

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

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 - absent	Councilwoman Thistleton – present
Councilwoman Kuncken - absent	Councilman Benson – absent

Mayor Maio – present

ENGINEER'S REPORT

Fencing Wells #3 & #4 and Water Tower - Mayor Maio invited Borough Engineer Eric Keller to come forward. Mr. Keller, Omland Engineering, stated on the agenda this evening is a bond ordinance for the fencing for Wells #3 and #4 and the water tower. There was an issue with the State contractor calculations. Mayor Maio asked if that is the reason for the increase. Mr. Keller confirmed that and stated the price is still high but the price is defined because it is through the State contract. The quote received is for the gate controllers which will have to go out to bid. Mayor Maio asked if the Borough is purchasing simple gate openers. Administrator McNeilly asked if keypads are a standard option. Mr. Keller stated that Bill Storms had inquired about keypads. Administrator McNeilly stated that a garage door opener control would work well and keep the cost lower. The controllers could be handed out as needed. Mr. Keller stated that he will remove the keypad from the specifications.

Mr. Keller stated there is a resolution on the agenda this evening to advertise for bids for the motorized gates with a date of September 4th. Mr. Keller requested the date be changed to September 16th with the Council award on September 23rd. The date change is a result of a conversation that Dana Mooney, CFO, had with Bob Beinfeld, Bond Attorney, and Richard Stein, Borough Attorney, regarding the timing. The Clerk confirmed the changes and stated that these revisions must be stated prior to adopting the resolution. Mr. Keller stated that EB Fence has the State contract and the Morris County Co-op contract. Administrator McNeilly asked Mr. Keller if the gate is a 16 or 18 foot sliding gate as there are some limitations. The gate will be sliding uphill. Mr. Keller was unsure of the exact height.

James Street - Mr. Keller stated the James Street plans are complete. Comments have been received from the Fire Department stating they are in agreement with the plan. Mayor Maio asked if the DPW has reviewed the plans. Administrator McNeilly confirmed that Bill Storms, DPW Superintendent, and Frank Russo, Omland Engineering, walked James Street together to prepare the plan. Administrator McNeilly stated that he has reviewed the plan to see how it

impacts the properties. There are three curb boxes that are located in driveways. The curb boxes will be put back in place where they currently exist. The design flow will prepare the Borough for a possible expansion onto Young Drive and Maryann Terrace by replacing the water line at the top of the "T". Mr. Keller stated at this time the water line that runs from James Street to Young Drive cuts across the front lawn of a resident's home. The line will be moved out to the road. The bid opening will be held on September 4th and awarded on September 9th. The start date is anticipated to be the middle or late October.

Mr. Keller stated that work is moving forward for the design of the road replacement project for James Street. A presentation of the design is anticipated to be made to the Governing Body in October. Mayor Maio asked if the project will be scheduled for the spring. Mr. Keller confirmed and stated the bid will be held in late January or early February in order for work to begin in April.

Sidewalk Project - Mr. Keller stated the sidewalk project survey work has been completed. The base maps are being prepared along with the design. A presentation will be made in October. The bid will be held in late winter for a spring start. The project will have to be submitted to Local Aid for review. As part of the review the Borough will request to have both projects combined into one. Mayor Maio stated that combining the projects will have to be reviewed. Mr. Keller stated that approval for the sidewalk project will be required from the NJDOT in order to place the sidewalk in the right of way.

Survey of Salmon Park - Mayor Maio stated that the easement book does not contain any information for the driveway at Salmon Park. Mayor Maio stated that Richard Stein, Borough Attorney, should send a letter to the homeowner indicating that the Borough may be installing a fence in that area. If the homeowner has an easement located in the area, they need to provide copies of their documents to the Borough by a specified date. Administrator McNeilly stated the property owners in the area should be notified that their encroachment of the area has been noted by the recent survey and the Borough may exercise its rights to utilize the property.

Mountain Terrace and Maple Terrace - Mr. Keller stated that both Mountain Terrace and Maple Terrace have been paved. A punch list of items was given to the contractor at the end of last week. The contractor had some questions which were addressed today and Mr. Keller is waiting for the schedule. Mayor Maio asked what items need to be addressed. Mr. Keller stated topsoil and seeding must be completed on Mountain Terrace. Maple Terrace has areas which need to be redone. None of the inlets have channels in the bottom. General cleanup of the areas must be completed. The stop sign must be installed and the stripes must be painted.

Mayor Maio asked what is being done with the pot hole on Maple Terrace. Mr. Keller replied that the photos were reviewed which were taken before the paving was completed. It appears during the base repair there was a sink hole that opened up over a water service. That area will have to be cut out and repaired. Mayor Maio is concerned this may be a water break. Mr. Keller stated that he spoke with the inspector and he is of the opinion that the issue was caused by poor compaction. No water is bubbling up which would indicate a leak. This issue is included on the punch list.

Administrator McNeilly read the punch list that he received on Friday relative to Mountain Terrace which includes the installation of replacement concrete steps at 10 Mountain Terrace along with a similar metal railing as was existing. The paving of the driveway at 10 Mountain Terrace pending approval of the homeowner. The installation of suitable and acceptable topsoil material for 10, 12 and 14 Mountain Terrace must be completed along with the reseeding and mulching. Mr. Keller stated that the unacceptable topsoil at Mountain Terrace was discussed along with cleaning, striping and signage. Mr. Keller will be speaking with Mr. Garcia again tomorrow.

Mayor Maio asked if the lateness of the project will be discussed. Mr. Keller stated that he has spoken with Administrator McNeilly regarding this issue and a letter will be sent stating what the Borough's start date was, how that relates to the terms of the contract and to address the contractors prior comment as to why he felt the start date was May 13th. Mr. Keller stated that even with the contractors start date of May 13th the project should have been completed on July 13th. Administrator McNeilly stated that the contractor admitted at a previous meeting that the project should have been done except for the top coating. Mr. Keller stated if an agreement is

not made that is mutually agreeable, the matter would have to go to an arbitrator. Mayor Maio stated that it needs to be made clear to Garcia Construction that the Borough is dissatisfied with the time tables and performance. Councilwoman Zdichocki asked Mr. Keller when the punch list items will be addressed. Mr. Keller stated there is not a lot of work that needs to be done but he is hesitant to give the Governing Body a timeline due to the fact that Garcia Construction has never met the schedule they have provided. The Borough has received four different letters on the progress and schedule which means that the schedule was missed three or four times. Mayor Maio suggested that a final completion date be given to the contractor. If the completion date is not met the Borough Attorney will have to address the issue.

Mr. Keller stated that he still needs to gather information regarding High Street and the permitting requirements to install fencing at Salmon Park. Administrator McNeilly stated that the no parking signage for High Street has been rectified. Mayor Maio asked Mr. Keller to obtain the information regarding the fencing for Salmon Park. Administrator McNeilly stated that a split rail fence will allow wildlife to move about freely. Mayor Maio stated a fence similar to what was installed on the Braille Trail could also be used. The purpose for the fence is to define the area.

Councilman Depew asked if the main on Lloyd Avenue is scheduled to be replaced. Administrator McNeilly stated that he will address that issue in his report. Councilman Depew stated that the crosswalk located on Main Street near the antique shop has been patched with blacktop but he would like to see it repaired with the brick. Mayor Maio agreed with Councilman Depew. Mr. Keller replied that he will contact Statewide again.

The Mayor and Council thanked Mr. Keller for attending tonight's meeting.

ADMINISTRATOR'S REPORT

Water Main: Well #3, #4 to Kelly Place - Administrator McNeilly stated the water main work at Well #3 and #4 to Kelly Place is complete.

Water Main: The Point – Administrator McNeilly stated the water main services at the point have not been connected. The point consists of Lawrence Avenue, Lloyd Avenue and Reeve Avenue. The line from Sparta Road to Canfield Street has been completed. The main has been filled with water, the pressure test is being conducted, and the flushing, cleaning and a bacterial sample should all be completed by Friday. Tomorrow the temporary paving will be done, which will remain until the permanent black top work is completed.

Water Main: Sagamore Road and Highpoint Condominiums – Administrator McNeilly stated the work on Sagamore Road is scheduled to begin during the fourth week of August. The homeowner on Sagamore Road and the residents of Highpoint Condominiums have been notified of the pending start date. Administrator McNeilly described the work to be done. Mayor Maio stated the work must be completed before school begins. Administrator McNeilly confirmed the work will be completed prior to the start of school.

Administrator McNeilly reported that John Black has supplied him with the following information: All the 12 inch main lines have been installed, two thirds of the 8" mains have been installed, the anticipated plan had 1,700 cubic yards of payable rock and to date only 126 cubic yards have been taken out. This is 7% of what was originally anticipated. The remaining work to be done consists of 2,450 feet of pipe on Lloyd Avenue and Reeve Avenue and 450 feet on Sagamore Road.

Water Tower Rehabilitation – Administrator McNeilly passed a photo of the water tower to the Governing Body. The tower is completely wrapped. The new hatches, hand rails and vents have been installed. Alpine has prepared the tank so that they can work inside. The scaffolding is complete and the tower is wrapped in order to contain any dust or materials. Work is scheduled to begin inside the tank on Monday, August 18th. There will be a considerable amount of noise associated with this work. The contractor will not be permitted to work on the weekends.

Electronic Message Trailer – Administrator McNeilly stated the new electronic message trailer sign has been delivered and will be put into use immediately.

Remote Water Meter Reader Set-up – Administrator McNeilly stated the new truck mounted water meter reader was installed today. Training was held today and will continue on Thursday. The training is being provided to the DPW and the Water/Sewer Collector. The truck mounted system has the ability to indicate which meters were not read. The hand held unit was not able to provide that data. The truck mounted system can read approximately 800 meters at once by the push of a button from the DPW yard. There is a water bill due to be mailed out shortly and it is anticipated that the new system will be ready for the bills to be sent out on time.

WORK SESSION

American Legion Memorial Day Donation Request – Mayor Maio stated that a letter has been received from the American Legion requesting a donation to offset the costs of the Memorial Day Parade. Mayor Maio stated that the Borough usually makes a \$300.00 donation. The funds have been included in the annual budget. The Governing Body approved the donation request. Mayor Maio asked Administrator McNeilly to advise the CFO that approval was granted and to send the donation to the American Legion. Some members of the Governing Body thought the donation was made earlier in the year. Administrator McNeilly will ask the CFO to make sure the donation was not already sent to the American Legion.

Lakeview Estates Block Party Request - Mayor Maio stated that a request has been received from Lakeview Estates for approval to hold their annual block party. A section of Towpath Lane will be closed from 11:00 A.M. to 8:00 P.M. on September 20th. The Clerk stated there is a resolution on tonight's agenda to approve the request. Mayor Maio asked the Governing Body if there were any objections. The Governing Body had no objections.

Friends of Waterloo Village – Mayor Maio stated that the Friends of Waterloo Village have requested the use of the Council Chambers on August 25th for a meeting. Mayor Maio stated that the room is available and Councilwoman Kuncken and Dana Mooney, CFO, will both be in attendance. The previous discussions regarding the use of the room have indicated that if a council member or an employee were present, permission would be granted. Mayor Maio asked the Governing Body if there were any objections. The Governing Body had no objections and the request was granted.

Elm Street Path Curb Opening – Mayor Maio stated there was a fence installed on Borough property on the path from Elm Street to Lenape Valley. The fence was installed without consulting with the Borough or receiving approval from the Borough. During the Brooklyn Road construction the path was used to the point where the curbing has crumbled, it was cut and gravel was put down on the grass and the path was used as a roadway. At the Public Safety pre-construction meetings the Borough made it clear that the path would not be used for any vehicles. Lenape Valley took it upon themselves to use the path during the construction.

Mayor Maio recommended that a strongly worded letter be sent to Lenape Valley Regional High School indicating that the Borough is not pleased with what was done and inform them that the curbing will be replaced. The fence gate can remain but under no circumstance should the path be used for vehicles, the path is for walking. Councilman Depew stated the letter should be sent to the Board of Education. Councilman Depew stated that reflectors should be placed on the gate and if the Board of Education refuses to do so, the Borough should do so given the fact the gate is on Borough property. Mayor Maio stated if the Board of Education refuses the gate can be removed. Mayor Maio stated that she is of the opinion that improvements should not be made to the gate. The gate is an issue and will continue to be a problem. Administrator McNeilly stated that he will work with Richard Stein, Borough Attorney, to prepare a letter from the Governing Body. Mayor Maio asked Administrator McNeilly to make the letter a top priority.

Councilwoman Zdichocki asked what the reason is for not removing the gate at this time. Mayor Maio stated that the school is of the opinion that the gate will make the path easier to plow, but without access to the street this does not seem plausible. Much discussion took place regarding the gate. Administrator McNeilly is of the opinion that the path has been established as a secondary access for emergency vehicles and from an insurance liability stand point it should remain as such. Mayor Maio disagreed and stated that during the Public Safety meeting for the water project the path was never discussed as an access road. Councilwoman Zdichocki asked if there is a way to secure the gate to keep unauthorized vehicles out. Mayor Maio stated the gate is supposed to be locked. Councilwoman Zdichocki asked how emergency vehicles would get

through in an emergency. Administrator McNeilly replied that the emergency vehicles should have a key and if necessary they would go through the gate. Mayor Maio is of the opinion there is a liability to the Borough if vehicles are using the path and a pedestrian is walking by the opening. Administrator McNeilly stated he will work with Mr. Stein to prepare the letter which will be reviewed by the Governing Body prior to being sent. The Governing Body was in agreement.

OLD BUSINESS

Ordinances for Public Hearing and Final Adoption

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

Ordinance 2014-13 **BOND ORDINANCE APPROPRIATING \$465,000, AND AUTHORIZING THE ISSUANCE OF \$191,955 BONDS OR NOTES OF THE BOROUGH, 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 (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

The several improvements described in Section 3 of this bond 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 therefor and amounting in the aggregate to \$465,000 including the aggregate sum of \$23,045 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes and including also, in the case of the improvement or purpose described in paragraph (c) of said Section 3, the sum of \$250,000 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 improvements or purposes and to meet the part of said \$465,000 appropriations not provided for by application hereunder of said down payments and grant, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$191,955 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$191,955 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Acquisition by purchase, of new and additional equipment, including a portable sign trailer for use by the Administration Department of the Borough and self-contained breathing apparatus, hoses and personal protective equipment for use by the Fire Department of the Borough, together with all appurtenances, apparatus, accessories, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the	\$70,000	\$66,555

specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved

(b) Acquisition by purchase of new and additional vehicular equipment, including one (1) utility vehicle for use by the Administration Department of the Borough, together with all appurtenances, apparatus, equipment and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved

23,000

21,900

(c) Improvement of Route 183/Dell Road to Route 206/Acorn Street, by the construction or reconstruction of sidewalks therein, together with all landscaping, 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 \$372,000 hereby appropriated therefor being inclusive of the sum of \$250,000 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

372,000

103,500

Totals

\$465,000

\$191,955

Except as otherwise stated in paragraph (c) above with respect to the said \$250,000 grant-in-aid of financing the purpose described in said paragraph, the excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

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

The said purposes described in Section 3 of this bond ordinance are not current expenses and each 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 benefited thereby.

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 from the date of the said bonds authorized by this bond ordinance, is 11.16 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 \$191,955, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

Amounts not exceeding \$50,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs 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 costs of said improvements and are included in the foregoing estimate thereof.

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(c) 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 Thistleton, seconded by Councilman Depew, and unanimously carried by the following roll call vote, the above ordinance was adopted.

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

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

Roll Call:

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

On motion by Councilwoman Zdichocki, 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 2014-14

BOND ORDINANCE APPROPRIATING \$35,000, AND AUTHORIZING THE ISSUANCE OF \$35,000 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY, FOR THE WATER SUPPLY AND DISTRIBUTION SYSTEM OF THE BOROUGH

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 several improvements described in Section 3 of this bond 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 therefor and amounting in the aggregate to \$35,000.

For the financing of said improvements or purposes and to meet the part of said \$35,000 appropriations, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$35,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$35,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Acquisition by purchase, of new and additional computer equipment for use by the water utility of the Borough, including laptops and software, together with all appurtenances, apparatus, accessories, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	\$15,000	\$15,000
(b) The improvement of the water supply and distribution system in and by the Borough, including the rehabilitation of water mains in and along various roads, together with all 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	<u>20,000</u>	<u>20,000</u>
Totals	\$35,000	\$35,000

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

The said purposes described in Section 3 of this bond ordinance are not current expenses and each 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 benefited thereby.

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 from the date of the said bonds authorized by this bond ordinance, is twenty-five (25) 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 \$35,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

Amounts not exceeding \$5,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs 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 costs of said improvements and are 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 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 of (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 Depew, seconded by Councilwoman Zdichocki, and unanimously carried by the following roll call vote, the above ordinance was adopted.

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

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

Roll Call:

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

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

WHEREAS, the Borough of Stanhope heretofore acquired easements over real property located in the Township of Mount Olive, County of Morris, State of New Jersey on premises commonly known as 20 Continental Drive, Block 106, Lot 1, on the Tax Maps of the Township of Mount Olive; and

WHEREAS, said property is more particularly described in Deed Book 5984, at Page 81, which deed was recorded in the Morris County Clerk’s Office on December 30, 2003; and

WHEREAS, the Borough of Stanhope has completed construction of new water main facilities and no longer requires or will utilize any easement heretofore acquired over the premises commonly known as Block 106, Lot 1 on the Tax Maps of the Township of Mount Olive; and

WHEREAS, said easements are burdensome and of no further public use and should be formally released and abandoned;

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

SECTION I.

The Borough of Stanhope is hereby authorized to release and abandon any and all municipal utility easements on the property located at 20 Continental Drive, Block 106, Lot 1 on the Tax Maps of the Township of Mount Olive, which property is more particularly described in Deed Book 5984, at Page 81, recorded in the Morris County Clerk’s Office on December 30, 2003.

SECTION II

The Mayor and Clerk are hereby authorized to execute and record a release of easement to effectuate the purpose of this Ordinance.

SECTION III - WHEN EFFECTIVE.

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

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

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

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

Roll Call:

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

On motion by Councilwoman Thistleton, 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.

NEW BUSINESS

ORDINANCES

Mayor Maio read the following ordinances for introduction by title.

Ordinances for Introduction [Public Hearing on August 26, 2014]

Ordinance 2014-17

AN ORDINANCE TO AMEND AND SUPPLEMENT THE ZONING MAP OF THE BOROUGH OF STANHOPE SPECIFICALLY RE-ZONING BLOCK 10312, LOTS 1, 2, 3, 4, 7 AND 8; BLOCK 10313, LOTS 1, 2, 3 AND 4; BLOCK 10314, LOTS 1, 2, 3, 4, 5, 6, AND 7; AND BLOCK 10315, LOTS 1, 2 AND 3

WHEREAS, the Mayor and Council of the Borough of Stanhope have reviewed the zoning for Block 10312, Lots 1, 2, 3, 4, 7 and 8; Block 10313, Lots 1, 2, 3 and 4; Block 10314, Lots 1, 2, 3, 4, 5, 6 and 7; and Block 10315, Lots 1, 2, and 3; and

WHEREAS, said properties are currently located in the RC - Residential Conservation Zone, requiring a minimum lot size of 217,800 sq. ft.; and

WHEREAS, the current development pattern of the properties is single family residential on lots generally less than one (1) acre in size; and

WHEREAS, the existing development pattern for the properties in question is more consistent with the bulk requirements of the adjacent MR, Medium Density Residential Zone, requiring a minimum lot size of 14,520 sq. ft.; and

WHEREAS, the Governing Body of the Borough of Stanhope is of the opinion that the properties should be re-zoned to be consistent with the current development pattern;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Stanhope as follows:

Section 1. The zoning map shall be amended to provide that all of Block 10312, Lots 1, 2, 3, 4, 7 and 8; Block 10313, Lots 1, 2, 3 and 4; Block 10314, Lots 1, 2, 3, 4, 5, 6 and 7; and Block 10315, Lots 1, 2 and 3 shall be located in the MR zone.

Section 2. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any Court of competent jurisdiction, such provision(s) shall be deemed severable and the remaining portions of this Ordinance shall remain in full force and effect.

Section 3. All ordinances or parts of ordinances or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

Section 4. The Borough Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the Sussex County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. The Borough Clerk is further directed to provide at least ten (10) days prior notice of the hearing on the adoption of this Ordinance to all property owners affected by this zone change and to all property owners within 200 ft. of the boundaries of the affected properties in accordance with the provisions of N.J.S.A. 40:55D-62.1. Upon the adoption of this Ordinance, after public hearing, the Borough Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

Section 5. This ordinance shall take effect after publication and passage according to law.

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

Mayor Maio stated the Land Use Board and the planner reviewed and approved the map at last night's meeting.

Roll Call:

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

On motion by Councilwoman Zdichocki, 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 2014-18

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE WATER SUPPLY AND DISTRIBUTION SYSTEM IN AND BY THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$114,002.59 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$38,100 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 \$114,002.59, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$75,902.59 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.

For the financing of said improvement or purpose and to meet said \$114,002.59 appropriation not provided for by application hereunder of said proceeds from the sale of prior obligations of the Borough, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$38,100 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 \$38,100 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, but not limited to, the installation of fencing and electronic gates around Well #3, Well #4 and the Water Tower, together with all 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 \$38,100. The estimated cost of said purpose is \$114,002.59, the excess thereof over said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$75,902.59 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 fifteen (15) 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 \$38,100, 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 \$12,500 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.

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 \$75,902.59, constituting proceeds of obligations of the Borough heretofore issued under Ordinance Nos. 2010-03 (\$37,304.12), Nos. 2012-10 (\$8,769.76), 2012-14 (\$23,930.93) and 2013-02 (\$5,897.78) 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.

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.

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

Roll Call:

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

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

RESOLUTIONS

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

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 135-14 **RESOLUTION OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF STANHOPE AUTHORIZING THE
ISSUANCE OF RAFFLE LICENSE RA-598**

WHEREAS the following Raffle Application, with required fees, has been submitted for Mayor and Council approval;

<u>Raffle #</u>	<u>Applicant</u>	<u>Date</u>	<u>Type of Game</u>
RA-598	Stanhope Hose Co.#1	November 24, 2014	50/50 Raffle

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 136-14 **RESOLUTION OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF STANHOPE
AUTHORIZING THE RENEWAL OF LIQUOR
LICENSE TO SAMMY’S ITALIAN FOODS INC.**

WHEREAS, the application for renewal of Plenary Retail Consumption License No. 1919-33-005-009, Sammy’s Italian Foods Inc. for the 2014-2015 license year has been received and reviewed; and

WHEREAS, the liquor license renewal application submitted is complete in all respects, the renewal fees have been paid, Tax Clearance Certificate received, the license has been reviewed, and the premises inspected;

NOW, THEREFORE, BE IT RESOLVED that the statutory requirements thereto having been fulfilled, the application for renewal of liquor license be granted and the Borough Clerk be authorized to complete, sign and deliver said license on behalf of the Mayor and Council to the below named applicant, said license being renewed for the period July 1, 2014 to June 30, 2015 in the Borough of Stanhope, County of Sussex, New Jersey:

Plenary Retail Consumption License:

1919-33-005-009 Sammy's Italian Food, t/a Sal's Pizza, 81 Route 183

Resolution 137-14

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. 2013-032, representing 2012 property taxes and/or utility charges on Block 11605, Lot 9, known as 17 Maryann Terrace, assessed to Ysaac Mariano & Ali-Mariano, 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 #2013-032 and		
	Interest to Date of Meeting	\$	1,432.01
	Premium Paid by Lienholder		<u>800.00</u>
Total From Current Fund:		\$	1,432.01
Total From Tax Premium Account			800.00

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 Resolution 130-14 adopted on July 22, 2014 is hereby rescinded.

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

Resolution 138-14

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. 2013-016, representing 2012 property taxes and/or utility charges on Block 11201, Lot 5, known as 25 New Street, assessed to Anthony & Melissa Palomba, 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 #2013-016 and		
	Interest to Date of Meeting	\$	1,494.04
	Premium Paid by Lienholder		<u>100.00</u>
Total From Current Fund:		\$	1,494.04
Total From Tax Premium Account			100.00

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

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

Resolution 139-14

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. 2013-029, representing 2012 property taxes and/or utility charges on Block 11601, Lot 16, known as 24 Young Drive, assessed to Khatuna Lorig, 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 #2013-029 and		
	Interest to Date of Meeting	\$	1,671.02
	Premium Paid by Lienholder		<u>500.00</u>
Total From Current Fund:		\$	1,671.02
Total From Tax Premium Account			500.00

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 140-14

RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF TAXES

WHEREAS, the homeowners have made payments for the entire 2014-2015 tax year in excess of the amount due on several properties owned, creating various small overpayments of taxes on these properties; and

WHEREAS, there are no further taxes due for the current tax billing on any of the homeowners' properties, and

WHEREAS, the tax collector has applied all the overpayments to one of the properties to make a refund simpler;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, that a warrant be drawn to the homeowners in the designated amount representing an overpayment of taxes, as follows:

Homeowner Information:

Block	Lot	Qual	Name & Address	Tax Year	Amount
10204	1	QFARM	O'Connor, Richard & Riggs, Jerre S 44 Kishpaugh Road Blairstown, New Jersey 07825	2014	\$ 69.78

Resolution 141-14

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE GRANTING APPROVAL FOR A BLOCK PARTY

WHEREAS, the Borough of Stanhope received a request from the residents of Lakeview Estates to conduct their fifteenth annual block party; and

WHEREAS, said block party is scheduled for Saturday, September 20, 2014 (with a rain date of Sunday, September 21, 2014) from the hours of 11:00 a.m. to 8:00 p.m. on Towpath Lane between house numbers 10 and 14.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, does hereby grant approval to Lakeview Estates to hold a block party on Saturday, September 20, 2014 (with a rain date of Sunday, September 21, 2014) from the hours of 11:00 a.m. to 8:00 p.m. on Towpath Lane between house numbers 10 and 14.

On motion by Councilwoman Zdichocki, seconded by Councilman Depew 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 - absent	Councilwoman Thistleton – yes
Councilwoman Kuncken - absent	Councilman Benson – absent

Resolution 142-14

**RESOLUTION AUTHORIZING BOROUGH TO
ADVERTISE FOR BIDS FOR JAMES STREET WATER
MAIN REPLACEMENT**

WHEREAS, the Borough of Stanhope heretofore authorized the Borough Engineer to design the replacement of the water main located within James Street; and

WHEREAS, the Borough Engineer has completed the design and has prepared bid specifications to publically bid for a contract for the work; and

WHEREAS, the Borough Engineer has recommended a bid opening for September 4, 2014;

NOW, THEREFORE, be it resolved by the Mayor and Council of the Borough of Stanhope that the Borough shall advertise for sealed competitive bids for the replacement of the James Street Water Main with bids to be received on September 4, 2014.

On motion by Councilwoman Thistleton, 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 - absent	Councilwoman Thistleton – yes
Councilwoman Kuncken - absent	Councilman Benson – absent

Resolution 143-14

**RESOLUTION AUTHORIZING BOROUGH TO
ADVERTISE FOR BIDS FOR MOTORIZED GATES FOR
WELL NO. 3 SITE, WELL NO. 4 SITE, WATER TOWER
SITE AND DPW SITE**

WHEREAS, the Borough of Stanhope heretofore authorized the Borough Engineer to prepare a bid package for the installation of motor controls, gate openers and access controls for Well No. 3 site, Well No. 4 site, the Water Tower site and the DPW site; and

WHEREAS, the Borough Engineer has prepared the necessary bid package to publically bid for a contract for the work; and

WHEREAS, the Borough Engineer has recommended a bid opening for September 16, 2014;

NOW, THEREFORE, be it resolved by the Mayor and Council of the Borough of Stanhope that the Borough shall advertise for sealed competitive bids for motorized gates as described above for the Well No. 3 site, Well No. 4 site, the Water Tower site and the DPW site with bids to be received on September 16, 2014.

Mayor Maio noted the date for acceptance of bids has been changed from September 4, 2014 to September 16, 2014. On motion by Councilwoman Thistleton, 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 - absent	Councilwoman Thistleton – yes
Councilwoman Kuncken - absent	Councilman Benson – absent

PAYMENT OF BILLS

Resolution 144-14

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 August 12, 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 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 - absent	Councilwoman Thistleton – yes
Councilwoman Kuncken - absent	Councilman Benson – absent

AGENDA ITEMS

All items listed on the Agenda for August 26, 2014 were approved.

CITIZENS TO BE HEARD

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

Andrew Orinick Jr., 10 Mountain Terrace, asked Mr. Keller when his driveway will be repaired. Mr. Keller replied that the driveway was prepared with stone and it was scheduled to be paved but there was a question on the manner in which the work was going to be done. Mr. Orinick replied that he does not want the new pavement placed over the existing pavement and the angle of the driveway entrance is a concern. Cars will not be able to utilize the driveway. Mr. Orinick stated he would like to meet with Mr. Keller and Administrator McNeilly to discuss the driveway. Mayor Maio stated that Mr. Keller is the professional handling the project and as such he will determine the course of action.

Mr. Keller replied that this method of paving has been utilized many times. Mr. Keller stated that the driveway asphalt underneath the stone was stopped and keyed in at the bottom so that the last couple of feet will be base course to gravel and will continue on gravel. The asphalt underneath is stronger than any type of stone which could be placed there. This is why it was keyed at the bottom and removed at the top so there was not a thin layer of stone. If there is a thin layer of stone to asphalt there could be issues. This is a better design because it is stronger than using only stone. The whole purpose of this project was to address the water. The road was flattened out to eliminate the severe cross pitch which was allowing the water to jump the curb. The slotted drain was installed to capture the surface water and an underdrain was installed two

feet below to capture the subsurface water. There is a stone bed in that area which is lined and extends below the pipes. Mr. Keller stated the decision was made not to remove the entire driveway which would have reduced the structural integrity of the driveway. A small piece was left in the middle and filled over with stone for the structural support. Mr. Keller stated that he, Bill Storms, DPW Superintendent, and Mayor Maio have been to the property.

Mr. Keller stated the slopes of the driveway match or they are flatter than what existed on the previous driveway. Measurements were taken prior to the work being done and it was measured again afterward. The slope at the top of the driveway measured 12 percent and the bottom of the driveway was 19 percent. There was a transition in between of 12 or 12 ½ percent and 18 percent at the bottom. Mr. Orinick asked Mr. Keller what the slope is of the first 15 feet of driveway. Mr. Keller replied the slope is 12 or 12 ½ percent. Mr. Orinick stated that the measurement he took is 16 percent. Mr. Keller stated the measurement was taken with a smart level. Mr. Orinick stated that he measured using the Borough ordinance for driveway grades of 15 feet back and 3 ½ percent. Mr. Orinick stated that he is aware that the driveway was non-conforming but he is of the opinion that the driveway is not what it was before. Mr. Orinick stated he can no longer move cars in and out of the driveway, which he was able to do before the project. Mr. Keller stated without the asphalt on the driveway that is true. It was anticipated that the driveway would have been paved right after the stone was placed in the driveway. The neighbor's driveway was paved the next day. This issue has dragged on for quite some time now and that has created a lip at the edge of the driveway because the stone is down four inches or so from where it should be. Mr. Orinick stated that he is of the opinion that the neighbor's driveway has a minimal amount of clearance for the car he has observed pulling in and out. Mr. Orinick is concerned that once the driveway is paved and if the problem still exists, it will not be taken care of. Mr. Orinick stated he does not want the blacktop buried with QP put on top of it and he would prefer to remove the blacktop.

Mayor Maio stated that the Borough is guided by the advice of the professionals and if the professionals are saying this is a reasonable, acceptable and safe way to do this, then that is what the Borough will do. Mr. Orinick asked Mayor Maio if he, as the homeowner and taxpayer, has any say in what is done on his property. Mayor Maio stated again that the Borough must follow the advice of the professionals. Mr. Orinick asked why QP was not used on Mountain Terrace and paved over. Mr. Keller stated that the condition of the road with the cross slope required all new material to be placed underneath. The driveway was in good condition and did not have any issues. The driveway was rebuilt only because the road had to be raised.

Administrator McNeilly asked Mr. Keller if the pre-existing driveway, which was non-conforming, was one continuous angle top to bottom. Mr. Keller replied that it was not. The top was at approximately 12 percent, transitioned to 16 percent and the lower part was approximately 19 percent before it flattened out. There is a three foot key at the bottom which will be excavated. Administrator McNeilly asked what the figures are by putting the slate landing at the top and a turn. Mr. Keller replied the figures are roughly the same. The driveway came in off the road at an angle. Due to the fact that the height of Mountain Terrace was increased, the length of the driveway opening was increased to make the grades the same. Mayor Maio asked Mr. Keller if the grade is essentially the same as it was before the road construction. Mr. Keller confirmed the driveway grade is the same. Mr. Orinick disagreed. Mayor Maio stated that she and Mr. Keller met Mr. Orinick at the property recently. Mr. Keller took several measurements and explained what could be done and at that time Mr. Orinick agreed. Mr. Orinick replied that Mr. Keller was going to redraw the plans and get back to him. Mr. Keller stated that he did redraw the plans and they were given to the Administrator and the contractor. Much discussion took place regarding the driveways at #14, #12 and #10 Mountain Terrace and the plans were reviewed. Mr. Keller stated the standard policy is that whatever the driveway width was prior to construction is what is put back. If the homeowner wants a wider driveway, that is between the homeowner and the contractor.

Mayor Maio stated that the Borough's responsibility is to restore the driveway to what it was before the construction. In the opinion of the Borough's professional this has been done. Mayor Maio asked Mr. Keller if he is comfortable with the readings that were taken. Mr. Keller confirmed this. Administrator McNeilly asked Mr. Keller how the smart level works. Mr. Keller replied that the smart level provides the exact digital level of the slopes. The readings were taken before construction began and they were taken again after the base was put down in the driveway. The driveway is lower now than it will be because the paving has not been done.

When they do the key, the stone has to be excavated. Mr. Orinick stated that when the job is complete he wants his vehicles to be able to access the driveway both in and out as they did prior to construction. Administrator McNeilly asked Mr. Keller if the driveway will be useable once it is completed. Mr. Keller confirmed the driveway will be in conformance with accepted design principles. Administrator McNeilly stated if the driveway is not useable the issue will be addressed at that time.

Mayor Maio asked when Garcia Construction will be able to re-prepare the driveway and pave it. Mr. Keller replied that he spoke with Garcia Construction today but did not receive an answer. Administrator McNeilly stated that the stairs and railings need to be completed. The stairs were not included in the original project. Mayor Maio stated that a date needs to be determined by the middle of next week. If a date is not set, other action must be taken.

Mr. Orinick asked if he can remove the blacktop, put the QP back in and plate the driveway. Mayor Maio stated if work is done, other than what the engineer has designed, a release would have to be signed. Mr. Keller stated if Mr. Orinick wants to prepare the driveway himself, a release is required. Mayor Maio asked Administrator McNeilly to contact Mr. Stein to prepare a release.

Mr. Orinick stated that the recycle material from the contractor is full of metal. Administrator McNeilly confirmed there is a considerable amount of metal in the material.

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

ADJOURNMENT

On a motion by Councilwoman Zdichocki, seconded by Councilwoman Thistleton, and unanimously carried by voice vote the meeting was adjourned at 8:30 P.M.

Approved:

Linda Chirip
Deputy Clerk for
Ellen Horak
Borough Clerk