. Council President Kuncken stated that Mayor Maio informed her there will be two appointments to be made at the Reorganization Meeting this year. Council President Kuncken asked the Governing Body if they had any questions regarding the agenda. Ellen Horak, Borough Clerk, stated that she has received confirmation that the Sussex County Clerk will be attending the Reorganization Meeting to read the decision of determination and swear in the elected officials. Ms. Horak stated that she has not received a reply to date from Reverend Kintner. Ms. Horak asked the Governing Body what type of refreshments should be served. The decision was made to have fruit, cookies and cheese and crackers. Ms. Horak will contact the Senior Citizens Group who traditionally provides the refreshments for the meeting.

Councilwoman Thistleton asked if there are a specific number of meetings that can be missed by a board or commission member before action is taken. Ms. Horak replied that the Chairman of the particular board or commission can send a request to the Governing Body requesting that the seat be declared vacant due to the fact that the member has missed a number of meetings. Mr. Stein stated there is no statute for board or commission members with regard to attendance. There is a statute for the Governing Body that states after missing eight meetings, without being excused, the seat is declared vacant by law.

Resident Request (Water & Sewer Bill) – Council President Kuncken stated a letter was received by a resident asking for a partial waiver on their water and sewer bill. Administrator McNeilly stated there are homes with water meters inside the house and homes that are built on slabs where the meter is located at the curb. When a break takes place in the house after the meter it is easily detected. A break that occurs where the meter is in the front yard can go undetected for an entire quarter. That is the circumstance for this particular resident. This home had a very high meter reading and the DPW Department investigated and found there was a break. Council President Kuncken asked what type of waiver the resident is seeking because the letter does not specify. Administrator McNeilly is of the opinion that they are looking for relief from the large bills which will cover two billing cycles. The residents are taking steps to correct the problem but due to the holidays and the weather this will take some time. Much discussion took place regarding the request and the options available. The Governing Body unanimously agreed to recalculate the current bills for the 4th quarter and the 1st quarter using the usage data from last year's 4th and 1st quarters for these two bills only. Mr. Stein stated that gives the residents 60 days to have the repair made. Administrator McNeilly stated that he will contact the residents.

By-Laws - Council President Kuncken stated that Mr. Stein had provided the Governing Body with a revised copy of the By-Laws which incorporated changes that he had suggested. The Governing Body reviewed the document and made additional changes. Council President Kuncken asked the Governing Body to review the revised By-Laws for any final revisions. Council President Kuncken stated that she is of the opinion that Section 5 page 2 had been used as an example of a temporary committee but is not a requested change. The Governing Body does not object to the Mayor being able to appoint a By-Laws Committee. Council President Kuncken stated that a change was made on page 5 “A standing committee shall...item b.” Mr. Stein stated this change was made due to a conflict with Chapter 2. The Governing Body agreed to this change. Mr. Stein stated that he will change Section 5 page 2 back to what it was and he

will email the final version tomorrow. Council President Kuncken stated that the By-Laws will be on the Reorganization Agenda.

Special Meeting – Mr. Stein stated that the Borough is accepting bids for the two water projects on January 3rd. In order to meet the State’s deadline, all the paperwork must be submitted by January 15th. The Mayor and Council meeting is scheduled for January 14th. Mr. Stein stated that Mr. Purcell asked the State if all the paperwork could be submitted prior to January 15th except for the resolution which could then be submitted separately. The State will not accept the paperwork separately. Mr. Stein stated that a Special Meeting will have to be scheduled to immediately follow the Reorganization Meeting. The only item on the agenda will be to award the bid for each of the two projects subject to DEP’s concurrence. Mr. Stein stated that the Special Meeting can start later than advertised but it cannot begin earlier. The Governing Body agreed to advertise the Special Meeting for 7:30PM in order for the meeting to begin as soon as the Reorganization Meeting is completed.

Energy Aggregation - Councilman Thornton stated that ordinance 2013-18 for Energy Aggregation is on the agenda this evening for public hearing and final adoption. Councilman Thornton asked Mr. Stein for clarification of the ordinance. Councilman Thornton is in favor of saving money but he stated he is uneasy about obligating the residents to participate in the program. Mr. Stein stated the Borough is not obligating anyone to participate. Councilman Thornton stated that the ordinance reads “citizens of the Borough of Stanhope desire to participate.” Councilman Thornton is of the opinion that the Borough does not know this to be so. Councilman Thornton is of the opinion that the outreach program will determine if the residents are interested. Council President Kuncken stated that it is her understanding that the ordinance permits the outreach to begin. This is not a commitment to participating in the program. Much discussion took place regarding the wording of the ordinance. Mr. Stein stated that the ordinance permits the Borough to begin the process in order to participate in the co-op. The Borough does have the right not to move forward if they do not wish to participate. The ordinance can also be rescinded if necessary at any time. Administrator McNeilly stated that there are many residents in the Borough who have electric bills at \$400 or more. Those residents will benefit from this program. Councilman Thornton stated that he has read that other Governing Bodies are having similar issues with the program because it requires the residents to opt-out if they do not want to participate, as opposed to the reverse of being able to present the program and have residents choose to join if they are interested in doing so. Councilman Thornton is in favor of saving the residents money but in his position as a Councilman, he does not feel it is his right to dictate where the residents purchase their energy.

OLD BUSINESS

ORDINANCES

Council President Kuncken read the following ordinances for public hearing and final adoption by title.

Ordinances for Public Hearing and Final Adoption

Ordinance 2013-17

AN ORDINANCE TO AMEND ORDINANCE 2013-15 OF THE BOROUGH OF STANHOPE PROVIDING FOR A SUPPLEMENTAL APPROPRIATION OF \$3,150.00 FOR PRELIMINARY ENGINEERING DESIGN FOR PROPOSED MAPLE TERRACE ROADWAY RECONSTRUCTION AND WATER MAIN REPLACEMENT PROJECT TO BE FULLY FUNDED BY GENERAL CAPITAL IMPROVEMENT FUND

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

Section 1. Ordinance 2013-15 is hereby amended as follows. The funding for the capital improvement entitled “Preliminary Engineering Design for Proposed Maple Terrace Roadway Reconstruction and Water Main Replacement Project” is hereby amended to include \$3,150.00 from General Capital Improvement Fund, and the total cost of this project is modified to not exceed \$22,800.00, which sum is hereby appropriated for these purposes,

Section 2. The amount of \$3,150.00 for said improvements is hereby to be fully funded from the General Capital Improvement Fund.

Section 3. No additional debt will be authorized by this amendment or for this project.

Section 4. All other provisions of Ordinance 2013-15 unless amended herein shall remain in full force and effect.

Section 5. This ordinance shall take effect ten (10) days after the first publication thereof after final adoption.

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

Council President Kuncken opened this portion of the meeting for public comment on this ordinance only.

Seeing no one from the public wishing to speak, Council President Kuncken 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 Councilman Benson, seconded by Councilman Depew and unanimously carried by voice vote, the Council President and Council instructed the Clerk to post the ordinance and authorized publication of same.

Ordinance 2013-18

AN ORDINANCE ESTABLISHING AN ENERGY AGGREGATION PROGRAM PURSUANT TO THE GOVERNMENT ENERGY AGGREGATION ACT OF 2003, N.J.S.A. 48:-93.1 to 98

WHEREAS, the State of New Jersey has been engaged in a process to establish a competitive market place through deregulation and restructuring the electric utility market; and

WHEREAS, the establishment of a government aggregator and an energy aggregation program to purchase electric generation service pursuant to N.J.S.A. 48:3-93.1 et seq. and N.J.A.C. 14:4-6.1 et seq. will increase competition for the provision of electric power to residential and non-residential users, thereby increasing the likelihood of lower electric rates for these users without causing any interruption in service; and

WHEREAS, under the aggregation process the residential and non-residential ratepayers may likely receive a direct reduction in their electric bills; and

WHEREAS, the citizens of the Borough of Stanhope have a substantial economic and social interest at stake; and

WHEREAS, the Governing Body of the Borough of Stanhope hereby finds that it is in the best interests of residential and non-residential electric ratepayers to enter into an aggregation agreement in order to seek substantial savings on electric rates;

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Stanhope as follows:

1. The Borough of Stanhope publicly declares it is a participating member of the Passaic County Energy Cooperative Pricing System per Resolution dated November 26, 2013.
2. That the citizens of the Borough of Stanhope desire to participate in the Passaic County Cooperative's Government Energy Aggregation Program and aggregate energy supply

service on behalf of its residential and non-residential users of energy pursuant to the Government Energy Act of 2003, N.J.S.A. 48:3-91.3 to -98, and implementing regulations.

3. That Passaic County as the Lead Agency will seek bids on behalf of the Cooperative from licensed and appropriate Third Party Suppliers. If such winning bid is selected and agreement executed, individual residential consumers would retain the option not to participate and to choose any alternatives they desire, while non-residential ratepayers would also have the right to participate.
4. The Borough Administrator and/or Mayor is authorized to execute and the Borough Clerk to attest to any documents necessary to carry out the purpose of the Ordinance.
5. The fully executed agreement shall be kept on file and available for public inspection with the Borough's Clerk's Office.
6. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
7. This Ordinance shall become effective immediately upon passage and publication as required by law.

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

Council President Kuncken opened this portion of the meeting for public comment on this ordinance only.

Seeing no one from the public wishing to speak, Council President Kuncken 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 Councilman Benson, seconded by Councilman Depew and unanimously carried by voice vote, the Council President and Council instructed the Clerk to post the ordinance and authorized publication of same.

NEW BUSINESS

RESOLUTIONS

Council President Kuncken offered the following resolutions which were read by title:

Resolution 216-13

RESOLUTION AUTHORIZING BOROUGH ENGINEER TO PREPARE SURVEYS OF VARIOUS MUNICIPAL PROPERTIES

WHEREAS, Omland Engineering has been duly appointed as the Borough Engineer for the year 2013; and

WHEREAS, Omland Engineering has professional licensed surveyors on staff; and

WHEREAS, the Borough is in need of surveys for its Salmon Park property, its Furnace Park property, its Water Tower/Reservoir property and its Wells 3-4 property; and

WHEREAS, Omland Engineering has provided a proposal to the Borough to survey the aforesaid properties, which proposal is attached hereto and made a part hereof;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the Borough does hereby authorize Omland Engineering to perform surveys of the above listed Borough properties in accordance with its proposal.

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

Roll Call:

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

Resolution 217-13

RESOLUTION AUTHORIZING BOROUGH ENGINEER TO PREPARE BID SPECIFICATION FOR SEWER PIPE CLEANING AND INSPECTIONS

WHEREAS, the Borough has duly appointed Omland Engineering as Municipal Engineer for the 2013; and

WHEREAS, the Borough owns and operates a municipal sewer collection system; and

WHEREAS, the sewer mains located within Lloyd Avenue to Port Morris Avenue and within Walton Place to Port Morris Avenue are in need of cleaning and inspection; and

WHEREAS, it is anticipated that the cost of the work will exceed the bid threshold requiring the Borough to publicly bid for the work in question; and

WHEREAS, bid specifications must be prepared by the Borough Engineer for the aforesaid work; and

WHEREAS, Omland Engineering has provided a proposal to the Borough for the professional services in question, which proposal is attached hereto and made a part hereof;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the Borough Engineer is hereby authorized to prepare bid specifications for the above listed work in the accordance with its attached proposal.

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

Roll Call:

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

Resolution 218-13

RESOLUTION ENDORSING ROAD CLOSURE AND DETOUR PLAN FOR COUNTY ROUTE 602 TO THE SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS

WHEREAS, the Borough of Stanhope is in need of making repairs and rehabilitation to its municipal water system including the water main located within Sussex County Route 602 (Brooklyn-Stanhope Road); and

WHEREAS, the Borough retained the services of Lee T. Purcell Associates, consulting engineers, for purposes of an application to NJDEP/NJEIT for funding for the water system improvements; and

WHEREAS, NJDEP/NJEIT have approved the Borough's application as well as its plans and specifications for the necessary work; and

WHEREAS, the Borough's Consulting Engineer has prepared a Road Closure and Detour Plan for County Route 602 which has been submitted to the County Engineering & Planning Department for its review and approval; and

WHEREAS, the Borough wishes to formally endorse the Road Closure and Detour Plan to the Sussex County Board of Chosen Freeholders so that the Freeholder Board may approve same;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the Borough does hereby formally endorse to the Sussex County Board of Chosen Freeholders the Road Closure and Detour Plan for Sussex County Route 602, as prepared by the Borough's Consulting Engineers, Lee T. Purcell Associates.

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

Councilman Benson asked if the name of the road in paragraph 1, Sussex County Route 602 (Brooklyn-Stanhope Road), was correct. Mr. Stein confirmed that the road name is correct.

Roll Call:

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

Mr. Stein asked Ellen Horak, Borough Clerk, to certify resolution 218-13 tomorrow and send it with a letter from Ms. Horak or Administrator McNeilly to John Risko at the County.

Resolution 219-13

RESOLUTION AUTHORIZING BOROUGH TO PUBLICLY BID FOR SEWER PIPE CLEANING AND INSPECTION WORK

WHEREAS, the Borough of Stanhope owns and operates a municipal sewer collection system; and

WHEREAS, the Borough Engineer was heretofore authorized to prepare bid specifications for necessary work to the municipal sewer system for the cleaning and inspection of the municipal sewer mains in Lloyd Avenue to Port Morris Avenue and in Walton Place to Port Morris Avenue; and

WHEREAS, the Borough Engineering has advised the Borough that the specifications are ready for public bidding;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the Borough Engineer be and is hereby authorized and directed to advertise for bids pursuant to the Local Public Contracts Law for the sewer pipe cleaning and inspection of the sewer mains in Lloyd Avenue to Port Morris Avenue and in Walton Place to Port Morris Avenue.

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

Roll Call:

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

Resolution 220-13

RESOLUTION AUTHORIZING BOROUGH ENGINEER TO DESIGN REPAIRS TO MOUNTAIN TERRACE

WHEREAS, Omland Engineering has been appointed Borough Engineer for the Borough of Stanhope for the year 2013; and

WHEREAS, Mountain Terrace is in need of repair; and

WHEREAS, Omland Engineering has provided its proposal to design repairs to Mountain Terrace, a copy of which proposal is attached hereto and made a part hereof;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the Borough Engineer is hereby authorized to design repairs to Mountain Terrace in accordance with its attached proposal.

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

Roll Call:

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

Resolution 221-13

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 \$728.00 within the Current Fund, as follows:

<u>CURRENT FUND</u>	<u>From:</u>	<u>To:</u>
Solid Waste - O/E	\$ 728.00	
Clerk - O/E		\$ 200.00
Finance - O/E		\$ 363.00
Solid Waste - S & W		\$ 35.00
Fire Dept - O/E		\$ 130.00
	<hr/> 728.00	<hr/> 728.00

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

Roll Call:

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

Resolution 222-13

Governor’s Council on Alcoholism and Drug Abuse Fiscal Grant Extension January 1, 2014 to June 30, 2014

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, non-profit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages: and therefore has an established Municipal Alliance Committee; and,

WHEREAS, \$11,420.00 was approved for a Municipal Alliance grant for the January 1, 2013 through December 31,2013 grant term; and

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse extended the 2013 Grant term until June 30, 2014, in order to transition then grant to a fiscal year rather than calendar year cycle, and

WHEREAS, funding has been made available to Lenape Valley Municipal Alliance in the amount of 50% of its approved 2013 grant total for the six month extension period of January 1 2014 to June 30 2014, contingent upon meeting the 25% Cash match and 75% In-Kind Match grant requirement for the extension funding,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Stanhope does hereby authorize the submission of the grant extension for the Lenape Valley Municipal Alliance grant in the amount of:

DEDR	\$17,130.00
Cash Match	\$4,282.50
In-Kind	\$12,847.50

The Mayor and Council acknowledge the terms and conditions for administering the Municipal Alliance grant, including the administration compliance and audit requirements.

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

Councilman Benson stated this item is being shifted in the Borough’s budget due to the change in fiscal dates. Council President Kuncken asked if the Cash Match of \$4,282.50 is the payment for six months from January to June 2014. Ellen Horak, Borough Clerk, replied that the previous agreement covered from January to December in 2013 and this is the required amount for the first six months of 2014.

Roll Call:

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

CONSENT AGENDA

All items listed on the Consent Agenda were considered routine by the Borough Council and were enacted by one motion of the Borough Council with no separate discussion.

Resolution 223-13

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. 2013-004, representing 2012 property taxes and/or utility charges on Block 10615, Lot 4 , known as 4 Spring Street, assessed to John & Robert J Kazawic, and;

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

To Lienholder:	Tower Fund ACF Ebury Fund 1NJ LLC PO Box 37695 Baltimore, MD 21297-3695
Redemption Amount:	Tax Title Lien #2013-004 and Interest to Date of Meeting \$ 3,450.15

	Premium Paid by Lienholder	_____	1,200.00
Total From Current Fund:		\$	3,450.15
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.

Resolution 224-13 **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. 2013-036, representing 2012 property taxes and/or utility charges on Block 11801, Lot 12.01 , known as 138 Brooklyn Road, assessed to Henry P & J Czubkowski, 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 50 S. 16 th Street, Suite 1950 Philadelphia, PA 19102-2513
Redemption Amount:	Tax Title Lien #2013-036 and Interest to Date of Meeting \$ 1,011.41 Premium Paid by Lienholder _____ 700.00
Total From Current Fund:	\$ 1,011.41
Total From Tax Premium Account	700.00

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.

Resolution 225-13 **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. 2013-024, representing 2012 property taxes and/or utility charges on Block 11501, Lot 2 C0140, known as 8140 Ashland Court, assessed to Maria & Patricio Bustos, 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 50 S. 16 th Street, Suite 1950 Philadelphia, PA 19102-2513
Redemption Amount:	Tax Title Lien #2013-024 and Interest to Date of Meeting \$ 928.92 Premium Paid by Lienholder _____ 400.00
Total From Current Fund:	\$ 928.92
Total From Tax Premium Account	400.00

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.

Resolution 226-13

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. 2013-031, representing 2012 property taxes and/or utility charges on Block 11605, Lot 1, known as 1 Maryann Terrace, assessed to Joseph Cultrera, Jr, 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 50 S. 16 th Street, Suite 1950 Philadelphia, PA 19102-2513
Redemption Amount:	Tax Title Lien #2013-031 and Interest to Date of Meeting \$ 1,300.66 Premium Paid by Lienholder <u>900.00</u>
Total From Current Fund:	\$ 1,300.66
Total From Tax Premium Account	900.00

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.

Resolution 227-13

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. 2013-003, representing 2012 property taxes and/or utility charges on Block 10607, Lot 1, known as 14 Lakeview Terrace, assessed to Dorette C Flood, 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 50 S. 16 th Street, Suite 1950 Philadelphia, PA 19102-2513
Redemption Amount:	Tax Title Lien #2013-003 and Interest to Date of Meeting \$ 1,792.26 Premium Paid by Lienholder <u>1,300.00</u>
Total From Current Fund:	\$ 1,792.26
Total From Tax Premium Account	1,300.00

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.

Resolution 228-13

**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. 2013-019, representing 2012 property taxes and/or utility charges on Block 11303, Lot 16, known as 16-18 King Street, assessed to Federal National Mortgage Association, 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 50 S. 16 th Street, Suite 1950 Philadelphia, PA 19102-2513		
Redemption Amount:	Tax Title Lien #2013-019 and		
	Interest to Date of Meeting	\$	1,969.81
	Premium Paid by Lienholder		<u>1,100.00</u>
Total From Current Fund:		\$	1,969.81
Total From Tax Premium Account			1,100.00

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.

Resolution 229-13

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF STANHOPE AUTHORIZING THE
ISSUANCE OF RAFFLE LICENSE RA-594**

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

<u>Raffle #</u>	<u>Applicant</u>	<u>Type of Game</u>	<u>Dates</u>
RA-594	Stanhope Borough Senior Citizens	50/50	January 23, 2014 February 27, 2014 March 27, 2014 April 24, 2014 May 22, 2014 June 26, 2014 July 24, 2014 September 25, 2014 October 23, 2014 November 20, 2014

and;

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

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

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

Resolution 230-13

RESOLUTION AUTHORIZING REFUND OF UNUSED ESCROW FUNDS

WHEREAS, Drew Costanza had placed funds on deposit with the Borough of Stanhope for a Variance Application on for Block 10602, Lot 4 in June 2012; and

WHEREAS, the project was deemed complete on September 11, 2012; and

WHEREAS, there are unused funds in the amount of \$8.17.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, that a warrant be drawn to Drew Costanza in the designated amount representing a refund of unused escrow funds, as follows:

Drew Costanza	Original Deposit	\$500.00
7 Highland Avenue	Funds Expended	<u>(491.83)</u>
Stanhope, NJ 07874	Balance to be Refunded	\$ 8.17

Resolution 231-13

RESOLUTION AUTHORIZING REFUND OF ACH DEBIT FEES

WHEREAS, in 2012 the Mayor and Council agreed to set up an ACH Debit program for Property Tax and Utility charges on a one-year trial basis; and

WHEREAS, the program has been in effect for one year and the Mayor and Council have decided that the program is not cost effective and therefore the program will end with the 4th Quarter billing of Water and Sewer charges; and

WHEREAS, the homeowners were required to pay \$5.00 annually (which equates to \$1.25 per quarter) for each of the Debits they request; and

WHEREAS, several homeowners have paid for future quarters and will therefore require a refund of fees;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, that a warrant be drawn to the homeowners listed below in the designated amount representing a refund of ACH Debit Fees withdrawn from their accounts in 2013:

Block	Lot	Qual	Name & Address	Amount
10704	1.05		Michael & Evelyn Campanile	\$1.25
11106	8		Joseph & Eleanor Carducci	\$5.00
11007	1		Matthew Cinotti	\$1.25
11604	12		Mark & Gina Forder	\$2.50
11502	2.12		Gerald & Janet Gully	\$6.25
11501	2	C0186	Kevin Greenfield	\$2.50
11701	13.18	C0208	Alaita Khowessah	\$5.00
10607	13		Robert Nestor	\$6.25
10708	1		Robert Nestor	\$3.75
11501	2	C0265	Nicholas & Dorothy Solowey	\$5.00

On motion by Councilman Benson, seconded by Councilwoman Thistleton and unanimously carried by the following roll call vote, the foregoing resolutions were duly adopted.

Roll Call:

Councilwoman Zdichocki – yes
Councilman Thornton – yes
Councilwoman Kuncken – yes

Councilman Depew – yes
Councilwoman Thistleton – yes
Councilman Benson – yes

PAYMENT OF BILLS

Resolution 232-13

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 December 17, 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 Depew, seconded by Councilwoman Zdichocki and unanimously carried by the following roll call vote, the foregoing resolution was duly adopted.

Councilwoman Zdichocki stated there are bills for mileage reimbursement associated with the League of Municipalities Meeting that was held in Atlantic City. Councilwoman Zdichocki asked if there is a limit not to be exceeded for mileage. Councilman Benson replied that for the Borough employees the conference is a business meeting and a requirement for them in order to maintain their licenses. Administrator McNeilly stated that at this time there is no formal written direction from the Governing Body as to what is an acceptable expense. The Borough does cover mileage for attending classes. Councilwoman Zdichocki asked if the Governing Body members are permitted to submit mileage expenses. Much discussion took place regarding expenses. Councilman Benson stated that traditionally the Governing Body does not submit expenses. Ms. Horak will check the employee manual for information regarding expenses and she will provide a copy to Councilwoman Zdichocki.

Roll Call:

Councilwoman Zdichocki – yes
Councilman Thornton – yes
Councilwoman Kuncken – yes

Councilman Depew – yes
Councilwoman Thistleton – yes
Councilman Benson – yes

ATTORNEY REPORT

Mr. Stein stated that the agreement with Weichert Realtors for the sale of the two Borough properties has been signed. The date for the auction is scheduled for March 25, 2014, which is the second meeting of the month for the Mayor and Council. After the first of the year, two ordinances will have to be adopted to authorize the sale. Weichert Realtors will be advertising the sale of the properties. The Borough will have to do the legal advertising required by the statute to legally authorize the sale of the two properties. Mr. Stein stated he will provide the Clerk with the legal advertisements and the timeline for the publications.

Mr. Stein stated that he and Administrator McNeilly had a conference call with the County Counsel and County Engineer. There is a considerable amount of documentation that must be submitted in order to comply with the Federal requirements and the State DOT requirements to ask for a quiet zone. The plans must be at Borough Hall, advertising must be done at least 60 days prior to a public hearing, a public hearing must be held which can take place at a Council meeting, and would then be submitted to the County. The County will then submit the request to the State DOT. The County has provided templates to follow. Administrator McNeilly stated that during the public meeting the only point of discussion will be the quiet zone. Mr. Stein stated that under federal regulations at every grade crossing the engineer must signal three times.

Administrator McNeilly stated there will be two trains going through twice in the early morning and twice in the evening. Mr. Stein stated that the quiet zone does not mean that the engineer cannot sound the whistle; it just relieves the engineer of the obligation to do so. If the engineer sees any reason to sound the whistle, he will do so.

CITIZENS TO BE HEARD

Council President Kuncken 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, Council President Kuncken closed the public portion of the meeting.

Council President Kuncken wished everyone a Merry Christmas, Happy New Year and Happy Holidays. Council President Kuncken reminded the Governing Body and Mr. Stein that the Borough Christmas Luncheon will be held on Friday. The cost is \$20.

ADJOURNMENT

On a motion by Councilman Depew, seconded by Councilman Thornton, and unanimously carried by voice vote the meeting was adjourned at 8:55 P.M.

Approved:

Linda Chirip
Deputy Clerk for
Ellen Horak
Borough Clerk