

**MAYOR AND COUNCIL
REGULAR MEETING
May 22, 2018
7:00 P.M.**

CALL TO ORDER

SALUTE TO COLORS

Council President Thornton 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 3, 2018 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:

Councilwoman Kuncken – present	Councilwoman Thistleton - present
Councilman Riccardi - present	Councilman Thornton - present
Councilman Romano – present	Councilwoman Zdichocki - present

Mayor Maio – absent

CITIZENS TO BE HEARD

Council President Thornton opened the meeting to the public after advising attendees there is a five (5) minute time limit for each speaker.

Tom Bruno, owner of the Whistling Swan on Main Street, came forward and expressed concern with the poor condition of some of the properties in the immediate vicinity of his business. He wrote a letter to Arlene Fisher, Code Enforcement Official, last year and informed her of the properties. Photographs of the properties were attached to his letter. Mr. Bruno said guests of the Whistling Swan are appalled by the look of the properties and some have asked if it was safe to walk the Borough of Stanhope. Mr. Bruno requested the Borough's building code be enforced and that the most dilapidated structures be demolished. Mr. Bruno read the properties he included in his letter which were: 12 King Street, 7 Kelly Place, 5 Kelly Place, 3 Plane Street, 15 New Street and 104 Main Street, all which are in some form of disrepair. He received a response from Arlene Fisher advising that some of the issues are being addressed and some are new that she was unaware of but will inspect. Mr. Bruno said on December 11, 2017, Arlene sent him an email stating she would let him know when notices were sent to the property owners, but as of today he has not heard anything and to date, the properties are in the same or worse condition. Mr. Bruno stated the condition of these properties is hurting his business and he would like to have something done about them. Council President Thornton stated he attempted to speak to Arlene Fisher about this issue this week; however, she is on vacation so he will follow up with her next week.

Seeing no one further from the public wishing to speak, Council President Thornton closed this public portion of the meeting.

MINUTES FOR APPROVAL

Council President Thornton read aloud the list of minutes being presented for approval:

April 10, 2018	Work Session/Agenda Meeting & Closed Session
April 24, 2018	Business Meeting & Closed Session

On motion by Councilman Romano, seconded by Councilwoman Kuncken and carried by voice majority vote, the above listed minutes were approved. Councilwoman Zdichocki abstained from the April 24, 2018 minutes.

CORRESPONDENCE (List Attached)

On motion by Councilwoman Kuncken, seconded by Councilman Riccardi and unanimously carried by voice vote, the list of correspondence was accepted and ordered placed on file.

COUNCIL COMMITTEE REPORTS

On motion by Councilwoman Kuncken, seconded by Councilwoman Thistleton and unanimously carried by voice vote, the Council Committee Reports were waived.

Public Safety – Councilwomen Kuncken/Thistleton

(Police, Fire, Ambulance, Court & Violations Bureau, Emergency Management)

Finance & Administration – Councilman Romano/Councilwoman Kuncken

Community Development – Councilwoman Zdichocki/Councilman Thornton

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

Municipal Infrastructure – Councilman Thornton/Councilwoman Zdichocki

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

Information Technology – Councilmen Riccardi/Romano

Boards/Commissions – Councilwoman Thistleton/Councilman Riccardi

ADMINISTRATOR’S REPORT

Community Forestry Management Plant – Administrator McNeilly reported the Borough’s 5-year plan has been approved. The Shade Tree Commission can now apply for the grant to pay for the plan.

Environmental Commission Request (Part 1) – Administrator McNeilly stated the Environmental Commission has requested a Trail Walk Day in conjunction with Stanhope Day. The proposal would be along the Morris Canal. Possible start locations could be at the Environmental Commission’s display table and would be the Basket Ball Courts or on the bridge behind the Post Office at specific times to introduce the walkers to the Morris Canal Trail that runs from Plane Street to the Houdaille Bridge, completing the loop back downtown via the sidewalk on Route 183.

Environmental Commission Request (Part 2) – Administrator McNeilly stated the Environmental Commission is requesting a Trail Maintenance Day in early November. Administrator McNeilly has asked the Commission to provide, in writing, the location and specific scope of the maintenance to determine if the Engineer needs to review the work.

Councilwoman Kuncken expressed concern with the Trail Walk Day overlapping in the areas of Stanhope Day and she asked the hours. Administrator McNeilly responded that depending on how popular, it could be every hour on the hour, but in any event, it would not infringe anything taking place on the street. Councilman Riccardi explained they are looking to have a sign-up sheet for anyone interested. If there are a large number of sign-ups, they will conduct to walk “hour on the hour” and if not, it will be towards the end of the day. Councilwoman Zdichocki expressed concern about walkers wearing proper footwear, noting Stanhope Day is usually warm and people wear flip flops. When signing up, people will be informed that proper footwear must be worn. Administrator McNeilly noted the area for the walk is a relatively easy walk.

Councilman Riccardi explained the Trail Clean-Up Day was left vague in their request because it can be that there is no maintenance needed. It was more a “leaf clean-up” to make sure the trails are visible. Councilman Riccardi added, this will be a low maintenance clean-up. Administrator McNeilly stated the Environmental Commission must give specific information on the location and what is being done.

Councilwoman Zdichocki suggested the Chamber of Commerce be informed of the Trail Walk being conducted during Stanhope Day. Administrator McNeilly will inform the Chamber of Commerce.

Stanhope Spring Festival – Administrator McNeilly reported Council approval is needed for the Main Street Road closure during the event. The road closure time will be from 8:00 a.m. to 6:00 p.m. Additionally, it is requested that 2 DPW workers be authorized to assist on the day, as has been done in the past. On motion by Councilwoman Kuncken, seconded by Councilwoman Zdichocki, and carried by the following unanimous roll call vote, Council authorized the closing of Main Street for the Stanhope Spring Festival between the hours of 8:00 a.m. and 6:00 p.m. and having 2 DPW employees assist on the day of the event:

Roll Call:

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

Resolutions – Administrator McNeilly reported the following resolutions will be on either the June 12th or June 26th meeting for Council consideration:

- Fire Truck Replacement – Waiting for a detail breakout on cost;
- DPW Mason Dump Truck – Through Morris County Co-op – is ready to go;
- Stanhope Netcong Ambulance Rehab – Agreement is ready for review by attorneys and will then be distributed to appropriate parties;
- Stanhope Netcong Ambulance Communication Gear – Waiting for final quote from Ed at Spectrum Communication;
- Engineer Observation – Hickory/Oak/East (RFQ request to Engineer);
- Engineer Design and Observe – Musconetcong/Walton (RFQ request to Engineer);
- Engineer Design, Bid and Observe – Port Morris Pump Station (RFQ request to Engineer).

Administrator McNeilly stated he has asked the Borough Engineer for the Engineer Design on the noted projects and once received, a resolution will be prepared.

Garbage and Recycling Contracts – Administrator McNeilly noted a resolution awarding each contract is on the agenda. He has made arrangements to meet with a representative of Blue Diamond tomorrow at Highpoint Condominium and Stonegate Condominium to discuss transportation of their dumpsters.

WORK SESSION

Memorial Day Parade – Council President Thornton stated an invitation was received to march in the American Legion’s Memorial Day Parade. Councilwoman Kuncken, Councilman Riccardi, Councilwoman Thistleton, Councilman Thornton and Councilwoman Zdichocki will march in the parade. The Clerk will inform the American Legion.

TAP Grant (Sparta Road) – Borough Engineer Eric Keller will be in attendance at the next meeting to provide an update. The only change in status is the wetlands permits have been received for signing by the Mayor.

Flow Meters – Borough Engineer Eric Keller will be in attendance at the next meeting to provide an update. The Administrator informed the governing body that National Water Main Cleaning Co. will be in town to begin the repair within the next two weeks. Jason Titsworth will have his whole crew out on Brooklyn Road tomorrow night to do the section from Lloyd Avenue to Baker Place. They will begin at 10:00 p.m. Administrator McNeilly stated a Nixle alert will be sent out tomorrow.

NEW BUSINESS

RESOLUTIONS

Council President Thornton offered the following resolutions which were read by title:

Resolution 094-18

**RESOLUTION OF THE BOROUGH OF STANHOPE,
COUNTY OF SUSSEX AND STATE OF NEW JERSEY
AUTHORIZING THE EXECUTION OF A SETTLEMENT**

**AGREEMENT WITH POLICE CHIEF STEVEN
PITTIGHER**

WHEREAS, the Borough of Stanhope has been involved in litigation with Police Chief Steven J. Pittigher (hereinafter referred to as the “Chief”) in the matter entitled Police Chief Steven J. Pittigher v. Borough of Stanhope, Docket No. SSX-L-130-18; and

WHEREAS, the Borough of Stanhope and the Chief have been working toward an amicable resolution of the matter between the parties; and

WHEREAS, the Borough of Stanhope and the Chief have come to an agreement as to terms and conditions of settlement; and

WHEREAS, the Governing Body has been apprised of the terms and conditions of settlement and have agreed to a settlement of the matter in accordance with those terms and conditions; and

WHEREAS, the Borough of Stanhope and the Chief hereby acknowledge and agree that the terms and conditions have been reduced to a written Settlement Agreement to be executed by both parties in order to fully effectuate settlement of this matter between the parties.

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

1. The Mayor and Borough Council hereby approve of the proposed Settlement Agreement between the Borough of Stanhope and the Chief.

2. The Borough of Stanhope hereby authorizes the Mayor and Borough Clerk to take whatever steps necessary to finalize a Settlement Agreement with the Chief in the matter entitled Police Chief Steven J. Pittigher v. Borough of Stanhope, Docket No. SSX-L-130-18.

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:

Councilwoman Kuncken – yes

Councilwoman Thistleton - yes

Councilman Riccardi - yes

Councilman Thornton – yes

Councilman Romano - yes

Councilwoman Zdichocki – yes

Resolution 095-18

**RESOLUTION AWARDING EMERGENCY CONTRACT
TO HACH COMPANY FOR DATA DELIVERY SERVICES
RELATED TO WATER LOSS**

WHEREAS, the Borough of Stanhope had entered into a Date Delivery Services Agreement with Hach Company to provide a collection system flow metering network and data services to monitor the Borough’s flow; and

WHEREAS, it has been discovered, based upon the initial data collected, that the Borough is losing over 35,000 gallons of water per day, from a yet unknown source; and

WHEREAS, the Borough of Stanhope declares this extensive water loss to be an emergency, per N.J.S.A. 40:11-6, that requires immediate attention, and further study from Hach Company, which will cost an additional \$6,000; and

WHEREAS, the Chief Financial Officer, Dana J. Mooney, has certified that funds are available.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Stanhope hereby awards a contract to Hach Company for additional testing, totaling \$6,000.

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

Roll Call:

Councilwoman Kuncken – yes

Councilwoman Thistleton - yes

Councilman Riccardi - yes
Councilman Romano - yes

Councilman Thornton – yes
Councilwoman Zdichocki – yes

Resolution 096-18

RESOLUTION AWARDING EMERGENCY CONTRACT TO NATIONAL WATER MAIN CLEANING CO. FOR REPAIRS AND SLIP LINING

WHEREAS, the Borough of Stanhope has discovered, based upon data collected from an on-going study, that the Borough is losing over 35,000 gallons of water per day; and

WHEREAS, the Borough of Stanhope declares this extensive water loss to be an emergency, per N.J.S.A. 40:11-6, that requires immediate attention, and repairs and slip lining to the existing water system are required to halt the loss of water; and

WHEREAS, National Water Main Cleaning Co. has indicated that they can provide the emergency repairs and slip lining at the cost of \$6,000; and

WHEREAS, the Chief Financial Officer, Dana J. Mooney, has certified that funds are available.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Stanhope hereby awards a contract to National Water Main Cleaning Co. for repairs and slip lining, totaling \$6,000.

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:

Councilwoman Kuncken – yes
Councilman Riccardi - yes
Councilman Romano - yes

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

Resolution 097-18

RESOLUTION AWARDING CONTRACT FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE AND BULKY ITEMS

WHEREAS, the Borough of Stanhope heretofore advertised for the receipt of sealed competitive bids for the collection and disposal of solid waste and bulky items; and

WHEREAS, the Borough accepted sealed competitive bids on May 15, 2018 for collection and disposal of solid waste and bulky items; and

WHEREAS, the Borough of Stanhope received one (1) sealed competitive bids from Blue Diamond Disposal, Inc.; and

WHEREAS, the Borough Attorney has reviewed the bids for compliance with the Local Public Contracts Law, NJDEP regulations and the Borough’s bidding requirements; and

WHEREAS, Blue Diamond Disposal, Inc. is the lowest responsive, responsible bidder for the Borough’s request for bids on May 15, 2018; and

WHEREAS, the Township Chief Financial Officer has certified as to the availability of funds.

NOW, THEREFORE, be it resolved by the Mayor and Council of the Borough of Stanhope that the Borough does hereby award a bid to Blue Diamond Disposal, Inc., in an amount not to exceed \$1,170,000.00 for a five (5) year contract for the collection and disposal of solid waste and bulky items, commencing on June 1, 2013 and ending on May 31, 2023.

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

Roll Call:

Councilwoman Kuncken – yes

Councilwoman Thistleton - yes

Councilman Riccardi - yes
Councilman Romano - yes

Councilman Thornton – yes
Councilwoman Zdichocki – yes

Resolution 098-18

**RESOLUTION AWARDING CONTRACT FOR CURBSIDE
RECYCLING COLLECTION AND DISPOSAL**

WHEREAS, the Borough of Stanhope heretofore advertised for the receipt of sealed competitive bids for the curbside collection and disposal of recyclable materials; and

WHEREAS, the Borough accepted sealed competitive bids on May 15, 2018 for curbside collection and disposal of recyclable materials; and

WHEREAS, the Borough of Stanhope received one (1) sealed competitive bid from Blue Diamond Disposal Inc.; and

WHEREAS, the Borough Attorney has reviewed the bid for compliance with the Local Public Contracts Law, NJDEP regulations and the Borough’s bidding requirements; and

WHEREAS, Blue Diamond Disposal, Inc. is the lowest responsive, responsible bidder for the Borough’s request for bids on May 15, 2018;

WHEREAS, the Township Chief Financial Officer has certified as to the availability of funds;

NOW, THEREFORE, be it resolved by the Mayor and Council of the Borough of Stanhope that the Borough does hereby award a bid to Blue Diamond Disposal Inc. in an amount not to exceed \$402,000.00 for a five (5) year contract for curbside collection and disposal of recycling materials, commencing on June 1, 2018 and ending on May 31, 2023.

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:

Councilwoman Kuncken – yes
Councilman Riccardi - yes
Councilman Romano - yes

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

PAYMENT OF BILLS

Resolution 099-18

**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 May 22, 2018 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 Riccardi and unanimously carried by the following roll call vote the foregoing resolution was duly adopted.

Roll Call:

Councilwoman Kuncken – yes
Councilman Riccardi - yes
Councilman Romano - yes

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

ATTORNEY REPORT

Attorney Ursula Leo stated she has no attorney report.

CITIZENS TO BE HEARD

Council President Thornton 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, Council President Thornton closed the public portion of the meeting.

ADJOURNMENT

On motion by Councilwoman Kuncken, seconded by Councilman Romano, and unanimously carried by voice vote the meeting was adjourned at 7:25 P.M.

Approved:

Ellen Horak, RMC
Borough Clerk