

**MAYOR AND COUNCIL
WORK SESSION AND
AGENDA MEETING
July 11, 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 Thistleton – present
Councilwoman Kuncken - present	Councilman Thornton – absent
Councilman Romano – present	Councilwoman Zdichocki – present

Mayor Maio – present

ANNOUNCEMENT

Mayor Maio stated she is pleased to announce the Borough was notified this afternoon that the TAP Grant has been awarded in the amount of \$860,000. The grant will provide lighting along the paths and Sparta Road as well traffic calming features for Sparta Road. In combination with the previous grant received of \$180,000 this provides the Borough with \$1,000,000 for improvements for that section of town. Administrator McNeilly stated the program awarded \$19 million in grants and Stanhope Borough received the largest award for Sussex County. Administrator McNeilly stated this may be why the Borough did not receive the crosswalk grant. Mayor Maio stated everything the Borough has requested, except for the crosswalks, has been granted. Mayor Maio congratulated Administrator McNeilly, Borough Engineer Eric Keller and the staff at Millennium Strategies. Administrator McNeilly stated being able to walk from Delaware Avenue to the High School and from Dell Place and Highpoint up to the school with lights on will be a great improvement. Mayor Maio stated the work will be done next year.

ADMINISTRATOR'S REPORT

Lakeside Park – Administrator McNeilly stated the rope for the parking area of Lakeside Park has arrived. The DPW is preparing the posts for installation.

Mill and Pave Project – Administrator McNeilly stated the DPW has all the prep work complete on Hill Road and Linden Avenue. If the weather permits, McKinley Street will be closed on Wednesday, July 12th, after 9am, to repair the final three catch basins. Residents on McKinley will have access in and out, recycling and mail delivery during the work.

Crosswalks – Administrator McNeilly stated with the resolution authorizing bids, Engineering is looking at an advertising date of July 14th, bid opening on July 27th and possible award of contract on August 8th.

Tax Bills – Administrator McNeilly stated the Tax Collector has provided a memo with regard to the tax bills. The Governing Body received a copy of the memo. The letter states, due to the State of NJ delay, the County has not provided a tax rate which will delay the mailing of the tax bills. The movement of numbers on the school side resulted in Lenape Valley gaining funds and Stanhope School lost funding. Due to the delay, the Borough has to extend the grace period for payment. Administrator McNeilly stated Dana Mooney, Tax Collector, will prepare a resolution for the July 25th meeting. Notices advising the residents of this change will be placed at Borough Hall, on the website, voice mail system and Nixle.

Stanhope School – Administrator McNeilly stated Stanhope School has requested assistance to remove tires from the Tire Playground at Linden Avenue. Administrator McNeilly stated he and Jason Titsworth, Acting DPW Superintendent, have estimated the project will require one day of machine time and two workers. Administrator McNeilly advised the Business Administrator of the school that the decision would have to be made by the Governing Body. The school will be responsible for the disposal of the tires. The disposal costs, even at SCMUA for the municipality, are approximately \$2,000. The Borough does not have the capability of transporting the tires to SCMUA. Administrator McNeilly has suggested the school have a dumpster brought in to dispose of the tires. A date for the removal has not been set.

Mayor Maio asked the Governing Body for their input. Councilman Depew stated he is in favor of assisting but the work should not be done until the end of the summer or early Fall. Councilwoman Zdichocki stated the building has not been used as a school for a very long time and asked who is responsible for the building. Mayor Maio stated the building is owned by the school. Councilwoman Zdichocki stated she is opposed to assisting with the work. Councilman Romano stated he is opposed. Councilwoman Thistleton and Councilwoman Kuncken stated they do not have a problem with assisting. The results of the poll: 3 in favor, 2 against. Mayor Maio advised Administrator McNeilly that the DPW can assist the school with the understanding that the Borough is not going to transport the tires under any circumstances and the Borough will not store them.

Councilwoman Zdichocki asked Administrator McNeilly if we are going to lose two DPW employees for an entire day. Administrator McNeilly stated it is hard to estimate. There is a base that was installed with the tires and the time needed to remove the structure is unknown. It should not be more than one day. Councilwoman Kuncken stated the municipality has helped the school in the past and she is of the opinion it is good to help the community.

Downtown Parking Lots – Administrator McNeilly stated the Governing Body had requested input from the Police Chief regarding the possible changing of the permit requirements for the parking lots. Administrator McNeilly stated the Police Chief has indicated he sees no issues which will affect the Police Department and Enforcement. Mayor Maio stated she is of the opinion the Governing Body had decided, that as long as the Police Chief did not have any issues, the parking permits would be eliminated as of January 1, 2018 and the new hours will be posted at that time. Mayor Maio asked Ellen Horak, Borough Clerk, to have the ordinance placed on the agenda in September.

Delaware Avenue / Speed Concern – Administrator McNeilly stated the Police Chief is having a police car present in the area for speed limit enforcement. Borough Engineer, Eric Keller, is reviewing the site for compliant signage and striping.

SCMUA – Mayor Maio stated she received an electronics flyer from SCMUA and asked if the event is open to the public. Administrator McNeilly confirmed this event is open to the public on July 22nd. Residents are permitted to bring five electronic items. Administrator McNeilly stated he has asked Renee at SCMUA to send him the information electronically to place on the website and to send out notices in Nixle and Facebook. This event is scheduled four times a year for free. Residents can bring electronics to SCMUA all year long but there is a charge. Councilwoman Zdichocki asked if SCMUA will clear donated cell phones. Mayor Maio stated data must be cleared prior to dropping the items off.

WORK SESSION

Sussex County League of Municipalities Meetings (Attendance) – Mayor Maio stated the Sussex County League of Municipalities will be starting up again. In the past the arrangement was three members of the Governing Body could attend on a rotating basis and the cost was covered by the Borough. If a Governing Body member wanted to attend when it was not their turn, they could

do so but had to cover the cost on their own. The meetings for 2017 will be held at the Mohawk House on September 21st, October 19th and December 14th. There are six dates scheduled for 2018. Mayor Maio asked the Governing Body how they would like to handle attendance. The Governing Body agreed to have three members attend on a rotating basis and if anyone would like to attend when it is not their turn, they may do so by covering the cost on their own. The Clerk stated she will provide the Governing Body with the schedule.

Resolution Supporting Assembly Bill 4532/Senate Bill 3049 Amending the Open Public Records Law – Mayor Maio stated a resolution in support of the Open Public Records Law Assembly Bill 4532/Senate Bill 3049 would be in support to limit private information being released on residents through OPRA requests. The Clerk stated the Bill also limits reimbursement on attorney fees. Mayor Maio stated she would like to have the resolution of support added to the agenda for the next meeting. The Governing Body agreed.

NJLM Request for Resolution of Support - Mayor Maio stated she received an email from the NJLM requesting the Borough adopt a resolution of support for the extension of the 2% cap on salaries. Mayor Maio will forward a copy of the sample resolution to the Administrator and the Clerk. Mayor Maio stated she would like a resolution of support added to the agenda for the next scheduled meeting.

Defibrillator – Administrator McNeilly stated page 3 of his Administrator’s Report contains information relative to the proposed donation of the defibrillator. Administrator McNeilly stated he spoke with the manufacturer. The defibrillator was manufactured in 2010. No service codes or service problems have been reported. The current battery is dead and a replacement will cost \$169.00. The current pads need to be replaced at a cost of \$59.00 each. The vendor who services the units for the Police Department has the parts in stock. The unit to be donated originally sold new for almost \$1,600.00. This particular unit is still manufactured and supported by the manufacturer. The manufacturer suggested the battery be replaced and then they will send a chip to check the software and it will pull information from the unit for review and they will provide a report. Administrator McNeilly stated he mentioned to the representative the door on the unit is stuck. The representative informed him when the unit is manufactured it is done so under a vacuum. The door being stuck means the unit has never been opened. This unit has the verbal and video feature to guide the user with the correct process. Mayor Maio asked if the unit can be serviced on the same schedule as the units in the Police Department. Administrator McNeilly confirmed this and stated the Police Chief is aware of it. Councilwoman Zdichocki stated she is donating it to the Municipal Building Office, not the Police Department. Administrator McNeilly stated this unit is not the type which should be in a vehicle. Administrator McNeilly stated if the Governing Body is in favor of accepting the donation, a resolution must be adopted. Councilwoman Kuncken asked if it would be necessary to have someone from the Ambulance Squad look at the unit. Administrator McNeilly stated it is not necessary. Once the battery is replaced the unit will be tested. Mayor Maio stated once the test is complete, if there are any issues, the Borough will not use the unit. Mayor Maio asked the Governing Body if they wish to accept the donation. The Governing Body agreed to proceed with the donation. Mayor Maio asked the Clerk to prepare the resolution accepting the donation to be placed on the next agenda.

NEW BUSINESS

RESOLUTIONS

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

Resolution 127-17

RESOLUTION AUTHORIZING PUBLIC BIDDING FOR MAIN STREET PEDESTRIAN CROSSWALKS RECONSTRUCTION

WHEREAS, the Borough of Stanhope has determined to undertake the reconstruction of Pedestrian Crosswalks on Main Street; and

WHEREAS, the scope and extent of the work requires that the work be publically bid pursuant to the Local Public Contracts Law; and

WHEREAS, the Borough Engineer has prepared bid plans and specifications for bidding pursuant to the Local Public Contracts Law for the proposed work; and

WHEREAS, the Governing Body wishes to proceed with the proposed reconstruction of Pedestrian Crosswalks on Main Street as designed by the Borough Engineer;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope that the Borough shall publically bid for the reconstruction of Pedestrian Crosswalks on Main Street with bids to be received on a date to be determined by the Borough.

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 – absent
Councilman Romano - yes	Councilwoman Zdichocki – yes

Resolution 128-17

RESOLUTION TO SUPPORT SUSSEX COUNTY C.L.E.A.R PROGRAM - COMMUNITY LAW ENFORCEMENT ADDICTION RECOVERY

WHEREAS, it is well-established that drug use and addiction is a major problem that impacts all of us on multiple levels; individuals, families and communities bear the many ill-effects that it has on our safety, health and the economy; and

WHEREAS, the alarming reality of the heroin/opiate epidemic, in particular, has created an urgent need to work together to reverse these trends; and

WHEREAS, one in three people are affected by substance use disorders, no matter their occupation, income level, race or community status; and

WHEREAS, in 2015 there were 25 overdose deaths in Sussex County due to heroin, prescription medications and illicit substances, as well as 44 overdoses where Narcan was used to revive a person; and

WHEREAS, we recognize that for any anti-drug program to be effective, strong enforcement must be supported by an effort to reduce the demand for illegal substances and this is best accomplished through continued prevention education along with improved access to treatment and recovery support;

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, that we do hereby resolve our community's support of the Sussex County C.L.E.A.R. — Community Law Enforcement Addiction Recovery program, whose mission it is to form a collaborative network of professionals in our community who will facilitate medical intervention, improved access to treatment and recovery support for those struggling with drug addiction who seek assistance, without fear of arrest or prosecution, in order to make a positive difference in the quality of life for individuals, families and our entire community; and

BE IT FURTHER RESOLVED, that the Stanhope Borough Council urges other Sussex County Municipalities to similarly adopt resolutions in support of the Sussex County C.L.E.A.R Program and for individuals to visit www.clearprogram.org to learn more and join in support of this important community program.

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

PAYMENT OF BILLS

Resolution 129-17

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 July 11, 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 – absent
Councilman Romano - yes	Councilwoman Zdichocki – yes

AGENDA ITEMS

All items listed on the Agenda for July 25, 2017 were approved.

CITIZEN'S 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.

Steve Brummer, 14 Lawrence Avenue, stated at a previous Council Meeting there was a discussion regarding Trestle Park and a parking area to be established off of Canfield Street. Mayor Maio stated the intention is to obtain an environmental study of the park to determine what, if anything, can be done with it. Mr. Brummer stated he circulated a letter to the neighbors asking for their feedback to find out their feelings regarding the park. Roughly 20% of the neighborhood responded back to him. The responses are overwhelmingly opposed to the parking area. Some people are in favor of the trails, most are not. Mr. Brummer stated he wanted to bring these results to the attention of the Governing Body.

Mayor Maio stated until the Borough receives an environmental report outlining the restrictions, no decision will be made. If the determination is that the Borough is going to do something with trails, we will move from there. The trails and park land are for the entire community, not just the neighborhood. Councilwoman Zdichocki asked what the specific concerns are with the park. Mr. Brummer stated safety is the main concern. This area is located near the train tracks and there is concern about motorcycles and dirt bikes. Mayor Maio stated at the previous meeting the Governing Body indicated they do not want any motorized vehicles in the area. Mr. Brummer stated the restriction will have to be enforced which will be difficult due to the proximity to the train tracks. Mayor Maio stated restrictions will be put in place and fines established. Mr. Brummer stated there are vagrants in the area as well. There are people spread out living here and there back in the woods and further down the tracks in the area behind what was once the Grand Union. Mr. Brummer stated just the other day he had to call the Police Department regarding a vagrant on the train tracks on Brooklyn Road. The Mayor and Council thanked Mr. Brummer for his input.

John Rogalo, 4003 Waterloo Road, stated it was brought to his attention that Musconetcong Park and Lakeside Park, by ordinance, are open from sunrise to sunset. Statewide, NJDEP, on parkland which with a similar regulation has an amendment in place which is NJ Administrative Code 7:2 State Park's Conduct in Section 2.11 Section O. It states persons engaged in legal Title 23 activities are exempt from sunrise to sunset restrictions. Many people have been catfishing on the lake for many years and bass fishing. This is a nighttime activity. Mr. Rogalo stated he has spoken with Senator Oroho regarding this issue on different State Park property. Mr. Rogalo asked the Governing Body to consider an amendment mirroring the State Statute or Administrative Code. Mayor Maio stated her concern is the State Statute includes hunting. Mr. Rogalo stated hunting is not permitted in those areas anytime. The amendment does state the activity has to be a legal Title 23 activity. Councilwoman Zdichocki asked if lighting has to be provided for safety. Mr. Rogalo stated the State code covers almost a million acres in the State of NJ owned by the DEP. Lighting is a non-issue. A fisherman fishing at night is going to provide his own lighting. Mayor Maio asked the Governing Body if they were in favor of

amending the ordinance as requested by Mr. Rogalo. The Governing Body had no objections. Mayor Maio asked the Clerk to contact the Borough Attorney to draft the amendment to the ordinance. Mayor Maio thanked Mr. Rogalo for bring this issue to the Governing Body's attention.

Alan Bookspan, 1st Assistant Fire Chief Stanhope Borough Fire Department, 10 Towpath Lane, stated he would like to respectfully request a formal meeting with the Safety Committee in regard to purchasing a replacement fire truck for the Fire Department. Mayor Maio stated she is of the opinion the meeting will be scheduled for a date in August. Mr. Bookspan stated he has not received formal notification of a scheduled meeting. Mayor Maio stated Mr. Bookspan will be notified when a meeting date in August is scheduled.

Gil Moscatello, 21 Towpath Lane, stated he would like to make some comments about his "dances with the fox". Mr. Moscatello stated as a citizen he is very pleased with the response from the phone call that he made. By the time Mr. Moscatello hung up with 911, Mr. Bookspan was already at his home. Police Officer Sgt. Hickman arrived two minutes later. These are services provided by the town but what really impressed him was the follow-up. Mr. Bookspan called the following two days to check on him. Sgt. Hickman contacted him the following day to inform him that the fox was caught and when the results of the testing were completed Mr. Moscatello would receive the results directly from the County and that is exactly what happened. The services from the County were well coordinated and happened in a timely fashion. Sometimes we hear complaints and sometimes things get done right. Mr. Moscatello stated the Borough did things right and he just wanted the Governing Body to know he was pleased with all the services he received. Mayor Maio thanked Mr. Moscatello on behalf of the Fire Department and the Police Department. Mayor Maio stated everyone is happy to see that Mr. Moscatello is doing well.

Mark Clawson, 32 Linden Avenue, stated there is a parking problem on Linden Avenue. The home at 34 Linden Avenue appears to have too many people at the home. Mr. Clawson stated he has called the Police several times. Mr. Clawson suggested signage be placed in front of the home. Parking is not permitted on his side of Linden Avenue from the traffic light to the church. Mayor Maio stated this is a Police Department matter. Administrator McNeilly asked if there is a certain time of day when the incident occurs. Mr. Clawson said this occurs at random times mainly after 5:00PM. Mayor Maio stated the Administrator will speak with the Police Chief. Administrator McNeilly stated he will speak with the Chief to get a better understanding of the situation and see if the Police can increase their presence on that stretch of Linden Avenue. Mayor Maio thanked Mr. Clawson for attending tonight's meeting.

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

CLOSED SESSION

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

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

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

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

The Mayor and Council went into Closed Session at 7:40 P.M.

RETURN TO OPEN SESSION

At the conclusion of the Closed Session, the Mayor and Council reconvened the public meeting at 7:50 P.M. with all present.

DISCUSSION

Sussex County CLEAR Program – Councilwoman Zdichocki stated the Sussex County CLEAR Program is looking for representatives from the municipalities to attend their monthly meetings. Councilwoman Zdichocki stated she has attended several of the classes. Councilwoman Zdichocki volunteered to represent the Borough if the Governing Body is interested in sending a representative. Mayor Maio stated she has no objection to having Councilwoman Zdichocki represent the Borough. Councilwoman Zdichocki would then bring the information back to the Governing Body for discussion or for any decisions to be made. The Governing Body agreed.

ADJOURNMENT

On a motion by Councilwoman Kuncken, seconded by Councilwoman Zdichocki, and unanimously carried by voice vote the meeting was adjourned at 7:52 P.M.

Approved:

Linda Chirip,
Deputy Clerk for
Ellen Horak, RMC
Borough Clerk