

**MAYOR AND COUNCIL
REGULAR MEETING
September 27, 2016
6:00 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 6, 2016 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 September 21, 2016 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 Depew – absent	Councilwoman Thistleton – present
Councilwoman Kuncken – present	Councilman Thornton – present
Councilman Romano – present	Councilwoman Zdichocki – 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:
2 - Contracts (1 Energy Aggregate & 1 Potential Sewer Allocation)
1 – Litigation
3. It is anticipated at this time that the above stated subject matter(s) will be made public at the conclusion of each individual specified subject matter.
4. This resolution shall take effect immediately.

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

The Mayor and Council went into Closed Session at 6:04 P.M.

RETURN TO OPEN SESSION

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 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 there is a five (5) minute time limit for each speaker.

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

MINUTES FOR APPROVAL

Mayor Maio read aloud the list of minutes being presented for approval:

- | | |
|-----------------|-----------------------------|
| August 9, 2016 | Work Session/Agenda Meeting |
| August 23, 2016 | Regular Business Meeting |

On motion by Councilman Romano, seconded by Councilwoman Kuncken and carried by voice vote the above listed minutes were approved. Councilman Thornton abstained from the minutes of August 9, 2016.

CORRESPONDENCE (List Attached)

On motion by Councilwoman Thistleton, seconded by Councilwoman Kuncken 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 stated the Fire Department for the month of August reported 10 calls answered, 2 mutual aid calls, 2 assists to the Ambulance Squad and 75.5 man hours.

Councilwoman Kuncken stated the Police Department reported 328 calls for the month with the majority of the calls from motor vehicle stops.

Councilwoman Kuncken stated the Ambulance Squad for the month of July reported a total of 48 calls; 16 in Stanhope, 30 in Netcong and 2 stand-bys. There were 4 out of town calls; 2 to Byram and 2 to Hopatcong. The number of patients totaled 31 with 23 trips to the hospital. The miles travelled totaled 661 for a total number of volunteer hours of 262 hours and 38 minutes. There was one assist from the Stanhope Fire Department.

Councilwoman Kuncken stated the Ambulance Squad for the month of August reported a total of 57 calls; 29 in Stanhope, 28 in Netcong and 0 stand-bys. There were 2 out of town calls; 1 to Byram and 1 to Hopatcong. The number of patients totaled 40 with 34 trips to the hospital. The miles travelled totaled 787 for a total number of volunteer hours of 232 hours and 10 minutes. There was one assist from the Stanhope Fire Department.

Councilwoman Kuncken stated a Public Safety Committee meeting was held last week. The meeting was attended by Councilwoman Kuncken, Mayor Maio, Councilwoman Thistleton, Administrator McNeilly, the Fire Chief and the Assistant Fire Chief. Last month correspondence was received from the Fire Chief listing three issues.

Bucket Drop: Councilwoman Kuncken stated the Fire Department stated a need for an ordinance to conduct the annual bucket drop. An ordinance already exists and a copy was provided to the Fire Chief. The committee recommended the Fire Department begin the process of filing all the paperwork for the bucket drop well in advance next year to avoid any last minute issues.

Fire Hydrant Clearing: Councilwoman Kuncken stated the Fire Department asked the Governing Body to consider having the fire hydrants cleared by the residents who have hydrants located on their property. Councilwoman Kuncken stated the committee listened to the Fire Department's concerns. The committee explained the clearing of the fire hydrants has always been considered a drill and part of their community service. The Fire Department finds the clearing to be difficult at times and the snow can get too deep on the hydrants. Councilwoman Kuncken stated the committee was not comfortable having an ordinance to require residents to clear the hydrants. The committee suggested a notice be placed in the next water bill asking people to please help out by trying to keep the hydrants clear. There are a few problem areas. They are located at the island on Mountain Terrace and Elizabeth Avenue which get buried from both sides. There are also some issues located on Route 183. Councilwoman Kuncken stated Administrator McNeilly offered to have DPW assist the firemen with a backhoe for the problematic hydrants if needed. The Fire Department agreed to try this plan.

False Alarms: Councilwoman Kuncken stated the Fire Department has requested the Borough adopt an ordinance to impose fines for multiple false alarm calls. There are some business properties with repeated false alarms. The issues with the alarms could be corrected but that does not seem to be happening. Councilwoman Kuncken stated other towns such as Roxbury Township have a false alarm ordinance. The Public Safety Committee is recommending the Governing Body review this issue for possible consideration. Mayor Maio stated this topic will be added to Council Discussion for the next scheduled meeting agenda. Administrator McNeilly stated Roxbury Township has an ordinance for residential alarms separate from business alarms. Mayor Maio stated with regard to residential alarms she would not want residents to disconnect their alarms. Mr. Stein stated it may be possible to adopt an ordinance for non-residential properties. Administrator McNeilly will gather additional information.

Fire Department Budget: Councilwoman Kuncken stated the Fire Department budget, along with the capital budget and backup documentation, has been submitted and they are on target with the CFO.

Finance & Administration – Councilman Romano/Councilwoman Kuncken

Councilman Romano stated the water collections for August were \$23,056.41. Sewer collections were \$34,694.09. The year to date water collection total is \$340,050.72 and the year to date sewer collection total is \$479,750.05.

Councilman Romano stated a meeting was held with the CFO on September 20th regarding the banking services agreement. Several proposals were reviewed and the committee's recommendation is to go with Lakeland Bank. The CFO sent a memorandum to the Governing Body on September 21st with this recommendation. Mayor Maio stated the resolution is on tonight's agenda.

Community Development – Councilwoman Zdichocki/Councilman Thornton

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

No Report.

Municipal Infrastructure – Councilman Thornton/Councilwoman Zdichocki

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

Councilman Thornton stated a Municipal Infrastructure Committee meeting was held on September 15th. The meeting was attended by Councilman Thornton, Councilwoman Zdichocki, Mayor Maio, Administrator McNeilly, Bill Storms – DPW Superintendent, Jason Titsworth – DPW Supervisor and Eric Keller – Borough Engineer. Projects were identified and the budget for next year was discussed. Councilman Thornton stated Mr. Keller has recommended the milling and resurfacing of McKinley Street between Brooklyn Road and Linden Avenue and for the area from Linden Avenue from Route 183 to Elizabeth Avenue. Other suggestions were to

replace the Port Morris Pump Station, which will need a follow-up engineering study and the filtration systems at Wells 3 and 4 need some attention. Mr. Storms provided a list of possible projects, which need further discussion.

Information Technology – Councilmen Depew/Romano

No Report.

Boards/Commissions – Councilwoman Thistleton/Councilman Depew

Councilwoman Thistleton stated the Halloween Parade will take place at the end of October and there is a bus trip to the Sands Casino scheduled for October 15th.

Mayor Maio asked Administrator McNeilly if the overcharge from Animal Control has been taken care of. Administrator McNeilly stated the correction has been made.

ADMINISTRATOR’S REPORT

Technology – Administrator McNeilly stated a “state of the website” meeting was held with Nicole Heymer, Administrator McNeilly, Mayor Maio and Linda Chirip, Deputy Clerk. The trends, heat map results and information on the website were discussed. Some of the headings which are most popular will be moved for quicker accessibility. Overall the website is working very well.

Email Addresses – Administrator McNeilly stated the next phase will be to assign email addresses to the Mayor and Council Members. The emails will use the same web based Google for government system. All emails will be stored on the web and will lead to a paper free environment in the future. Mayor Maio stated she would like the emails to be put into effect by January 1st. Administrator McNeilly stated the budget does provide for the additional emails. Mr. Stein stated the proposed email system meets the established best practices. This system does not store emails on a server and they are not personal email addresses. This system is actually an improvement from when the best practices were adopted.

Reclamation Project – Administrator McNeilly stated the reclamation equipment was not able to go up Port Morris for the last 20 feet. The contractor will try coming down from the other direction. Yesterday’s weather did not affect the work which was done. The surface currently on the road is mixed with cement. Administrator McNeilly stated the surface can be driven on for approximately two weeks prior to paving if necessary. The paving should begin later this week.

Halloween Parade – Administrator McNeilly requested a temporary road closure on Main Street, from Church Street to the Fire House, on October 29th at 11:00AM for the annual Halloween Parade. The Governing Body approved the request for the temporary road closure. Administrator McNeilly stated he will notify Police Chief Pittigher.

2017 Municipal Calendar – Administrator McNeilly stated memos have been sent to the boards and commissions from the Clerk to request information for inclusion on the 2017 municipal calendar. Administrator McNeilly asked if the Governing Body would like to have Shred Day added to the April and September calendar. Mayor Maio stated the Shred Day has to be held in conjunction with the Clean Up Day. The Environmental Commission will be sponsoring one Clean-Up Day next year in April. The decision was made to have the Shred Day on the calendar for April.

Stanhope School Stop Sign Request – Administrator McNeilly stated Stanhope School currently has a no right turn policy for the afternoon pickup and they are requesting to extend that to the morning drop off hours. Administrator McNeilly asked the school to submit their request in writing. Mayor Maio asked Administrator McNeilly to contact Eric Keller, Borough Engineer.

School Path Lighting – Mayor Maio stated Administrator McNeilly will be the contact person for the school path lighting project. A letter of support will be required from the elementary school. The high school path is in the right of way and will not be an issue.

Schuffenhauer Property – Administrator McNeilly stated Arlene Fisher, Zoning and Code Enforcement Official, denied Mr. Schuffenhauer’s zoning application due to the fact the design submitted would expand the building too close to the property line. Mr. Schuffenhauer has been cited for debris and non-operating vehicles on the property. Tom Pershouse, Construction Official, has received a memo to review the structure for demolition or rebuild. Mr. Stein stated with a demolition complaint, the statute states a hearing must be held within 30 days.

Borough Hall Renovation – Administrator McNeilly stated a meeting will be scheduled with the architect to revisit the prior building plans. The base drawings were saved from last time and some changes will have to be made.

2016 Best Practices Checklist – Administrator McNeilly stated there have been new changes to the 2016 Best Practices Checklist. Many towns have grievances with the changes and the associations are addressing the concerns. The questions require a yes or no answer. The not applicable answer is not an option. The Borough will qualify this year but next year the changes could hurt the Borough. In the past the checklist had a minor impact on aid received. However, depending on how the questions are answered a township could lose all financial aid. Administrator McNeilly stated the checklist will be distributed to the Governing Body by Friday.

Budget Books – Administrator McNeilly stated the budget books are nearly complete. Figures for the health benefits and pension are still pending.

Musconetcong Dam Reclamation – Administrator McNeilly stated he needs to discuss the Musconetcong Dam Reclamation with Mr. Stein. No additional information is available at this time. Administrator McNeilly stated Mr. Keller, Borough Engineer, has indicated everything is in order. The electronic version of the documents must be reviewed by Mr. Stein.

Main Street Creek – Mayor Maio asked Administrator McNeilly to address the issue of the collapsing fence located at the end of Main Street.

COUNCIL DISCUSSION

Shared Court with Hopatcong – Richard Stein, Borough Attorney, stated the Borough’s shared court agreement expired on December 31, 2015 but has continued. The contract agreement must be renewed for another five years. The bail reform act laws are changing due to the fact most people could not afford bail. Bail would now be denied to people considered to be dangerous and others will be released on their own recognizance. The new law requires all those arrested to be seen by a judge within 48 hours. This may impact the cost of the agreement. Currently there are three test areas in New Jersey; one of them is the Morris/Sussex County Vicinage. The contract may have to be readdressed in the future based on the results of the bail issue. Mr. Stein discussed the fees of the original agreement. Hopatcong Borough had questions regarding payments they have received. Dana Mooney, CFO, has confirmed the amounts in question. Mr. Stein stated Mr. Ursin has contacted him to indicate the figures are all in agreement. The 2% increase would be on the initial \$70,000 along with the \$25,000. Mayor Maio stated that was not what was agreed to. Mr. Stein stated he can contact Hopatcong and state the agreement will be broken out just like it was before. Mayor Maio stated she spoke with the Mayor of Hopatcong and was told the agreement would stay the same with the 2% increase. Administrator McNeilly stated \$25,000 comes from fees collected. Mr. Stein stated he will speak with Mr. Ursin.

Vacant/Abandoned Properties Amended Ordinance – Mr. Stein stated Arlene Fisher, Zoning and Code Enforcement Official, has requested a change be made to the vacant/abandoned property registration ordinance. The current ordinance states the registration fee is prorated. Ms. Fisher received a check for an initial registration which the bank prorated according to how many days were left in the year. Mr. Stein stated after reviewing the ordinance, the initial registration fee of \$250 should not be prorated. The second year or subsequent years the registration could be prorated for a partial refund if the property becomes occupied. Mr. Stein is of the opinion this may work as an incentive to have the property legally occupied. The refund request would have to be submitted in writing.

Administrator McNeilly stated many of the vacant properties have been registered. The Borough has more information now than in the past. Mr. Stein stated the big lenders have become aware of the laws in New Jersey which has helped the situation. Mayor Maio stated there are still many homes which are a detriment to the neighbors and the Borough. Ridge Road has at least four vacant homes. Mr. Stein stated in his opinion the ordinance has been an improvement. Mr. Stein stated Ms. Fisher has been working quite hard on this matter but there is a limit to what can be accomplished with part time hours. Administrator McNeilly stated the banks are still changing ownership and it is a continuing problem. The house on Main Street is finally being taken care of. Mayor Maio stated it is to the point where some of the homes are in tear down condition. Councilwoman Kuncken stated there are occupied homes which are also in very poor condition on the outside and she is concerned about the living conditions inside. Mr. Stein stated in some cases the homes are in foreclosure but the people are still living in them and they are not going to maintain the home. Administrator McNeilly stated Ms. Fisher is addressing those homes as well. There are homes like the one next door which are being taken care of as a result of a day in court.

Clean-Up Day – Mayor Maio stated Clean-Up Day was held on Sunday. The Senior Citizens Club, the Go-Green Club and two members of the Environmental Commission participated. The clean-up was successful and will be done annually. The area was cleaner than it has been in past years. The Go-Green Club pulled a shopping cart out of the canal. Mayor Maio thanked all those who participated for their efforts.

NEW BUSINESS

RESOLUTIONS

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

Resolution 144-16

RESOLUTION AUTHORIZING RELEASE OF VARIOUS PERFORMANCE BONDS

WHEREAS, the Borough of Stanhope heretofore awarded publically bid contracts for various projects; and

WHEREAS, the successful bidder duly provided a performance bond to the Borough in accordance with the provisions of the Local Public Contracts Law and the Borough's bid requirements; and

WHEREAS, the Borough Clerk still has on file various performance bonds for contracts that are completed and for which no maintenance bond was posted; and

WHEREAS, a maintenance bond for the following contracts was either not required, waived or is otherwise moot by the passage of time;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope that the Borough Clerk is hereby authorized to release the following performance bonds to the listed successful bidder:

1. Reservoir #2 Rehabilitation - Hutton Construction
2. Emergency Generator Well #3 - Power with Prestige
3. Sanitary Sewer System Investigation - Fred A. Cook, Inc.
4. Maple & Mountain Terrace Roadway Reconstruction - John Garcia Construction
5. Slide Gate Controllers at Water Tower and DPW Facility - National Fence Systems
6. James Street Water Main Replacement - Pact Construction

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

Roll Call:

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

Resolution 145-16

RESOLUTION AWARDING CONTRACT FOR MAIN STREET LIGHTING - PHASE II

WHEREAS, the Borough of Stanhope heretofore advertised for the receipt of sealed competitive bids for the Main Street Lighting - Phase II project; and

WHEREAS, the Borough accepted sealed, competitive bids on August 9, 2016 for the Main Street Lighting - Phase II project; and

WHEREAS, the Borough received three (3) sealed competitive bids in the following amounts: J.C. Contracting, Inc., \$123,210.00; Zuccaro, Inc., \$163,005.00; and Tony's Concrete Construction Co., Inc., \$151,093.40; and

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

WHEREAS, J.C. Contracting, Inc. is the lowest responsive, responsible bidder for the Borough's request for bids on August 9, 2016; and

WHEREAS, the Borough Engineer concurs in the recommendation of the award of a bid to J.C. Contracting, Inc.;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope that the Borough does hereby award a bid to J.C. Contracting, Inc. in an amount not to exceed \$123,210.00 for the Main Street Lighting - Phase II project; 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 August 9, 2016 of the award of the bid to J.C. Contracting, Inc.; and

BE IT FURTHER RESOLVED that the bid bond of all other bidders be returned to said bidder.

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

Roll Call:

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

Resolution 146-16

RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2016 BUDGET TO INCLUDE THE 2016 CLICK IT OR TICKET GRANT

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 \$5,000.00 from the Division of Highway Traffic Safety for the 2016 Click It or Ticket Grant, and

WHEREAS, the Borough of Stanhope now wishes to amend its 2016 budget to include the additional grant funds approved of \$5,000.00 as a revenue.

NOW THEREFORE, BE IT RESOLVED that the Council of the Borough of Stanhope does hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$5,000.00, 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: 2016 Click It or Ticket Grants,
- and

BE IT FURTHER RESOLVED that a like sum of.....\$5,000.00 be and the same is hereby appropriated under the caption of:

- General Appropriations
 - (A) Public and Private Programs Offset by Revenues:
 - 2016 Click it or Ticket Grant, and

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

Roll Call:

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

Resolution 147-16

A RESOLUTION TO ADOPT THE REVISED EMPLOYMENT POLICIES AND PROCEDURES

WHEREAS, the Borough of Stanhope continuously strives to improve the working conditions for its employees; and

WHEREAS, the Borough continuously strives to improve the level and quality of service provided to the public; and

WHEREAS, in order to accomplish these goals the Borough from time to time adopts and revises its employment policies; and

WHEREAS, it has been determined by the Mayor and Council that revisions are needed with respect to a number of the policies contained in the Borough’s Employee Handbook; and

WHEREAS, the revised policies have been reviewed by the Mayor and Council; now therefore

NOW, THEREFORE, BE IT RESOLVED this 27th day of September 2016 that the Mayor and Borough Council of the Borough of Stanhope hereby adopt the attached revised and new Employment Policies:

- (1) Section 101, Government, (replaces existing policy #101)
- (2) Section 201, Equal Employment Opportunity, (replaces existing policy #201);
- (3) Section 202, American’s With Disabilities Act, (replaces existing policy #202);
- (4) Section 213, Conflict of Interest, (replaces existing policy #213);
- (5) Section 301, Work Rules, (replaces existing policy #301);

- (6) Section 302, Communication Media Policy, (replaces existing policy #302)
- (7) Section 304, Rumors and Gossip, (replaces existing policy #304)
- (8) Section 401, Holidays, (replaces existing policy #401)
- (9) Section 406, Jury Duty, (replaces existing policy #406)
- (10) Section 504, Insurance, (replaces existing policy #504)
- (11) Section 506, Pension Plan, (replaces existing policy #506)
- (12) Section 509, Reimbursable Expense, (new policy)
- (13) Section V, Managerial / Supervisory Policies

And it is further,

RESOLVED, that the Borough Administrator is directed to take all necessary steps to distribute the revised policies to all Borough employees and enforce the revised policies in an appropriate manner.

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

Mayor Maio asked Administrator McNeilly when the Employee Handbooks will be distributed. Administrator McNeilly provided the Governing Body with copies of the handbooks and stated the employee’s copies are ready to be distributed this week.

Resolution 148-16

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 September 13th, 2016, Ordinance 2016-10 the Borough of Stanhope publicly declared its intent to commence a GEA Program by participating in the Sussex-Warren Area Energy Cooperative ("SWAEC"); and

WHEREAS, the Township of Fredon is the Lead Agency for the "SWAEC" 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 "SWAEC" program hereby agrees to proceed with the program, by signing the Supplier Agreement, should the Township of Fredon accept pricing, which provides a savings on the supply portion of the electric bill for the residential energy aggregation program; and

WHEREAS, the Township of Fredon appointed Concord Energy Services ("CES") for the "SWAEC" to serve as Energy Agency to assist and administer the GEA program at no cost to the Township of Fredon or "SWAEC" 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, as follows:

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

1. The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.
2. the Borough of Stanhope as a participating member of the "SWAEC" program hereby agrees to proceed with the program, by signing the Supplier Agreement, should the Township of Fredon accept pricing, which provides a reduction on the supply portion of the electric bill for the residential energy aggregation program;
3. The Mayor, Chief Financial Officer, Treasurer or other municipal officer is hereby authorized and directed to execute, on behalf of the Borough of Stanhope any documents necessary to carry out the purpose of this Resolution including the Supplier Services Agreement providing a reduction is achieved at the time of auction.

ADOPTED at a regular meeting of the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey held on September 27th, 2016

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

Resolution 149-16

RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2016 BUDGET TO INCLUDE THE 2016 DRUNK DRIVING ENFORCEMENT FUND GRANT

WHEREAS, N.J.S.A. 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 \$2,070.45 from the Division of Motor Vehicles for the 2016 Drunk Driving Enforcement Fund Grant, and

WHEREAS, the Borough of Stanhope now wishes to amend its 2016 budget to include the additional grant funds approved of \$2,070.45 as a revenue.

NOW THEREFORE, BE IT RESOLVED that the Council of the Borough of Stanhope does hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$2,070.45, 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: 2016 Drunk Driving Enforcement Grant, and

BE IT FURTHER RESOLVED that a like sum of.....\$2,070.45 be and the same is hereby appropriated under the caption of:

- General Appropriations
- (A) Public and Private Programs Offset by Revenues: 2016 Drunk Driving Enforcement Grant, and

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 Thornton, seconded by Councilwoman Kuncken and unanimously carried by the following roll call vote, the foregoing resolution was duly adopted.

Roll Call:

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

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

Resolution 150-16 **RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE AUTHORIZING THE ISSUANCE OF RAFFLE LICENSE RA-619 and RA-620**

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

<u>Raffle #</u>	<u>Applicant</u>	<u>Date</u>	<u>Type of Game</u>
RA-619	Netcong Fire Dept.	October 15, 2016	50/50 Raffle
RA-620	Netcong Fire Dept.	October 15, 2016	Tricky Tray

and;

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

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

1. The appropriate officials are hereby authorized to execute the findings and determination for the above application and shall forward same to the Legalized Games of Chance Control Commission (LGCCC) for review.

2. That the above license shall be issued pending LGCCC approval, pursuant to N.J.A.C. 13.1 et seq.

Resolution 151-16

RESOLUTION TO AUTHORIZE EXECUTION OF A BANKING SERVICES AGREEMENT WITH LAKELAND BANK FOR A CASH MANAGEMENT PLAN FOR THE BOROUGH OF STANHOPE PURSUANT TO N.J.A.C. 5:31-3.1

WHEREAS, the Borough of Stanhope prepared a request for proposals for banking services for a cash management plan for the Borough of Stanhope and received several responses; and

WHEREAS, Lakeland Bank has offered a variable rate which is the Fed Funds Rate less .30% with a floor of .35%, for a three year period effective November 1, 2016 through October 31, 2019; and

WHEREAS, the Borough Chief Financial Officer and the Borough Finance Committee recommend the governing body accept the three-year proposal offered by Lakeland Bank to be utilized by the Borough for its cash management plan pursuant to N.J.A.C. 5:31-3.1;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Stanhope, County of Sussex, State of New Jersey that it hereby authorizes and directs the Chief Financial Officer and Administrator to execute an agreement with Lakeland Bank for the Borough's cash management plan to secure a variable rate which is the Fed Funds Rate less .30% with a floor of .35% for a three-year period beginning November 1, 2016 continuing until October 31, 2019.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Lakeland Bank, and a copy of said agreement be kept on file in the Municipal Clerk's office for public viewing.

Resolution 152-16

MAYOR'S DECLARATION OF BOARD OF HEALTH VACANCY WITH COUNCIL CONCURRENCE

WHEREAS, Rosalind Bruno was heretofore appointed to the Board of Health of the Borough of Stanhope; and

WHEREAS, the Mayor has been advised by the Board of Health that Rosalind Bruno has not attended any Board of Health meeting since June 8, 2016; and

WHEREAS, Rosalind Bruno has not submitted a written resignation to the Board of Health or to the Mayor; and

WHEREAS, the Mayor has declared the Board of Health seat of Rosalind Bruno vacant for her failure to attend Board of Health meetings.

NOW, THEREFORE, be it resolved that the Governing Body does hereby concur in the Mayor's Declaration of Vacancy of the seat of Rosalind Bruno on the Stanhope Borough Board of Health.

Resolution 153-16

MAYOR'S DECLARATION OF LAKE MUSCONETCONG REGIONAL PLANNING BOARD VACANCY WITH COUNCIL CONCURRENCE

WHEREAS, Thomas Bruno was heretofore appointed as Stanhope Borough's representative to the Lake Musconetcong Regional Planning Board; and

WHEREAS, the Mayor has been advised by the Lake Musconetcong Regional Planning Board that Thomas Bruno has not attended any Lake Musconetcong Regional Planning Board meetings since June 15, 2016; and

WHEREAS, Thomas Bruno has not submitted a written resignation to the Board or to the Mayor; and

WHEREAS, the Mayor has declared the Lake Musconetcong Regional Planning Board seat of Thomas Bruno vacant for his failure to attend Lake Musconetcong Regional Planning Board meetings.

NOW, THEREFORE, be it resolved that the Governing Body does hereby concur in the Mayor's Declaration of Vacancy of the seat of Thomas Bruno as Stanhope Borough's representative to the Lake Musconetcong Regional Planning Board.

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

Roll Call:

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

Tie a Ribbon Campaign – Mayor Maio stated the tying of the pink ribbons for the Tie a Ribbon Campaign will be done on Thursday. The available Governing Body members will meet at Borough Hall at 10:00AM. In the event of rain an alternate date will be determined.

PAYMENT OF BILLS

Resolution 154-16

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 September 27, 2016 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 Depew – absent	Councilwoman Thistleton – yes
Councilwoman Kuncken – yes	Councilman Thornton – yes
Councilman Romano - yes	Councilwoman Zdichocki – absent

ATTORNEY'S REPORT

Mr. Stein had no report this evening.

CITIZENS TO BE HEARD

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

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

ADJOURNMENT

On a motion by Councilwoman Kuncken, seconded by Councilman Romano, and unanimously carried by voice vote the meeting was adjourned at 7:54 P.M.

Approved:

Linda Chirip
Deputy Clerk