

**MAYOR AND COUNCIL  
REGULAR MEETING  
May 27, 2014  
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 8, 2014 and was placed on the Official Bulletin Board in the Municipal Building.

Furthermore, notice of the early Closed Session was forwarded to the New Jersey Herald and Daily Record on May 20, 2014 and was placed on the Official Bulletin Board in the Municipal Building.

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

Mayor Maio advised that the early Closed Session advertised for 6:30 p.m. was cancelled.

**ROLL CALL**

Council Members:

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

Mayor Maio – present

**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:

February 11, 2014	Work Session/Agenda Meeting
February 25, 2014	Regular Business Meeting
March 25, 2014	Regular Business Meeting & Closed Session

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

## **CORRESPONDENCE (List Attached)**

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

## **COUNCIL COMMITTEE REPORTS**

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

Police, Fire, Ambulance, Court & Violations Bureau, Emergency Management

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

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

Zoning, Construction, Code Enforcement, Economic Development, Chamber of Commerce, Downtown Revitalization

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

Water Distribution, Sewer Collection System, Road Construction & Maintenance, Buildings & Grounds

### **Information Technology – Councilmen Depew/Benson**

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

On motion by Councilman Benson, seconded by Councilwoman Kuncken and unanimously carried by voice vote, the committee reports were waived.

## **ADMINISTRATOR’S REPORT**

Mayor Maio advised that the Administrator will be late in attending this evenings meeting. The Administrator’s Report was distributed to the Governing Body and is self-explanatory.

## **COUNCIL DISCUSSION**

Financial Disclosure Statements – Mayor Maio reminded Council that the Financial Disclosure Statements must be filed electronically by June 13, 2014.

Route 183 and Main Street - Councilman Depew stated the bump at the intersection of Route 183 and Main Street has gotten worse. Mayor Maio stated she mentioned the issue to the Administrator and he informed her that he contacted the State and was told it will be taken care of in 2015 which is when the road is scheduled to be repaved. Council briefly discussed the issue and is of the opinion the problem cannot wait until 2015 to be repaired. Mayor Maio said she asked the Administrator to contact the State again and inform them of the need to repair the road prior to the 2015 scheduled repaving.

## **NEW BUSINESS**

### **Ordinance for Introduction [Public Hearing on June 24, 2014]**

Mayor Maio offered the following ordinance for introduction which was read by title.

### **Ordinance 2014-10**

### **CAPITAL ORDINANCE APPROPRIATING \$35,300 FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED 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. The several improvements described in Section 3 of this capital ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Stanhope, New Jersey. For the said several improvements or purposes stated in said Section

3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to \$35,300, which has heretofore been set aside for the improvement or purpose stated in Section 3 and now available therefore by virtue of provision in a previously adopted budget or budgets of the Borough for capital improvement purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$35,300 appropriations, the Borough will use \$6,700 from the General Capital Improvement Fund, \$10,600 from General Capital Surplus, and \$18,000 from the Water Capital Improvement Fund, as described in Section 3.

Section 3. The improvements hereby authorized and the several purposes for the allocation of which said obligations are to be spent, the appropriation made for an estimated cost of each such purpose, and the estimated maximum amount of funds to be spent for each such purpose, are respectively as follows:

Computer hardware & software, including servers, for Administration, Police and Construction Dept.	\$ 6,700.00	Gen'l Cap'l Improve Fund
	\$10,600.00	General Capital Surplus
Water Meter Replacement Program	\$18,000.00	Water Cap'l Improve Fund

All the aforesated improvements or purposes where applicable, are in accordance with specifications on file in the office of the Borough Clerk, which specifications are hereby approved.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 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)

(c) 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 five (5) years.

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

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

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 Mayor and Council instructed the Clerk to post the ordinance and authorized publication of same.

**Ordinance 2014-11**

**BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE WATER SUPPLY AND DISTRIBUTION SYSTEM (JAMES STREET) IN AND BY THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$256,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF**

**\$256,000 BONDS OR NOTES OF THE BOROUGH FOR  
FINANCING SUCH APPROPRIATION**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY** (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by The Borough of Stanhope, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$256,000, said sum being inclusive of all appropriations heretofore made therefor.

For the financing of said improvement or purpose and to meet said \$256,000 appropriation negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$256,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$256,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

(a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the improvement of the water supply and distribution system in and by the Borough, including the rehabilitation of water mains in and along James Street, together with all engineering, surveys, structures, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

The estimated maximum amount of bonds or notes to be issued for said purpose is \$256,000.

The estimated cost of said purpose is \$256,000.

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

The said purpose described in Section 3 of this bond ordinance is not a current expense and is 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 specially assessed on property specially benefitted thereby.

The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is forty (40) years.

The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that, while the net debt of the Borough determined as provided in said Local Bond Law is not increased by this bond ordinance, the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$256,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

An aggregate amount not exceeding \$35,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

This bond ordinance authorizes obligations of the Borough solely for purposes described in paragraph (h) of section 40A:2-7 of said Local Bond Law, and the said obligations authorized by this bond ordinance are to be issued for a purpose which is self-liquidating within the meaning and limitations of section 40A:2-45 of said Local Bond Law and are deductible, pursuant to paragraph (c) of section 40A:2-44 of said Local Bond Law, from the gross debt of the Borough.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and, unless paid from revenues of the water supply and distribution system of the Borough, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

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

Roll Call:

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

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

**Ordinance 2014-12**

**BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF JAMES STREET IN AND BY THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$392,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$133,300 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:**

The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by The Borough of Stanhope, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$392,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$6,700 as the down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or capital improvement purposes and including also (a) the sum of \$52,000 from proceeds of the sale of obligations of the Borough heretofore issued and not necessary for financing the purposes for which issued and now available for financing the improvements or purposes and (b) the sum of \$200,000 received or expected to be received by the Borough from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement or purpose.

For the financing of said improvement or purpose and to meet said \$392,000 appropriation not provided for by application hereunder of said down payment, proceeds from the sale of prior obligations of the Borough and grant, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$133,300 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$133,300 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

(a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the improvement of James Street in and by the Borough, by the construction or reconstruction therein of new roadway pavements at least equal in useful life or durability to a roadway pavement of Class B reconstruction (as such term is used or referred to in section 40A:2-22 of said Local Bond Law), together with all milling, sidewalks, curbing, drainage facilities, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

The estimated maximum amount of bonds or notes to be issued for said purpose is \$133,300.

The estimated cost of said purpose is \$392,000, the excess thereof over said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$6,700 down payment for said purpose, the amount of the said \$200,000 New Jersey Department of Transportation grant and the amount of the said \$52,000 from proceeds of the sale of prior obligations of the Borough.

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

The said purpose described in Section 3 of this bond ordinance is not a current expense and is 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 specially assessed on property specially benefitted thereby.

The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$133,300, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

An aggregate amount not exceeding \$75,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

It is the opinion of the Borough Council of the Borough, as the governing body thereof, that it is in the best interest of the Borough that \$52,000, constituting proceeds of obligations of the Borough heretofore issued under Ordinance No. 2010-04 of the Borough, shall be appropriated to and used to finance costs, including incidental expenses, of the improvements or purposes above described in Section 3(a) of this ordinance.

The funds from time to time received by the Borough on account of the grant referred to in Section 1 of this bond ordinance shall be used for financing the improvement or purpose described in Section 3 of this bond ordinance by application thereof either to direct payment of the costs of said improvement or purpose, or to payment or reduction of the authorization of the obligations of the Borough authorized by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

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

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 Mayor and Council instructed the Clerk to post the ordinance and authorized publication of same.

Resolutions

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

**Resolution 101-14                      RESOLUTION ATTESTING THAT THE STANHOPE GOVERNING BODY HAS COMPLIED WITH THE PROMULGATION OF THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY RELATIVE TO THE 2013 ANNUAL REPORT OF AUDIT**

**WHEREAS**, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, the Annual Report of Audit for the year 2013 has been filed by a Registered Municipal Accountant with the Borough Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

**WHEREAS**, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Stanhope, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

On motion by Councilwoman Zdichocki, 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 102-14**

**RESOLUTION APPROVING SUBMISSION OF THE  
CORRECTIVE ACTION PLAN FOR THE YEAR ENDED  
DECEMBER 31, 2013 TO THE STATE OF NEW JERSEY,  
DIVISION OF LOCAL GOVERNMENT SERVICES**

**WHEREAS**, all municipalities operating under the Local Fiscal Affairs Law must prepare and submit a Corrective Action Plan as part of their annual audit process, and

**WHEREAS**, the Borough of Stanhope has by Resolution accepted the 2013 audit as prepared and presented by the Borough Auditors, and

**WHEREAS**, Dana Mooney, the Chief Financial Officer for the Borough of Stanhope has prepared a Corrective Action Plan to address the findings and recommendations for the 2013 audit and presented copies of same to the Mayor, Council, and Administrator,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stanhope, in the County of Sussex, that the Corrective Action Plan, attached hereto and made a part hereof, be approved for submission to the Division of Local Government Services.

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

Roll Call:

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

**Resolution 103-14**

**RESOLUTION AUTHORIZING EXECUTION OF  
SHARED SERVICE AGREEMENT WITH THE  
BOROUGH OF HOPATCONG FOR ANIMAL  
CONTROL SERVICES**

**WHEREAS**, the Borough of Hopatcong has the facilities and manpower to provide animal control services to the Borough of Stanhope; and

**WHEREAS**, State statute permits municipalities to enter into Shared Service Agreements pursuant to N.J.S.A. 40A:65-1 et seq. and authorizes municipalities to enter into Shared Service Agreements by adoption of a Resolution;

**WHEREAS**, Stanhope Borough is in need of animal control services and the Borough of Hopatcong is willing to provide such service pursuant to the attached Agreement; and

**WHEREAS**, the CFO is hereby authorized to issue a Certification of Availability of Funds charging the appropriate department account for amounts reflecting all liabilities to be incurred January 1, 2014 through December 31, 2014 in accordance with N.J.R. 3644, 5:34-5.3 [a] [2];

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stanhope that the Borough shall enter into a Shared Services Agreement with the Borough of Hopatcong for Animal Control Services for the period January 1, 2014 through December 31, 2014.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk be and are hereby authorized to execute said agreement.

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 – no
Councilman Thornton - yes	Councilwoman Thistleton – yes
Councilwoman Kuncken - yes	Councilman Benson – yes

Councilman Depew stated he voted no because the contract is only a one-year contract and it is his opinion the contract amount is too high. Mayor Maio acknowledged Councilman Depew's opinion, but noted the Governing Body previously discussed and agreed to a one-year contract.

**Resolution 104-14**

**RESOLUTION AUTHORIZING AGREEMENT WITH DOMESTIC ABUSE AND SEXUAL ASSAULT INTERVENTION SERVICES (DASI) REGARDING THE ESTABLISHMENT OF A DOMESTIC VIOLENCE RESPONSE TEAM**

**WHEREAS**, the Police Department of The Borough of Stanhope is responsible for the enforcement of the provisions of the Prevention of Domestic Violence Act of 1991 (N.J.S.A. 2C:25-17); and

**WHEREAS**, said act requires the Police Department to establish Domestic Crisis Teams or participate in established Domestic Crisis Teams; and

**WHEREAS**, the Police Department of the Borough of Stanhope has a Domestic Crisis Team in effect; and

**WHEREAS**, said team may include, social workers, clergy or other persons trained in counseling, crisis intervention or in the treatment of domestic violence; and

**WHEREAS**, Domestic Abuse and Sexual Assault Intervention Services (DASI) has offered to enter into a Domestic Violence Response Team Affiliation Agreement with the Stanhope Borough Police Department to create a regional domestic violence response team in conjunction with the Borough of Hopatcong; and

**WHEREAS**, a proposed form of Agreement has been provided by DASI, which Agreement has been reviewed and approved as to form by the Borough Attorney;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stanhope that the Borough be and the same is hereby authorized to enter into a Domestic Violence Response Team Affiliation Agreement with DASI; and

**BE IT FURTHER RESOLVED**, that the Chief of Police or his designee is hereby authorized to execute said Agreement on behalf of the Borough; and

**BE IT FURTHER RESOLVED**, that the Agreement with DASI is contingent upon a reciprocal agreement being entered into with the Borough of Hopatcong for the Stanhope-Hopatcong Regional Domestic Violence Response Team;

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

Roll Call:

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

**Resolution 105-14**

**RESOLUTION AUTHORIZING THE BOROUGH OF STANHOPE TO ENTER INTO A COOPERATIVE PRICING AGREEMENT**

**WHEREAS**, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

**WHEREAS**, the Middlesex Regional Educational Services Commission, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

**WHEREAS**, on May 27, 2014 the governing body of the Borough of Stanhope, County of Sussex, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

**NOW, THEREFORE BE IT RESOLVED** as follows:

**TITLE**

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Stanhope

**AUTHORITY**

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

**CONTRACTING UNIT**

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

**EFFECTIVE DATE**

This resolution shall take effect immediately upon passage.

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

Roll Call:

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

**Resolution 106-14**

**RESOLUTION AUTHORIZING EXECUTION OF A TWENTY (20) YEAR LEASE AGREEMENT WITH THE STATE OF NEW JERSEY FOR THE BOROUGH OF STANHOPE TO OPERATE OUTDOOR PUBLIC RECREATIONAL FACILITIES ON STATE PROPERTY**

**WHEREAS**, the Mayor and Council of the Borough of Stanhope wish to utilize State of New Jersey owned property, located along the shore of Lake Musconetcong for outdoor public recreation; and

**WHEREAS**, said state-owned property consisting of two (2) parcels is identified on the Tax Maps of the Borough of Stanhope as Block 10710, Lot 4, consisting of approximately 1.84 acres, excluding approximately 0.15 acres at the southern bend of Lot 4 and excluding the Stanhope Pumping Station at the northern end of Lot 4; Block 11106, Part of Lot 1, consisting of approximately 0.80 acres, excluding 0.6 acres of Lot 1, consisting of the unpaved roads/sanitary sewer easement on the northern end of the northwest tip of said property, both parcels being shown as Exhibits attached to said Lease Agreement; and

**WHEREAS**, in accordance with the provisions of N.J.S.A. 13:12-18, the State of New Jersey has offered the Borough of Stanhope a twenty (20) year lease to operate and maintain said property under certain conditions outlined in the Lease Agreement;

**NOW, THEREFORE**, be it resolved by the Mayor and Council of the Borough of Stanhope that the Mayor and Borough Clerk be and are hereby authorized on behalf of the Borough to sign said Lease Agreement with the State of New Jersey.

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 107-14**

**RESOLUTION AUTHORIZING REIMBURSEMENT TO  
STONEGATE CONDOMINIUM ASSOCIATION  
FOR SOLID WASTE COLLECTION AND DISPOSAL**

**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 Condominium Association is entitled to receive certain services from the Borough or to receive compensation for said services in lieu of Borough providing same; and

**WHEREAS**, the Borough has elected to reimburse the Stonegate Condominium Association for the collection and disposal of solid waste in lieu of providing said services; and

**WHEREAS**, the Qualified Community Act requires the execution of a written Agreement between the Borough and the Condominium Association prior to the Borough reimbursing the Association for the services in question; and

**WHEREAS**, the Borough has a defined cost for the collection and disposal of municipal solid waste under a Contract entered into with *Blue Diamond Disposal, Inc.*; and

**WHEREAS**, pursuant to the provisions of the Act, the Borough shall reimburse the Association at the Borough's cost or the Association's cost for the collection and disposal of municipal solid waste, whichever is less; and

**WHEREAS**, a form of Agreement has been prepared by the Borough Attorney to be entered into with the Stonegate Condominium Association which Agreement is attached hereto and made a part hereof.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Clerk are hereby authorized to execute said Agreement on behalf of the Borough; and

**BE IT FURTHER RESOLVED** that the Chief Financial Officer is authorized to issue payment to the Stonegate Condominium Association to reimburse the Association for the collection and disposal of municipal solid waste for the period of January 1, 2014 through December 31, 2014 provided that the Borough has received written proof from the Condominium Association as to its costs for the collection and disposal of municipal solid waste for the Association.

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

Roll Call:

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

**Resolution 108-14**

**RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE BOROUGH OF STANHOPE AND STONEGATE VILLAGE CONDOMINIUM ASSOCIATION PURSUANT TO THE PROVISIONS OF THE NEW JERSEY MUNICIPAL SERVICES ACT**

**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 Attorney prepared a Municipal Services Agreement for the calendar year 2013 based on said reimbursement formula; and

**WHEREAS**, said Municipal Services Agreement has been offered to the Association and has 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 Clerk are hereby authorized to execute the Municipal Services Agreement with the Stonegate Condominium Association for the year 2013.

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

Councilwoman Kuncken asked if there has been a settlement with Highpoint Condominium. Mr. Stein responded the same agreement was sent to Highpoint Condominium in April and, to date, they have not received a response.

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

**Resolution 109-14**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE AUTHORIZING THE ISSUANCE OF RAFFLE LICENSE RA-596 and RA-597**

**WHEREAS** the following Raffle Applications with required fees have been submitted for Mayor and Council approval;

<u>Raffle #</u>	<u>Applicant</u>	<u>Date</u>	<u>Type of Game</u>
RA-596	Netcong Fire Co. #1	October 18, 2014	50/50 Raffle
RA-597	Netcong Fire Co. #1	October 18, 2014	Tricky Tray

and;

**WHEREAS** said Raffle Applications have 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 110-14**

**RESOLUTION AUTHORIZING STANHOPE HOSE COMPANY NO. 1 TO CONDUCT A BUCKET DROP**

**WHEREAS**, the members of Stanhope Hose Company No. 1 wish to hold a “Bucket Drop” on Thursday, July 3<sup>rd</sup> from 3:00 p.m. to 8:00 p.m., Friday, July 4<sup>th</sup> from 8:00 a.m. to 5:00 p.m., Saturday, July 5<sup>th</sup> from 8:00 a.m. to 5:00 p.m. and Sunday, July 6<sup>th</sup> from 10:00 a.m. to 4:00 p.m. at the intersection of Brooklyn Road and Route 183 and on Sparta Road at the intersection of Brooklyn Road in the Borough of Stanhope with rain dates of Friday, July 11<sup>th</sup> from 3:00 p.m. to 8:00 p.m., Saturday, July 12<sup>th</sup> from 8:00 a.m. to 5:00 p.m. and Sunday, July 13<sup>th</sup> from 8:00 a.m. to 5:00 p.m.; and

**WHEREAS**, N.J.S.A. 39:4-60 requires charitable organizations to obtain municipal approval before soliciting contributions within municipal roadway; and

**WHEREAS**, charitable organizations are also required to obtain a Charitable Solicitation permit from the New Jersey Department of Transportation (hereinafter, “NJDOT”); and

**WHEREAS**, the NJDOT application must be accompanied by a certified copy of a municipal resolution approving the solicitation; and

**WHEREAS**, the Borough’s Chief of Police has reviewed the Fire Department’s solicitation plan and has found same to be acceptable and in accordance with the NJDOT’s guidelines; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Stanhope, in the County of Sussex, and State of New Jersey hereby approves the Stanhope Hose Company No. 1’s request to hold a “Bucket Drop” Thursday, July 3<sup>rd</sup> from 3:00 p.m. to 8:00 p.m., Friday, July 4<sup>th</sup> from 8:00 a.m. to 5:00 p.m., Saturday, July 5<sup>th</sup> from 8:00 a.m. to 5:00 p.m. and Sunday, July 6<sup>th</sup> from 10:00 a.m. to 4:00 p.m. at the intersection of Brooklyn Road and Route 183 and on Sparta Road at the intersection of Brooklyn Road in the Borough of Stanhope with rain dates of Friday, July 11<sup>th</sup> from 3:00 p.m. to 8:00 p.m., Saturday, July 12<sup>th</sup> from 8:00 a.m. to 5:00 p.m. and Sunday, July 13<sup>th</sup> from 8:00 a.m. to 5:00 p.m.

This resolution is subject to the approval of the Sussex County Board of Chosen Freeholders and the New Jersey Department of Transportation.

**Resolution 111-14**

**RESOLUTION WAIVING PEDDLER’S LICENSES FOR STANHOPE DAY**

**WHEREAS**, the Borough of Stanhope will celebrate Stanhope Day on June 8, 2014; and

**WHEREAS**, said day is a Borough-wide celebration, generally benefiting the citizens and civic organizations of the Borough of Stanhope; and

**WHEREAS**, many vendors participate in Stanhope Day, enhancing the overall experience of Stanhope Day for the public’s benefit; and

**WHEREAS**, Chapter 108 of the Code of the Borough of Stanhope requires a Peddler’s license; and

**WHEREAS**, the Governing Body of the Borough of Stanhope believe that it is in the best interest of the Borough to encourage participation in Stanhope Day to the greatest extent practical; and

**WHEREAS**, requiring obtaining a Peddler's permit for a one day event could discourage participation in Stanhope Day;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stanhope that the Borough does hereby waive the requirement to obtain a Peddler's license for any vendor participating in Stanhope Day on June 8, 2014 for that day only.

**Resolution 112-14**

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER**

**WHEREAS**, the Tax Collector has received payment for the redemption of Tax Title Lien No. 2013-025, representing 2012 property taxes and/or utility charges on Block 11501, Lot 2, C0142, known as 8142 Ashland Ct, assessed to Kenneth Loia, 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 <sup>th</sup> Street, Suite 1950 Philadelphia, PA 19102-2513
Redemption Amount:	Tax Title Lien #2013-025 and Interest to Date of Meeting \$ 3,066.70 Premium Paid by Lienholder <u>2,600.00</u>
Total From Current Fund:	\$ 3,066.70
Total From Tax Premium Account	2,600.00

**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 Councilman Benson and unanimously carried by the following roll call vote, the foregoing resolutions were duly adopted.

Roll Call:

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

**Mayor's Acceptance of Resignation**

**Resolution 113-14**

**MAYOR'S ACCEPTANCE OF THE RESIGNATION OF JOHN MOHRLE FROM THE STANHOPE LAND USE BOARD 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 John Mohrle's resignation as an alternate member on the Land Use Board, effective immediately.

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

**PAYMENT OF BILLS**

**Resolution 114-14**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE AUTHORIZING PAYMENT OF BILLS**

**WHEREAS**, the Chief Finance Officer has certified that funds are available in the proper account; and

**WHEREAS**, the Chief Finance Officer has approved payment upon certification from the Borough Department Heads that the goods and/or services have been rendered to the Borough;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stanhope that the current bills list, dated May 27, 2014 and on file and available for public inspection in the Office of the Chief Finance Officer and approved by the Chief Finance Officer for payment, be paid.

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

Roll Call:

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

**ATTORNEY REPORT**

Mr. Stein reported the closing on the Route 206 property purchased by Mr. Singh at the Borough’s auction is scheduled for Friday, May 30, 2014. Mr. Stein has all the necessary documents for signing by the Mayor and Clerk. The closing statement provides for the purchaser to reimburse the Borough for all expenses included publication of the auction, taxes from March 25, 2014 through the closing as well as all of the Borough’s legal expenses for the preparation of the ordinance, preparation of closing documents and attendance at the closing. The purchaser will also pay the \$10,000 commission to Weichert Realtors. Councilwoman Kuncken asked where the money will be going in the budget. Mr. Stein responded the money is unanticipated revenue. Mayor Maio asked if a resolution is required. Mr. Stein is of the opinion a resolution is not required, but he will check with the CFO. Mayor Maio noted the property next to Borough Hall was not sold at the auction. She asked Council to give thought to what to do with the property for discussion at the June Business Meeting. Mr. Stein gave a brief background on the ownership of the property. The property was sold at auction for payment of taxes, water and sewer. The building was in poor condition and deteriorating. Mr. Dedlante purchased the property; however he defaulted. The property was put up for auction with the condition that the exterior walls had to be kept and there was a provision for a per day penalty if the buyer did not accomplish completion of the building in a set time frame. Mr. Dimitriou purchased the property at auction for approximately \$10,000. He retained an engineer and architect and both gave the professional opinion that the building could not be salvaged. Council agreed to let Mr. Dimitriou demolish the building. Mr. Dimitriou received the required approval from the Land Use Board for the building. He reached an agreement with the Stanhope House that enabled him to address the drainage issue. Mr. Dimitriou never moved forward with the building plans. Mr. Dimitriou would not re-convey the property back to the Borough so the Borough entered suit against Mr. Dimitriou and received a judgment in the amount of \$117,000. Mr. Dimitriou defaulted on money debts and did not have clean title to the property. The Borough then foreclosed on the property and now owns the lot. Mayor Maio stated a stipulation to the building was to have retail on the first floor and residential on the second floor. They need to check with the Zoning Official to determine if a three-story building is permitted or if a variance would be required. Another stipulation was that the façade of the building need pre-approval of the Governing Body. Mayor Maio said they must consider there is no “look” for downtown Main Street. Mayor Maio would like to discuss the parameters on what to do with the property at the June Business 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.

### **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 – Contract Negotiation
  - 1 – Litigation
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 Councilwoman Kuncken, seconded by Councilwoman Thistleton, and unanimously carried by voice vote, the foregoing resolution was adopted.

Mayor and Council went into Closed Session at 7:20 P.M.

At the conclusion of the Closed Session, Mayor and Council reconvened the public meeting at 7:55 P.M. with all present.

On motion by Councilwoman Kuncken, seconded by Councilman Benson and carried by the following roll call vote, Council authorized the Borough Attorney and Administrator to negotiate a water line easement with Waterloo Development LLC.

### **ADJOURNMENT**

On a motion by Councilman Benson, seconded by Councilman Depew, and unanimously carried by voice vote the meeting was adjourned at 7:57 P.M.

Approved:

Ellen Horak, RMC  
Borough Clerk