

**MAYOR AND COUNCIL
REGULAR MEETING
January 24, 2017
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 4, 2017 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 January 17, 2017 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

COUNCIL DISCUSSION

Welcome – Mayor Maio formally welcomed Attorney Ursula Leo to her first in-house meeting as the new Borough Attorney.

2017 Municipal Budget – Mayor Maio invited Dana Mooney, CFO, to come forward to begin the budget discussion.

Revenue - Mayor Maio asked Ms. Mooney if she had revenue figures available. Ms. Mooney stated she has some of the figures. Ms. Mooney stated several years ago there was an additional \$25,000 added for the shared court services. The \$25,000 was deducted from revenue at that time. Ms. Mooney stated she would like to correct this situation. It is confusing to budget a negative item in revenue. Ms. Mooney stated the \$25,000 has been added to the shared court budget. Mayor Maio stated the reason the \$25,000 was kept separate is due to the fact this figure is not to be increased. Adding the \$25,000 into the lump sum will cause confusion moving forward. Administrator McNeilly asked if there is another way to handle this amount. Ms. Mooney stated she is aware that the \$25,000 is not to be increased. The court did attempt to increase this amount and Ms. Mooney stated she corrected the issue. Ms. Mooney stated the \$25,000 could be placed in the shared court budget as a separate line item. Mayor Maio stated this amount is to be paid from the fees/fines collected. Mayor Maio stated Ms. Mooney can adjust the \$25,000 as necessary but keep in mind it has to be kept separate and cannot be increased in the future. There will be a time when the current governing body will not be present to insure this figure is not increased. Ms. Mooney stated she will speak with Mr. Sarinelli, Borough Auditor, on the proper way to address this issue. When revenues are increased over last year's figures, a formal letter has to be written asking for permission to do so. Administrator

McNeilly stated the \$25,000 has to be labeled in perpetuity that it is not subject to the 2% increase as part of the agreement with the court.

Ms. Mooney stated she is hesitant to provide her projections for surplus without having all the necessary figures. In her opinion the surplus is close to regenerating. Ms. Mooney stated her projection for this year is \$1,600,000. Last year the figure was \$1,679,000. All of the taxes have not been analyzed to date and that is where the excess generally comes from. Ms. Mooney stated the Borough had a great collection this year. Last year the maximum amount which could have been collected on delinquent taxes was approximately \$294,000. This year the balance is lower. The lower balance will decrease the amount to be anticipated.

Administrator McNeilly stated the final figures from the Tax Assessor will not be available to plug into the worksheet until next week. The revenue and surplus figures will be determined by the auditors. Those figures will not be available until February 13th when the financial statement is prepared. Mayor Maio asked Ms. Mooney to make copies of her paperwork for the Governing Body with the understanding that the figures may need to be adjusted when the final figures become available. Mayor Maio stated the budget discussion will continue later in the meeting once the paperwork is available. Mayor Maio moved onto the next agenda item.

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.

George Stafford, 16 Kitchell Avenue, Wharton, stated he is a representative of the NJ Highlands Coalition and also representing Keep It Green, which is a state organization for open space issues in New Jersey. Mr. Stafford stated he has two resolutions he would like the governing body to review and consider for adoption. Mr. Stafford provided copies and stated he can provide the Clerk with a working copy if she would like to provide him with her email address. In 1996 a State Water Plan was created. The plan was supposed to be updated every five years. There was a study done in 2011 but the study has not been released. Mr. Stafford stated one of the resolutions he would like the governing body to consider adopting requests that the Governor of New Jersey and the NJ Department of Environmental Protection release the study. Mr. Stafford stated there have been many changes in the state since 1996. The population has increased, we have lost approximately a quarter of a million acres of open space and there has been more rainfall than there was prior to 1996. Open space is very important on the water scene because it recharges the ground water. The second resolution request asks the State to provide more funding for open space purchases. The resolution also requests that the State put back into the law the payment in lieu of taxes. New Jersey is the most densely populated state in the country. The recent drought is an example of what can go wrong. Mount Olive and Bernardsville have problems with private wells going dry over the past few months.

Mayor Maio asked Mr. Stafford to provide the information to the Clerk and the Governing Body will discuss the issue at a future meeting. Mayor Maio thanked Mr. Stafford for attending tonight's meeting.

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

COUNCIL DISCUSSION (continued)

2017 Budget (Revenue) – Ms. Mooney stated, at this time, the budget is \$4,770,668.23. This figure reflects a 1.75% salary increases. Right now if the Borough uses \$800,000 in surplus and \$10,500 from the sales of municipal assets, the levy increase would be 1.10 and the average increase to a municipal residence valued at \$191,344 (using last year's figures) would see an increase of \$23.30 on the municipal portion of their tax bill. Ms. Mooney stated the biggest increases to the budget are \$15,000 for Legal, \$14,100 Police Wages, \$7,450 Police OE, \$5,300 Condo Services (due to the Kelly Act) and the increase of \$25,000 in Court costs which will be offset by increasing the anticipated revenue. Mayor Maio asked why the Kelly Act has increased. Administrator McNeilly stated it is all weather related. Administrator McNeilly asked if this item can be set up in a trust. Mayor Maio asked Ms. Leo to look into this issue. The actual numbers are always a year behind and the CFO has to predict what the current year is

going to be. Much discussion took place regarding the issue and the actual costs paid over the past few years. The Governing Body asked Administrator McNeilly and Ms. Mooney to determine if the snow trust can be used once the budgeted amount for the Kelly Act has been expended. Administrator McNeilly stated this will be discussed further at the meeting on February 14th. Ms. Mooney stated she is not comfortable with using \$800,000 from surplus because in her opinion it may not be able to be regenerated and she is of the opinion Ray Sarinelli will not approve either. Administrator McNeilly stated the auditors will be here next week and the financial statement will be prepared and available for the February 14th meeting. At this time the figures available are based on projections and feelings. Mayor Maio stated \$779,000 was used from surplus last year and Mayor Maio asked Ms. Mooney why she is not comfortable with \$800,000. Ms. Mooney stated the anticipated revenue is less this year and at this time the actual figures regarding taxes and surplus are not available as yet. Mayor Maio asked the governing body to review the budget over the next week to see what can be trimmed.

Ms. Mooney stated she will provide a more comprehensive detail. Several budgets have decreased dramatically, but there were major increases in other areas. Ms. Mooney stated the capital improvement fund was increased to \$35,000 last year and she would like this amount to remain in place if possible. However, it may be possible to decrease the fund to \$25,000 depending on the capital projects selected for this year.

Mayor Maio stated she would like to hold a special budget meeting. The Governing Body agreed to meet on Wednesday, February 8th, at 6:30 for a special budget meeting.

2017 Budget (General Capital) – Administrator McNeilly stated the General Administration Capital request includes a 4 drawer lateral fireproof cabinet at a cost of approximately \$4,000. The Fire Department has requested several items including a fire truck. Councilwoman Kuncken stated a Public Safety meeting needs to be scheduled to discuss the requests with the Fire Department. Mayor Maio stated the fire truck will not be included in this year's budget.

DPW Capital - Public Works has requested a pickup truck. Mayor Maio asked which truck needs to be replaced. Administrator McNeilly stated there is a second truck which is going to be examined and a determination made as to whether or not it will also need to be replaced. Administrator McNeilly stated as soon as he receives the report on the condition of the second truck he will inform the Governing Body.

Administrator McNeilly stated an Infrastructure Committee Meeting was held in October and a discussion took place in regard to obtaining a Steiner tractor for Public Works. Ventrac is a vendor with a version of the same vehicle that was present at the NJLM Conference in Atlantic City and this product is available through the Middlesex County Co-op. After discussions with the vendor it was determined the cost would be approximately \$38,000 - \$40,000. The tractor is a 4x4 with a brush attachment and has the ability for a closed cab. It can become an 8 wheeled vehicle to get into the marsh areas of the detention basins. The vehicle meets the needs requested by the governing body and the public works department. A constant concern has been the maintenance of the detention basins. Cleaning of one of the retention basins last summer took a week and required the full crew. A key feature of this machine is the ability for one person to ride through the basins with the brush hog to keep them cut back on a regular basis. This machine can be used in the winter with the closed cab as a 52 inch snow thrower. This piece of equipment could be used for snow removal from the sidewalks in the Borough. The amount of sidewalks will be increasing with the installation of the new sidewalks which will end at Acorn Street. The tractor would also be beneficial after large snow storms when the downtown area has to be cleared of snow. Specifications have also been provided for a spreader attachment for the back of the tractor.

Councilman Romano asked Administrator McNeilly if the tractor is going to save on man hours. Administrator McNeilly stated in his opinion man hours will be saved. The basins are not regularly maintained and the equipment will provide the ability to do so. This will eliminate the need to take a week to clean one basin with a full crew. The machine will save time for snow removal on the sidewalks and at the wells. Much discussion took place regarding the tractor and the benefits it could provide. This machine can be used year round. The attachments for the tractor under consideration are the blower, spreader, enclosed cab, tough cut and dual wheel tire kit. The cost is \$42,000.

Councilman Thornton stated he is of the opinion a budget discussion was to take place this year with regard to the necessity of scanning the Borough's documents. Administrator McNeilly stated he is of the opinion scanning is not a bondable item. Mayor Maio asked if a quote has been obtained for scanning. Councilwoman Kuncken stated she, Councilman Romano and Councilman Thornton spoke with a representative at the NJLM Conference who provides scanning services. If this is a budgetary item then the Borough cannot afford do the scanning this year. Councilman Thornton stated it is possible to spread the costs out over several years. Administrator McNeilly stated he will obtain additional information regarding the scanning, prior to the next meeting. Administrator McNeilly asked if the focus for the scanning is to be done in the construction department. Mayor Maio asked if the paper records have to be kept once they are scanned. Councilman Thornton stated the scanning company had offered to come to the Borough and make a presentation. Councilman Thornton suggested arrangements be made to do so. Much discussion took place regarding the tractor and the benefits it could provide.

Mayor Maio asked for information regarding the request for the low band radio antenna. Administrator McNeilly stated during the union meetings it was brought to his attention there are some vehicles which have inoperable radios. Two radios cannot be repaired.

Milling & Paving – No changes were made.

Banners – The reference to poles for the banners has been removed. Administrator McNeilly stated the place holder amount of \$15,000 must be reduced.

Water Capital Request – This includes part of the costs for the pickup truck and the Ventrac tractor.

Sewer Capital Request – This includes part of the costs for the pickup truck and the Ventrac tractor. Mayor Maio asked if water meters need to be ordered. Administrator McNeilly stated no meters need to be ordered. The meters have batteries with an expiration date of ten years and therefore ordering too many ahead of time is not recommended. Mayor Maio asked Administrator McNeilly to determine how many meters still need to be installed and to provide the information at the next scheduled budget meeting. A completion date for this project will be set at the next meeting.

Port Morris Pump Station – Administrator McNeilly stated in previous sewer capital budget discussions Mr. Keller has spoken with him and DPW regarding his concerns with the Port Morris Pump Station. Further determinations need to be made concerning this project. Discussions will take place later in 2017 in order to include the pump station on the 2018 budget.

MINUTES FOR APPROVAL

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

December 13, 2016 Regular Business Meeting & Closed Session

On motion by Councilman Romano, seconded by Councilman Thornton and carried by voice vote the above listed minutes were approved.

CORRESPONDENCE (List Attached)

On motion by Councilwoman Thistleton, seconded by Councilman Depew 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 December reported 3 calls answered, 376.5 man hours and 10 drills for a combined total of 670 man hours.

Councilwoman Kuncken stated the Police Department for the month of December reported 488 calls in total with 332 motor vehicle stops accounting for the largest number of calls.

Councilwoman Kuncken stated the Ambulance Squad reported 63 calls for the month of November, 30 in Stanhope, 31 in Netcong and 2 standbys. There were three out of town calls, 1 to Byram and 2 for Hopatcong. The advanced life support calls totaled 13 and basic life support calls totaled 33. They treated 46 patients, made 37 trips to the hospital, travelled 1,059 miles and had 346 hours and 20 minutes of volunteered hours. For the month of December the Ambulance Squad reported 69 calls answered, 33 in Stanhope, 35 in Netcong and 1 standby. There was 1 out of town call to Byram and 2 for Hopatcong. They treated 55 patients, 15 advanced life support and 40 basic life support. They made 41 trips to the hospital, travelled 1,087 miles for a total of 339 hours and 17 minutes of volunteered hours. There was one assist from the Netcong Fire Department.

Mayor Maio stated the Ambulance Squad's annual report has been received and was distributed to the governing body.

Finance & Administration – Councilman Romano/Councilwoman Kuncken

Councilman Romano stated the water collection for the month of December was \$107,944.74. The year to date total is \$645,067.16. The sewer collection for the month of December was \$152,612.90. The year to date total is \$919,256.87.

Community Development – Councilwoman Zdichocki/Councilman Thornton

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

Councilwoman Zdichocki stated there were 5 zoning applications for the month of December. In 2016 a total of 95 zoning permits were issued. The Borough has received \$11,750 in vacant/abandoned property registration fees. There were 8 violations issued in December.

Councilwoman Zdichocki stated there was a Chamber of Commerce meeting held but she was unable to attend. Councilwoman Kuncken stated at the Chamber of Commerce meeting there was a discussion regarding the festivities for the spring. No final decisions have been made.

Schuffenhauer Property - Mayor Maio asked Administrator McNeilly for an update on the Schuffenhauer property. Administrator McNeilly stated Tom Pershouse, Construction Official, is working with Mr. Schuffenhauer on the permits. Mr. Pershouse has requested information regarding the cost of construction from Mr. Schuffenhauer in order to fee the permits. There is a ten day deadline to supply the information. Mayor Maio asked if the building is going to be demolished. Administrator McNeilly stated Mr. Pershouse will determine if a renovation is possible or if demolition of all or part of the structure is necessary. Ms. Leo, Borough Attorney, stated time restrictions are in place.

Lakeside Park - Mayor Maio asked Councilwoman Zdichocki if she has received any additional information from the lake community with regard to the benches. Councilwoman Zdichocki stated she was contacted by the lake community several months ago. At that time the group indicated they were very pleased with the work which was done at the lake and they mentioned donating benches. Councilwoman Zdichocki stated she has asked the group to provide specific information regarding the donation but she has not received any additional information to date. Administrator McNeilly stated the items donated should be similar in design to benches, tables and trash cans located in other areas of the Borough.

Municipal Infrastructure – Councilman Thornton/Councilwoman Zdichocki

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

Councilman Thornton stated there is no report at this time.

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 Board of Health's free rabies clinic will be held on April 7th. Administrator McNeilly stated a Nixle advisory message was sent out last night to 934 mobile devices and 371 emails with a reminder for pet licensing. A Nixle reminder will be sent out on March 30th regarding the free rabies clinic.

ADMINISTRATOR'S REPORT

Stanhope School – Administrator McNeilly stated the no right turn sign at Valley Road was replaced with the new sign in order to comply with the updated ordinance. The Police Department received a copy of the updated ordinance.

Sussex-Warren Co-Op – Administrator McNeilly stated the Energy Aggregation meeting will be held on Thursday, January 26th. There will be two information sessions held that day, one at 2:00PM and the second at 5:30PM.

NJDOT(Route 206) – Administrator McNeilly stated he received a visit from a NJDOT Traffic Investigator on January 19th. The investigator is in the process of reviewing the roadway and taking speed data at different times of the day. The investigator was unable to provide a completion date for the report. Administrator McNeilly stated he and Mr. Keller, Borough Engineer, have been in contact with NJDOT Community Relations and they are still very aware of the time requirements.

Byram Sewer Request – Administrator McNeilly stated all the Musconetcong Sewerage Authority (MSA) member communities, with the exception of Roxbury, have passed resolutions endorsing the sewer transfer. Roxbury has the resolution on their agenda for this evening. The MSA will be in position to vote on their resolution at the January 26th meeting to approve the transfer allocation from Stanhope to Byram. Administrator McNeilly stated the Borough has already received \$20,000 and the balance still due will be placed into the sewer budget. Administrator McNeilly stated the Borough does have additional allocations available for sale.

Fire Department Bucket Drop – Administrator McNeilly provided a copy of a letter from Mr. Stein, Borough Attorney, regarding the Fire Department Bucket Drop. This will be the fourth year that the Fire Department will be conducting the bucket drop. The State has made changes to the application process. The Fire Department is essentially a charitable organization and the State of NJ is requiring the Borough to step in between and accept liability and accountability. The State is also looking to the local Police Department to be directly responsible for the safety and the organization of the operation of the bucket drop in its entirety. If a situation occurs with regard to a personal injury or property damage, the State would have the Borough in front of them relative to any Tort Claims. If any violations occur relative to the permit, the Borough would be subject to the fine. This is no longer just the Fire Department application. It is the Borough of Stanhope's application. Administrator McNeilly stated Ray Wexler, Fire Department Member, has provided him with a copy of a resolution passed by Hardyston with the State requirements. Administrator McNeilly read Section 5 which states, "The Chief of Police is hereby authorized and directed to execute the application for a charitable solicitation permit. Provided the above stated conditions are met. Hardyston Township Police Department shall be responsible for the supervising, solicitation and enforcing of the terms of the charitable solicitation permit issued by the NJDOT." This would require the police to be present during the bucket drop. Administrator McNeilly stated Police Chief Pittigher has raised concerns with the requirements. Administrator McNeilly questioned how the situation would be handled in towns without a police department. Councilwoman Kuncken stated the State of NJ is involved because the bucket drop takes place on a state highway. If the bucket drop takes place on a Borough or County road, the State would not be involved. Councilwoman Kuncken suggested a discussion be held with the Fire Department to change the location of the bucket drop. Mayor Maio stated a discussion needs to take place with Mr. Wexler and the Fire Department. Councilwoman Kuncken stated, prior to the Public Safety Committee meeting with the Fire Department, she would like to know the Governing Body's opinion of this issue. The Governing Body confirmed they are not comfortable with the responsibility or the expense.

COUNCIL DISCUSSION

NEW BUSINESS

RESOLUTIONS

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

**Resolution 042-17 RESOLUTION AUTHORIZING AN APPROPRIATION
RESERVE TRANSFER FOR THE YEAR 2016**

WHEREAS, various 2016 bills have been presented for payment this year, which bills were not covered by order number and/or recorded at the time of transfers between the 2016 Budget Appropriations in the last two months of 2016; and

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stanhope that transfers be made in the amount of \$7,604.00 in Current Fund between the 2016 Budget Appropriation Reserves as follows:

CURRENT FUND	From:	To:
Petroleum	\$ 7,604.00	
Engineering		\$ 1,147.00
Road Maintenance O/E		\$ 210.00
Vehicle Repairs		\$ 5,412.00
Telecommunications		\$ 835.00
	\$ 7,604.00	\$ 7,604.00

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

**Resolution 043-17 RESOLUTION AUTHORIZING THE AWARD OF
NON-FAIR AND OPEN CONTRACTS FOR
PROFESSIONAL SERVICES FOR THE
BOROUGH OF STANHOPE FOR THE YEAR 2017**

WHEREAS, the Borough of Stanhope has a need for professional services for the year 2017 of Borough Attorney, Borough Labor Attorney, Bond Attorney, Borough Engineer, Borough Planner, Borough Auditor and Conflict Counsel; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the position of each of the agreements will exceed \$17,500.00; and

WHEREAS, the anticipated term of each contract is one year; and

WHEREAS, Laddey, Clark & Ryan, LLP has submitted a proposal to provide legal services as Borough Attorney for the year 2017; and

WHEREAS, Robert J. Merryman, Esq. of the firm Apruzzese, McDermott, Mastro & Murphy has submitted a proposal to provide legal services as Borough Labor Attorney for the year 2017; and

WHEREAS, Robert Beinfield, Esq. of the firm Hawkins, Delafield and Wood has submitted a proposal to provide legal services as Borough Bond Attorney for the year 2017; and

WHEREAS, Bowman Consulting has submitted a proposal indicating that it will provide engineering services as Municipal Engineer and Municipal Planner for the Borough of Stanhope for the year 2017; and

WHEREAS, Nisivoccia & Company, LLP has submitted a proposal indicating that it will provide auditing services as Municipal Auditor for the Borough of Stanhope for the year 2017; and

WHEREAS, Robert Morgenstern, Esq. has submitted a proposal indicating that he will provide legal services to the Borough as Conflict Counsel for the year 2017; and

WHEREAS, each of the aforesaid professionals has completed and submitted a Business Entity Disclosure Certification certifying that they have not made any reportable contributions to a political or candidate committee in the Borough of Stanhope in the previous one year and that the contract will prohibit said professional from making any reportable contribution through the term of the contract; and

WHEREAS, each of the aforesaid professionals has completed and submitted a Political Contribution Disclosure Form; and

WHEREAS, the Chief Financial Officer of the Borough of Stanhope has certified the availability of funds for these contracts pursuant to NJAC 5:30-5.4;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the Mayor and Clerk be and the same are hereby authorized to execute individual agreements with each Borough Professional named herein above; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of the above contract shall be published by the Borough in accordance with the provisions of the Local Public Contracts Law.

On motion by Councilwoman Thistleton, 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 044-17

RESOLUTION AUTHORIZING THE TERMS OF A NEW COLLECTIVE NEGOTIATIONS AGREEMENT BETWEEN THE BOROUGH OF STANHOPE AND THE OPEIU LOCAL NO. 32

WHEREAS, the Collective Negotiations Agreement between the Borough of Stanhope (“Borough”) and the OPEIU Local No. 32 (“OPEIU”) expired on December 31, 2016; and

WHEREAS, the Borough and the OPEIU have been in negotiations for a new collective agreement since that time; and

WHEREAS, representatives of the Borough and the OPEIU involved in collective negotiations have reached an agreement on terms and conditions for a new collective

negotiations agreement and have recommended those terms to the full membership of the OPEIU and the governing body of the Borough of Stanhope for approval; and

WHEREAS, it has been determined by the Mayor and Council that the terms agreed to by the parties, which are contained in a written Memorandum of Agreement, for the period from January 1, 2017 through December 31, 2020, will provide a fair and reasonable level of benefits and compensation for Borough employees who are members of the OPEIU bargaining unit for the next four (4) years; now therefore

IT IS HEREBY RESOLVED this 24th day of January, 2017, that the Mayor and Borough Council hereby approve the terms of the Memorandum of Agreement negotiated between the Borough and the OPEIU; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and directed to sign any and all contracts, agreements or amendments necessary to effectuate these approved terms and conditions.

On motion by Councilman Depew, seconded by Councilman Romano 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 045-17

Governor’s Council on Alcoholism and Drug Abuse Fiscal Grant Cycle July 2014 - June 2019

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, non-profit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Borough Council of the Borough of Stanhope, County of Sussex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages: and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Sussex;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Stanhope does hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Lenape Valley Municipal Alliance grant for fiscal year 2018 in the amount of:

DEDR	\$11,420.00
Cash Match	\$ 2,855.00
In-Kind	\$ 8,565.00

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administration compliance and audit requirements.

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

Resolution 046-17

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF STANHOPE AUTHORIZING THE
ISSUANCE OF RAFFLE LICENSE RA-625 and RA-626**

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-625	New Jersey Outdoor Alliance Environmental Projects	February 19, 2017	On-Premise Raffle 50/50
RA-626	New Jersey Outdoor Alliance Environmental Projects	February 19, 2017	On-Premise Merchandise Raffle

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.

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

Resolution 047-17

**A RESOLUTION APPROVING THE SUBMISSION OF A
GRANT APPLICATION AND THE EXECUTION OF A
GRANT CONTRACT WITH THE NEW JERSEY
DEPARTMENT OF TRANSPORTATION FOR SPARTA
ROAD IMPROVEMENT PROJECT**

WHEREAS, the Borough of Stanhope wishes to apply for and obtain funding through the New Jersey Department of Transportation – Municipal Aid grant program for the completion of the Sparta Road Improvement Project.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Stanhope, in the County of Sussex, State of New Jersey formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as “MA-2017-Sparta Road Improvement Project-00133” to the New Jersey Department of Transportation on behalf of the Borough of Stanhope.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Stanhope and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

On motion by Councilman Thornton, 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 Kuncken – yes
Councilman Romano - yes

Councilwoman Thistleton – yes
Councilman Thornton – yes
Councilwoman Zdichocki – yes

Resolution 048-17

AWARD OF CONTRACT TO MILLENNIUM STRATEGIES

WHEREAS, the Borough of Stanhope is in need of the services of a grant consulting firm with knowledge of all aspects of the availability of applications for state and federal grants that may be available to the Borough of Stanhope on a competitive basis to assist the Borough in identifying and applying for such grants; and

WHEREAS, the services of a grant consultant constitute extraordinary unspecifiable services pursuant to the provisions of N.J.S.A. 40A:11-5(1)(a)(ii); and

WHEREAS, Millennium Strategies, LLC has the necessary experience and qualified staff to provide grant consulting services to the Borough on an ongoing basis; and

WHEREAS, Millennium Strategies, LLC has made a written proposal to the Borough of Stanhope to provide grant consultation services; and

WHEREAS, the proposed agreement between the Borough and Millennium Strategies, LLC provides for a retainer of \$1,000 per month, which amount is not in excess of the Borough's bid threshold; and

WHEREAS, said agreement with Millennium Strategies, LLC is terminable at will by the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the Borough does hereby award a contract for extraordinary unspecifiable services to Millennium Strategies, LLC, a copy of which agreement is attached hereto;

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute said agreement on behalf of the Borough.

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 – yes
Councilwoman Kuncken – yes
Councilman Romano - yes

Councilwoman Thistleton – yes
Councilman Thornton – yes
Councilwoman Zdichocki – yes

Mayor's Appointment

Resolution 049-17

RESOLUTION APPROVING THE MAYOR'S APPOINTMENT OF THE BOROUGH'S REPRESENTATIVE TO THE MUSCONETCONG SEWERAGE AUTHORITY WITH COUNCIL CONCURRENCE

Mayor's appointment of James Benson as the Borough representative to the Musconetcong Sewerage Authority with Council Concurrence.

BE IT RESOLVED by the Council of the Borough of Stanhope that they do hereby concur with the Mayor's appointment of James Benson as the Borough's representative to the Musconetcong Sewerage Authority for a 5-year term effective February 1, 2017;

BE IT FURTHER RESOLVED that the Clerk be and is hereby directed to send a certified copy of this resolution to the New Jersey Secretary of State.

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

PAYMENT OF BILLS

Resolution 050-17

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 January 24, 2017 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

COAH Update - Ms. Leo stated on Wednesday, January 18th, the Supreme Court came down with a decision on COAH. The Borough has been fighting this issue this year. The Borough reached a settlement agreement and the Borough’s number and settlement agreement stand. The Supreme Court reversed the Appellate Division and affirmed the Trial Court. The issue is the gap period between 1999 through 2015 to determine if that gap counts. The Supreme Court has said the gap period does count. The fact that the Borough has a settlement agreement is great. What the Borough has done will not be affected. Ms. Leo stated the Borough has a known number and that is what we will stick with. There were 300 municipalities which filed for declaratory judgement and only 71settled. There are still 230 municipalities fighting out that number. The Borough did a good job. Bill Hamilton provided a good plan and we negotiated back and forth with the understanding that the number was not obtainable. Ms. Leo is of the opinion this was the right thing for the Borough to do in order to have closure on the issue.

CITIZENS TO BE HEARD

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

Don Drake, 2 Summit Street, stated with regard to the bucket drop this is a nomenclature problem. Mr. Drake stated there are two entities within the fire department. There is the firematic side and the Hose Company which is a 501c3. The charitable side is the one conducting the bucket drop and is separate from the Borough. Administrator McNeilly stated when the firemen are conducting the bucket drop it is considered a drill and they are covered by workmen’s compensation. Mayor Maio stated the issue is one of liability and the cost of having the police coverage. Administrator McNeilly stated the Fire Department does conduct a very safe bucket drop work zone. If this could be handled locally it would be fine. Mayor Maio stated she is of the opinion the State will let the municipalities handle the bucket drop locally if it is conducted on a local road. Conducting the bucket drop on a State road means the state requirements must be met. Councilwoman Kuncken stated a separate meeting will be held with Mr. Wexler to discuss the issue.

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

Councilman Depew stated several residents have contacted him with complaints about the property located at the end of Highland Avenue, the Hoer property. A resident on the street is dumping unknown debris onto the property. Administrator McNeilly stated he will look into the issue.

Councilman Depew stated the porch roof on the house located at the corner of Kelly Place and Plane View Street looks as though it is ready to collapse. There has been a great deal of debris piled outside and Councilman Depew is concerned this is a fire hazard. Mayor Maio stated this issue has been brought to the attention of the Zoning Officer. Administrator McNeilly stated there is a certain weakness in the property maintenance ordinance. If a fine is issued and the fine is paid, there is no requirement stating the violation has to be remedied. Administrator McNeilly stated there should be a mechanism in the ordinance to require the fine to be paid but to also require the violation to be rectified within a certain number of days. Ms. Leo stated this is difficult with Code Enforcement but perhaps this has now become a Building Department issue if there is a safety concern. Administrator McNeilly will speak with the Building and Zoning Departments.

ADJOURNMENT

On motion by Councilwoman Kuncken, seconded by Councilman Thornton, and unanimously carried by voice vote the meeting was adjourned at 8:06 P.M.

Approved:

Linda Chirip
Deputy Clerk for
Ellen Horak, RMC
Borough Clerk