

**MAYOR AND COUNCIL
REGULAR MEETING
August 28, 2018
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 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 - absent
Councilman Riccardi - present	Councilman Thornton - present
Councilman Romano – 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.

Kathy Sacchierro, 7 High Street, stated she and her husband are residents of the Borough and for the past 30 years they have had bird feeders in their yard. In the past month, there have been rats on the property. An exterminator has been called to place traps at a cost of \$400. The exterminator will come out one more time and after that each visit will cost another \$95. The exterminator has said there is an infestation of rats. This has never been a problem before. Bell's Mansion and the Stanhope House are located near their home and there was work done on the canal this summer which may have caused the problem. Ms. Sacchierro stated she has contacted Monique McNeilly, Stanhope Board of Health Secretary, and she has spoken with Serena McDonald from the Sussex County Board of Health. Ms. McDonald will inspect the area tomorrow morning. There are children playing in the area and the rats are a danger. The rats are now out in the daytime which the exterminator has said is not something rats typically do. The birdfeeders have been taken down and the neighbors have been notified not to put any food out. Five traps have been placed with poison and the many holes in the ground have had poison placed in them. Ms. Sacchierro stated if the rats keep coming back she doesn't know what they will be able to do and she wanted the Borough to be aware of this very serious health issue.

Mayor Maio stated this is a Board of Health issue. Administrator McNeilly stated rats, like raccoons and opossums are animals of opportunity. Administrator McNeilly asked if anyone in the neighborhood is feeding outdoor cats or dogs which would bring in the other animals. Ms. Sacchierro is of the opinion no one is feeding any outdoor animals. Ms. Sacchierro stated she was told by the Sussex County Board of Health that the Stanhope House and Bell's Mansion are in compliance with the use of the dumpsters. Administrator McNeilly stated the garbage going out on Thursday's needs to be in garbage cans, not in plastic bags placed on the curb. Ms. Sacchierro stated the neighbors all use garbage cans.

Mary Azagra-Monteiro, 10 High Street, stated children are outside often and there is no food outside. There are holes all over Kathy's yard and she is concerned about the fact that the rats are out during the day. Everyone is afraid.

Mayor Maio asked Administrator McNeilly to follow up with the Sussex County Board of Health after the inspection. Ms. Sacchierro stated the inspection is scheduled to take place between 9:00am -9:30am tomorrow morning. Mayor Maio asked Ms. Sacchierro to keep the Administrator informed. Administrator McNeilly stated with the food source removed, the rats should disappear. Ms. Sacchierro stated there are two vacant houses on High Street. Administrator McNeilly stated there is no food source there. The restaurants are doing their part and they do have black boxes near the dumpsters. Administrator McNeilly stated there was an issue with raccoons in another area of town and once the food source was removed the raccoons went away. The Sussex County Board of Health is the lead agency for this issue. Mayor Maio thanked the residents for bringing this issue to their attention. The residents stated they will keep the Governing Body informed of the outcome.

Rana Degil, 4 Delaware Avenue, stated she attended a council meeting over a year ago to voice her concern about the speed the cars are traveling down Delaware Avenue and nothing was done. There are many children who walk on the street to and from school and the cars are still speeding. There are no speed limit signs and no speed bumps. Ms. Degil stated many of the people driving too fast are the parents who are dropping their children off at school or picking them up. Administrator McNeilly stated the Borough Engineer will be reporting on this area later during tonight's meeting. Mayor Maio asked Ms. Degil to wait and see if the Engineer's report addresses her concerns.

Gil Moscatello, 21 Towpath Lane, stated he is speaking tonight on behalf of the Stanhope Board of Education as their President. Mr. Moscatello stated five or six months ago during one of the Superintendent/Board President meetings the topic of shared services was brought up which led to a discussion about regionalizing. A K-12 district would be formed and it would be called Lenape Valley Regional School District K-12. The district would include all the students from Stanhope Borough, Netcong Borough and Byram Township. The School Board has attended several meeting held by Sussex County and attended various conferences. Meetings are now being held with representatives from each of the three districts as well as the County Superintendent and the County Business Administrator. A meeting was held with Senator Oroho to discuss financing and the Senator is in support of the regionalization process. At this time information is being gathered and no decision has been made. In order to proceed, a feasibility study would have to be conducted and the cost for that is approximately \$50,000 - \$60,000 which would be divided among all the schools. Mr. Moscatello stated they are moving forward and finding it quite exciting.

Mayor Maio stated she personally applauds this effort. Mayor Maio stated as a Governing Body she is not aware of what they can do but she is of the opinion that collective they support the School Boards effort. Mr. Moscatello stated he has received similar reactions from other people he has spoken with who have felt it is about time. Before any change could be made, a public vote would be required. Mayor Maio stated by meeting with the other boards and making progress, this is a big step forward. Mr. Moscatello stated there is concern for the sustainability of the schools with the declining enrollment. There is strength in numbers and the driving factor is if we regionalize we can provide a better education for the children than what they are currently receiving. If there happens to be economic benefit so be it. This needs to be done in order to provide a positive and challenging education for all of the students. It's hard to run a band program with only 12 students. Offering Foreign Languages and Algebra I with only 30 eighth grade students is difficult. All the students arriving at Lenape Valley from the three schools need to be prepared with the same skill sets. Mayor Maio asked Mr. Moscatello to keep the Governing Body informed and to let them know if any assistance is needed. Councilwoman Kuncken stated in her opinion it is better to control this issue now on our own as opposed to having someone from Trenton telling us what has to be done in the future. Mr. Moscatello agreed.

Mr. Moscatello stated the State approved to build a referendum for a \$500 million bond for security, lead in water and many other extraneous things, not text books or curriculum based items. Mr. Moscatello stated there are 296 districts in New Jersey under consideration for regionalization. If there are three districts for each regionalization, this would mean that 90 feasibility studies would be required and 90 times \$50,000 is \$5.4million. This was discussed with Senator Oroho. If \$5 million is taken from the \$500 million fund, all of the feasibility studies would be funded and this would take the hurdle away from the districts. Mayor Maio stated the quality of the end product will be better if the districts are able to make the decisions locally. Mayor Maio thanked Mr. Moscatello for attending this evenings meeting.

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:

July 10, 2018	Work Session/Agenda Meeting
July 24, 2018	Business Meeting

On motion by Councilwoman Kuncken, seconded by Councilwoman Zdichocki and carried by voice vote, the above listed minutes were approved. Councilman Thornton abstained from the Work Session/Agenda Minutes of July 10, 2018. Councilman Romano abstained from the Business Meeting Minutes of July 24, 2018.

CORRESPONDENCE (List Attached)

On motion by Councilman Romano, seconded by Councilman Thornton 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 July reported 6 drills including fund drives and out of county. Man hours totaled 262. They had 1 meeting and there were 3 miscellaneous details for a total of 13.75 hours. The total number of activities was 11 and the total number of man hours volunteered was 291.

Councilwoman Kuncken stated Virgil Rome, Sussex County Fire Marshal, has reported there were no inspections conducted for the month of July.

Councilwoman Kuncken stated the Police Department reported 155 motor vehicle stops for the month. The total number of calls for the month was 314.

Councilwoman Kuncken stated the Ambulance Squad for the month of June reported 20 calls in Stanhope, 32 calls in Netcong and 1 standby for a total of 53 calls. There was one out of town call to Byram. The total number of calls was 54. A total of 33 patients were treated with 27 trips to the hospital, for a total of 711 miles. The volunteer hours totaled 140 hours and 3 minutes.

Councilwoman Kuncken stated the Ambulance Squad for the month of July reported 31 calls in Stanhope, 24 calls in Netcong and 2 standbys for a total of 57 calls. There was one out of town call to Byram and one to Hopatcong. A total of 41 patients were treated with 32 trips to the hospital, for a total of 1,077 miles. The volunteer hours totaled 187 hours and 26 minutes.

Councilwoman Kuncken stated, along with the Public Safety reports tonight, the Council members received an email from the Administrator regarding an update on the Fire Departments grant application. The Fire Department has been approved to move on to the next step which is the application phase. The deadline is Friday, September 14th. The correspondence indicates they are hoping to have a final decision by November 15th. Millennium Strategies, the Borough's Grant Writer, is assisting the Fire Chief with the application.

Finance & Administration – Councilman Romano/Councilwoman Kuncken

Councilman Romano stated the total amount of taxes collected in July was \$196,954.52. The year to date collection is \$6,142,003.27. The CFO's report indicates the third quarter taxes collected is less than 2017 due to the late mailing. The banks also paid later than usual this year. The figures are slightly behind where they were at this time last year.

Councilman Romano stated the water collections for July totaled \$64,870.23 and the year to date total is \$343,433.67. The sewer collections for July totaled \$91,161.96 and the year to date total is \$487,730.14.

Administrator McNeilly stated the delay in mailing the third quarter tax bills was due to State budget, the changing of the school funding numbers and the delay in being able to prepare the bills because of those issues. Not having this done in a timely fashion causes havoc on the system.

Community Development – Councilwoman Zdichocki/Councilman Thornton

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

Councilwoman Zdichocki stated due to the Zoning and Code Enforcement Official's vacation no report is available this evening. Administrator McNeilly stated he is disappointed the report is not available and he will make sure one is available for the next meeting.

Information Technology – Councilmen Riccardi/Romano

Councilman Riccardi stated the document scanning project has moved through the test phase and everything has gone well.

Municipal Infrastructure – Councilman Thornton/Councilwoman Zdichocki

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

Councilman Thornton stated Public Works has completed the water sampling for the month and reports have been completed and forwarded to the State. The sidewalk and curb repair is nearly complete on Oak Drive.

Boards/Commissions – Councilwoman Thistleton/Councilman Riccardi

Due to Councilwoman Thistleton's absence, no report was given.

ENGINEER'S REPORT

Oak/Hickory/East Drives - Mayor Maio invited Eric Keller, Borough Engineer, to come forward to give his report. Mr. Keller stated the curb work was started yesterday and was completed today. We installed 368 ½ feet at a cost of approximately \$6,900. The DPW will be doing the restoration of the pavement for the water trenches and the curb along with some topsoil and seed behind the curb. The cost to have the contractor do this work would have doubled the cost. Mr. Keller stated the request for paving has been submitted today to Tilcon for East Drive, Oak Drive, Hickory Drive and the circle. The milling and paving will unfortunately be done after school is back in session. Coordination will take place with the school to manage this as best we can with regard to school pick up. This will be a full day with just under 1,200 tons of material. Mayor Maio asked if the work could be done on a Saturday. Mr. Keller replied he has never seen them do work on a Saturday but he can ask. Administrator McNeilly stated it will take one day to mill and one day to pave and then the project will be complete. Much discussion took place about the logistics of moving the trucks through the area with regard to school traffic and parking issues. Mayor Maio stated sufficient notice needs to be obtained from Tilcon in order to send proper notification to the school and residents. Mr. Keller stated once the paving scheduled is obtained he will schedule the striping. According to the tax maps, there is a small piece of East Drive that connects the circle to Delaware Avenue. Last year a sketch was drawn to include a stop sign and stop bars. Some additional striping may be added to give the appearance of a narrower road. Administrator McNeilly stated the goal is to pave down to Delaware Avenue so that the circle is completely finished. Where Hickory Drive meets Delaware Avenue there will be a defined stop bar with the double yellow and a stop sign. The same thing will be done at the corner of Delaware Avenue and Brooklyn Road. This will define the lane and the double yellow striping will continue past East Drive. Delaware Avenue is not being paved as part of this project.

Councilman Thornton asked if the speed limit trailer could be placed on Delaware Avenue when school begins. Administrator McNeilly stated typically the trailer has been placed near 13 Delaware Avenue and on Elm Street. The sign will be out next week. Ms. Degil, in the audience, stated there is a blind spot when you turn onto Delaware Avenue. Once the cars get up the hill the cars are already speeding. Mayor Maio stated unfortunately Delaware Avenue is not the only street in town with this problem. Ms. Degil stated she does not think people understand children are walking to school. Mayor Maio stated the people driving through the area are parents traveling to Valley Road School and students from Byram Township travelling to the High School. Ms. Degil asked if speed limit signs or speed bumps could be installed. Mayor Maio stated that perhaps a flashing speed limit sign on a post might be helpful in the future but for now let's see how the striping of the road works out.

Musconetcong Avenue – Mr. Keller stated he has spoken with the NJ Department of Transportation. The Borough can tentatively split the contract up. The Local Aid Grant permits the milling and resurfacing through the co-op. Mr. Keller stated the current representative from the NJDOT is retiring or moving on and his replacement has not been determined as yet. The new representative's approach to this is unknown at this time. The Borough will have to prepare a submittal regarding going to bid for the curb ramps and the sidewalk repairs as a separate contract. The NJDOT's concern is that by splitting the contract the public bidding laws are being circumvented. This is not the case. If the work could be done through the co-op, it would be done, but they do not have sidewalks. The plans are being completed and will be sent to three or four contractors to get the bid process underway. Mr. Keller will work with the Borough Attorney to put together a package explaining why the project is being done in this manner. Mayor Maio asked Mr. Keller to let the State know that the Borough is trying to stretch our dollars. Administrator McNeilly stated all the catch basins have been done and the clear backs on the sides of the road. There are sections of sidewalks which need to be replaced, because this is a State aid project, and crosswalks with ADA issues need to be fixed. The Borough is ready to pave but these issues are a problem. Mr. Keller stated DPW has completed all their work. As soon as these issues are taken care of the milling and paving can be completed.

Port Morris Pump Station – Mr. Keller stated the preliminary design is nearly complete for the Port Morris Pump Station along with the sizing of the new pumps. Some enhancements will be made to the pump station. Currently if the pumps fail, the Borough has no way to connect a temporary pump and attach it to the force main. A pump around feature will be added and the pumps will be raised up. This can all be done within the existing fenced paved area. A DEP flood hazard permit will not be required. The work is permitted under the Permits By Rule. A DEP Treatments Work Approval will be required because the new pumps will be somewhat different and because of the addition of the pump around feature. Mr. Keller stated with all the bureaus within the DEP it is easier working with the sewer department. They have statutory timeframes. Mr. Keller stated it is not like working with Land Use. Mr. Keller stated he is still waiting for the Wetlands Permit for the trails. Administrator McNeilly stated the new pump will have all new controls. The current equipment is at the end of its life and is over 40 years old. Replacing the pump and raising it up out of the confined area will be a vast improvement with regard to safety and any emergency situations should they arise. Mr. Keller stated the plan is to go out to bid during the fourth quarter of this year and to begin construction early next year, weather permitting.

Sanitary I & I Study – Mr. Keller stated copies of the report were delivered to the Clerk's Office. Mr. Keller stated the data indicates this is a ground water issue. The page for the Musconetcong system indicates that during the rain storms the water levels more than doubled. The largest areas of concern, and we do not see a seasonal issue, are at Lloyd Avenue, Brooklyn Road and Port Morris East never change and the levels indicate there is high infiltration. This is the area we need to focus on. Most of Musconetcong and Port Morris West are seasonal issues along with Kelly and Plane. The report breaks down each area individually. Mayor Maio asked if the DPW can investigate with the camera. Administrator McNeilly stated the DPW has been instructed by Mr. Keller where to check and they will do so as their schedule and weather permits. Mr. Keller stated any necessary repairs would have to be put out to bid. Some smoke testing may be required especially in the Musconetcong area. Administrator McNeilly stated the smoke testing will indicate where the missing or damaged clean out caps are located. Mayor Maio stated, for the benefit of the public, there is tremendous infiltration into the sewer system which costs the Borough money. Steps have been taken to repair some significant problems at Spring Lane and Musconetcong Avenue. The DPW will continue to work through the Borough to locate any other areas of concern. Mr. Keller stated even though the repair was done in the beginning of June, the analysis is based on the pre-repair data.

TAP Grant – Mr. Keller stated the TAP Grant is still moving along. Mr. Keller and Administrator McNeilly have more paperwork aspects to cover. The NJDOT is still reviewing the plans. The wetlands permit has not been received to date and the changes they asked for were submitted a month ago.

Mayor Maio thanked Mr. Keller for attending this evenings meeting.

ADMINISTRATOR'S REPORT

Leary Foundation Grant – Administrator McNeilly provided the Governing Body with copies of the email the Fire Chief received from the Leary Foundation extending the invitation to submit a grant application. The Fire Chief and Millennium Strategies are working on the grant submission which must be submitted by September 14th.

Ambulance/Fire/Police Communication – Administrator McNeilly stated he attended a meeting with Ed Windt, Alan Bookspan, Rich Kuncken and Bill Wormuth to discuss the new communication equipment at the water tower. A follow up meeting was held with the Police Chief to discuss the relocation of the Police communication gear located in the pump room at the water tower. Price quotes have been requested. The pad specifications will be in this week which will allow the pad to be installed. Administrator McNeilly stated this will be within budget and will allow the Borough to operate independent of the tower situation in Byram Township or at the County. Our vendor will be Stanhope only and then back out. The Borough will have another FCC license. There is one for the Fire Department and now there will be one for the Ambulance Squad. The cabinet has been chosen and it will be beige. The Police, Fire and Ambulance equipment will be in the rack. The tie in will take approximately an hour and a half. The work will be done within the next 30 days.

JCP&L – Administrator McNeilly provided the Governing Body with copies of a memo from August 21st with information provided by Jackie Espinoza from JCP&L requesting a resolution for the infrastructure improvement plan currently before the BPU. Discussion took place regarding outages within Stanhope. Mayor Maio asked Administrator McNeilly to add the resolution to the next agenda.

SALT – Administrator McNeilly stated, as of the end of August, DCA has not provided any regulations regarding SALT. The IRS is moving to block the charitable contribution concept.

Construction Department Scanning – Administrator McNeilly stated the test run box of permits for scanning has been completed. The documents are being reviewed online and we are now preparing to send out a production level of 5-6 boxes at a time. The boxes have been repacked for safer access and for transport. The back corner of the office has been cleaned out. An index is being created for the documents to be dropped into for search purposes.

Sussex County Energy Co-op Electric Supply Auction – Administrator McNeilly stated the Sussex County Energy Co-op Electric Supply Auction took place today. The current round ends on October 31st. The next round of 22 months begins March 1st. The new rate will be higher than what exists now but it is still less than the state's rate. From November 1st to March 1st everyone will be moved back into the main electric pool and then they will be moved back over in March to the new vendor. Mailers will be sent out and it is an automatic renewal. Mayor Maio stated the program has saved money for the residents and has been a good program.

Budget 2019 – Administrator McNeilly stated the 2019 Budget schedule is as follows: All operating and capital requests are due to the CFO by August 31st; the budget books will be prepared in September; and the capital project discussion will take place in October.

COUNCIL DISCUSSION

TAP Grant – No further discussion needed at this time.

NEW BUSINESS

Mayor Maio introduced and welcomed Attorney Angelo Bolcato who is filling in this evening for Borough Attorney Ursula Leo.

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 September 25, 2018]

Ordinance 2018-13

AN ORDINANCE TO AMEND CHAPTER 108 OF THE CODE OF THE BOROUGH OF STANHOPE ENTITLED “PEDDLING AND SOLICITING” TO DELETE SECTION 108-15, “NO KNOCK LIST”

WHEREAS, the Borough of Stanhope regulates peddling and soliciting within the Borough by and through Chapter 108 of the Code of the Borough of Stanhope; and

WHEREAS, the Borough adopted Ordinance 2018-12, wherein a new Section 108-15 “No Knock List” was added regarding peddling and soliciting within the Borough; and

WHEREAS, the Borough wishes to now amend Chapter 108, Section 108-15 by deleting the “No Knock List” in its entirety.

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

SECTION 1. Section 108-15, “No Knock List”, is deleted in its entirety.

SECTION 2. All other provisions of Chapter 108 not amended by this Ordinance shall remain in full force and effect.

SECTION 3. SEVERABILITY

If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

SECTION 4. REPEALER

All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

SECTION 4. EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption and publication in accordance with law.

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

Roll Call:

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

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

RESOLUTIONS

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

Resolution 134-18

RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF NETCONG AND THE STANHOPE-NETCONG AMERICAN LEGION AMBULANCE SQUAD FOR FUNDING THE COSTS ASSOCIATED WITH THE REFURBISHMENT OF AN AMBULANCE PURSUANT TO N.J.S.A. 40A:65-1, ET SEQ.

WHEREAS, the Borough of Stanhope wishes to contribute towards the refurbishment of an ambulance maintained by the Stanhope-Netcong American Legion Ambulance Squad; and

WHEREAS, the Borough of Netcong has also agreed to contribute towards the cost of the refurbishment of said ambulance; and

WHEREAS, the Borough Council has determined that it is in the Borough's best interest to enter into an agreement with the parties setting forth the terms and conditions of said funding and emergency medical services; and

WHEREAS, the Borough's Chief Financial Officer has certified that sufficient funds are available for this purpose; and

WHEREAS, execution of said agreement is authorized pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq.

NOW, THEREFORE, BE IT RESOLVED by 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 Clerk are hereby authorized and directed to execute an agreement with the Borough of Netcong and the Stanhope-Netcong American Legion Ambulance Squad for the refurbishment of an ambulance. A copy of the agreement is on file in the office of the Borough Clerk and may be inspected by the public during regular office hours.
2. The term of the agreement by and between the parties shall be for seven (7) years. The Borough shall pay the Stanhope-Netcong American Legion Ambulance Squad the sum of \$75,000.00 in accordance with the terms and conditions of the Agreement.
3. This Resolution shall take effect immediately.

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

Roll Call:

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

Resolution 135-18

**A RESOLUTION TO ADOPT THE REVISED
EMPLOYMENT POLICIES AND PROCEDURES**

WHEREAS, the Borough of Stanhope continuously strives to improve the working conditions for its employees; and

WHEREAS, the Borough continuously strives to improve the level and quality of service provided to the public; and

WHEREAS, in order to accomplish these goals the Borough from time to time adopts and revises its employment policies; and

WHEREAS, it has been determined by the Mayor and Council that revisions are needed with respect to a number of the policies contained in the Borough's Employee Handbook; and

WHEREAS, the revised policies have been reviewed by the Mayor and Council;

NOW, THEREFORE, BE IT RESOLVED this 28th day of August 2018 that the Mayor and Borough Council of the Borough of Stanhope hereby adopt the attached revised and new Employment Policies:

- (1) Section 201, Equal Employment Opportunity, (replaces policy #201);
- (2) Section 202, American's With Disabilities Act, (replaces policy #202);
- (3) Section 205, Drugs and Alcohol/Substance Abuse Policy, (replaces policy #205);
- (4) Section 219, Workforce Reduction/Layoff and Recall, (replaces policy #219);
- (5) Section 302, Communication Media Policy, (replaces policy #302)
- (6) Section #601, Employment Procedure, (replaces policy #601)
- (7) Section #603, Open Public Meeting Act Procedure, (replaces policy #603)

And it is further,

RESOLVED, that the Borough Administrator is directed to take all necessary steps to distribute the revised policies to all Borough employees and enforce the revised policies in an appropriate manner.

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

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 136-18 was removed from the Consent Agenda for discussion at the request of Councilman Riccardi. Councilman Riccardi wants to discuss the types of cancers included.

Resolution 136-18 **RESOLUTION URGING LEGISLATURE TO AMEND
S-716, S-477 AND S-1766**

WHEREAS, while it is commendable that legislation is being considered to provide additional compensation to Firefighters with cancer, S-716 as currently written, without responsible amendments, will prove to be very expensive to municipalities and taxpayers, and

WHEREAS, while it is also commendable that the statute of limitations is being extended for claims involving sexual abuse, S-477 as currently written would eliminate the statute of limitations entirely leaving officials and volunteers with the near impossible task of defending a claim that is decades old.

WHEREAS, under current law family members can already collect substantial compensation for actual losses such as medical bills, lost income as well as loss of companionship.

WHEREAS, without appropriate amendments, the combined impact of these bills would devastate local government insurance budgets at a time when the local taxpayers are being squeezed because of changes in the Federal Tax code.

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

- S-716 be amended to provide that the cancer presumption be limited to types of cancer that scientific evidence establishes that Firefighters develop at a higher rate than the general public, and
- S-716 be amended to end the presumption at age 65 when the firefighter becomes eligible for Medicare. Alternatively, S-716 should be amended to remove volunteers and establish a special program for them along the lines recently adopted by New York, Connecticut, Michigan, Colorado and Georgia, and
- S-716 also be amended so that the standard to rebut the presumption remains at the current “preponderance of the evidence”, and
- S-477 be amended to increase statute of limitation on claims involving sexual molestation against public entities to 7 years, subject to no limitation against the molester, and
- S-1766 be amended to remove public entities from “emotional distress” compensation for wrongful death claims subject to Title 59, and

A copy of this resolution be forwarded to the Governor, the legislative delegation in the 24th District, the Senate President and the Speaker of the Assembly.

On motion by Councilwoman Kuncken, seconded by Councilman Romano, the resolution was opened for discussion.

Councilman Riccardi stated the resolution covers the types of cancers which will be covered for our firefighters. Councilman Riccardi stated he is of the opinion that all cancers should be covered. Mayor Maio stated not all cancers are a result of firefighting and as such not all cancers should be covered. Much discussion took place regarding the types and origin of cancers. Administrator McNeilly stated at this time the law states at the preponderance of the evidence. That is how proof is determined as a result of the job. They want to change it to clear and convincing evidence. Administrator McNeilly stated this comes down to a tug of war between the premium and their health. The insurance company is saying this will move that arm way over to a heavy premium as more claims come in on the subject in the future. Mayor Maio stated she has concerns with the broadness of the issue. This is stating that any firefighter that develops cancer has acquired it as a direct result of being a firefighter which just is not the case. Councilwoman Kuncken stated some sort of determination was used for people who were part of 9/11. The types of cancers are categorized depending on the situations. Councilman Riccardi stated he also has an issue with the statute of limitations. Cancers can be developed decades after exposure. Councilman Romano stated the issue is about costs and the need, whether we like it or not, to put limits.

Roll Call Vote:

Councilwoman Zdichocki – no	Councilwoman Kuncken - yes
Councilman Riccardi – no	Councilman Romano - yes
Councilman Thornton - yes	Councilwoman Thistleton - absent

Mayor Maio stated the foregoing resolution was passed with a majority roll call vote.

Resolution 137-18 **RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE GRANTING APPROVAL FOR A BLOCK PARTY**

WHEREAS, the Borough of Stanhope received a request from the residents of Lakeview Estates to conduct their annual block party; and

WHEREAS, said block party is scheduled for Saturday, September 15, 2018 from the hours of 11:00 a.m. to 8:00 p.m. on Towpath Lane between house numbers 10 and 14.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, does hereby grant approval to Lakeview Estates to hold a block party on Saturday, September 15, 2018 from the hours of 11:00 a.m. to 8:00 p.m. on Towpath Lane between house numbers 10 and 14.

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

PAYMENT OF BILLS

Resolution 138-18 **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 August 28, 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 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 - absent
Councilman Thornton – yes
Councilwoman Zdichocki – yes

ATTORNEY REPORT

Attorney Angelo Bolcato stated he had no report.

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.

Gil Moscatello, 21 Towpath Lane, stated he asked the Engineer if the speed bumps were going to be removed from Musconetcong Avenue. Mr. Moscatello stated he was told that the speed bumps will not be removed but the design will be changed to 25mph speed bumps as opposed to the 15mph speed bumps. Mr. Keller stated the speed bumps on James Street are 25mph speed bumps. Mr. Moscatello questioned why there are four speed bumps in less than a half mile. Mr. Keller stated there are design issues for the placement of the speed bumps. Mr. Moscatello asked if one of the speed bumps could be removed. Mr. Keller stated if the Governing Body wants him to review the situation he will. Administrator McNeilly stated this project is incredibly tight. The speed bumps are there to control the speed. Mayor Maio stated the Borough will defer to the recommendations of the Engineer. Mr. Moscatello stated the electric program is wonderful. Mr. Moscatello asked if there is any program available to prevent the solicitation phone calls. Everyone agreed it is a problem.

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

ADJOURNMENT

On motion by Councilwoman Kuncken, seconded by Councilman Riccardi, and unanimously carried by voice vote the meeting was adjourned at 8:30 P.M.

Approved:

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