

**MAYOR AND COUNCIL
REGULAR MEETING
December 13, 2016
6:00 P.M.**

CALL TO ORDER

SALUTE TO COLORS

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

MAYOR'S STATEMENT AS TO COMPLIANCE WITH P.L. 1975

Adequate Notice of this Meeting has been provided according to the Open Public Meetings Act, Assembly Bill 1030. Notice of this Meeting was included in the Annual Meeting Notice sent to the New Jersey Herald and the Daily Record on January 6, 2016 and was placed on the Official Bulletin Board in the Municipal Building.

Furthermore, notice of the meeting time change was forwarded to the New Jersey Herald and Daily Record on October 13, 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 – present
Councilwoman Kuncken – present
Councilman Romano – present

Councilwoman Thistleton – present
Councilman Thornton – present
Councilwoman Zdichocki – present

Mayor Maio – present

Presentation to Mr. Stein - Mayor Maio stated she is amending the agenda this evening to recognize Richard Stein, Borough Attorney, who is retiring at the end of December. Tonight is Mr. Stein's last formal business meeting. Mayor Maio stated Mr. Stein has been working for the Borough since 1980 when he began as the Borough Prosecutor. In 2011 Stanhope Borough and Hopatcong Borough entered a shared court service. Mr. Stein has been Borough Attorney since 1994 and has served through the full mayoral terms of Michael Bender, Brian McNeilly and Diana Kuncken. Mayor Maio stated Mr. Stein is leaving her in the lurch. Mr. Stein commented someone has to draw the short straw. Mayor Maio stated Rich has served valiantly. He not only served four mayors but he has served five clerks and three police chiefs. Rich has carried us all these years without ever raising his voice even though there were times it would have been justified. Mayor Maio stated we are all going to miss Rich and everything he has done is most appreciated and he has gone above and beyond. Mayor Maio stated in her opinion Rich has not been what she would consider a traditional attorney. Mr. Stein has not used the gavel to state this is the way this must be done. He has always stated this is the way you do it, this is my advice, but it is your decision. Sometimes we have crossed that line and sometimes we have not. On the occasion we have crossed it, we wish we hadn't. Mayor Maio stated we will not forget that advice going forward and Mr. Stein has set the bar really high.

Mayor Maio stated it has been tradition when someone leaves the governing body to present them with an appropriate gift. This has always been a clock because you will have a lot of time on your hands. However, in Rich's case we do not believe that to be true. Mayor Maio stated we have broken with tradition and she presented the gift to Mr. Stein. Mr. Stein opened his gift to find a Yankees jacket and declared it to be the perfect gift. Mr. Stein stated the only time he gets off topic is when someone mentions the Yankees. Mr. Stein stated he just happens to know the entire history of the Yankees from 1903 to the present. Mr. Stein thanked everyone for the gift.

Mr. Stein asked to speak and realized this was going to be harder than he expected. Mr. Stein stated he began working for the Borough when he was 29 years old and next month he will be 67. He asked where the years have gone. Mr. Stein stated he cannot begin to thank the current council and the past councils enough for letting him sit here and for putting up with him and listening to him tell them “this is the way you do it, but how you do it is up to you”. Mr. Stein stated it has been an absolute honor and a privilege. He tried to think of what makes this council special over those in the past. This council has set high standards which they have insisted upon not only from him but everyone that has worked for the Borough. You have expected the absolute best from them and Mr. Stein stated he has always tried to give his absolute best and it makes this place different. Mr. Stein stated he is leaving the Borough in good hands with Ms. Ursula Leo. Mr. Stein thanked everyone from the bottom of his heart.

Councilwoman Kuncken stated this is truly the end of an era. Councilwoman Kuncken stated Mr. Stein has saved her more than once and she truly appreciates all he has done. Mr. Stein stated, “As Brian McNeilly always says about the Borough, the best is yet to come”, and Mr. Stein stated he truly believes this.

Mayor Maio invited everyone to join in the refreshments and offer their congratulations to Mr. Stein. A twenty minute recess was taken.

DISCUSSIONS

Mayor Maio stated two presentations are scheduled for this evening in connection with the Borough’s budget discussions. Mayor Maio invited Ray Sarinelli, Borough Auditor, to come forward to give his presentation.

Ray Sarinelli, Borough Auditor – Mr. Sarinelli stated this process has been moved forward slightly from what took place last year. Mr. Sarinelli stated the budget document is not complete but today he did review the revenues and some of the appropriations for debt service capital. This looks like a well thought out plan, similar to what he is accustomed to. The pension expenses for PERS and PFRS have decreased. The budget has an increase of \$60,000 - \$70,000 which makes sense. The debt plan and capital plan look good. There has been discussion about moving the capital budget plan forward. The capital plan does not have to be implemented on January 1st but it also does not have to wait until budget adoption in April. Mr. Sarinelli stated he will assist the Borough with the temporary capital budget once the projects are finalized. During last year’s budget review, discussions took place regarding the sewer fund balance which appears to be increasing and the water fund balance is decreasing. One more adjustment may be necessary. Mr. Sarinelli suggested waiting until 2017 to make the adjustment after the preliminary results from closing out the year end and the unaudited annual statutory financial statement is completed, which is due on February 10th. Those figures will help to determine what the percentage of change should be. Mr. Sarinelli stated he looked at the preliminary water and sewer budgets on the expense side. Both budgets need more work but they appear to be in good shape. Mr. Sarinelli stated he does not see any problems with finalizing the budget.

Mayor Maio and the Governing Body thanked Mr. Sarinelli for attending this evenings meeting.

Jason Laliker, Borough Tax Assessor – Mayor Maio invited Jason Laliker, Borough Tax Assessor, to come forward to make his presentation. Mr. Laliker distributed a handout with the overall evaluation. Mr. Laliker stated everything is currently stable. The overall ratable base increased \$94,000 which is stable. The average home assessment is virtually the same. The commercial assessment is the same. In 2016 the ratio of assessed to market value was 90%. This has risen to 92.17% which is a small shift but still a good position to be in. There were 62 sales in the Borough for 2016. There were 31 usable sales. These were sales which had no duress and could be used to look at the values. There were 14 short sales on foreclosures, which has declined over the past few years. The average ratio for 2016 was 93.61%. This ratio is slightly different than the previously mentioned figure because it is based on only one year. The state ratio is a two year average. At 93% the Borough is stable and in a good range. The coefficient of deviation is the study of uniformity of the assessments. The state considers any figure under 10 to be good. When the figures reach the 12-15 range that is when revaluations or adjustments to the tax base would be considered. The Borough is at 6.60% which is excellent.

This low figure indicates the assessments are uniform. The sales from the different neighborhoods are all approximately at the same ratios. As of December 7th there were 25 active listings and an additional 16 properties under contract. Mr. Laliker stated there were 16 added assessments in 2016 totaling slightly over \$100,000. These figures are similar to last year. Mr. Laliker stated he and the Construction Department have a system in place which is working well and ratables are not being missed.

Mr. Laliker stated there were 9 tax board appeals in 2016. Four of the appeals were affirmed by the tax board, there were four reductions and one increase. The increase was a result of a property owner who filed four appeals. It was for a subdivision from several years ago that was never perfected but was put on the books. The mother lot increased and the assessments from the other three lots were changed to zero. Mr. Stein stated this was the Hoer property. Mr. Stein stated he spoke with their attorney and the attorney informed him that they finally gave up due to the DEP regulations. The map was never filed to perfect it and the property has reverted back to one lot. Mr. Stein stated he followed the project every month for several years. Mr. Laliker stated for 2017 he expects the appeals to be similar.

Mayor Maio stated at last night's Land Use Board meeting approval was granted for a "D" variance for two cell antennas to be placed on the roof of Lenape Valley Regional High School. Mayor Maio asked Mr. Laliker if the Borough would be receiving tax payments for the antennas. Mr. Laliker confirmed the antennas would be taxable. The antennas would be treated as an added assessment. There hasn't been a tax court case regarding a cell tower and how to assess them. Over the years there have been a lot of variations. At one point, it became popular to put the tower in the name of the owner of the company and each co-locator in the name of the cell phone company. There was an issue in one town where Verizon was not making tax payments because they stated they did not own real property in the town. Now the towers are placed in the name of the entity that owns the property. Mr. Stein stated the Board of Education must comply with the Local Public Contracts Law and the Local Land and Buildings Law which would require a lease for the tower space on the roof of the high school. Administrator McNeilly asked when the entities will be notified. Mr. Laliker stated once the Certificate of Occupancy is issued by the Construction Official, the tower will be treated as an added assessment. The companies know they are taxable and this should not come as a surprise to them. Mayor Maio stated Lenape Valley Regional High School may not be aware of the tax issue. Administrator McNeilly asked Mr. Laliker to meet with him tomorrow to discuss this issue further. Administrator McNeilly stated he would like to be able to pass the information on to Robert Klinck, Superintendent at LVRHS, as soon as possible. Mr. Stein stated Cellco is the company representing Verizon. Mr. Stein agreed with Administrator McNeilly's suggestion to inform the high school. Mr. Laliker stated the initial added assessment bill would most likely be sent out in October 2017 and would include the number of months from the time the project was completed.

Mayor Maio and the Council thanked Mr. Laliker for attending tonight's meeting. Mr. Laliker thanked the Mayor and Council and congratulated Mr. Stein on his retirement.

COUNCIL DISCUSSION

Mayor Maio introduced Ursula Leo. Ms. Leo will be the Borough Attorney as of January 1, 2017. Mayor Maio welcomed Ms. Leo and thanked her for attending this evening's meeting.

2017 Municipal Budget – Mayor Maio invited Dana Mooney, CFO, to come forward to begin the budget discussion. Ms. Mooney provided updated budget sheets to the governing body.

3-d M&C Meetings & Seminars: Line 025 was updated to include the costs for three members of the governing body to attend the Sussex County League of Municipalities (SCLM) monthly meetings.

4-h: Administrator McNeilly stated some computers on the schedule for replacement have been added. Ms. Mooney stated the Fire Department has requested a new computer. Their computer, from 2011, is not functioning properly. Ms. Mooney stated she is requesting a laptop computer. She is experiencing trouble with her desktop computer. The line item amount has not changed. A certain number of computers are budgeted for each year. The Deputy Clerk's computer is due to be replaced but she has requested to keep her current computer.

4-i Tax Collector: Line 28 for Tax Sale Costs was supposed to be reduced to \$800 but it is budgeted for \$900. Ms. Mooney stated the budgeted amount of \$900 is necessary due to the increased cost of the advertisements. The ads are larger due to the increase in the number of properties listed in the tax sale. Mr. Stein stated the Borough does not turn off water service for non-payment and therefore the number of properties on the sale will increase. Ms. Mooney stated in the past the banks holding the mortgage would make the payments for the outstanding water bills. Now the banks are letting the properties go to tax sale in order to aid them with their foreclosure proceedings. Mr. Stein stated this is an event of default which allows the banks to push their foreclosure ahead. Ms. Mooney stated she compiles a 50 day list for the tax sale. The cost of sale is collected for all the properties listed. The cost of sale fee brings in more revenue to help offset this. The budgeted amount of \$900 will remain.

5-a Legal Services: Line item #27 Legal Services: Labor Attorney was increased to \$26,000 as previously requested. Line item #23 Borough Planner was changed to \$8,000 as previously requested.

6-a Insurances: Ms. Mooney stated the actual costs for the Liability Insurance and Worker Compensation Insurance figures have been added. Ms. Mooney stated 25% of the Borough employees have participated in the NJ Wellness Program through the State of NJ which entitles the Borough to a 1% discount off of the health benefits.

7-a Police Salary and Wage: Ms. Mooney stated she has corrected Line #011. The amount has been changed from \$902,700 to \$900,500.

7-g: Administrator McNeilly stated the Accreditation cost is a split year payment which is why this was shown as \$1,000 for 2016 and \$1,000 for 2017. The actual cost is \$2,000 for 2017. Mayor Maio stated the governing body had also asked for backup information regarding personnel, which was received.

8-c Road Maintenance: Administrator McNeilly stated a question arose at the last meeting regarding the decrease in Line #040 for Licenses, Permits and Registrations. The cost increased in 2016 and has dropped down to \$400 for 2017. Ms. Mooney stated the gasoline storage tank permit license is renewed every five years. The cost for the license is \$1,267. The next time the permit will be due is in 2021. The \$400 will cover costs of required licenses and reimbursements for CDL licenses.

12-d: Ms. Mooney provided an updated page with the new total expenditures.

Banners - Administrator McNeilly stated he will obtain a current catalog for review and selection of new banners for the street lights. Mr. Stein commented on how nice the lights look along Main Street with the Christmas lights.

Surplus - Ms. Mooney stated she is cautious in estimating the amount for the surplus. The Borough generally has more than her estimate. The Borough started out the year with \$1,679,352.92 in surplus. Ms. Mooney estimates the total will be reduced by \$100,000. We are still waiting for final figures to come in and there are still taxes due. Mr. Stein asked Ms. Mooney for a preliminary collection figure. Ms. Mooney stated she did not run a report this past week. The delinquencies have been in line with what they were last year. Mr. Stein stated the Borough has a very high ratio. Ms. Mooney stated, as Mr. Sarinelli stated earlier, there is a decrease in the water operating due to the fact some of those funds have been used for various projects. Ms. Mooney stated the sewer fund appears to be making money and the cautious estimate is an increase to \$90,000. Mayor Maio stated after the first quarter a review should be conducted of the water and sewer funds.

Mayor Maio stated revenue, salaries and capital still need to be discussed. Mayor Maio asked Administrator McNeilly when the capital information will be available. Administrator McNeilly stated work still needs to be done on the capital budget. Sheets should be available in approximately two weeks. Councilwoman Kuncken asked, when the capital budget is presented, for a list to be provided of all the capital projects and the costs in order to prioritize

them. Mayor Maio asked Administrator McNeilly to provide the capital budget sheets prior to the next meeting. Mayor Maio thanked Ms. Mooney for attending tonight's meeting.

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:

November 22, 2016, 2016

Regular Business Meeting

On motion by Councilman Romano, seconded by Councilwoman Kuncken and carried by voice vote the above listed minutes were approved. Councilwoman Zdichocki abstained from the November 22, 2016 minutes.

CORRESPONDENCE (List Attached)

On motion by Councilwoman Thistleton, 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 stated the Fire Department for the month of November reported 10 calls answered, 85.5 man hours, 2 mutual aid calls, 1 funeral and 1 fire prevention program/smoke detectors.

Councilwoman Kuncken stated the Police Department for the month of November reported 244 calls in total with motor vehicle stops accounting for the largest number of calls.

Finance & Administration – Councilman Romano/Councilwoman Kuncken

Councilman Romano stated the water collections for the month of November were \$10,427.81 as compared \$19,101.68 in November 2015. The year to date total is \$537,122.42 as compared to \$508,839.86 last year. The sewer collections for the month of November 2016 are \$18,064.49 compared to \$28,166.52 in November 2015. The year to date total is \$766,643.97 compared to \$773,070.30 in November 2015.

Community Development – Councilwoman Zdichocki/Councilman Thornton

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

Councilwoman Zdichocki stated there is no report at this time.

Municipal Infrastructure – Councilman Thornton/Councilwoman Zdichocki

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

Councilman Thornton stated the leaf collector has been repaired. The DPW is getting caught up and leaf collection should be completed by the end of the week.

Information Technology – Councilmen Depew/Romano

Councilman Depew stated there is no report at this time.

Boards/Commissions – Councilwoman Thistleton/Councilman Depew

Councilwoman Thistleton stated the Tree Lighting was successful. Everyone had fun at the party at the Presbyterian Church. The little children really liked the DJ. Councilwoman Thistleton thanked the Lake View Heights Club and the residents for the snack donations. The next scheduled event is the House/Condo Decorating Contest next week.

Mayor Maio asked Administrator McNeilly to make a note regarding next year's tree lighting. The Recreation Commission should speak to the Police Department and request to have an officer on duty. There were a lot of children and many people crossing the road and lots of car traffic.

ADMINISTRATOR'S REPORT

Byram/Stanhope Reallocation Sewer of Usage – Administrator McNeilly stated the MSA has provided the stock resolution which has been sent to the required municipalities. Administrator McNeilly stated he has contacted the Administrator's from the various towns and some of the resolutions have already been sent back in to the MSA.

DOT Local Aid – Administrator McNeilly stated the DOT Local Aid is now accepting grant applications. Last year the Borough submitted an application for Oak Drive which was not approved. Administrator McNeilly distributed Mr. Keller's recommendations for this year. The first recommendation would be to submit an application for Roberts/Lakeview/Central/Walton/Musconetcong. The reclamation project would require the replacement of the water main. The water main portion of the construction cost estimate is \$350,000, design \$7,500 and construction administration/observation \$18,000. The water portion of this project would involve 2017 capital. The grant would be awarded in 2018 however; completing the water portion prior to the road work proved to be beneficial with the James Street project. Administrator McNeilly stated Mr. Keller's second recommendation would be to reconstruct and pave Hickory Drive. Mayor Maio stated in her opinion these projects will not be approved by Local Aid for the same reasons Oak Drive was not granted last year. Administrator McNeilly stated Mr. Keller is of the opinion with the change in the Transportation Trust Fund and the proportion of money which is supposed to be available for municipal projects, perhaps these types of projects will be granted. Hickory is more of a through street than Oak Drive. Councilwoman Kuncken stated Hickory is also accessed for school traffic. Administrator McNeilly stated Millennium Strategies would like to know the Borough's intent by December 16th. The deadline to submit information to Millennium Strategies is January 6th. The application deadline is February 3rd. Administrator McNeilly asked the governing body to let him know if there is a different project they would like Mr. Keller to review.

Borough Hall Renovation – Administrator McNeilly asked the governing body if there is any further direction he should pursue at this time regarding the Borough Hall renovation. Mayor Maio stated the governing body will need copies of the previous plans with the base dimensions and then a discussion will take place.

Traffic Study Route 206 – Councilman Romano asked Administrator McNeilly if he has received a response regarding when the traffic study on Route 206 will be conducted. Administrator McNeilly stated he received a reply from the head of Community Relations. The study is scheduled for next month, weather permitting. Mayor Maio stated this is a month later than anticipated.

COUNCIL DISCUSSION

Reorganization Meeting – Mayor Maio stated the reorganization meeting packet was distributed to the governing body prior to tonight's meeting. Mayor Maio stated the Clerk has recommended the new Pastor of the Lutheran Church as Chaplain for this year. Mayor Maio stated if anyone has any questions or knows of anyone else to add to the invitation list, please contact the Clerk.

OLD BUSINESS

ORDINANCES

Mayor Maio offered the following ordinance for Public Hearing and Final Adoption which was read by title:

Ordinance for Public Hearing and Final Adoption

Ordinance 2016-15

**AN ORDINANCE OF THE BOROUGH OF STANHOPE,
SUSSEX COUNTY, NEW JERSEY AMENDING CHAPTER
84 “FIRE PREVENTION” OF THE CODE OF THE
BOROUGH OF STANHOPE TO ADD ARTICLE III “FALSE
ALARMS”**

WHEREAS, various properties in the Borough of Stanhope are equipped with a fire and/or smoke alarm system connected to a central monitoring system so as to elicit a response by the Stanhope Borough Fire Department; and

WHEREAS, the Stanhope Borough Fire Department consists of a completely volunteer force; and

WHEREAS, responding to false alarms creates an undue strain on the volunteer fire department and a waste of municipal resources; and

WHEREAS, the governing body of the Borough of Stanhope wishes to provide for a system of first warnings and then fines for repeated false alarms;

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

SECTION 1.

Chapter 84 “Fire Prevention” of the Code of the Borough of Stanhope is hereby amended and supplemented to add an additional Article III entitled “False Alarms” to read as follows:

84-16 - Applicability

This ordinance shall only apply to fire and/or smoke alarm systems connected to a central monitoring system so as to elicit a response from the Stanhope Borough Fire Department.

84-17 - False Alarm

A false alarm shall be any alarm or signal of an alarm reported through a central monitoring system or through a dial alarm system which has been actuated by inadvertence, negligence, intentional or unintentional act of a person other than an intruder, and including alarms caused by mechanical failure, malfunction or improper installation of the alarm system and related equipment. False alarms shall not include activation caused by power or phone line interruptions, where such interruptions have been reported to the Stanhope Borough Police Department.

84-18 - Maintenance of Fire and/or Smoke Alarms.

All property owners with properties equipped with fire and/or smoke alarms connected to a central monitoring system so as to elicit a response from the Stanhope Borough Fire Department shall maintain said fire and/or smoke alarm systems in good working order at all times to avoid said alarm systems from sending false alarms.

84-19 - False Alarms; Sanctions

A. Action; Penalties

- 1) In the case of a false alarm, any person having knowledge thereof shall immediately notify the Stanhope Borough Police Department.

- 2) The Stanhope Borough Fire Department shall, not less than monthly, report in writing all false alarms reported to the Fire Department to the Borough Clerk.
- 3) For such false alarms, the Borough Council prescribes the following penalties.
 - a) For a first, second or third false alarm in the same calendar year, a written warning notice;
 - b) For a fourth false alarm in the same calendar year, a fine of \$50.00;
 - c) For a fifth false alarm in the same calendar year, a fine of \$100.00;
 - d) For a sixth false alarm in the same calendar year, a fine of \$200.00;
 - e) For a seventh and subsequent false alarm in the same calendar year, a fine of \$500.00.
 - f) For a fourth and subsequent false alarm in the same calendar year, the property owner shall provide an advisory letter (dated within 30 days following the date on which the complaint is issued) from a licensed alarm company stating that the system is operating properly. If, however, the property owner fails to provide such advisory letter as provided above, a fine may be imposed by the court up to a maximum of \$500 in the court's discretion.

84-20 - Enforcement

This ordinance shall be enforced by such Borough official or officials as shall be designated by the Governing Body through the issuance of written warning notices, notice to pay penalty and/or summons returnable in the Stanhope Borough Municipal Court.

SECTION 2. - WHEN APPLICABLE

This Ordinance shall take effect on January 1, 2017 after passage and publication as required by law.

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

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

Roll Call:

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

On motion by Councilwoman Kuncken, 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 183-16

**RESOLUTION AMENDING 2016 BUDGET TO INCLUDE
2013 RECYCLING TONNAGE 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 \$1,550.06 from the NJ Solid Waste Administration for the 2013 Recycling Tonnage Grant, and

WHEREAS, the Borough of Stanhope now wishes to amend its 2016 budget to include the additional grant funds approved of \$1,550.06 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 \$1,550.06, 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: 2013 Recycling Tonnage Grant

BE IT FURTHER RESOLVED that a like sum of.....\$1,550.06
be and the same is hereby appropriated under the caption of:

General Appropriations

(A) Public and Private Programs Offset by Revenues:

2013 Recycling Tonnage Grant, and

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

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

Roll Call:

Councilman Depew – yes

Councilwoman Thistleton – yes

Councilwoman Kuncken – yes

Councilman Thornton – yes

Councilman Romano - yes

Councilwoman Zdichocki – yes

Resolution 184-16

**RESOLUTION AUTHORIZING STANHOPE
BOROUGH TO APPLY FOR SAFE AND SECURE
COMMUNITIES GRANT APPLICATION P-6756-17**

WHEREAS, the Borough of Stanhope has a municipal Police Department that participates in the Safe and Secure Communities Grant Program; and

WHEREAS, the Police Department has received application documents from the NJ Division of Criminal Justice of the Department of Law and Public Safety; and

WHEREAS, the Borough will be applying for a \$30,000.00 Safe and Secure Communities Grant for community policing activities;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the Borough is hereby authorized to apply for a 2017 Safe and Secure Communities Grant; and

BE IT FURTHER RESOLVED that the Chief of Police is hereby authorized to complete and submit a grant application form on behalf of the Borough of Stanhope.

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

Roll Call:

Councilman Depew – yes

Councilwoman Thistleton – yes

Councilwoman Kuncken – yes

Councilman Thornton – yes

Councilman Romano - yes

Councilwoman Zdichocki – yes

Resolution 185-16

RESOLUTION ADOPTING SUSSEX COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN FOR BOROUGH OF STANHOPE

WHEREAS the Borough of Stanhope, New Jersey, has experienced natural hazards that result in public safety hazards and damage to private and public property;

WHEREAS the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk;

WHEREAS the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan;

WHEREAS a *Hazard Mitigation Plan* (HMP) has been developed by the Mitigation Steering and Planning Committees;

WHEREAS the *Hazard Mitigation Plan* includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and

WHEREAS the draft plan was provided to each participating jurisdiction and was posted on the Sussex County website so as to introduce the planning concept and to solicit questions and comments; and to present the HMP and request comments, as required by law, and

NOW THEREFORE BE IT RESOLVED by the Borough of Stanhope of the County of Sussex:

1. The *Sussex County Multi-Jurisdictional Hazard Mitigation Plan*, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on **May 31, 2016** by the Sussex County Sheriff's Office, Division of Emergency Management, is hereby adopted as an official plan of the Borough of Stanhope; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The Borough departments identified in the HMP are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the HMP shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Mayor and Council, and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Sussex County Deputy OEM Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Sussex County Sheriff's Office, Division of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

This Resolution shall take effect immediately.

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

Roll Call:

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

Resolution 186-16

**RESOLUTION AMENDING 2016 BUDGET TO INCLUDE
2016 DRIVE SOBER OR GET PULLED OVER 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 been approved to receive a total of \$5,000.00 from the Division of Motor Vehicles for the 2016 Drive Sober or Get Pulled Over 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 Drive Sober or Get Pulled Over Grant, 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 Drive Sober or Get Pulled Over 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 Depew, seconded by Councilwoman Kuncken and unanimously carried by the following roll call vote, the foregoing resolution was duly adopted.

Roll Call:

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

Resolution 187-16

**RESOLUTION AUTHORIZING A TRANSFER OF 2016
APPROPRIATIONS**

WHEREAS, the Finance Officer certifies that there appear to be insufficient funds in the budgetary accounts listed below to meet the demands thereon for the balance of the year; and

WHEREAS, the Finance Officer certifies that there appears to be a surplus in the budgetary accounts listed below, over and above the demand deemed necessary for the balance of the year; and

WHEREAS, N.J.S. 40A:4-58 provides that transfers of funds may be made during the last two months of the budget year;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stanhope that the Borough Finance Officer is authorized to make a transfer in 2016 budget appropriations in the amount of \$6,385.00 within the Current Fund, and \$14,100.00 within the Water Operating Fund, as follows:

CURRENT FUND		From:	To:
Land Use Board	\$	2,300.00	
Petroleum	\$	4,085.00	
Engineering Services			\$ 5,385.00
Vehicle Maintenance			\$ 1,000.00
	\$	6,385.00	\$ 6,385.00

WATER OPERATING FUND		From:	To:
Tree Trimming	\$	5,900.00	
Well Maintenance/Repairs	\$	2,215.00	
Engineering Services	\$	4,500.00	
Professional Training/Education	\$	1,485.00	
Water Utility - Overtime			\$ 13,000.00
Social Security			\$ 1,100.00
	\$	14,100.00	\$ 14,100.00

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

Roll Call:

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

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 188-16

RESOLUTION AUTHORIZING REFUND OF SENIOR CITIZEN DEDUCTION

WHEREAS, the homeowner has been granted a Senior Citizen/Disabled deduction on her 2016 property taxes; and

WHEREAS, the homeowner had already paid her 2016 property taxes in full, and the credit to her account resulted in an overpayment of taxes.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, that a warrant be drawn to the homeowner in the designated amount representing a refund of overpayment of taxes.

Homeowner Information:

Block	Lot	Qual	Name & Address	Tax Year	Amount
11402	25		Jennifer Berwanger 28 Elizabeth Avenue Stanhope, New Jersey 07874	2016	\$ 250.00

Resolution 189-16

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF STANHOPE AUTHORIZING THE
ISSUANCE OF RAFFLE LICENSE RA-623**

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-623	The Nicholas Wihlborg Foundation	01/17/2017	50/50 On-Premise Raffle

and;

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

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

1. The appropriate officials are hereby authorized to execute the findings and determination for the above application and shall forward same to the Legalized Games of Chance Control Commission (LGCCC) for review.
2. That the above license shall be issued pending LGCCC approval, pursuant to N.J.A.C. 13.1 et seq.

Resolution 190-16

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF STANHOPE AUTHORIZING THE
ISSUANCE OF A TAXICAB LICENSE TO STAR LIMO
SERVICE LLC**

WHEREAS, Chapter 126 of the Stanhope Code of Ordinances requires that anyone operating a taxicab service within the Borough must obtain a license for same; and

WHEREAS, Star Limo Service LLC, operating at 122 Route 183, Stanhope have applied to the Borough Clerk for a taxicab license and have complied with all the provisions of Chapter 126; and

WHEREAS, the following vehicles are to be operated by Nelson Zuniga and Denise Padilla within the Borough of Stanhope:

Vehicle #1 – 2005 Toyota Sienna, VIN # 5TDZA23C75S339980; and
Vehicle #2 – 2003 Mercury Grand Marquis, VIN # 2MEFM74WX3X687689; and

WHEREAS, the Municipal Clerk and the Zoning Officer have reviewed said application and recommend approval; and

WHEREAS, said approval is contingent upon receipt by the Borough Clerk of proof of required insurance and payment of all fees;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that the Borough Clerk is hereby authorized to issue, for the year 2017, said taxicab license to operate expiring at midnight December 31, 2017.

Resolution 191-16

**RESOLUTION SUPPORTING THE DRIVE SOBER OR
GET PULLED OVER YEAR END HOLIDAY
CRACKDOWN**

WHEREAS, impaired drivers on our nation's roads kill more than 10,000 people each year and cost our society more than \$37 billion annually; and

WHEREAS, 29% of motor vehicle fatalities in New Jersey in 2014 were alcohol-related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over Year End Holiday Crackdown*; and

WHEREAS, the project will involve increased impaired driving enforcement from December 9, 2016 through January 1, 2017; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

THEREFORE, be it resolved that the Mayor and Council of Stanhope Borough declares its support for the *Drive Sober or Get Pulled Over Year End Holiday Crackdown* from December 9, 2016 through January 1, 2017 and pledges to increase awareness of the dangers of drinking and driving.

Resolution 192-16

**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. 2016-020, representing 2015 property taxes and/or utility charges on Block 11501, Lot 2 C0152, known as 8152 Ashland Court, assessed to Silvia Cilenti, 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 Actlien Holding Inc. 50 South 16 th Street, Suite 2050 Philadelphia, Pennsylvania 19102
Redemption Amount:	Tax Title Lien #2016-020 and Interest to Date of Meeting \$ 1,158.77 Premium Paid by Lienholder <u>1,200.00</u>
Total From Current Fund:	\$ 1,158.77
Total From Tax Premium Account	1,200.00

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

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

Resolution 193-16

**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. 2016-026, representing 2015 property taxes and/or utility charges on Block 11501, Lot 2 C0307, known as 16307 Dell Place, assessed to Edward P. Kelly, 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 Actlien Holding Inc. 50 South 16 th Street, Suite 2050 Philadelphia, Pennsylvania 19102		
Redemption Amount:	Tax Title Lien #2016-026 and		
	Interest to Date of Meeting	\$	1,620.80
	Premium Paid by Lienholder		<u>1,400.00</u>
Total From Current Fund:	\$	1,620.80	
Total From Tax Premium Account		1,400.00	

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

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

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

Roll Call:

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

PAYMENT OF BILLS

Resolution 194-16

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 December 13, 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 – yes	Councilwoman Thistleton – yes
Councilwoman Kuncken – yes	Councilman Thornton – yes
Councilman Romano - yes	Councilwoman Zdichocki – yes

ATTORNEY’S REPORT

Schuffenhauer Property - Mr. Stein stated Mr. Schuffenhauer has submitted plans and paperwork to Tom Pershouse, Construction Official, worthy of consideration and a meeting. A meeting has been scheduled for tomorrow to review the plans. A determination will be made to either issue a permit or to proceed to a demolition hearing. Administrator McNeilly stated he has spoken with Mr. Pershouse and reiterated the governing body’s concerns and the time restrictions.

Mr. Stein’s Farewell – Mr. Stein asked for indulgence to tell a story which he wanted Ms. Leo to hear. Mr. Stein stated one winter several years ago, when Diana Kuncken was Mayor, the

meeting began and the weather was fine. During the meeting a ferocious snow storm started and of course the meeting did not end until 10:30 or so. Mr. Stein stated to get home he had to travel over Allamuchy Mountain, while everyone else lived right in town. It was a terrible ride home. The State hadn't touched Route 80 and he got behind a truck and followed it over the mountain. It was one of those days when you get home and you just sigh. It was well after 11:00 and I was finally home and the phone rings. It was Diana calling to see if I had gotten home safely. The next day I was speaking with Tom Ryan who went to the Sparta meeting who also met on the same night as Stanhope. Tom asked how I did getting home the night before. I told him it was pretty difficult but no sooner did I get home when the Mayor was calling to make sure I got there safely. Tom said the Mayor of Sparta did not call him to see that he got home safely.

Mr. Stein stated since Patty has joined the Council, there has been a perfectly balanced number of four men and four women on the dais. The shift will now be in favor of the women with 5 women and 3 men.

Mayor Maio and the Council wished Mr. Stein the happiest and healthiest retirement and asked him to stop back anytime to visit.

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.

Nancy Hoyt, 33 Lawrence Avenue, asked if the old Morris Canal has been sold. Mrs. Hoyt stated there is work being done. Mayor Maio stated she also noticed there is a dumpster onsite and work being done. The owners have not been back before the Planning Board. Administrator McNeilly stated he is not aware of a change in ownership.

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

CLOSED SESSION

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

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

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

1. The public shall be excluded from discussion of and action upon the hereinafter-specified subject matter(s).
2. The general nature of the subject matter(s) to be discussed is as follows:
 - 1 – Contract (Union Negotiations)
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 Romano, seconded by Councilwoman Kuncken, and unanimously carried by voice vote, the foregoing resolution was adopted.

The Mayor and Council went into Closed Session at 7:25 P.M.

RETURN TO OPEN SESSION

At the conclusion of the Closed Session, the Mayor and Council reconvened the public meeting at 7:45 P.M. with all present.

ADJOURNMENT

On a motion by Councilman Depew, seconded by Councilman Thornton, and unanimously carried by voice vote the meeting was adjourned at 7:45 P.M.

Approved:

Linda Chirip
Deputy Clerk for
Ellen Horak, RMC
Borough Clerk