

**MAYOR AND COUNCIL  
REGULAR MEETING  
February 28, 2017  
7:00 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.

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

**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:

January 3, 2017	Reorganization Meeting
January 10, 2017	Work Session/Agenda Meeting & Closed Session
January 24, 2017	Regular Business Meeting

On motion by Councilman Depew, seconded by Councilman Romano and carried by voice vote the above listed minutes were approved. Councilwoman Zdichocki and Councilman Thornton abstained from the minutes of January 10, 2017.

**CORRESPONDENCE (List Attached)**

On motion by Councilman Romano, 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 January reported 9 calls answered, 182.75 man hours, 1 call to assist the Ambulance Squad and a total of 343.25 volunteer hours.

Councilwoman Kuncken stated the Ambulance Squad report was not received.

Councilwoman Kuncken stated the Police Department for the month of January reported 358 calls in total with motor vehicle stops accounting for the largest number of calls.

Councilwoman Kuncken stated a Public Safety Committee meeting was held recently to discuss the Fire Department Bucket Drop with regard to the State requirements, our attorney's recommendations and the liability issues. Councilwoman Kuncken stated the committee met this evening with Ray Wexler from the Fire Department. Mr. Wexler is aware of the Borough's concerns regarding the liability and he will discuss this with the Fire Department. Other streets under consideration for the Bucket Drop are Linden Avenue, Sparta Road, Brooklyn Road or Dell Road. Mr. Wexler has informed the committee that the Fire Department has the traffic designs for most of these locations. Mr. Wexler will provide Administrator McNeilly with the final decision and the design layout and a request for a resolution. Councilwoman Kuncken stated Mr. Wexler is aware that no trucks can be on the State highway.

**Finance & Administration – Councilman Romano/Councilwoman Kuncken**

Councilman Romano stated several months of reports have been received for tax collections. The December report states the month to date total is \$167,610.32 and the year to date is \$12,031,087.16. The tax collections for the month of January for both month to date and year to date are \$626,649.90. The water collection for the month of January was \$22,152.37. The sewer collection for the month of January was \$32,115.89. Councilman Romano stated the collections seem to be in good shape.

**Community Development – Councilwoman Zdichocki/Councilman Thornton**

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

Councilwoman Zdichocki stated there were 3 zoning applications for the month of January.

There were 6 violations. Councilwoman Zdichocki stated she met with Arlene Fisher, Zoning & Code Enforcement Official, today to discuss the vacant/abandoned properties. Ms. Fisher has collected approximately \$19,000 in registration fees for the vacant/abandoned properties.

Councilwoman Zdichocki stated Ms. Fisher is doing well monitoring the properties.

Councilwoman Zdichocki plans to go with Ms. Fisher on one of the inspection rounds. Mayor Maio stated Councilwoman Zdichocki should contact the Administrator to coordinate going on inspection with Ms. Fisher.

Councilwoman Zdichocki stated she will be contacting the members of the Lake Community Association regarding the park now that the weather is favorable.

**Sagamore Road** - Mayor Maio stated she has been contacted by a resident of Sagamore Road regarding the abandoned home on Sagamore Road and the poor condition it is in. Administrator McNeilly stated the house has been vacant for at least 9 months. The paperwork posted on the property could be from various sources. The Borough does require a placard listing the emergency contact information. Administrator McNeilly will speak to Arlene Fisher, Code Enforcement Official, regarding the status of the property. Much discussion took place regarding the various abandoned properties throughout the Borough. Administrator McNeilly stated the abandoned home on Main Street is one of the first to use clear plexi-glass to protect the windows. There is a law in place throughout the country prohibiting the use of plywood to secure the abandoned properties.

**Townsend House on Ridge Road** – Mayor Maio asked Administrator McNeilly for the status on the Townsend House on Ridge Road. At the last conversation held with Mr. Stein regarding this property he indicated the house may be able to be demolished. Administrator McNeilly stated he will speak with Ms. Leo, Borough Attorney, regarding the property.

**RHM Property** – Mayor Maio stated the RHM property has been sold. The new owners have done some much needed tree work. Mayor Maio is hopeful this will become an active, multi-business, in 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 Recreation Commission will be holding the annual Easter Egg Hunt on April 8<sup>th</sup>. A bus trip to the Sands Casino is scheduled for April 29<sup>th</sup>. Councilwoman Zdichocki stated flyers were not prepared in time to be included in the water bills. The Recreation Commission will contact the school to circulate flyers and a request will be sent to the Administrator to post the information on the Borough sign.

Councilwoman Thistleton stated the Board of Health will be holding the free rabies clinic on April 7<sup>th</sup>.

Mayor Maio asked Councilwoman Thistleton to provide updates from the Environmental Commission in the future. Mayor Maio asked Councilman Depew to provide updates on the Land Use Board.

**ADMINISTRATOR'S REPORT**

Schuffenhauer Property – Administrator McNeilly stated there has been no change on the status of the Schuffenhauer Property since the last meeting.

Short Term Lodging Ordinance – Administrator McNeilly stated he is recommending a change to code section 100-3 and section 100-195 to include a restriction on short term rental. Ms. Leo, Borough Attorney, has prepared the ordinance and she has indicated the ordinance first needs to be reviewed by the Land Use Board. Administrator McNeilly stated these types of rentals are beginning to occur in Sussex County especially in Hopatcong and Stillwater. There is an established bed and breakfast in the Borough and they spend a considerable amount of money to operate, maintain insurance and for upkeep of the property. Administrator McNeilly stated the amendment would be made to the current home occupation ordinance. The amendment would add the following: No person shall rent, lease, solicit, advertise or otherwise offer, permit or allow or fail to discontinue use or occupancy of any dwelling unit for a period of 30 days or less. Nothing shall prevent lawful occupancy of a dwelling unit for a rental period of more than 30 days. The Whistling Swan is covered by its own specific guidelines which spell out the exact opposite. Administrator McNeilly stated he will provide copies of the amendment to the Governing Body for review. Administrator McNeilly stated if the Governing Body approves of the amendment requested the ordinance could be introduced at the March business meeting.

Route 183/Route 206 Sidewalk – Administrator McNeilly stated the information session for the public regarding the Route 183/Route 206 Sidewalk will be held on March 14<sup>th</sup> at 6:00PM. Letters will be sent out on Friday to the affected property owners.

Byram Sewer Request – Administrator McNeilly stated he spoke with the Administrator of Byram Township regarding the remaining balance of funds for the allocation transfer. Byram Township has the funds in escrow. Byram Township is in the process of creating a purchase order for the Borough of Stanhope. The payment will be included on their next bills list. Mayor Maio stated she is of the opinion the resolution should not be adopted until the funds have been received. Administrator McNeilly stated if the resolution is adopted the copies can be held until payment is received. The first quarter billing for the MSA has already gone out. The Borough is responsible for the first quarter and that will not change. Administrator McNeilly stated having the resolution adopted may be necessary in order for Byram Township to release the funds to the Borough. Ms. Leo, Borough Attorney, suggested the resolution could be adopted but the signing of the Rider could wait until the funds are received. Administrator McNeilly stated the net effect on the Borough's quarterly billing is approximately \$320.

Certified Recycling Coordinator – Administrator McNeilly stated he, Bill Storms, DPW Superintendent and Jason Titsworth, DPW Supervisor met with Reenee Casapulla, Recycling Coordinator for Sussex County Municipal Utilities Authority (SCMUA), to discuss ways to maximize our recycling grant and the Borough's tonnage. Brush and tree parts (chips) are a reimbursable item through the grant. The Borough has three tree services that do work in town but the Borough has never received a recycling report. Oil tank removals are also on the list but this information has never been included. The Construction Department can report on the total number of oil tanks removed at the end of the year. Ms. Casapulla will provide a form letter which the Borough can distribute to the businesses by utilizing the Fire Marshal's list. The garbage tonnage reported by Blue Diamond has been very stable over the past three years and there are no concerns in this area. The key item in the recycling that pays the most out is electronic recycling. The next category is cardboard, cans and glass. The grant this year paid \$9.50 per ton for electronic waste. The next category, which is household recycling, paid \$3.85 per ton. At this time the electronic recycling is being brought to SCMUA by the residents but it is not being included in the Borough's report. Ms. Casapulla will provide additional electronic recycling information for the Governing Body's consideration. Administrator McNeilly requested Electronic Recycling be added to the agenda for the March 14<sup>th</sup> meeting for Council Discussion. Mayor Maio asked the Clerk to add the Electronic Recycling on the next agenda.

Budget – Mayor Maio stated there is a concern with latest budget sheets which were provided to the governing body. Mayor Maio stated the governing body was working with numbers that have shown the increase in the municipal budget was .96%. The paperwork received today indicates there is a 3.25% increase. Administrator McNeilly stated he will speak with the CFO and if necessary the schedule will have to be delayed by two weeks. At this time the budget timeline is as follows: March 14<sup>th</sup> Budget Introduction; April 11<sup>th</sup> Budget Hearing, 2<sup>nd</sup> Budget Reading, Capital Introduction and Salary Ordinance Introduction; April 25<sup>th</sup> 2<sup>nd</sup> Capital Reading, 2<sup>nd</sup> Salary Ordinance Reading and Salary Resolution; May 5<sup>th</sup> Salary Increase for non-represented employees; May 8<sup>th</sup> Self-funded Capital money available; May 12<sup>th</sup> Retroactive Salary Checks; and May 22<sup>nd</sup> Bonded Capital money is available. Administrator McNeilly stated this schedule is consistent with the schedules over the past three to five years.

Energy Aggregation – Councilman Thornton asked Administrator McNeilly when the community outreach would be scheduled for the energy co-op. Mayor Maio stated the outreach meeting was already held. Two meetings were held at Borough Hall, one in the afternoon and one in the evening. Councilman Thornton stated he did not receive notification. Councilwoman Kuncken stated she does not recall receiving notification. Mayor Maio stated a letter should have been received as a participant in the program. Mayor Maio stated the outreach meeting was discussed at previous meetings. Councilman Thornton stated he did not receive anything in his Council mailbox. Administrator McNeilly stated the information was listed on his past reports.

## **COUNCIL DISCUSSION**

Mayor Maio asked the Governing Body for any items to be discussed. The Governing Body had no items for discussion.

## **NEW BUSINESS**

### **ORDINANCE**

Mayor Maio offered the following ordinance for Introduction and First Reading which was read by title:

Ordinance for Introduction and First Reading [Public Hearing on March 14, 2017]

#### **Ordinance 2017-01**

**CALENDAR YEAR 2017 ORDINANCE OF THE BOROUGH OF STANHOPE, COUNTY OF SUSSEX, NJ TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

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

**WHEREAS**, the Mayor and Council of the Borough of Stanhope in the County of Sussex finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Mayor and Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$105,121.47 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Borough of Stanhope, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Borough of Stanhope shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$122,641.72, and that the CY 2017 municipal budget for the Borough of Stanhope be approved and adopted in accordance with this ordinance; and,

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

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

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

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

Roll Call:

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

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

## **RESOLUTIONS**

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

**Resolution 059-17**

**AUTHORIZE SHARED SERVICES AGREEMENT WITH  
SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY  
FOR THE PROVISION OF CERTIFIED RECYCLING  
PROFESSIONAL SERVICES TO CERTIFY AND SUBMIT  
THE 2016 RECYCLING TONNAGE REPORT TO NJDEP**

**WHEREAS**, New Jersey's Recycling Enhancement Act (REA) requires that reports or other recycling-related documents be signed/certified by a Certified Recycling Professional (CRP); and

**WHEREAS**, the Uniform Shared Services and Consolidation Act (N.J.S.A 40A:65-1, et, seq.) (hereinafter, "the Act") provides that local units of government may enter into a contract to provide or receive any service that either local unit participating in the Agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating units (N.J.S.A. 40A:65-4); and

**WHEREAS**, the Borough of Stanhope will prepare the 2016 Recycling Tonnage Report; and

**WHEREAS**, the Borough of Stanhope has requested the services of the SCMUA in the form of the District Recycling Coordinator as a Certified Recycling Professional to certify and submit the required 2016 Borough of Stanhope Recycling Tonnage Report to NJDEP by April 30, 2017; and

**WHEREAS**, SCMUA has the qualified staff to certify the Recycling Tonnage Report prepared by the Borough of Stanhope and electronically submit it to NJDEP on behalf of the Borough of Stanhope under the terms and conditions set for in the Shared Services Agreement.

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

1. The Mayor is hereby authorized to sign the Shared Services Agreement with SCMUA, for the provision of a Certified Recycling Professional Services to certify and submit the 2016 Recycling Tonnage Report to NJDEP.
2. 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 060-17**

**RESOLUTION ESTABLISHING SPEED LIMIT CHANGE  
ON STATE ROUTE 206**

**WHEREAS**, the Borough Administrator contacted the New Jersey Department of Transportation ("NJDOT") and the Bureau of Traffic Engineering ("BTE") requesting that a speed study be conducted in the Borough along U.S. Route 206 northbound between mileposts 97.90 to 98.38 and southbound between mileposts 98.38 to 98.18; and

**WHEREAS**, the BTE conducted a new speed survey along U.S. Route 206 which included a review of current 85<sup>th</sup> percentile speed data and an evaluation of the existing adjacent land uses; and

**WHEREAS**, based upon the survey and the field data obtained by the BTE, revised speed limit zones have been recommended by the BTE, and in order for the regulations to be established, the NJDOT is required to promulgate a Traffic Regulation Order, which requires a resolution of support from the Borough.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the Mayor and Council of the Borough of Stanhope that the Borough supports the revised speed limit zones as recommended by the BTE:

In the Borough of Stanhope, the speed limits along U.S. Route 206 shall be:

**For both directions of traffic:**

Zone 1: 55 MPH between the Mount Olive Township - Stanhope Borough corporate line to Route NJ 183 (approximate mileposts 97.74 to 97.90); thence

**For the northbound direction of traffic:**

Zone 1: 45 MPH between Route NJ 183 and the northernmost Stanhope Borough - Byram Township corporate line (approximate mileposts 97.90 to 98.38); thence

**For the southbound direction of traffic:**

Zone 1: 45 MPH between the northernmost Stanhope Borough - Byram Township corporate line (Acorn Street) to the Byram Township - Stanhope Borough corporate line 100 feet south of Ashway Drive (approximate mileposts 98.38 to 98.16); thence

Zone 2: 50 MPH between the southernmost Stanhope Borough - Byram Township corporate line and Route NJ 183 (approximate mileposts 98.02 to 97.90); thence

On motion by Councilwoman Zdichocki, 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 Kuncken – yes

Councilman Romano - yes

Councilwoman Thistleton – yes

Councilman Thornton – yes

Councilwoman Zdichocki – yes

**Resolution 061-17**

**RESOLUTION AUTHORIZING THE RELEASE OF THE PERFORMANCE BOND OF DESANTIS CONSTRUCTION, INC. FOR THE PORT MORRIS AREA, SPRING LANE AND LAKE STREET PAVEMENT RECLAMATION PROJECT**

**WHEREAS**, the Mayor and Council had deemed it necessary for DeSantis Construction, Inc. to submit a performance bond prior to the commencement of the Port Morris Area, Spring Lane and Lake Street Pavement Reclamation Project; and

**WHEREAS**, DeSantis Construction, Inc. did produce and the Borough did accept a performance bond guaranteeing the quality and completeness of the work; and

**WHEREAS**, the Borough Engineer has inspected the project site and deemed the project has been completed in general compliance with the contract; and

**WHEREAS**, the Borough Attorney has advised the Mayor and Council that a maintenance bond be required in the amount of \$18,894.95 to be effective for one year from the date of issuance to ensure the quality of the work.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, at the concurrence of the Borough Attorney do hereby authorize the release of the performance bond to DeSantis Construction, Inc. for the Port Morris Area, Spring Lane and Lake Street Pavement Reclamation Project.

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 Kuncken – yes  
Councilman Romano - yes

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

**Resolution 062-17**

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF  
MAINTENANCE BOND OFFERED BY DESANTIS  
CONSTRUCTION, INC. FOR THE PORT MORRIS AREA,  
SPRING LANE AND LAKE STREET PAVEMENT  
RECLAMATION PROJECT**

**WHEREAS**, the Mayor and Council heretofore authorized the release of a performance bond submitted by DeSantis Construction, Inc.; and

**WHEREAS**, DeSantis Construction, Inc. has substantially completed the Port Morris Area, Spring Lane and Lake Street Pavement Reclamation Project; and

**WHEREAS**, DeSantis Construction, Inc. has offered to the Borough a Maintenance Bond in the amount of \$18,894.95, which amount has been specified by the Borough Attorney; and

**WHEREAS**, the Borough Attorney has reviewed and approved of the form of said Maintenance Bond.

**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 does hereby accept the Maintenance Bond issued by DeSantis Construction, Inc. in the amount of \$18,894.95 for the Port Morris Area, Spring Lane and Lake Street Pavement Reclamation Project.

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 063-17**

**A RESOLUTION AUTHORIZING SIGNING OF A RIDER  
AGREEMENT TO THE SEWER SERVICE CONTRACT  
BETWEEN THE MUSCONETCONG SEWERAGE  
AUTHORITY AND THE BOROUGH OF STANHOPE.**

**WHEREAS**, the Borough of Stanhope is a member of the Musconetcong Sewerage Authority hereinafter referred at as the “MSA”. Stanhope has a total sewerage treatment capacity allocation at the MSA Regional Sewerage Treatment Plant of 541,000 gallons per day. Byram Township has a service contract with MSA dated April 1, 2004 for 100,000 gallons per day of sewerage treatment capacity at the MSA Plant. Although Byram Township is not a member of the MSA and

**WHEREAS**, Stanhope has preliminarily evaluated its future sewerage treatment needs and has determined there is more than 1,450 gallons per day of Stanhope’s allocation not reasonably anticipated to be needed to serve the property within Stanhope’s borders, making said 1,450 gallons available for transfer to other municipalities; and

**WHEREAS**, Byram has determined that it reasonably anticipates the need for 1,450 gallons per day of sewerage treatment capacity allocation to serve properties within Byram’s borders and

**WHEREAS**, the Stanhope Borough Council therefore agrees to sell and transfer 1,450 gallons per day of Stanhope’s sewerage treatment allocation to Byram Township agrees to purchase and accept the same from Stanhope; and



**WHEREAS**, the Musconetcong Sewerage Authority has prepared a Rider to that Service Contract between it and the Borough of Stanhope providing for an adjustment of the fees owed by the Borough of Stanhope to the Musconetcong Sewerage Authority because of the decrease in the sewer allocation for the Borough of Stanhope;

**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 annexed Rider to that Service Contract between the Musconetcong Sewerage Authority and the Borough of Stanhope.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized to sign the annexed Rider to that Service Contract 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 064-17**

**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 \$479.00 in Current Fund between the 2016 Budget Appropriation Reserves as follows:

CURRENT FUND	From:		To:	
Petroleum	\$	1,075.00		
Police O/E			\$	775.00
Road Maintenance O/E			\$	300.00
	\$	1,075.00	\$	1,075.00

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 065-17**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE  
BOROUGH OF STANHOPE GRANTING APPROVAL TO  
THE AMERICAN LEGION, MUSCONETCONG POST 278  
TO CONDUCT A PARADE ON MEMORIAL DAY,  
MONDAY, MAY 29, 2017**

**WHEREAS**, the Borough of Stanhope received a request from the American Legion, Musconetcong Post 278 to conduct their annual Memorial Day Parade through the Borough of Stanhope; and

**WHEREAS**, said parade is scheduled for Monday, May 29, 2017 to begin at 1:00 p.m. at the College Road School in Netcong and end at the American Legion, Musconetcong Post 278 on Route 183 in Stanhope.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, hereby grants approval to the American Legion, Musconetcong Post 278 to hold a parade on Memorial Day, Monday, May 29, 2017 to begin at 1:00 p.m. at the College Road School in Netcong and end at the American Legion, Musconetcong Post 278 on Route 183 in Stanhope.

**Resolution 066-17**

**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. 2016-017, representing 2015 property taxes and/or utility charges on Block 11501, Lot 2 C0030, known as 330 Alpine Court, assessed to Christopher Baulier, 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 PC6, Sterling National 50 South 16 <sup>th</sup> St, Suite 2050 Philadelphia, PA 19102		
Redemption Amount:	Tax Title Lien #2016-017 and		
	Interest to Date of Meeting	\$	1,096.21
	Premium Paid by Lienholder		<u>1,200.00</u>
Total From Current Fund:	\$	1,096.21	
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.

On motion by Councilman Romano, seconded by Councilman Thornton 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 067-17**

### **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 February 28, 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 Councilman Thornton 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

## **ATTORNEY'S REPORT**

Ms. Leo stated she has current litigation to discuss in executive session.

## **CITIZENS TO BE HEARD**

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

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

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

On motion by Councilman 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 7:35 P.M.

### **RETURN TO OPEN SESSION**

At the conclusion of the Closed Session, the Mayor and Council reconvened the public meeting at 7:40 P.M. with all present.

### **ADJOURNMENT**

On motion by Councilwoman Kuncken, seconded by Councilwoman Zdichocki, and unanimously carried by voice vote the meeting was adjourned at 7:40 P.M.

Approved:

Linda Chirip  
Deputy Clerk for  
Ellen Horak, RMC  
Borough Clerk