

**MAYOR AND COUNCIL
WORK SESSION AND
AGENDA MEETING
October 14, 2014
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 8, 2014 and was placed on the Official Bulletin Board in the Municipal Building.

Furthermore, notice of the early Closed Session was forwarded to the New Jersey Herald and Daily Record on October 7, 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 - present	Councilwoman Thistleton – present
Councilwoman Kuncken - present	Councilman Benson – present

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 – Potential Litigation
3. It is anticipated at this time that the above stated subject matter(s) will be made public at the conclusion of each individual specified subject matter.
4. This resolution shall take effect immediately.

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

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

At the conclusion of the Closed Session, Mayor and Council reconvened the public meeting at 6:59 P.M. with all present.

SALUTE TO COLORS

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

ENGINEER'S REPORT

James Street - Mayor Maio invited Eric Keller, Omland Engineering, forward to begin his report. Mr. Keller reported 900+ feet of water main has been installed on James Street in two days. Friday the tie in on Dell Road was completed. A total of 470 feet was completed yesterday and another 470 feet today. The water main work may be done this week. The first half of the water main is being filled and will be pressure tested tomorrow. The bacteria test will be done and by next week water services should be in place. Mr. Keller stated today was the first time the contractors encountered rock. Councilwoman Thistleton stated she has noticed an improvement to the water pressure in her home. Administrator McNeilly stated the transition went smoothly and quickly.

Mr. Keller stated a letter was sent to Local Aid requesting that the James Street Project and the Route 183 Sidewalk Project be combined for next year. Mr. Keller has not received a response to date. Combining the projects may attract a larger contractor and a lower cost when the project goes to bid.

Mr. Keller stated that the James Street water main project has been a good indicator as to the type of road that exists. The fact that the road has lasted fifty plus years is a testament to the Borough. The road is bound in tar with approximately two inches of asphalt on top of it. The road is approximately four inches thick in total. Mr. Keller stated he and Frank Russo have been discussing what should be done with the road. The approach at this time would be to mill the sides to set the curbs and allow for a traditional six inch curb face, which currently no longer exists on James Street. The middle of road would be overlaid with a geotextile fabric similar to what was done on High Street. This would be done because the road is cracked. Trenches will be cut in for the storm water and the storm sewer system for the under drains to bleed the water out. The soil conditions in the area are suitable for the sub base. The width of the road will stay at 30 feet, granite curb block will be installed, drainage will be added, manholes will be wrapped and sealed, speed humps will be reinstalled and under drains will be added. The cross slope on the road is 2-3%. With the middle of the road overlaid, the slope will be at 3 ½ -4% which will be slightly steeper. Two inches will be added to the middle of the road and over the existing edge anywhere between zero and one inch will be added. Mr. Keller stated he walked the area to determine which driveways are flat or sloped. Further review of the driveway at 15 James Street will be done. Mr. Keller stated that ponding most likely occurs on this road during heavy rain. Administrator McNeilly and Mayor Maio confirmed this. Much discussion took place regarding the construction work to be done, the driveway issues, the right of ways and the speed humps. The driveway at 27 James Street will have to be rebuilt. Mayor Maio stated, prior to any work being done, the owners of 27 James Street need to be made aware of the work to be done. Administrator McNeilly stated he and Mr. Keller will arrange to meet with the residents who will be impacted by the construction prior to the onset of construction. Mr. Keller stated there may be three driveways that will exceed the right of way.

Mr. Keller stated, using the unit pricing for smaller jobs that have been done, the preliminary construction estimate is \$355,000-\$360,000. The initial budget estimate was \$330,000. Mr. Keller stated if the two projects are combined it will allow for a lower unit price. The project will continue to be reviewed in detail to include all the necessary costs.

Sidewalk Project - Mr. Keller reviewed the plans for the sidewalk project on Route 183/206. A permit will be filed with NJDOT. The sidewalk will be five feet wide which is ADA accessible. Concrete aprons will be installed for the driveways. A uniform set back from the curb will be maintained. Much discussion took place regarding the driveway openings. Some of the driveways will not have concrete aprons in order to accommodate the motorists. The asphalt will be painted to indicate the sidewalk area. A discussion took place regarding the water line in the area of Acorn Street. Councilwoman Kuncken asked if the property owners will be contacted. Mayor Maio stated the business owners will need to be contacted. Mr. Keller stated there is an

area where an easement will be needed from PSE&G due to the placement of a telephone pole. Mayor Maio stated contact with PSE&G needs to be made as soon as possible. Councilwoman Kuncken stated an informational meeting will be beneficial but she is of the opinion that the property owners must be contacted personally to explain how the sidewalk installation will affect their property.

Administrator McNeilly stated once the design plan is approved by NJDOT, the property owners will be contacted. Mayor Maio suggested that prior to submitting the plan to NJDOT the property owners should have the opportunity to view the preliminary plans. The Governing Body agreed with Mayor Maio's suggestion. Much discussion took place regarding the issues the property owners may have. Mayor Maio stated from a public relations standpoint, the Plumbing Store, their next door neighbor, Grafe Small Engines, The Black Forest and Cubicle Bill need to be contacted as soon as possible. The plans and a visual representation need to be presented to the property owners.

Councilwoman Kuncken stated 10-15 years ago this plan was first discussed. Administrator McNeilly stated there are many pedestrians that currently walk along the shoulder of the road and in the center median. Mayor Maio asked if the Stonegate Condominium property will be impacted. Mr. Keller stated depending on how the sidewalk is tied in will determine the impact. Mayor Maio stated Stonegate Condominiums, the Plumbing Store, the residence next to the Plumbing Store, The Black Forest, Cubicle Bill and Grafe Small Engines need to be contacted. Mayor Maio asked Mr. Keller to notify the Governing Body when the meetings are scheduled.

Crosswalk on Main Street – Councilman Depew asked Mr. Keller if he was able to contact the representative regarding the crosswalk on Main Street. Mr. Keller stated he has not received any response to his calls. Mayor Maio stated perhaps a letter from Mr. Stein, Borough Attorney, may be necessary. Mr. Keller stated the company is going to have to make a determination how to fix the issue. Much discussion took place regarding the product. Mr. Keller will call the distributor again.

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

ADMINISTRATOR'S REPORT

Tax Sale – Administrator McNeilly stated the 2013 tax sale was successful. Two liens totaling \$978.56 remained in the Borough. The 2013 tax collection rate is now 100%, minus the \$978.56.

JIF Renewal – Administrator McNeilly stated the insurance contract with JIF is due for renewal to cover the next three years. This item will be placed on the agenda for October 28th.

Shared Service Agreement with Netcong Office of Emergency Management (OEM) – Administrator McNeilly stated the two year OEM agreement with Netcong expires at the end of this year. Administrator McNeilly asked the Governing Body if there were any objections to renewing the agreement. The Governing Body stated there were no objections or complaints.

Halloween Parade – Administrator McNeilly reported the Recreation Commission has submitted their annual request for a road closure during the Halloween Parade. Administrator McNeilly stated the road closure is not a Fire Department function but rather a fire volunteer function with the police presence as available. Mayor Maio asked the Governing Body for any objections to closing the road for the Halloween Parade. The Governing Body had no objections.

On motion by Councilwoman Kuncken, seconded by Councilman Depew and unanimously carried by voice vote approval was granted to close a section of Main Street for the Halloween Parade. Mayor Maio asked Administrator McNeilly to inform the Recreation Department and the Police Department.

Municipal Roads Resolution – Administrator McNeilly stated a copy of the resolution regarding municipal roads has been distributed to the Governing Body and it is on the agenda this evening for Council discussion.

Employee Use of Borough Owned Property – Administrator McNeilly stated an ordinance pertaining to employee use of Borough owned property has been distributed to the Governing Body. Administrator McNeilly requested to have the ordinance placed on the agenda for the next scheduled meeting for first reading. Mayor Maio stated section 32-29 “A” and “B” of the proposed ordinance states the same issue. Mayor Maio suggested that “A” be eliminated. Administrator McNeilly replied he will discuss the matter with Mr. Stein. Administrator McNeilly read the definition of Borough Employee which includes staff and volunteers.

Promotion of Water/Sewer/Tax Cashier – Administrator McNeilly stated a resolution will be placed on the agenda for the next scheduled meeting for the promotion of the water/sewer/tax cashier.

DOT Resolution: Young Drive/Maryann Terrace Phase II – Administrator McNeilly reported the DOT Local Aid application was formally submitted. The resolution will be prepared for the next Mayor and Council meeting for consideration.

Generators - Councilman Benson asked Administrator McNeilly if the Borough is in compliance with the DEP regulations regarding generators. Administrator McNeilly replied that the Borough does register the 75kw generators.

WORK SESSION

Sign Ordinance – Mayor Maio asked Councilwoman Zdichocki if she has met with the Chamber of Commerce to discuss the signage issue. Councilwoman Zdichocki replied that she has not met with the Chamber of Commerce. Mayor Maio asked to have this topic placed on the agenda for the next scheduled meeting.

Energy Aggregation Program – Mayor Maio stated two public meetings are scheduled to be held at the American Legion. The first meeting will be held on Thursday, October 23rd at 2:30 PM and a second meeting is scheduled for Monday, October 27th at 7:00 PM to present the Energy Aggregation Program. Administrator McNeilly stated the agreements have been signed and submitted in order to proceed to the bidding process. Mayor Maio asked Administrator McNeilly if the information is available on the Borough website. Administrator McNeilly stated the website will be updated with the information tomorrow. Mayor Maio asked Administrator McNeilly to send out NIXLE messages with the meeting information. Councilwoman Zdichocki asked if there are handouts available for the residents. Administrator McNeilly replied there is information on the counter at the Municipal Building and it will be on the Borough website. A press release has also been sent to the newspapers. Councilwoman Kuncken stated the Thursday meeting is scheduled to begin immediately following the Stanhope Senior Citizens Club meeting.

Best Practice Checklist – Mayor Maio invited Dana Mooney, CFO, forward to discuss the Best Practice Checklist. Ms. Mooney asked the Governing Body for any questions regarding the Best Practice Checklist.

Mayor Maio asked if the Borough is complying with question #3 regarding the reporting of vehicle use on employee W2 forms. Mayor Maio stated the Police Chief is the only employee in this category and asked Ms. Mooney to check with Mr. Sarinelli regarding the regulations.

Councilwoman Kuncken stated the question concerning required training once a year for elected officials is something which is done by the Governing Body through the annual JIF training and ethics workshops at the League of Municipalities Conference, although it is not considered mandatory. Administrator McNeilly stated the Governing Body would have to pass a resolution making the training mandatory in order to comply. Mayor Maio stated the Borough is doing the training annually without it being mandatory and asked if this can be indicated on the checklist. Ms. Mooney stated she will determine if the information can be entered as perspective.

Ms. Mooney stated question #15 will always have to be listed as “no”. The Governing Body stated they are aware of the issue. Councilman Benson stated the only way to comply would be to hire several more employees. Ms. Mooney stated the Borough can appeal the issue.

Mayor Maio stated question #28 asks if there is a written policy goal for the amount of surplus available in support of municipal operations and is this goal evaluated annually. Mayor Maio asked if the Borough has a written policy. Ms. Mooney replied that the surplus is evaluated annually but there is not a written policy in place. Mayor Maio stated the yes for #28 has to be changed to perspective.

Councilwoman Kuncken asked for clarification of question #40 regarding management officials and salaried employees that are exempt from overtime pay. Part of the question states “Does your municipality refrain from paying overtime to employees that are exempt?” Councilwoman Kuncken stated the answer to that is yes. The next part of the question states that “compensated leave time, in lieu of cash payments, is considered to be a form of overtime pay, unless such time is utilized in the same pay period.” Mayor Maio stated compensatory time is given within the DPW Department to the Superintendent. Much discussion took place regarding compensation time. Administrator McNeilly suggested changing the answer to perspective. Ms. Mooney stated she will have to find out if that is an option. Mayor Maio stated the answer may have to remain as a yes but will have to be investigated further.

Councilwoman Kuncken asked why the date was not provided in answer to question #50 regarding the employee handbook. Ms. Mooney stated the date was inadvertently omitted when the paperwork was updated. Mayor Maio stated the handbook was recently updated in May.

Mayor Maio asked Ms. Mooney if any of the changes made this evening will affect the impact of the score. Ms. Mooney replied the perspective answers should not affect the score. Ms. Mooney stated if perspective is not a permitted response and the answer has to be entered as a no, that will make a difference. Mayor Maio asked Ms. Mooney to inform the Governing Body of the final outcome. Administrator McNeilly stated the Best Practice Checklist must be completed and sent out by this Friday. The checklist in the past was sent to the Borough several months in advance. This year the required turnaround time to work on and present has been approximately two weeks. Ms. Mooney stated she will have the necessary information available tomorrow.

Budget – Ms. Mooney stated the budget information will be sent out to the Department Heads this week.

Mayor Maio thanked Ms. Mooney for attending this evening’s meeting.

Maintenance of Municipal Roads – Mayor Maio stated a resolution for maintenance of municipal roads is under consideration. Essentially this would allow for a bank of money to be set aside, similar to how snow removal is handled. Mayor Maio asked the Governing Body if there were any objections. Councilwoman Kuncken stated, according to the Best Practices Checklist, it asks what provisions have been made to maintain the infrastructure. Mayor Maio stated the resolution will be included on the next scheduled meeting agenda.

NEW BUSINESS

NJLM Conference – Councilman Benson stated he will be paying his costs associated with attending the NJLM Conference this year. This will allow another Council member to be able to attend. Mayor Maio stated there are three Council members who are not scheduled to be reimbursed this year. Councilwoman Thistleton stated that she already has a room at the conference. Councilwoman Zdichocki stated she may not be able to attend the conference this year and will make her own arrangements if needed. Councilwoman Kuncken stated she had no objection to making the reservation available to Councilman Thornton. Councilwoman Thistleton stated with her arrangements she will be responsible for paying the taxes on the room. Mayor Maio asked Ellen Horak, Borough Clerk, if any special authorization is needed. Ms. Horak replied a resolution is not needed. The Governing Body can state for the record that they are in agreement.

Councilwoman Zdichocki asked if funds can be allocated to cover the taxes for the rooms obtained by the individual Council members. Mayor Maio stated there is a policy in place regarding the conference attendance and funds for just taxes is not part of the policy. Councilwoman Zdichocki stated in her opinion the available funds should be divided evenly among the members attending. Mayor Maio stated there are two options available. The first option is to have Councilman Thornton attend in Councilman Benson’s place. The second

option is to divide the funds among the Council members scheduled to attend who have made their own arrangements. Councilman Depew stated he will be unable to attend this year. Mayor Maio stated with Councilman Depew's cancellation there are now two openings available which will provide a room for Councilwoman Thistleton and one for Councilman Thornton. Councilwoman Zdichocki suggested that a policy be set to address the allocation of funds for next year in case the same situation arises. Councilwoman Kuncken stated there is a policy established as a result of a very lengthy discussion. Councilwoman Kuncken is of the opinion that the funds should not be used to cover the cost of taxes for compensated rooms. The funds should be used to provide another Council member to be able to attend the conference, which is a valuable learning experience. Much discussion took place regarding tax costs for compensated rooms and funds available for the conference. Mayor Maio stated the current policy is in place and must be adhered to. Mayor Maio stated at this time there are two rooms available and three Council members who now have the opportunity to attend. Councilwoman Thistleton stated that she has a compensated room and she will keep that. Councilwoman Kuncken stated during the budget discussions next year the allocation of funds for the League Conference can be discussed. Councilwoman Zdichocki stated the employee's costs are covered and she is of the opinion the Council costs should also be covered. Councilman Benson stated the employee costs are provided for in the department budgets each year. Mayor Maio asked which Council members would like to attend. Councilwoman Thistleton stated she is of the opinion that Councilman Thornton may have one of the rooms and Councilwoman Zdichocki may have the other. In the event that Councilwoman Zdichocki cannot attend, Councilwoman Thistleton will use the room instead of using the compensated room. Mayor Maio asked the Governing Body if there were any objections. The Governing Body had no objections. Administrator McNeilly asked what the deadline is for finalizing the hotel arrangements. Ms. Horak replied the last cancellation date is November 6th.

RESOLUTIONS

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

Resolution 159-14

RESOLUTION AUTHORIZING BOROUGH TO ENTER INTO NARCAN MEDICAL OVERSIGHT AGREEMENT WITH ATLANTIC AMBULANCE CORP.

WHEREAS, the State of New Jersey has implemented a statewide program to authorize duly trained police officers to administer the antidote Narcan to persons suffering from an overdose of heroin or prescription narcotics; and

WHEREAS, medical oversight for the use of Narcan is required; and

WHEREAS, Atlantic Ambulance Corp. has been selected as the medical oversight agency for Sussex County; and

WHEREAS, Atlantic Ambulance Corp. has offered a Medical Oversight Agreement to the Borough; and

WHEREAS, the proposed form of Agreement has been reviewed and approved by the Borough Attorney;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope that the Borough Police Chief be and is hereby authorized to execute the Narcan Medical Oversight Agreement with Atlantic Ambulance Corp. on behalf of the Borough.

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

Councilwoman Kuncken asked Administrator McNeilly if other municipalities are making similar arrangements with companies such as Atlantic Ambulance Corp. Administrator McNeilly confirmed the arrangements are similar to when the defibrillators were first introduced and had to be overseen by a specific group.

Roll Call:

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

Resolution 160-14

RESOLUTION AWARDING CONTRACT FOR SLIDE GATE CONTROLLERS AT WATER/DPW FACILITIES

WHEREAS, the Borough of Stanhope heretofore advertised for the receipt of sealed competitive bids for Slide Gate Controllers at Water/DPW Facilities; and

WHEREAS, the Borough accepted sealed, competitive bids on September 16, 2014 for Slide Gate Controllers at Water/DPW Facilities; and

WHEREAS, the Borough received one (1) sealed competitive bid in the following amount: National Fence Systems, Inc. \$31,750.00; and

WHEREAS, the Borough Attorney has reviewed the bid for compliance with the Local Public Contracts Law and the Borough’s bidding requirements; and

WHEREAS, National Fence Systems, Inc. is the lowest responsive, responsible bidder for the Borough’s request for bids on September 16, 2014;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope that the Borough does hereby award a bid to National Fence Systems, Inc. in an amount not to exceed \$31,750.00 for the Slide Gate Controllers at Water/DPW Facilities; and

BE IT FURTHER RESOLVED that the award of this bid is subject to certification of the availability of funds by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the Borough Clerk shall notify all bidders on September 16, 2014 of the award of the bid to National Fence Systems, Inc.

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

Roll Call:

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

Resolution 161-14

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE AUTHORIZING THE ISSUANCE OF RAFFLE LICENSE RA-600

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-600	Patriot Wrestling Booster Club	1/28/2015	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.

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

Resolution 162-14 **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. 2011-05, representing 2010 property taxes and/or utility charges on Block 11103, Lot 22, known as 25A + 25B State Route 183, assessed to Carmine J Todaro, 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:	S B Municost c/o LBNJ 200 S Park Road, Suite 320 Hollywood, FL 33021
Redemption Amount:	Tax Title Lien #2011-05 and Interest to Date of Meeting \$ 39,888.59 Premium Paid by Lienholder <u> 7,000.00</u>
Total From Current Fund:	\$ 39,888.59
Total From Tax Premium Account	7,000.00

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

Resolution 163-14 **RESOLUTION AUTHORIZING REFUND OF MAINTENANCE BOND FOR BLOCK 10302, LOT 2**

WHEREAS, Morris Habitat for Humanity heretofore developed the property located at 153 Brooklyn Road, Block 10302, Lot 2, as shown on the Tax Maps of the Borough of Stanhope for a housing project deed restricted to low and moderate income property owners in partial satisfaction of the Borough's COAH obligation; and

WHEREAS, pursuant to a Developer's Agreement entered into with the Borough, Morris Habitat for Humanity posted a two year maintenance bond in the amount of \$2,600.00 with the Borough; and

WHEREAS, the two year maintenance period has now expired; and

WHEREAS, Morris Habitat for Humanity has requested a refund of its cash maintenance bond; and

WHEREAS, said bond should be returned to Morris Habitat for Humanity, together with all accrued interest pursuant to the Municipal Land Use Law and the Ordinances of the Borough of Stanhope;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the Borough shall return to Morris Habitat for Humanity its cash maintenance bond in the amount of \$2,600.00, together with all accrued.

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

Councilwoman Kuncken asked why the resolution is being done at this time. The resolution should have been done some time ago. Administrator McNeilly replied it was overlooked and should have been refunded approximately three years ago.

Roll Call:

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

Resolution 164-14 RESOLUTION TO AMEND 2014 BUDGET

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Stanhope has received a total of \$157,776.00 from the Federal Emergency Management Agency (FEMA) for the 2013 Assistance to Firefighters Grant, and

WHEREAS, the Borough of Stanhope now wishes to amend its 2014 budget to include the additional grant funds approved of \$157,776.00 as a revenue.

NOW THEREFORE, BE IT RESOLVED that the Council of the Borough of Stanhope does hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$157,776.00, which will be available as a revenue from:

- Miscellaneous Revenues
 - Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Public And Private Revenues Offset with Appropriations: FEMA 2013 Assistance to Firefighters Grants, and

BE IT FURTHER RESOLVED that a like sum of.....\$157,776.00 be and the same is hereby appropriated under the caption of:

- General Appropriations
 - (A) Public and Private Programs Offset by Revenues: FEMA 2013 Assistance to Firefighters Grant, and

BE IT FURTHER RESOLVED that the sum of.....\$8,303.00 is appropriated as the required municipal share under the caption of:

- General Capital Ordinance #2014-13 – Fire Department Equipment

BE IT FURTHER RESOLVED that the Chief Financial Officer submit one copy of the Chapter 159 certification form to the Director of Local Government Services.

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

Mayor Maio stated the amendment is being made to include the firefighters grant money which has been received.

Roll Call:

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

Mayor's Acceptance of Resignation

Resolution 165-14

**MAYOR'S ACCEPTANCE OF RESIGNATION OF
TONI GRISAFFI, ASSISTANT TO TAX
COLLECTOR/UTILITY COLLECTOR WITH
COUNCIL CONCURRENCE**

THEREFORE, BE IT RESOLVED by the Council of the Borough of Stanhope they do hereby concur with the Mayor's acceptance of Toni Grisaffi's resignation as Assistant to Tax Collector/Utility Collector effective October 14, 2014.

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

Mayor's Appointment

Resolution 166-14

**RESOLUTION APPROVING THE MAYOR'S APPOINTMENT
OF DASEAN SEARS, AS A MEMBER OF THE STANHOPE
FIRE DEPARTMENT**

Mayor's appointment of DaSean Sears, as a member to the Stanhope Fire Department.

BE IT RESOLVED by the Council of the Borough of Stanhope that they do hereby concur with the Mayor's appointment of DaSean Sears, as a Member of the Stanhope Fire Department effective immediately.

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

Resolution 167-14

**RESOLUTION APPROVING THE MAYOR'S APPOINTMENT
OF MAGGIE ELLICOTT, AS A JUNIOR MEMBER OF THE
STANHOPE FIRE DEPARTMENT**

Mayor's appointment of Maggie Ellicott, as a junior member to the Stanhope Fire Department.

BE IT RESOLVED by the Council of the Borough of Stanhope that they do hereby concur with the Mayor's appointment of Maggie Ellicott, as a Junior Member of the Stanhope Fire Department effective immediately.

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

PAYMENT OF BILLS

Resolution 168-14

**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 October 14, 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 Benson, seconded by Councilwoman Kuncken and unanimously carried by the following roll call vote the foregoing resolution was duly adopted.

Roll Call:

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

AGENDA ITEMS

All items listed on the Agenda for October 28, 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.

Peggy Findley, 88 Main Street, stated she had a conversation earlier with Administrator McNeilly regarding the parking along Main Street for the auto repair shop. Mrs. Findley stated today there is a large trailer parked in front of her home. Mrs. Findley asked how long the vehicles can be parked on the road without being moved. Administrator McNeilly stated he spoke with the owner of the auto shop today. Administrator McNeilly stated the owner has made arrangements for offsite storage and he will have the truck and trailer moved tomorrow. The additional cars will be moved by the end of the week. Administrator McNeilly stated he has informed the owner about the off street parking regulations which will be in effect shortly for the winter.

Mrs. Findley stated she has not received a phone call regarding the problem she has been having with Bells Mansion and her property located on High Street. Mrs. Findley stated she spoke with Administrator McNeilly regarding this issue today and she was told that the Zoning Official will go out to measure the buffer zone. Administrator McNeilly stated the Zoning Official will need to have copies of the surveys in order to determine the property lines. Much discussion took place regarding the buffer zone and the location of the property lines. Mayor Maio asked Mrs. Findley to provide a copy of the survey for her property to the Zoning Official. Administrator McNeilly informed Mrs. Findley that he would contact her tomorrow after the Zoning Official reviews the matter.

Councilman Thornton asked Administrator McNeilly if the owner of the auto repair shop is aware that the parking issue cannot resume again once the parking restrictions are lifted in the spring. Administrator McNeilly stated the owner is aware.

Michael Choquette, 12 Mountain Terrace, stated the curbing issue between his property and 10 Mountain Terrace is still unresolved. Mr. Choquette is of the opinion that the curbing was not reinstalled in the same location as it was prior to construction. Mr. Choquette stated he has before and after pictures of the area which he presented to Administrator McNeilly. Mr. Choquette described how he calculated the curbing length by using the photos. Mr. Choquette asked why the right of way in front of his home is being used for private use by his neighbor. Councilman Depew stated the right of way is owned by the Borough and as such the Borough has the right to use it as deemed necessary. Mayor Maio asked Eric Keller, Borough Engineer, to review the pictures. Mr. Keller looked at the pictures presented and stated the size of the blocks can vary. Mr. Keller stated counting blocks will not give an accurate measurement. Much discussion took place regarding the curbing. Mayor Maio stated, according to the Borough Engineer, the curb is in the same location now as it was prior to construction.

Councilwoman Kuncken asked Mr. Choquette how the curbing issue impacted him and how he accesses his property. Mr. Choquette replied the construction work disturbed his property and the neighbor at 10 Mountain Terrace is now accessing his property through the right of way in front of Mr. Choquette's house. Mr. Keller stated there was a survey taken prior to construction and a survey taken when the work was completed. Pictures were also taken of the area before and after. Mr. Keller stated all the documentation indicates that the drop curb for 10 Mountain Terrace was not changed on Mr. Choquette's side. It did change on the neighbor's side. Mayor Maio stated the project is complete. Mayor Maio asked Mr. Choquette what he wants from the Governing Body. Mr. Choquette stated he wants an ordinance sited that allows for the work that was done in the right of way. Administrator McNeilly stated everyone in the Borough utilizes a public right of way to access their property. The Borough has the right to utilize the right of way

as it sees fit for the best interest of the public. Mayor Maio stated the time limit for discussion has been exceeded and the discussion was ended.

Mike Obremski, JCP&L, stated he has been working with Administrator McNeilly to move the service out of the woods for the pump station. The designer will be working on a final design this week or next week and if it is in the best interest of all the parties it will be moved. Administrator McNeilly stated that working with Mike is “a breath of fresh air”. Mayor Maio stated the Main Street lights look wonderful now that the Cobra lights have been turned off. Mayor Maio and the Governing Body extended their thanks to Mr. Obremski.

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:

2 – Personnel
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 Councilman Benson, and unanimously carried by voice vote, the foregoing resolution was adopted.

Mayor and Council went into Closed Session at 9:25 P.M.

At the conclusion of the Closed Session, Mayor and Council reconvened the public meeting at 9:30 P.M. with all present.

ADJOURNMENT

On a motion by Councilman Depew, seconded by Councilman Benson, and unanimously carried by voice vote the meeting was adjourned at 9:30 P.M.

Approved:

Linda Chirip
Deputy Clerk for
Ellen Horak
Borough Clerk