

**MAYOR AND COUNCIL
REGULAR MEETING
February 24, 2015
6:30 P.M.**

CALL TO ORDER

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 7, 2015 and was placed on the Official Bulletin Board in the Municipal Building.

Furthermore, notice of the early Closed Session was sent to the New Jersey Herald and Daily record on February 20, 2015 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:

Councilman Romano – present	Councilwoman Kuncken – present
Councilwoman Zdichocki – present	Councilman Depew – present
Councilman Thornton - present	Councilwoman Thistleton – absent

Mayor Maio – present

CLOSED SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231 P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

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

1. The public shall be excluded from discussion of and action upon the hereinafter-specified subject matter(s).
2. The general nature of the subject matter(s) to be discussed is as follows:
 - 1 – Personnel
 - 3 – Potential Litigations
 - 1 – Attorney-Client
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 Zdichocki, and unanimously carried by voice vote, the foregoing resolution was adopted.

The Mayor and Council went into Closed Session at 6:31 P.M.

At the conclusion of the Closed Session, the Mayor and Council reconvened the public meeting at 6:50 P.M. with all present.

Mayor Maio called for a ten minute recess.

SALUTE TO COLORS

Mayor Maio invited all those present to stand in a salute to the colors.

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.

Pam Pasake, LMCA (Lake Musconetcong Community Association) Board Member, 8 Central Avenue, stated the LMCA is interested in providing boat racks and is looking for advice on how to proceed. The boat racks would be for residents who live around the lake but not on the lake. Mayor Maio stated this item is listed on the agenda for Council Discussion. Mayor Maio asked the Governing Body if they were in favor of amending the agenda to discuss the issue at this time. There were no objections. Mayor Maio stated the Governing Body has received the written request from the LMCA.

Mayor Maio stated the property in question is not owned by the Borough of Stanhope. The Borough has a twenty year lease with the State of NJ which went into effect this year. The Borough cannot approve anything to be done on this property without prior approval from the State of NJ, not Hopatcong State Park. Mayor Maio stated there is an existing boat launch on the lake in the parking lot behind the bank. Adjacent to that launch there is space, also owned by the State of NJ, which would be sufficient to house kayak racks. The section of the lake on the Stanhope side at the park has remnants of the Morris Canal which cannot be disturbed and there is an issue of liability for the racks being placed on property that the Borough is responsible for. Councilwoman Kuncken stated there is concern about the liability and the fact the Borough does not own the property.

Mayor Maio stated the request made asked about utilizing space at Musconetcong Park, which is the single largest recreation area we have in the Borough, and there is no space available there. The other location was to use space where the harvester is stored. That land is also owned by the State and the space is taken up with the harvester and the shed and it abuts private property.

Councilwoman Zdichocki asked if the racks would be permanent or movable. Ms. Pasake stated they would be permanent and would require digging and pouring cement. Councilwoman Zdichocki stated with the movable racks the location could be changed or the racks removed if the situation did not work out. Ms. Pasake asked what the liability issues are. Mayor Maio stated the liability issues are if the racks are damaged, if someone gets hurt while moving the boats, the parking which is insufficient, or if the kayaks are stolen. Mayor Maio stated this is a State owned lake not a private lake. Mayor Maio stated the question is does the Borough want to allow this possibility if the State will even permit it. Councilman Romano asked if there is a demand from residents to provide this. Ms. Pasake stated the meetings are held twice a year and many of the members have lakefront homes but approximately 8 members are not lakefront owners and have no way to get their boats in the lake.

Mayor Maio stated Ms. Pasake should contact Steve Ellis, Superintendent of State Parks, for direction on how to proceed. Administrator McNeilly asked how the racks would be paid for or how someone would get use of them. Ms. Pasake stated the specifics of what the costs and procedure would be has not been determined. Administrator McNeilly stated in looking at the contract it specifically states the tenant cannot charge for use of leased premises. Much discussion took place regarding the suggested locations. Councilman Thornton asked how many racks are being requested. Ms. Pasake stated three racks and they would hold 4-6 canoes, kayaks and outriggers depending on how they are structured. Ms. Pasake stated the goal of the LMCA is to get more people utilizing the lake and becoming involved. Providing easier access would aid that process. Mayor Maio stated speaking with Steve Ellis would be the best place to start.

Seeing no one further 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:

December 9, 2014	Work Session/Agenda Meeting
December 16, 2014	Regular Business Meeting & Closed Session
January 6, 2015	Reorganization Meeting
January 13, 2015	Work Session/Agenda Meeting & Closed Session
January 20, 2015	Special Budget Meeting

On motion by Councilwoman Kuncken, seconded by Councilwoman Zdichocki and carried by a majority voice vote the above listed minutes were approved. Councilman Romano abstained from the December 9, 2014 and December 16, 2014 minutes.

CORRESPONDENCE (List Attached)

On motion by Councilman Romano, 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)

Councilwoman Kuncken reported the Fire Department's January report states there were 12 calls, 158.75 man hours, 6 mutual aid calls, 82.25 man hours for the mutual aid calls, 330 volunteer hours and the total number of activities including drills was 17. Mayor Maio asked if the future reports could show the mutual aid calls broken down by community as they appear on the Ambulance Squad report. Councilwoman Kuncken stated she will talk to Chief Card. The December 2014 report indicates there were 4 calls, 65.25 man hours, 1 mutual aid call for 2.25 hours, total number of man hours was 105.5 and 285 volunteer hours.

Councilwoman Kuncken stated the Police Department report indicates the largest number of incidents involved motor vehicles. The reports for December and January were received and provide detailed breakdown of the incidents.

Councilwoman Kuncken stated the Ambulance Squad for the month of December 2014 reported a total of 47 calls; 13 calls in Stanhope, 32 calls in Netcong. There were a total of 48 calls. The out of town calls were as follows: 0 in Byram, 0 in Roxbury, 1 in Hopatcong and 1 in Mt. Olive. 29 patients were treated and the squad made 29 trips to the hospital. There were 158 hours and 34 minutes of volunteer time. For 2014 the total number of calls were 595; 217 in Stanhope, 356 in Netcong and 22 stand-by. The out of town calls totaled 15 in Roxbury, 9 in Hopatcong, 2 in Byram and 1 in Mt. Olive. The overall total for calls was 622. There were 353 trips to the hospital for a total of over 10,000 miles travelled and had 2,387 hours and 44 minutes of volunteered hours. The report for January indicates 67 in town calls; 30 in Stanhope, 36 in Netcong and 1 stand-by. The out of town calls were as follows: 1 in Byram, 0 in Roxbury, 4 in Hopatcong. The calls totaled 72 with 45 trips to the hospital with a total of 302 hours and 30 minutes of volunteer time.

Finance & Administration – Councilman Romano/Councilwoman Kuncken

Councilman Romano stated the water utility collections for January totaled \$19,043.77 as compared to \$17,912.50 last year. The sewer collections were \$26,750.33 as compared to \$28,025.44 last year. The water utility collections for December 2014 were \$103,353.83 compared to \$107,481.41 last year. The sewer collections were \$156,539.18 compared to \$162,269.97 last year. The accounts are current.

Community Development – Councilwoman Zdichocki/Councilman Thornton

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

Councilwoman Zdichocki reported the Fire Department wrote a letter to request oxygen masks for dogs and as a result of that letter the department has received free oxygen masks for dogs and they are being trained on how to use them.

Councilwoman Zdichocki stated for the month of December there were 9 code violations and complaints and 1 zoning permit application. For the month of January there were 6 code violations and complaints and one zoning permit application.

Municipal Infrastructure – Councilman Thornton/Councilwoman Zdichocki

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

Councilman Thornton stated last Friday the Borough received a delivery of road salt. Deliveries are still in frequent and we are in a conservation mode. Residents are urged to use caution when travelling.

Information Technology – Councilmen Depew/Romano

Councilman Depew stated a meeting was held last week with Navitend. The representative is preparing the quote. Mayor Maio stated the quote is needed to complete the budget. Administrator McNeilly stated the quote was received today.

Boards/Commissions – Councilwoman Thistleton/Councilman Depew – No report was given.

ENGINEER'S REPORT

Mr. Keller, Omland Engineering, stated at the last Mayor and Council meeting he was asked to look at some additional roads in the Borough. All the roads were reviewed again; the Port Morris area, Spring Lane, Lake Street, Overhill Road, Ridge Road, Maple Terrace, Hickory Drive and Oak Drive. A pavement rating was done for each road. They have been summarized by groups. Based on the examination, Overhill Road, Ridge Road, Mountain View Road and Sunset Avenue will not be considered at this time to have work done in those areas. There is water replacement there as well as road abatements. The rating in that area was 75, which is a fair to good rating. In the Port Morris area Spring Street is the worst road we looked at. This neighborhood has an average of 69 which is what Maple Terrace and Hickory Drive are as a whole. Spring Lane and Lake Street have an average of 70. Spring Lane is in relatively poor condition with a rating of 62. Lake Street is in very good condition however it has a substandard water system. The choices will be based on budget. There are three options: the Port Morris area where the water main loop would be completed by connecting Spring up to Brooklyn Road and replacing the substandard main on Hillside. Mr. Keller stated they have spoken with a contractor regarding reclaiming the road. Those roads cannot be milled.

Mayor Maio asked if the cost estimates are based on work being performed by outside contractors. Mr. Keller confirmed this and stated the reclamation is not something that can be done through the co-op. Mr. Keller stated the costs presented are the worst case scenario. It may be determined that DPW has the capability to do the water portion of the project. The Port Morris area has 650 feet of pipe. Replacing the water main on Hillside has a couple of house connections to go along with it and some hydrants. Spring Lane and Lake Street has over 1,000 feet of pipe and several house connections and some hydrants. If work is done on Lake Street, we have determined that the trench would be repaired, paved and sealed. That road would not have to be repaved. Maple Terrace would require resurfacing. The chip seal on Maple Terrace has delaminated just as it has on Sagamore Road. The hill will not be included. Mayor Maio asked if the resurfacing of the streets would correct where the sewer drains have sunk. Mr. Keller confirmed this and stated that the estimates have allowed for wraps around the sanitary manholes. Hickory Drive is difficult to review at this time because of the snow but the curbs are in bad condition. There are no water issues on Hickory Drive. Oak Drive is in relatively good condition compared to the other roads.

Mr. Keller stated there are three key areas to consider. They are Port Morris, Spring Lane and Maple Terrace. Mayor Maio stated the total costs amount to approximately half a million dollars.

Mr. Keller is not recommending all the projects be done at this time. The Port Morris costs could be reduced for the water portion of the project if the work is done by DPW. The estimated construction costs are \$124,000 based on public bid prices. Mayor Maio asked if Mr. Storms has been consulted about doing this work. Administrator McNeilly stated Mr. Storms was included in the discussion. Mayor Maio asked if the water portion of the work for the Spring and Coursen, Area A, could be handled by the DPW. Administrator McNeilly confirmed the work can be done by the DPW. Mayor Maio stated that would reduce the cost of that project to \$99,000 plus the cost of materials. Mayor Maio asked what road projects are already scheduled for this year and what are the costs. Mr. Keller stated James Street and the sidewalk project are scheduled and the round numbers are approximately \$400,000. Mayor Maio is concerned if roads such as Maple Terrace and Hickory Drive are not repaired they are only going to get worse. Much discussion took place regarding the condition of the roads and the damage which may have occurred during the winter. Mayor Maio asked if there were any objections to placing Area A on the list for this year. There were no objections. Mayor Maio asked what can be done beyond that to avoid a critical situation. Mayor Maio asked Administrator McNeilly if he has consulted with Ms. Mooney, CFO. Administrator McNeilly stated this will be discussed during the capital portion of the budget. Mr. Keller stated another option to consider would be to have the co-op do the work on Maple Terrace which would reduce the costs to approximately \$50,000. Mr. Keller does not recommend doing work on Hickory Drive until next year because it needs more than just repaving. Mr. Keller stated the work Mr. Milanovich is doing will have to be completed prior to paving. The Governing Body determined that Area B is not affordable and Area C will have to be put on hold. Mr. Keller stated the estimated costs to do the work in the Port Morris area would be approximately \$150,000 and \$50,000 to pave Maple Terrace through the co-op for a total of approximately \$200,000.

Mayor Maio stated next year this information needs to be used as the starting point for discussion and if other roads are added they should be secondary. Mayor Maio stated a list needs to be compiled for crack sealing.

ADMINISTRATOR'S REPORT

Easter Egg Hunt – Administrator McNeilly stated an email has been received from the Recreation Commission requesting a road closure on March 28th at 12 noon with a rain date of March 29th at 1:00PM for the annual Easter Egg Hunt. Mayor Maio asked if the Governing Body had any objections. There were no objections. Administrator McNeilly stated the rent-a-john has been ordered and will be in place.

Millennium Strategies – Administrator McNeilly stated he, Mayor Maio and Councilman Romano met with Ed Farmer and Nico from Millennium Strategies today to discuss several grant opportunities. Mayor Maio stated that Millennium had a list of potential grant opportunities. The Borough is interested in funds to provide a community garden. The stated aid grants have not been announced to date. This information should be available in March or early April regarding Young Drive. A discussion was also held regarding the potential for a mini bus that could be shared with Hopatcong Borough for the seniors. Mayor Maio stated she will be contacting Mayor Petillo in Hopatcong to see if there is an interest. We discussed a possible FEMA grant application for the Ambulance Squad. Mayor Maio stated Mr. Farmer stated the Borough received a grant last year and would not receive another this year. This grant can be considered for the next year.

Sussex County Communications Center Open House – Administrator McNeilly stated the open house has been rescheduled for Monday, March 16th from 5:00PM to 8:00PM at the Sussex County Communications Center. Administrator McNeilly asked the Governing Body to contact the Deputy Clerk if they plan to attend.

Annual Water Report – Administrator McNeilly asked if the annual water report will be mailed this year. Mayor Maio stated the alternative to mailing it is to post it on the website. Administrator McNeilly stated the Borough can advertise that the report is available for anyone that would like a copy. Mr. Stein stated in the event there is a problem, the annual report would have to be advertised and mailed to the residents. Mayor Maio stated in her opinion it should be advertised and posted on the website. The Governing Body agreed. Mr. Stein stated this issue was researched last year but he will verify the information.

Road Closure - On motion by Councilman Romano, seconded by Councilman Thornton and unanimously carried by voice vote, the Governing Body approved the road closure for the annual Easter Egg Hunt.

COUNCIL DISCUSSION

Fire Department Bucket Drop Fundraiser Request – Mayor Maio stated the Fire Department has submitted a request to hold a bucket drop fundraiser. Mayor Maio referred back to the minutes of the May 13, 2014 council meeting. The straw poll for the year prior resulted in a decision that only one drop would be permitted. Last year two locations were permitted due to the construction issues with the understanding that this would not set a precedent for the upcoming years. Mayor Maio stated a decision now has to be made if permission will be granted to conduct a bucket drop and if so how many locations will be permitted. The previous bucket drop was held at the corner of Route 183 and Brooklyn Road and the second was at the corner of Linden Avenue and Route 183. Mayor Maio stated last year Brooklyn Road was closed. The year before the concern was that if both locations were utilized it could cause a traffic back up. Councilwoman Kuncken stated if the traffic back up is the same concern then only one location should be utilized. Discussion took place regarding the location at Route 183 and Dell Road. Administrator McNeilly stated in the past there was concern about the safety issues. Mayor Maio stated if only the North bound lane is utilized the safety issue with the traffic from Byram into Stanhope and the turnaround would be eliminated. Administrator McNeilly asked if this suggestion should be presented to the Fire Department as an option for a second location. The Governing Body agreed to the location at Brooklyn Road and Route 183 and the North bound lane of Route 183 and Dell Road. Administrator McNeilly will contact the Fire Department.

Water/Sewer Rate Structure (Ordinance) – Mayor Maio stated the Governing Body previously discussed moving a small amount of money from the basic rental rate in sewer to water. Ms. Mooney, CFO, stated that Mr. Sarinelli, Borough Auditor, would like this issue delayed until he can review the budget. Mayor Maio asked the Governing Body for approval to table this discussion until the second meeting in March. There were no objections.

Stanhope Chamber of Commerce – Mayor Maio stated the Stanhope Chamber of Commerce has requested permission to include a flyer for registration in the town wide garage sale in with the water bills. Administrator McNeilly stated the water bills will be prepared on Friday. Councilwoman Zdichocki stated there will also be a flyer from the Recreation Commission included with the water bills.

Website Content Manager – Mayor Maio stated the Governing Body has made the decision to add the title of Website Content Manager, with a salary of \$3,500, to the list of Borough employees. This will be a new position this year which will be added to the salary ordinance and to the budget for the year.

2015 Municipal Budget – Mayor Maio stated salaries need to be finalized and capital needs to be discussed. At this time, without the addition of the new position, the budget is at a property tax increase of .29%. A decision must also be made with regard to the website and the copy machine. Mayor Maio stated \$3,500 must be added for the Website Content Manager position. Ms. Mooney asked is the cost will be spread out over all three budgets. Mayor Maio confirmed this and stated there will be no increase to this position for this year.

Mayor Maio asked the CFO for information regarding the copier. Ms. Mooney stated if the Borough is going to purchase the copier outright it can either be funded through capital or through the lease program with the co-op. Mayor Maio asked if it is more advantageous to lease with a program that will include service. Councilman Romano stated he briefly reviewed the information prior to the meeting but he is of the opinion that leasing is the best option. Ms. Mooney asked if one or two copiers will be leased. Currently both copiers are owned by the Borough and there is a service contract in place for both machines.

Ms. Mooney stated the quote received for a 60 month leased color digital copier is \$195.25 per unit. The leased price for a black and white copier is actually more expensive at a cost of \$208.90. The color copier does have a lock out feature to prevent making color copies. Ms. Mooney stated the usage could be analyzed yearly and the copiers rotated to prevent one from

being used more than the other. Mr. Stein asked Ms. Mooney if this is a State contract. Ms. Mooney stated it is a Xerox machine and it is a State contract. Mayor Maio asked, for purposes of the budget, can we safely estimate \$4,800 per year. Councilman Romano stated the contract states copies over 5,000 per month will incur additional charges. Councilman Romano asked Ms. Mooney for the usage data. Ms. Mooney stated the Borough's usage is under 5,000. Ms. Mooney stated at this time \$1,950 is budgeted from the current fund. Mayor Maio stated the cost should be spread out across the three departments. Ms. Mooney stated \$2,400 would be placed in the current fund and \$1,200 would be placed in each of the other departments for a total of \$4,800.

Mayor Maio stated the other item to be considered for this budget is for the website. Ms. Mooney stated \$4,000 is currently budgeted for the website. Mayor Maio stated the most expensive proposal received was \$12,000 for development of the website. The monthly fee for that company to maintain the website would be \$250 per month. There is a one-time development fee of \$8,000. These figures may need to be modified. Ms. Mooney stated the total would be \$11,000 for hosting costs. Ms. Mooney stated using these figures would increase the current fund budget by \$7,700 and \$4,800 would be added to the other two budgets. Ms. Mooney recapped the figures as follows: \$3,500 for the Website Content Manager; \$4,800 less the \$1,950 which is already budgeted in the current fund; and \$11,000 for the website brings the totals to \$7,700 in the current fund, \$4,800 in water and \$4,800 in sewer.

Ms. Mooney stated she needs to confirm with Mr. Keller the funds necessary for the deposits needed for the capital road projects discussed this evening. The Area A costs from the general capital would be \$136,500. The Maple Terrace project costs will be \$70,000 which includes the engineering costs. There will be enough funds for the down payment. No changes are required. No deposit is required for water.

Ms. Mooney stated if the Canal Rehab is not going to be used for that purpose it can be cancelled back to capital surplus. Mayor Maio stated the amount of \$50,000 was put in place in case the pipe collapsed. Ms. Mooney asked if she should move ahead with the cancellation. Administrator McNeilly and Mayor Maio instructed Ms. Mooney not to cancel at this time. There is still work to be done.

Mayor Maio suggested that the Technology Committee meet to finalize the figures for the website.

Capital Budget – Administrator McNeilly stated the copier purchase line item can be eliminated. The Fire Department capital request is a result of a meeting with the Public Safety Committee. The Police Department request is a result of a discussion regarding the radios which is cancelling out a portion of money that is coming from a prior ordinance that will lower the costs. The capital improvement fund will self-fund that. The meeting held with Public Works for the replacement of Borough signs is listed here. Mayor Maio stated this project needs to be completed by 2017. Mayor Maio asked if this project is going to be completed this year. Administrator McNeilly confirmed the project will be completed this year. The next item is the yearly amount of money for other paving, crack sealing and oil and stone. The next is to provide for the trees along the fence lines. Ms. Mooney stated under Infrastructure Repair and Maintenance a line item will be added for Area A in the amount of \$136,500 and Maple Terrace through the co-op will cost \$70,000.

Mayor Maio suggested an additional item be added to the capital budget as the result of a meeting that was held with the ambulance squad. The ambulance squad is currently being dispatched out of Sparta on low band for calls in Stanhope. For calls in Netcong they are dispatched out of Morris County on ultra high band. The dispatching out of Sparta on low band requires the use of the tower located on Indian Springs. The squad members are currently carrying two pagers. One is on loan from Morris County and the low band pagers for Stanhope. They would like to go to a single pager that will accept both the ultra high and the low band. The total cost for the communication system is approximately \$21,000. It is their hope that Netcong Borough, Stanhope Borough and the American Legion will make an equal contribution. Mayor Maio stated she is of the opinion that the other entities may not contribute equal amounts for a number of reasons. Mayor Maio suggested that Stanhope Borough add \$14,000 for radio upgrades. The siren will no longer be needed and the Borough will not have to pay for the

electricity. The squad owns the siren and they will be able to sell it along with the old pagers. Councilwoman Kuncken stated if the Indian Springs Tower fails in the future there is a good chance that it will not be repairable. If this does come to fruition the location on the water tower could be used. The squad is working with Spectrum. Councilwoman Kuncken stated this system would allow for future upgrades if necessary. Most of Sussex County uses the high band system. Mayor Maio stated the Borough's share would be \$7,000 but she is suggesting \$14,000 be put in place as a cushion if needed. There were no objections.

Water and Sewer – Administrator McNeilly stated the water utility side for capital has funds included for the trees at the well sites 3 and 4 and the entrance to the water tower. A construction meeting was held regarding capital and a backhoe needs to be replaced. The cost through the co-op would be \$68,000 on the water side. The sewer side would have the other half of the backhoe and the 1981 sewer jet truck with the cap and chassis is approaching end of life. The replacement costs can be reduced by switching it over to a trailer pull behind unit. Mayor Maio asked if both items are a necessity for this year. Administrator McNeilly stated it is his recommendation that both have reached the end of life and should be replaced. Mayor Maio asked what will be done with the old backhoe. Administrator McNeilly stated it can be sold as surplus equipment. The vendor has mentioned trading it in for \$4,000. Administrator McNeilly and Mr. Storms are of the opinion it can be sold for more than that.

Mayor Maio asked Ms. Mooney if she is comfortable with the capital. Ms. Mooney stated she has spoken with Mr. Sarinelli and the money from the reserve for sewer connections which would be brought in like a revenue. This will allow the \$80,000 piece of equipment to be self-funded. In the water capital the other half of the road project is estimated to be \$60,000. Mr. Keller stated this figure is on the high side. Ms. Mooney stated at this time there would be a \$9.22 increase to the average household.

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

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 2015-01 **AN ORDINANCE TO AUTHORIZE THE SALE OF BLOCK NO. 11207, LOT NO. 11, LOCATED AT 67-69 MAIN STREET STANHOPE, NEW JERSEY**

WHEREAS, the Borough of Stanhope is the owner of all those lots, parcels and tracts of land as hereinafter set forth in Schedule A, which land is not needed or required for municipal use; and

WHEREAS, said lot has no improvements located thereon; and

WHEREAS, the Mayor and Council of the Borough of Stanhope have deemed it in the best interest of the Borough of Stanhope to sell the lot to the highest bidder at an open public auction sale pursuant to the provisions of N.J.S.A. 40A:12-13(a);

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

1. The Borough of Stanhope shall sell, pursuant to the provisions of N.J.S.A. 40A:12-13(a), the property set forth in Schedule A attached hereto.
2. After final passage of this Ordinance, the Borough of Stanhope shall sell the property set forth in Schedule A after offering same at a public auction to the highest bidder at the advertised time and place, which sale shall occur at the Stanhope Borough Municipal Building, 77 Main Street, Stanhope, New Jersey.

3. The said property shall be sold subject to the following terms and conditions:
 - (a) The said property shall be sold for not less than the amount set forth in Schedule A.
 - (b) The sale shall be made at public auction, after legal advertisement of this Ordinance and public notice of this sale, and shall be to the highest bidder.
 - (c) The Borough does not warrant or certify title to the property and in no event shall the Borough of Stanhope be liable for any damages to the purchaser-successful bidder if title is found unmarketable for any reason and the purchaser-successful bidder waives any and all right in damages or by way of liens against the Borough. The sole remedy being the right to receive a refund prior to closing of the deposit paid in the event title is found unmarketable. It shall be the obligation of the successful purchaser to examine title to said premises prior to the closing. In the event of closing and a later finding of defect of title, the Borough shall not be responsible for same, shall not be required to refund money or correct any defect in title or be held liable for damages.
 - (d) Acceptance of the highest bid shall constitute a binding agreement of sale and the purchaser shall be deemed to agree to comply with the terms and conditions of the sale herein contained.
 - (e) The purchaser shall be required to pay no later than the conclusion of the public sale ten percent (10%) of the bid, in cash or check; said payment shall be returned to the purchaser without interest, if the title to said property is legally determined to be unmarketable, providing claim is made therefor within sixty (60) days after the sale.
 - (f) A Bargain and Sale Deed without covenants will be delivered at the office of the Borough Clerk on or before sixty (60) days after the date of the sale, at which time and place the balance of the purchase price shall be required to be paid in cash or bank check. The Mayor and Clerk are hereby authorized to execute said Deed.
 - (g) The Deed of Conveyance will be subject to all matters of record, which may affect title herein, what an accurate survey may reveal, the Ordinances of the Borough of Stanhope and reserving an easement for all natural or constructed drainage systems, waterways, water and sewer easements on the premises and the continued right of maintenance and flow thereof.
 - (h) The purchaser shall also pay to the Borough of Stanhope the cost of preparation of this Ordinance and the Deed of Conveyance plus all charges of sale, including the cost of advertisement, the notice of public sale and all other instruments necessary or required by law at the time of the sale.
 - (i) The purchaser, in addition to the purchase price and the Borough's costs of sale set forth in subparagraph (h), shall also be required to pay directly to the Borough's real estate agent a Buyer's premium equal to five percent (5%) of the purchase price.
 - (j) The property will be sold subject to 2015 taxes, pro rated from the date of sale.
 - (k) The Governing Body does hereby reserve the right to withdraw this offer to sell, or upon completion of the bidding to accept or reject any or all bids for said property or to waive any informality in relation thereto.
4. This Ordinance shall take effect after final passage and publication according to law.

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

Mayor Maio opened the meeting to the public for comments on this ordinance only. Seeing no one from the public wishing to speak, Mayor Maio closed the public portion of the meeting.

Roll Call:

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

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

Ordinance 2015-02 **AN ORDINANCE TO AUTHORIZE THE SALE OF BLOCK 10314, LOT 4 LOCATED AT 3 KYNOR AVENUE STANHOPE, NEW JERSEY**

WHEREAS, the Borough of Stanhope is the owner of all those lots, parcels and tracts of land as hereinafter set forth in Schedule A, which land is not needed or required for municipal use; and

WHEREAS, said lot has no improvements located thereon; and

WHEREAS, the Mayor and Council of the Borough of Stanhope have deemed it in the best interest of the Borough of Stanhope to sell the lot to the highest bidder at an open public auction sale pursuant to the provisions of N.J.S.A. 40A:12-13(a);

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

1. The Borough of Stanhope shall sell, pursuant to the provisions of N.J.S.A. 40A:12-13(a), the property set forth in Schedule A attached hereto.
2. After final passage of this Ordinance, the Borough of Stanhope shall sell the property set forth in Schedule A after offering same at a public auction to the highest bidder at the advertised time and place, which sale shall occur at the Stanhope Borough Municipal Building, 77 Main Street, Stanhope, New Jersey.
3. The said property shall be sold subject to the following terms and conditions:
 - (a) The said property shall be sold for not less than the amount set forth in Schedule A.
 - (b) The sale shall be made at public auction, after legal advertisement of this Ordinance and public notice of this sale. The lot is located in the Borough's MR, medium density residential, zone which requires 14,520 sq. ft. The lot is undersized for zoning purposes. Therefore, at the public sale, the Borough is required by N.J.S.A. 40A:12-13.2 to accord the owner or owners of any real property contiguous to such lot the right to prior refusal to purchase said lot. If the contiguous owners do not exercise their right of prior refusal at the public sale, the Borough shall then immediately offer the property for sale to the highest bidder, the contiguous property owners having thereby waived their right of prior refusal.
 - (c) The Borough does not warrant or certify title to the property and in no event shall the Borough of Stanhope be liable for any damages to the purchaser-successful bidder if title is found unmarketable for any reason and the purchaser-successful bidder waives any and all right in damages or by way of liens against the Borough. The sole remedy being the right to receive a refund prior to closing of the deposit paid in the event title is found unmarketable. It shall be the obligation of the successful purchaser to examine title to said premises prior to the closing. In the event of closing and a later finding of defect of title, the Borough shall not be responsible for same, shall not be required to refund money or correct any defect in title or be held liable for damages.
 - (d) Acceptance of the highest bid shall constitute a binding agreement of sale and the purchaser shall be deemed to agree to comply with the terms and conditions of the sale herein contained.

(e) The purchaser shall be required to pay no later than the conclusion of the public sale ten percent (10%) of the bid, in cash or check; said payment shall be returned to the purchaser without interest, if the title to said property is legally determined to be unmarketable, providing claim is made therefor within ninety (90) days after the sale.

(f) The purchaser shall have the right to conduct a PERC test on the property within thirty (30) days of the date of sale. If the PERC test is unsatisfactory for the construction of an individual septic system on the property, the purchaser shall have the right to cancel the sale and receive a refund of the deposit. The purchaser shall provide proof of insurance to the Borough prior to entering the property for purposes of conducting the PERC test and shall, upon the conclusion of the test, restore the surface of the land to a level condition.

(g) A Bargain and Sale Deed without covenants will be delivered at the office of the Borough Clerk on or before ninety (90) days after the date of the sale, at which time and place the balance of the purchase price shall be required to be paid in cash or bank check. The Mayor and Clerk are hereby authorized to execute said Deed.

(h) The Deed of Conveyance will be subject to all matters of record, which may affect title herein, what an accurate survey may reveal, the Ordinances of the Borough of Stanhope and reserving an easement for all natural or constructed drainage systems, waterways, water and sewer easements on the premises and the continued right of maintenance and flow thereof.

(i) The purchaser shall also pay to the Borough of Stanhope the cost of preparation of this Ordinance and the Deed of Conveyance plus all charges of sale, including the cost of advertisement, the notice of public sale and all other instruments necessary or required by law at the time of the sale.

(j) The purchaser, in addition to the purchase price and the Borough's costs of sale set forth in subparagraph (h), shall also be required to pay directly to the Borough's real estate agent a Buyer's premium equal to five percent (5%) of the purchase price.

(k) The property will be sold subject to 2015 taxes, pro rated from the date of sale.

(l) The Governing Body does hereby reserve the right to withdraw this offer to sell, or upon completion of the bidding to accept or reject any or all bids for said property or to waive any informality in relation thereto.

4. This Ordinance shall take effect after final passage and publication according to law.

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

Mayor Maio opened the meeting to the public for comments on this ordinance only. Seeing no one from the public wishing to speak, Mayor Maio closed the public portion of the meeting.

Roll Call:

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

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

Ordinance 2015-03

AN ORDINANCE TO AUTHORIZE THE SALE OF BLOCK 10312, LOT 8 LOCATED AT BROOKLYN ROAD AND KYNOR AVENUE AND BLOCK 10314, LOT 5 LOCATED AT KYNOR AVENUE STANHOPE, NEW JERSEY

WHEREAS, the Borough of Stanhope is the owner of all those lots, parcels and tracts of land as hereinafter set forth in Schedule A, which land is not needed or required for municipal use; and

WHEREAS, said lot has no improvements located thereon; and

WHEREAS, the Mayor and Council of the Borough of Stanhope have deemed it in the best interest of the Borough of Stanhope to sell the lot to the highest bidder at an open public auction sale pursuant to the provisions of N.J.S.A. 40A:12-13(a);

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

1. The Borough of Stanhope shall sell, pursuant to the provisions of N.J.S.A. 40A:12-13(a), the property set forth in Schedule A attached hereto.
2. After final passage of this Ordinance, the Borough of Stanhope shall sell the property set forth in Schedule A after offering same at a public auction to the highest bidder at the advertised time and place, which sale shall occur at the Stanhope Borough Municipal Building, 77 Main Street, Stanhope, New Jersey.
3. The said property shall be sold subject to the following terms and conditions:
 - (a) The said property shall be sold for not less than the amount set forth in Schedule A.
 - (b) The sale shall be made at public auction, after legal advertisement of this Ordinance and public notice of this sale, and shall be to the highest bidder.
 - (c) The Borough does not warrant or certify title to the property and in no event shall the Borough of Stanhope be liable for any damages to the purchaser-successful bidder if title is found unmarketable for any reason and the purchaser-successful bidder waives any and all right in damages or by way of liens against the Borough. The sole remedy being the right to receive a refund prior to closing of the deposit paid in the event title is found unmarketable. It shall be the obligation of the successful purchaser to examine title to said premises prior to the closing. In the event of closing and a later finding of defect of title, the Borough shall not be responsible for same, shall not be required to refund money or correct any defect in title or be held liable for damages.
 - (d) Acceptance of the highest bid shall constitute a binding agreement of sale and the purchaser shall be deemed to agree to comply with the terms and conditions of the sale herein contained.
 - (e) The purchaser shall be required to pay no later than the conclusion of the public sale ten percent (10%) of the bid, in cash or check; said payment shall be returned to the purchaser without interest, if the title to said property is legally determined to be unmarketable, providing claim is made therefor within ninety (90) days after the sale.
 - (f) The purchaser shall have the right to conduct a PERC test on the property within thirty (30) days of the date of sale. If the PERC test is unsatisfactory for the construction of an individual septic system on the property, the purchaser shall have the right to cancel the sale and receive a refund of the deposit. The purchaser shall provide proof of insurance to the Borough prior to entering the property for purposes of conducting the PERC test and shall, upon the conclusion of the test, restore the surface of the land to a level condition.
 - (g) A Bargain and Sale Deed without covenants will be delivered at the office of the Borough Clerk on or before ninety (90) days after the date of the sale, at which time and place the balance of the purchase price shall be required to be paid in cash or bank check. The Mayor and Clerk are hereby authorized to execute said Deed.
 - (h) The Deed of Conveyance will be subject to all matters of record, which may affect title herein, what an accurate survey may reveal, the

Ordinances of the Borough of Stanhope and reserving an easement for all natural or constructed drainage systems, waterways, water and sewer easements on the premises and the continued right of maintenance and flow thereof.

- (i) The purchaser shall also pay to the Borough of Stanhope the cost of preparation of this Ordinance and the Deed of Conveyance plus all charges of sale, including the cost of advertisement, the notice of public sale and all other instruments necessary or required by law at the time of the sale.
- (j) The purchaser, in addition to the purchase price and the Borough's costs of sale set forth in subparagraph (h), shall also be required to pay directly to the Borough's real estate agent a Buyer's premium equal to five percent (5%) of the purchase price.
- (k) The property will be sold subject to 2015 taxes, pro rated from the date of sale.
- (l) The Governing Body does hereby reserve the right to withdraw this offer to sell, or upon completion of the bidding to accept or reject any or all bids for said property or to waive any informality in relation thereto.

- 4. This Ordinance shall take effect after final passage and publication according to law.

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

Councilwoman Kuncken stated the agenda indicates the lot as 2. Mr. Stein stated the ordinance is for lot 5.

Mayor Maio opened the meeting to the public for comments on this ordinance only. Seeing no one from the public wishing to speak, Mayor Maio closed the public portion of the meeting.

Roll Call:

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

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

Ordinance 2015-04

CALENDAR YEAR 2015 ORDINANCE OF THE BOROUGH OF STANHOPE, COUNTY OF SUSSEX, NJ TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Stanhope in the County of Sussex finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 2% increase in the budget for said year, amounting to \$68,471.32 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Stanhope, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Borough of Stanhope shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$119,824.81, and that the CY 2015 municipal budget for the Borough of Stanhope be approved and adopted in accordance with this ordinance;

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

On motion by Councilman Romano, seconded by Councilman Thornton, and unanimously carried by the following roll call vote, the foregoing ordinance was adopted.

Mayor Maio opened the meeting to the public for comments on this ordinance only. Seeing no one from the public wishing to speak, Mayor Maio closed the public portion of the meeting.

Roll Call:

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

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

NEW BUSINESS

RESOLUTIONS

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

Resolution 059-15

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE, COUNTY OF SUSSEX STATE OF NEW JERSEY AUTHORIZING THE SIGNING OF GOVERNMENT ENERGY AGGREGATION PROGRAM AGREEMENTS

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

WHEREAS, the establishment of a governmental energy aggregation program ("GEA Program") to purchase electric generation service and natural gas pursuant to the Government Energy Act of 2003, *N.J.S.A. 48:3-93.1 et seq.* ("Act") and the New Jersey Board of Public Utilities' implementing rules at *N.J.A.C. 14:4-6.1 et seq.* ("Rules") will increase competition for

the provision of electric power and natural gas to residential and non-residential electricity and gas ratepayers, thereby increasing the likelihood of lower electric rates and natural gas rates for these users without causing an interruption in service; and

WHEREAS, under a GEA Program the residential ratepayers may have the opportunity to receive a direct reduction in their electric bills through the bulk purchase of energy from a third-party energy supplier; and

WHEREAS, pursuant to an ordinance adopted by the Borough of Stanhope on December 17, 2013, Ordinance 2013-18, the Borough of Stanhope publicly declared its intent to commence a GEA Program by participating in the PASSAIC COUNTY ENERGY COOPERATIVE PRICING SYSTEM (“PCECPS”); and

WHEREAS, the COUNTY OF PASSAIC is the Lead Agent for the “PCECPS” program and shall accept or reject pricing on behalf of the Cooperative and its participant members; and

WHEREAS, the Borough of Stanhope, as a participating member of the “PCECPS” program hereby agrees to proceed with the program, by signing the Supplier Agreement, should the COUNTY OF PASSAIC accept pricing, which provides a minimum of ten (10)% savings, on the supply portion of the electric bill for the residential energy aggregation program; and

WHEREAS, the COUNTY OF PASSAIC appointed CONCORD ENERGY SERVICES (“CES”) for the “PCECPS” to serve as Energy Agent to assist and administer the GEA program at no cost to the County or “PCECPS” participating members; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope, in the County of Sussex, New Jersey, duly assembled in public session, that:

The Mayor is hereby authorized and directed to execute, on behalf of the Borough of Stanhope, any documents necessary to carry out the purpose this Resolution providing a minimum of ten (10%) percent savings is achieved.

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

Mayor Maio stated the Governing Body made the decision at the last Council meeting that the paperwork would not be signed if the savings was not for 10% or more.

Roll Call:

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

Resolution 060-15

RESOLUTION APPOINTING THOMAS PERSHOUSE AS ELECTRICAL SUBCODE OFFICIAL AND INSPECTOR FOR THE BOROUGH OF STANHOPE

WHEREAS, due to a retirement, there will be a vacancy in the position of Electrical Subcode Official and Inspector for the Borough of Stanhope; and

WHEREAS, the Borough’s current Construction Official, Thomas Pershouse, is also a licensed Electrical Subcode Official and Inspector; and

WHEREAS, Mr. Pershouse has agreed to perform the duties as Electrical Subcode Official and Inspector in addition to his current duties without any additional compensation; and

WHEREAS, the position will become vacant as of March 1, 2015; and

WHEREAS, Mr. Pershouse’s appointment is to be for a period of six (6) months.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope that effective March 1, 2015, Thomas Pershouse is hereby appointed as the Electrical Subcode Official and Inspector for the Borough of Stanhope for a period of six (6) months at no additional compensation, with office hours to be concurrent with the Construction Official's office hours.

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

Resolution 061-15 RESOLUTION AUTHORIZING AN APPROPRIATION RESERVE TRANSFER FOR THE YEAR 2014

WHEREAS, various 2014 bills have been presented for payment this year, which bills were not covered by order number and/or recorded at the time of transfers between the 2014 Budget Appropriations in the last two months of 2014; and

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allows transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stanhope that transfers be made in the amount of \$90.00 in Current Fund between the 2014 Budget Appropriation Reserves as follows:

CURRENT FUND	<u>From:</u>	<u>To:</u>
Mayor & Council – Other Expenses	\$ 90.00	
Finance – Other Expenses		\$ 90.00
	\$ 90.00	\$ 90.00

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:

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

Resolution 062-15 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. 2014-001, representing 2013 property taxes and/or utility charges on Block 10301, Lot 6.02, known as 164 Brooklyn Road, assessed to Richard J Stanley Jr., and;

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

To Lienholder:	US Bank Cust for BV001 Trust 50 S. 16 th Street, Suite 1950 Philadelphia, PA 19102-2513
Redemption Amount:	Tax Title Lien #2014-001 and Interest to Date of Meeting \$ 2,275.54 Premium Paid by Lienholder <u>2,100.00</u>

Total From Current Fund: \$ 2,275.54
Total From Tax Premium Account 2,100.00

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

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

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

Mayor's Appointments

Resolution 063-15

**MAYOR'S APPOINTMENT OF STACY GRAHAM TO THE
BOROUGH OF STANHOPE RECREATION COMMISSION**

Mayor's appointment to the Recreation Commission as follows:

Stacy Graham as Alternate #1 to fill an unexpired term, said term to expire 12/31/2017

BE IT RESOLVED by the Council of the Borough of Stanhope that they do hereby concur with the Mayor's appointment of Stacy Graham as Alternate #1 to the Recreation Commission, to fill an unexpired 5-year term, with said term to expire December 31, 2017.

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

Resolution 064-15

**MAYOR'S APPOINTMENT OF JASON HEYMER TO THE
BOROUGH OF STANHOPE ENVIRONMENTAL COMMISSION**

Mayor's appointment to the Environmental Commission as follows:

Jason Heymer to fill vacant unexpired 3-year term, said term to expire 12/31/2017.

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

Mayor Maio stated these appointments fill the open positions on our boards and commissions with the exception of a few alternate positions.

PAYMENT OF BILLS

Resolution 065-15

**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 February 24, 2015 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 Romano, seconded by Councilwoman Kuncken and unanimously carried by the following roll call vote the foregoing resolution was duly adopted.

Roll Call:

Councilman Romano – yes
Councilwoman Zdichocki – yes
Councilman Thornton - yes

Councilwoman Kuncken – yes
Councilman Depew – yes
Councilwoman Thistleton – absent

ATTORNEY REPORT

Mr. Stein stated he had no report.

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.

Don Drake, Fire Department Treasurer, stated he is not authorized to speak regarding the bucket drop but wanted to relay some information. Mr. Drake stated the Fire Department did review the location for the bucket drop at Dell Road and there are four lanes of traffic as opposed to Brooklyn Road. The speed limit near Dell Road is 50MPH and at Brooklyn Road the speed limit is 30MPH. Mr. Drake is of the opinion that there would not be a traffic issue if both proposed locations were utilized due to the way signs are placed. Mr. Drake thanked the Mayor and Council for discussing the issue.

Mr. Drake, SWAC Representative, stated the landfill received the concept approval for the horizontal expansion which will extend the landfill until 2060. Stanhope Borough's recycling percentage is less than the county average. Mayor Maio asked how much Stanhope's recycling percentages have decreased. Mr. Drake stated he is of the opinion that Stanhope's numbers have increased. They are striving to have 50% of the garbage to be recycling. Mayor Maio asked Mr. Drake to provide an update on the presentation which was made by the company that was formerly known as Grinnell. Grinnell has sold the company. They will bring in the dumpsters from construction sites and dump them to remove the recycling and then bring whatever is not recycling and bring it to the landfill and pay the tipping fees. They will not take garbage trucks. Mayor Maio asked how that is different from what they currently do. Mayor Maio stated it is her understanding that by Grinnell doing this it will reduce the amount of material going into the landfill which will in turn increase the costs to the Borough. Mr. Drake stated approval has not been granted. The plan will have to be approved by the Freeholders. Grinnell will still own the property and will have to go through the site plan process in Sparta and State approval will be needed. Mayor Maio stated if this plan is approved it will take material out of the landfill and therefore the cost of running the landfill will remain the same with much less revenue coming through. This will result in increased costs to the Sussex County taxpayers.

George Graham, Dell Place, Sussex County Freeholder, stated Grinnell is looking for an amendment to the county solid waste plan. At this time they are taking construction debris but they are looking to change this to bulky waste. Mr. Graham stated he attended tonight's meeting to ask Mr. Drake as the SWAC Representative to keep apprised of the situation. Mayor Petillo of Hopatcong Borough is also keeping an eye on the situation. Mr. Graham stated this has to be watched closely. The revenue is dropping off and the State will not be providing the extra amount of money necessary to pay off the bonds. This will have to come from general revenue. The regular waste that is being picked up weekly has dropped off within the county. Mr. Graham stated he would also like to ask Mr. Drake to put emphasis on the enforcement. We are paying for the waste to go to the landfill because of flow control. If it is diverted somewhere else we are still paying for it. Mayor Maio stated she does not know what control the Freeholders have over the hours of operation for the landfill but those of us in the southern end of the county find it ludicrous that the landfill closes at 2PM. The pick up in the Borough is not always completed by 2PM. Mr. Graham stated this has been an issue for years. SCMUA is an independent agency and the Freeholders cannot control the hours. Much discussion took place regarding collection and the 2PM closing of the landfill.

Mr. Drake stated he and some of the other towns are keeping an eye on the situation.

Mayor Maio stated she is not speaking for the Council but it is her personal opinion that the Freeholders are not acting in the best interest of their taxpayers with regard to the solar project. Mayor Maio stated that voting on an expense for millions of dollars, which is ultimately going to fall on the taxpayers, without some type of disclosure or accountability is not right. This is the

second major issue where there has been no accountability. The other was the payroll issue. Mr. Graham stated that he agrees with Mayor Maio. Mr. Graham was a Freeholder for approximately ten days when this issue began. The professionals stated the issue would get resolved and everything would be taken care of. The vendor that did the work on the solar panels defaulted within six months of taking this on. Approximately three hours ago Somerset County voted unanimously to accept the settlement. Mr. Graham stated he is against this settlement. Much discussion took place regarding the issue. Mr. Graham stated for the next 13 years Sussex County will at a minimum pay \$1.4 million for the privilege of having solar power in certain locations. Stanhope Borough will receive no benefit. Mr. Graham asked the Governing Body to attend the meeting tomorrow night at 5:00PM and speak up.

Mr. Graham stated there is a letter listed on Stanhope's correspondence list dated February 18th which is a resolution that was passed by the Freeholders at the urging of Carl Lazzaro. The resolution concerns the open space amendment which is taking funds away for the maintenance of the parks. Mr. Graham asked the Governing Body to consider adopting a resolution. Mayor Maio stated the focus recently has been the budget but the resolution will be considered. In this area we have Waterloo Village and as of July 1st funding will go away if something is not put into place.

Mr. Graham thanked the Governing Body for the improved water system. He has lived here for thirty years and appreciates the improvement. The project was done wonderfully.

Seeing no one further 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:
 - 3 – Potential Litigation
 - 1 – Attorney Client
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 Zdichocki, seconded by Councilman Romano, and unanimously carried by voice vote, the foregoing resolution was adopted.

The Mayor and Council went into Closed Session at 9:15 P.M.

At the conclusion of the Closed Session the Mayor and Council reconvened the public meeting at 9:50 P.M. with all present.

ADJOURNMENT

On a motion by Councilman Thornton, seconded by Councilwoman Zdichocki, and unanimously carried by voice vote the meeting was adjourned at 9:50 P.M.

Approved:

Linda Chirip
Deputy Clerk for
Ellen Horak, RMC
Borough Clerk