

**MAYOR AND COUNCIL
REGULAR MEETING
September 26, 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 – absent
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.

Wayne Levante, 5 East Stuart Street, Newton, Mayor of Newton. Mr. Levante stated he has been visiting municipalities throughout the county asking for support for a consolidated school system. Tonight he is making an unexpected stop here to answer any questions the Governing Body may have. Mr. Levante gave a background of his credentials and outlined the resolution for consolidation that he is proposing. Mr. Levante is of the opinion there is too much overhead and administration. Mr. Levante read a report from Illinois 2016 regarding savings obtained from consolidation. A copy of the report was given to the Clerk. Mr. Levante is asking for support in order to provide a study and to contact the state legislature.

Mayor Maio stated the resolution was discussed by Stanhope's Governing Body at their last meeting and it was determined there is no support at this time for the resolution. Mr. Levante stated at this time there are 7 municipalities supporting the resolution. If more than half of the county supports the resolution, they will move forward. Mr. Levante thanked the Governing Body and stated he will keep them informed in case they change their minds. Mayor Maio thanked Mr. Levante.

Tim Nicinski, Stanhope School Superintendent, thanked the Governing Body for the support which has been given to the school. The DPW does great work keeping the roads clear during inclement weather which enables school to be open. The Police Department and crossing guards help getting the children to and from school safely. The school had two broken playgrounds, one at Valley Road School and one on Linden Avenue. The Borough was able to provide manpower and equipment to help remove the playgrounds. Mr. Nicinski stated he is incredibly thankful. Mr. Nicinski stated the playgrounds are used during school hours but they are also utilized by the community throughout the year and by the summer camp program. Mr. Nicinski asked the Governing Body to consider placing funds in the Recreation budget for the coming year to assist with funding a new playground. The majority of the funding for the playground will come from

the Board of Education general budget. Mr. Nicinski stated he has also met with the Rotary Club in an effort to partner with them as well.

Mayor Maio stated at this time there is no money available. The 2018 budget has not been discussed as yet. Mayor Maio stated in order to even consider the request more information would be required. The Borough's Recreation budget does not include equipment purchase. Purchases of that type are funded through the Borough's operating budget. Mr. Nicinski stated the school has looked into the possibility of placing a public question on a future ballot. The cost for the playground could cost anywhere between \$30,000 - \$51,000. The system the school is interested in costs approximately \$40,000 and the school has approximately \$25,000. They are looking for partners to contribute the balance of \$15,000. The goal is to be able to install the new system in the summer of 2018. Mayor Maio asked if the school has to go to bid for the system. Mr. Nicinski stated the school belongs to a consortium which will provide multiple vendors to consider. Mayor Maio stated this is a subject which would have to be discussed during budget time. The Borough has, in the past, provided in kind services. Councilwoman Kuncken asked Mr. Nicinski if there is an option to purchase the base equipment and add to it over the years. Another option would be to announce the plan to the community and provide a way for people to donate in memory of someone or to contribute. Mayor Maio stated the community has been very giving under those circumstances in the past. Administrator McNeilly asked Mr. Nicinski to put his request in writing for discussion during the budget process. Councilman Thornton stated the equipment has to be installed by a specific contractor in order for the warranty to be valid.

Mr. Nicinski stated he will be retiring on January 1st. Mr. Nicinski stated it has been great working with everyone. Mayor Maio and the Governing Body stated they are sorry to hear Mr. Nicinski is leaving and that he has done great things during his time here. They all wished him well.

Michael Obremski, JCP&L, 13 Rich Boynton Road, Dover, stated the lights have been removed from Main Street as requested. Mr. Obremski stated he has been with the company 31 years and will be retiring in March. Mayor Maio stated she is speaking on behalf of everyone with confidence that Mike has been super to work with. The Governing Body thanked Mike for all he has done. Mr. Obremski stated he will be back before he retires.

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

MINUTES FOR APPROVAL

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

August 8, 2017	Work Session/Agenda Meeting
August 22, 2017	Business Meeting

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 Kuncken, seconded by Councilwoman Zdichocki 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 report for August lists 8 calls, 54 man hours, 4 special details and 1 meeting for a total of 272.5 hours.

Councilwoman Kuncken stated the County Fire Marshal reported no violations or complaints for the month.

Councilwoman Kuncken stated the Police Department for the month reported a total of 216 calls.

Councilwoman Kuncken stated the June report for the Ambulance Squad lists 22 calls in Stanhope, 32 calls in Netcong, 1 standby for a total of 55 calls. There were 2 out of town calls in Byram Township and 4 out of town calls in Hopatcong Borough. There were 46 patients treated, 36 trips to the hospital for a total of 281 hours and 8 minutes for the month. There was one assist from the Fire Department. Councilwoman Kuncken stated the July report indicates there were 17 calls in Stanhope, 38 calls in Netcong and 2 standbys for a total of 57 calls. There were 3 out of town calls in Byram Township and 3 out of town calls in Hopatcong Borough for a total of 6. They treated 50 patients, made 41 trips to the hospital for a total of 287 hours and 6 minutes for the month.

Finance & Administration – Councilman Romano/Councilwoman Kuncken

Councilman Romano stated the tax collections for the month of August totaled \$2,554,881.97. The year to date total is \$8,884,619.07. The Borough has collected 98.6% of the first quarter and 97.62% of the second quarter.

Councilman Romano stated the water collections for the month of August totaled \$17,644.29. The year to date total is \$341,523.31. The sewer collections for the month of August totaled \$27,222.53. The year to date total is \$483,456.31.

Community Development – Councilwoman Zdichocki/Councilman Thornton

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

Councilwoman Zdichocki stated she did not receive a report for the Zoning Official this month.

Councilwoman Zdichocki stated she is in the process of scheduling a Clean Communities meeting to discuss the banners and some other issues.

Municipal Infrastructure – Councilman Thornton/Councilwoman Zdichocki

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

Councilman Thornton stated the crosswalk treatments are being installed and should be completed by the end of the week. Administrator McNeilly stated the contractor will be back to paint the white stripes.

Information Technology – Councilmen Depew/Romano

No report was given.

Boards/Commissions – Councilwoman Thistleton/Councilman Depew

Councilwoman Thistleton stated the Sands Bus Trip will be held on October 21st and the Halloween Parade will be coming up on October 28th.

Mayor Maio stated a bill has been received from Hopatcong Borough for Animal Control Services. Included in the bill is treatment for a cat for a total cost of \$406.95. Mayor Maio stated she is assuming the Borough has paid this but the report lists the name of the cat's owner. Mayor Maio asked why the cat's owner was not contacted prior to treatment. Councilman Romano stated this issue was discussed at the Board of Health meeting. There is uncertainty as to the chain of contact and the Board of Health is not sure if this can be pursued after the fact. The Borough's contract with Hopatcong Borough makes Stanhope Borough responsible for the bill but Stanhope's ordinance does not provide the ability to go back to the owner to recover the costs. Councilwoman Thistleton stated the issue is still being researched. Ms. Leo, Borough Attorney, stated if someone did not consent to the treatment it would be hard to keep them responsible. Ms. Leo stated the contract and the ordinance should be reviewed. Administrator McNeilly stated the housing of the animal also needs to be addressed. Councilman Romano stated the Borough has a month to month contact at this time. Mayor Maio stated the contract will need to be renewed in the future and perhaps a provision will need to be added to the pet licensing document. Administrator McNeilly stated when the second contract was signed the Borough added that after day 8 of housing the animal, the Borough is no longer responsible. The shelter is a no kill facility and stray animals could be held indefinitely. Mayor Maio asked Ms. Leo to review the ordinance and contract.

ADMINISTRATOR'S REPORT

Lake Musconetcong Regional Planning Board (LMRPB) – Administrator McNeilly stated he and Jason Titsworth, Acting DPW Superintendent, met this morning with Bob Hathaway and Earl Riley from the LMRPB. A work plan has been set up for relocating the conveyer from Port Morris Avenue to Musconetcong Park. Work will continue until the end of October and then the equipment will be removed prior to the lake draw down. Administrator McNeilly stated there is concern the dumpster may be too heavy. This will be monitored. Mayor Maio stated the LMRPB has discussed the issue and they are assuming drainage will keep the dumpster from becoming too heavy.

2017 Tax Sale – Administrator McNeilly stated the Tax Sale is scheduled for Tuesday, October 24th. The CFO was happy to note that the outstanding lines are down by almost 1/3. Last year the tax list contained 123 line items and had 92 line items at time of printing. This year's list started with 85 line items and as of today the list has been reduced to 58 line items going to print. In 2016 there was \$145,000 in unpaid water, tax and sewer. This year the total is \$68,600. The economy is getting better and those that are in trouble are having the bills paid by their lien holder or mortgage companies. This year's tax sale is approximately 25 days behind the usual schedule due to the delay of the State budget this year.

Mayor Maio stated she has noticed some of the municipalities are conducting their tax sales online. Mayor Maio asked Administrator McNeilly to look into the online option and provide the Governing Body with information for the future. Administrator McNeilly will discuss the option with the CFO.

13 Delaware Avenue and 5 Ridge Road – Administrator McNeilly stated complaints have been prepared for both properties. Administrator McNeilly stated he is waiting for a hearing date from the Construction Official. Ms. Leo, Borough Attorney, outlined the procedure required to deem the building unfit or for repairs to be completed. Administrator McNeilly stated 13 Delaware Avenue has a mortgage and an outside lien against it. Administrator McNeilly asked Ms. Leo if work is done on the house, where does the municipal lien fall. Ms. Leo stated municipal liens are first on the list. Administrator McNeilly stated 5 Ridge Road is a HUD home. Ms. Leo stated she will have to look into that situation.

Mayor Maio asked why the same procedure has not been implemented for the house on Route 206 and the one on Kelly Place. Administrator McNeilly stated the property on Route 206 has construction permits which have been issued. The property on Kelly Place is occupied. Ms. Leo stated the Borough would have to help the displaced person find new housing by state statute. Mayor Maio asked what the Borough's liabilities are if the house collapses. Ms. Leo stated the Borough has all the Tort immunities. Administrator McNeilly stated the property has been noticed, inspected, notice of violations have been issued, there has been constant contact with the mortgage company and the property owner. Citations have been issued against the property owner. Mayor Maio asked Administrator McNeilly to ask the Construction Official to make an inspection on the progress of the Route 206 property and to provide a written report. Mayor Maio asked the Clerk to add this to the agenda for the next scheduled meeting. Discussion took place regarding mailing addresses for the properties of 13 Delaware Avenue and 5 Ridge Road.

Eye Care Reimbursement – Administrator McNeilly stated he previously distributed a memo regarding the eye care reimbursement and asked for the Governing Body's input. Mayor Maio stated the DPW contract was negotiated with an eye care reimbursement of \$225 per year, per family. Currently other employees are reimbursed \$175 per year, per family. If everyone participates in the reimbursement the total cost to the Borough would be approximately \$800. Mayor Maio stated if the Governing Body approves the increase, she recommends making it effective as of January 1st, due to the fact some people have already submitted their claim for the year and would be resubmitting for the additional amount. Administrator McNeilly stated the reimbursement is not a procedural problem. Councilwoman Kuncken stated she is of the opinion the reimbursement should be increased for the employees. Administrator McNeilly stated often times employees submit multiple requests throughout the year for reimbursement until they reach the \$175. The Governing Body agreed to increase the eye care reimbursement to \$225 to take effect January 1, 2018. Mayor Maio asked that a memo be sent to the employees notifying them of the change. Administrator McNeilly will prepare the resolution for the policy change.

October 10th Council Meeting – Administrator McNeilly stated Eric Keller, Borough Engineer, will be attending the October 10th meeting to provide updates on the Borough projects. Mayor Maio stated the October 10th meeting will begin at 6pm.

October 24th Council Meeting – Administrator McNeilly stated the Musconetcong Watershed Association's annual Stormwater Education Program will be presented at the October 24th meeting.

Budget 2018 – Administrator McNeilly stated by September 29th all operating and capital requests are due to the CFO. In early October the budget books will be prepared. Last year's budget books need to be returned to the CFO. On October 23rd budget books should be distributed to the Council. On December 12th the Tax Assessor and the Auditor will make their presentations.

Email – Administrator McNeilly stated the emails have been set up for the Governing Body. Administrator McNeilly asked the Governing Body, once the emails are activated, to send him an email to confirm the emails are activated.

Ventrac – Administrator McNeilly stated the 4 wheel drive Ventrac machine was received last Monday. The instruction video and service manuals have been viewed and the equipment was used in the retention basin on Sagamore and works great. It can handle some severe angles and Lou, DPW, has taken a great interest in it. Mayor Maio stated Lou has watched every video available and has experience with it. The DPW will work their way through all the retention basins. Administrator McNeilly described the work the Ventrac is capable of.

COUNCIL DISCUSSION

Tie A Ribbon Campaign – Mayor Maio stated the ribbons have been delivered. Anyone available will meet at Borough Hall at 9:30 on Friday.

Best Practice Checklist – Mayor Maio stated everyone has received a copy of the Best Practice Checklist and asked if there were any questions. There were no questions. Mayor Maio asked Administrator McNeilly to let the CFO to move forward with the checklist.

Resolution Expressing Opposition to Legislative Proposals Regarding S-1045 OPMA and S-1046 OPRA – Mayor Maio stated everyone received a copy of the resolution expressing opposition to the legislative proposals. Mayor Maio has concern over many of the issues. The requirements are stretching the original intent of OPRA. The Governing Body agreed to adopt a resolution expressing their opposition. Mayor Maio asked the Clerk to prepare the resolution for the next meeting.

TAP Grant – Mayor Maio stated Eric Keller, Borough Engineer, is not present and therefore this topic will be carried to the next meeting.

NEW BUSINESS

ORDINANCES

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

Ordinance for Introduction [Public Hearing on October 24, 2017]

Ordinance 2017-08

**AN ORDINANCE OF THE BOROUGH OF STANHOPE,
COUNTY OF SUSSEX, NEW JERSEY AMENDING
ORDINANCE 2017-02 FIXING THE SALARY AND WAGES
FOR BOROUGH EMPLOYEES AND OFFICIALS**

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

SECTION 1. The annual salary, wage and compensation to be paid to Borough Employees and Officials as contained in Section 1 of Ordinance 2017-02 is hereby amended to add the following position and following salary:

Acting DPW Superintendent: \$66,000.00

SECTION 2. The annual salary, wage and compensation to be paid to Borough Employees and Officials as contained in Section 1 of Ordinance 2017-02 is hereby amended to the following amounts per annum:

Water System Operator: \$5,250.00
Sewer System Operator: \$5,250.00

SECTION 3. This Ordinance shall become effective immediately upon final adoption and publication as required by law.

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

Roll Call:

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

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

RESOLUTIONS

Resolution 151-17

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. 2016-006, representing 2015 property taxes and/or utility charges on Block 11007, Lot 2, known as 44 Brooklyn Road, assessed to Richard Hein & L Dempsey-Hein, 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 th St, Suite 2050 Philadelphia, PA 19102
Redemption Amount:	Tax Title Lien #2016-006 and Interest to Date of Meeting \$ 1,480.60 Premium Paid by Lienholder _____ 0.00
Total From Current Fund:	\$ 1,480.60
Total From Tax Premium Account	0.00

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 voice vote, the foregoing resolution was duly adopted.

Resolution 152-17

**RESOLUTION ACCEPTING DONATION FROM THE
STANHOPE/NETCONG ROTARY CLUB**

WHEREAS, the Stanhope Borough Police Department provides programming, including the Gang Resistance Education and Training (“GREAT”) program at the Borough’s grammar school; and

WHEREAS, as part of the GREAT program, the Police Department rewards the participating students with prizes; and

WHEREAS, the Stanhope/Netcong Rotary Club has agreed to graciously donate \$500.00 to the Borough of Stanhope for use by the Borough to apply against the costs of the prizes for the GREAT program; and

WHEREAS, N.J.S.A. 40A:5-29 authorizes the Borough to accept gifts such as the donation being made by the Stanhope/Netcong Rotary Club.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the \$500.00 donation from the Stanhope/Netcong Rotary Club is hereby accepted and shall be utilized for the purpose of purchasing the prizes to be used for the Borough of Stanhope’s Police Department’s GREAT program.

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

PAYMENT OF BILLS

Resolution 153-17

**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 September 26, 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 – absent
Councilwoman Kuncken – yes
Councilman Romano - yes

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

ATTORNEY’S REPORT

Ursula Leo, Borough Attorney, stated the dilapidated properties have already been discussed and Mid American Salt will be discussed 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 – Contract
 - 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 Zdichocki, and unanimously carried by voice vote, the foregoing resolution was adopted.

The Mayor and Council went into Closed Session at 8:00 P.M.

RETURN TO OPEN SESSION

At the conclusion of the Closed Session, the Mayor and Council reconvened the public meeting at 8:10 P.M. with all present.

ADJOURNMENT

On motion by Councilwoman Thistleton, seconded by Councilman Thornton, and unanimously carried by voice vote the meeting was adjourned at 8:10 P.M.

Approved:

Linda Chirip
Deputy Clerk for
Ellen Horak, RMC
Borough Clerk