

**MAYOR AND COUNCIL
REGULAR MEETING
November 27, 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 - present
Councilman Riccardi - present	Councilman Thornton - present
Councilman Romano – present	Councilwoman Zdichocki - present

Mayor Maio – present

PRESENTATION

Musconetcong Watershed Association - Mayor Maio stated Kyle Richter from the Musconetcong Watershed Association is here this evening to present the annual watershed training. Mr. Richter, Watershed Program Coordinator, stated the Musconetcong Watershed Association is a non-profit organization dedicated to protecting and improving the quality of the Musconetcong River and its watershed. The Musconetcong River flows for 42 miles from Lake Hopatcong to the Delaware River and it is fed by many tributaries. It covers 4 counties (Sussex, Morris, Warren and Hunterdon) and 26 municipalities. The Musconetcong River is also part of the National Wild and Scenic River System, which is a special designation. Only a quarter of a percent of all rivers in the country have this designation. The designation comes with extra protections and funding. Every municipality in New Jersey is required to provide public education to its residents with regard to stormwater management. Stanhope Borough has partnered with the Musconetcong Watershed Association to obtain the necessary points. The number of points required has been increased from ten to twelve. Stanhope is a Tier A municipality. Mr. Richter explained the stormwater requirements and management for the municipality to protect the river and streams. Stormwater runoff does not consist of just water. The chemicals and debris on the ground get carried with the water into the river and streams. Mayor Maio thanked Mr. Richter for attending this evenings meeting.

CITIZENS TO BE HEARD

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

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

MINUTES FOR APPROVAL

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

October 9, 2018	Work Session/Agenda Meeting
October 23, 2018	Business Meeting & Closed Session

On motion by Councilman Romano, seconded by Councilwoman Kuncken and carried by voice vote, the above listed minutes were approved. Councilwoman Zdichocki abstained from the minutes of October 23, 2018.

CORRESPONDENCE (List Attached)

On motion by Councilman Thornton, seconded by Councilman Riccardi 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 October reported 6 calls answered. Man hours totaled 43.75. They had 1 call to assist the EMS. There was a total of 4 drills and out of county activities. They attended 1 funeral detail, 1 parade and 13 miscellaneous details. The total number of man hours volunteered was 406.75.

Councilwoman Kuncken stated Virgil Rome, Sussex County Fire Marshal, reported 22 inspections were conducted. Mayor Maio asked Administrator McNeilly to find out if the report could indicate whether or not the inspections passed or failed. Administrator McNeilly stated he will follow up with the Fire Marshal.

Councilwoman Kuncken stated the Police Department reported 242 calls for the month of October.

Councilwoman Kuncken stated the Ambulance Squad for the month of August reported 26 calls in Stanhope, 33 in Netcong and 2 stand-bys for a total of 61 calls. Out of town calls totaled 4 to Byram. They treated 38 patients and traveled to the hospital 30 times for a total of 874 miles traveled.

Councilwoman Kuncken stated the Ambulance Squad for the month of September reported 20 calls in Stanhope, 39 calls in Netcong and 6 stand-bys for a total of 65 calls. Out of town calls totaled 3; 2 to Hopatcong and 1 to Hackettstown. They treated 50 patients and traveled to the hospital 40 times for a total of 1,223 miles travelled.

Councilwoman Kuncken stated the deposit for the new ambulance has been sent and the work is scheduled to begin at the end of December. Delivery of the ambulance is estimated for April 1st.

Finance & Administration – Councilman Romano/Councilwoman Kuncken

Councilman Romano stated the total amount of taxes collected month to date is \$1,039,571.12. The year to date collection is \$10,124,004.62.

Councilman Romano stated the water collections for October totaled \$79,334.61. The sewer collections totaled \$536,391.05.

Community Development – Councilwoman Zdichocki/Councilman Thornton

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

Councilwoman Zdichocki stated there were 9 zoning applications for the month of October. The number of applications will probably decline for the winter. As of October 31st, \$49,750 has been collected for abandoned property registrations. Five new properties were registered in October and \$1,750 was collected.

Municipal Infrastructure – Councilman Thornton/Councilwoman Zdichocki

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

Councilman Thornton stated the holiday decorations along Main Street have been completed and the municipal building has been decorated in preparation for the tree lighting. A new electric line is being installed for the tree lights. Administrator McNeilly stated an electric permit has been obtained for the work and the breaker will be strong enough to prevent the breaker from tripping. This is being done to eliminate the problem which has been occurring for the past

several years. Administrator McNeilly stated the trench will be filled back in and the sod will be put back in place.

Information Technology – Councilmen Riccardi/Romano

Councilman Riccardi stated the document scanning project is moving along. The JIF conducted a malware test last week for our security.

Boards/Commissions – Councilwoman Thistleton/Councilman Riccardi

Councilwoman Thistleton stated the Halloween Parade was held at the Fire House but unfortunately it was not well attended due to the rainy weather. The annual Tree Lighting will be held on December 1st at 5:30. Pictures with Santa, refreshments and a dance party will be held at the Presbyterian Church immediately following the tree lighting. Mayor Maio asked Councilwoman Thistleton to speak with the Recreation Commission regarding plans for summer camp. Councilwoman Thistleton stated she has mentioned this to the commission members. Councilman Thornton stated the individual hired by Byram Township as their Recreation Coordinator has already resigned.

ENGINEER'S REPORT

Sparta Road – Eric Keller, Borough Engineer, stated the DEP permit has been received for Sparta Road. One permit was withdrawn and the new one has been received. Mr. Keller stated he and Administrator McNeilly reviewed the Federal paperwork required today. The paperwork will be submitted in December. The Federal regulations do not allow Mr. Keller's firm to design the plan and perform the inspections. The Borough will have to go out to bid for the inspection portion of the project. The sidewalks and ADA crosswalks are being held over until the spring due to QPA issues. Mr. Keller stated he had received estimates and he will speak with those vendors in the spring to see if the prices will remain the same. Mayor Maio stated she would like the project to begin as soon as possible. Mr. Keller stated the bids can go out in February and the work could begin in March or April. Administrator McNeilly stated the paving can take place in early spring as soon as the weather breaks and the capital budget is in place. Young Drive will be done in conjunction with the sidewalks and Musconetcong Avenue.

Route 206 (7th Heaven) - Mayor Maio asked about paperwork she received copies of today regarding permits. Administrator McNeilly stated that paperwork was for the 7th Heaven Project on Route 206. The project requires lines to be run under the road and the Borough had to grant their approval, which has been done.

Port Morris Pump Station – Mr. Keller stated the project is moving along. There are some answers needed for the electrical system. DEP will have to provide approval for the project. The applications will be prepared and submitted. The estimate to go to bid is early in the first quarter, January. Work will begin in the spring. Temporary pumping will be required to bypass around. This will be a challenge because there are no fittings to bypass the pump. The work to be done will alleviate this problem for the future. Mr. Keller stated the Borough Clerk has researched the archives for operations and maintenance manuals for the system but none exist. Mr. Keller stated operation and maintenance manuals will be drawn up for the new pump station. An inspection schedule will be required and a determination made as to who will be responsible for the inspections. Inspections must be done quarterly and after one inch of rainfall. East Orange is being audited by the DEP and Mr. Keller is of the opinion the DEP will audit Stanhope Borough eventually due to the proximity to the lake and river. Manuals are part of the Tier A plan. Administrator McNeilly stated the information with regard to the manuals will be included in the budget discussion for 2019.

Main Street (Bruzese Property) – Mr. Keller stated Mr. Bruzese has submitted revised plans for the property located on Main Street next to the Municipal Building.

Young Drive – Mr. Keller stated once the proposal for Young Drive is finalized the formal costs will be provided for the resolution to be adopted.

TAP Grant – Mr. Keller stated all the information will be pulled together. The lighting has been taken care of and there are no special requirements needed. Administrator McNeilly stated the paperwork will be ready for review next week. Mr. Keller stated there are 12 documents still to be completed. Mayor Maio stated there are many projects to be done this spring. Administrator McNeilly stated because Sparta Road has a local aid grant there will be a lot of work to coordinate back and forth with regard to lights, milling and paving.

Base Maps – Mr. Keller stated the base maps are complete. The Zoning map is in color and easy to read. A full size map will be provided to hang on the wall once approval is granted. Administrator McNeilly stated the updated maps will be beneficial for informing the public about the changes to the zoning on Main Street and at the Compaq area. The website will be updated as soon as the maps are available. Some discussion took place regarding the updates. Mr. Keller will provide Administrator McNeilly with a copy of the maps for review.

ADMINISTRATOR'S REPORT

Communication Upgrade – Administrator McNeilly stated, according to Ed from Spectrum, all the antenna work has been completed and the existing equipment has been relocated to the new cabinet. The only outstanding work is to install the new first aid squad base station at the tower location. The equipment has arrived and is ready for installation. The work should be completed this coming week. Once all is complete, the radio tie line to Sparta can be disconnected.

Surplus Land (Kynor Avenue) – Administrator McNeilly stated the price point for the sale of the property located on Kynor Avenue is \$7,500. The property has been confirmed as being undersized by 1,000 sq.ft. for the zone.

Construction Department Request – Administrator McNeilly stated the Construction Official has submitted a request for fee changes. Mayor Maio asked the Governing Body to review the request. This issue will be added for council discussion on the December 4th agenda.

Eagle Scout Project – Mayor Maio stated Evan Rizzo would like to plant a butterfly garden at Musconetcong Park by the utility building as his Eagle Scout Project. Administrator McNeilly and Mayor Maio will meet with Evan to review the project. Administrator McNeilly stated the area for the planting would be approximately 4ft. x 8ft. and would not impact the usable area of the park. Mayor Maio stated she is of the opinion this would be a nice addition to the park and asked if the Governing Body had any objections. There were no objections.

2019 Capital Budget – Administrator McNeilly stated the Capital Budget has been distributed for review.

Goose Management – Administrator McNeilly stated Netcong Borough has sent a letter to the neighboring communities to determine if there is interest in cost sharing for next year's goose management program. Administrator McNeilly stated he has asked for the cost projections. Mayor Maio stated she is of the opinion the cost last year was \$2,300 which was paid for by Netcong Borough. The program to control the goose population did work well last year but there seemed to be an excessive amount of ducks. Administrator McNeilly stated without a predator located on the island this will always be an issue.

Environmental Commission Request – Administrator McNeilly stated the Environmental Commission has submitted a request to hold an invasive plant workshop in May. Mayor Maio asked if there is a cost associated with the workshop. Councilman Riccardi, a member of the Environmental Commission, stated the cost is \$250 for the workshop and this cost has been included in their budget request for 2019. If approval is granted, the commission would invite Byram Township and Hopatcong Borough to participate and perhaps split the cost. Mayor Maio suggested Netcong Borough be invited as well. Councilwoman Kuncken stated if the commission is going to hold the event at Waterloo Village, they will have to reserve the space as soon as possible.

2019 Morris JIF Assessment – Administrator McNeilly stated the Borough is finally seeing good results from the hard work on safety and reduction in property loss. The 2019 Assessment is down 3.61%. A copy of the entire Proposed 2019 Assessment list was provided for comparison to the other municipalities.

Cyber Crime Email Test – Administrator McNeilly stated the Borough had a 29% click rate for the Cyber Crime Email Test. The training will take place soon.

COUNCIL DISCUSSION

2019 Capital Budget – Mayor Maio asked the Public Safety Committee to meet with the Police Chief to discuss vehicle replacements. Mayor Maio asked the Council to review the Capital Budget and be prepared to discuss the issue at the December 4th meeting. Administrator McNeilly stated Ray Sarinelli, Borough Auditor, will be present at the meeting. The goal is to have the Temporary Capital Budget prepared and ready for approval at the reorganization meeting so the necessary projects can move forward.

TAP Grant – Mayor Maio stated no additional discussion is needed at this time regarding the TAP Grant.

2019 Municipal Calendar – Mayor Maio stated copies of the 2019 municipal calendar were previously distributed for review. Mayor Maio asked if there were any changes required. No changes were needed. Administrator McNeilly stated the dates for hydrant flushing have been moved forward for next year.

Senior Citizen Club Request – Mayor Maio stated the Senior Citizen Club has submitted a letter asking for approval to place an insert in the water bill mailing. Mayor Maio asked if there were any objections. There were no objections. Mayor Maio asked Administrator McNeilly to inform the Senior Citizen Club they have approval to place their information in the water bill mailing.

Holiday Party (December 21st) – Linda Chirip, Deputy Clerk, asked the Governing Body for permission to close Borough Hall on December 21st at 2:00PM for the Holiday Party. Mayor Maio asked the Governing Body if there were any objections to closing Borough Hall on December 15th at 2:00PM. The Governing Body had no objections.

NEW BUSINESS

ORDINANCE

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

Ordinance for Introduction and First Reading [Public Hearing on December 11, 2018]

Ordinance 2018-15

AN ORDINANCE AUTHORIZING THE PUBLIC SALE OF REAL PROPERTY TO CONTIGUOUS PROPERTY OWNERS IN THE BOROUGH OF STANHOPE PURSUANT TO N.J.S.A. 40A:12-13(b)(5)

WHEREAS, the Borough of Stanhope is the owner of the property located at Block 10314, Lot 4, 3 Kynor Avenue, Stanhope, New Jersey, which land is not needed or required for municipal use; and

WHEREAS, the lot is less than the minimum size required for development under the municipal ordinance and is without capital improvements; and

WHEREAS, the Borough Council deems it in the best interest of the Borough of Stanhope to sell the property to owners of contiguous property in accordance with the provisions of N.J.S.A. 40A:12-13(b)(5) and N.J.S.A. 40A:12-13.2; and

WHEREAS, the sale price required by the Borough is fair market value as established by the Tax Assessor and is fair and just taking into consideration all factors.

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

1. The Borough of Stanhope shall sell, pursuant to the provisions of N.J.S.A. 40A:12-13(b)(5) and N.J.S.A. 40A:12-13.2, the lot to contiguous property owners for an amount not less than \$7,500.00, subject to higher bids from other contiguous property owners. Pursuant to the provisions of the statutes, the conveyances shall be to an owner of adjoining property as the property to be sold is less than the minimum size required for development under the municipal

zoning ordinance and is without any capital improvement and shall be merged with the purchaser's contiguous lot.

2. Upon final passage of this Ordinance, the sale shall take place at the Stanhope Borough Municipal Building, 77 Main Street, Stanhope, New Jersey, subject to receiving no higher bid for said parcels, after offering same to the highest bidder, at said time and place.

3. A copy of this Ordinance shall be posted on the bulletin board or other conspicuous place in the Borough Municipal Building. Notice of adoption of this Ordinance shall be made in the Official Township newspaper within five (5) days following the enactment of the Ordinance. Offers in writing for the property may be made to the Township Clerk for a period of twenty (20) days following the advertisement at not less than the minimum price by any adjoining property owners. In the event there are one or more offers for the same price, the property shall be auctioned amongst the contiguous property owners on a subsequent date.

4. The property shall be sold subject to the following terms and conditions.

(a) The property is sold "as is". No representations of any kind are made by the Borough as to the conditions of the property, and the descriptions of the property are intended as a general guide only and may not be accurate.

(b) The sale shall be made after legal advertisement of this Ordinance to the highest bidder who is the owner of a contiguous property, which property shall merge with the property being sold, and become part of the contiguous property owned by the successful bidder.

(c) The Borough does not warrant or certify title to the property and in no event shall the Borough of Stanhope be liable for any damages to the purchaser-successful bidder if title is found unmarketable for any reason and the purchaser-successful bidder waives any and all right in damages or by way of liens against the Borough. The sole remedy being the right to receive a refund prior to closing of the deposit paid in the event title is found unmarketable. It shall be the obligation of the successful purchaser to examine title to said premises prior to the closing. In the event of closing and a later finding of defect of title, the Borough shall not be responsible for same, shall not be required to refund money or correct any defect in title or be held liable for damages.

(d) Acceptance of the highest bid shall constitute a binding agreement of sale and the purchaser shall be deemed to agree to comply with the terms and conditions of the sale herein contained.

(e) The purchaser will be required to pay upon the close of bidding ten percent (10%) of the bid, in cash or check; said payment shall be returned to the purchaser without interest, if the title to said property is legally determined to be unmarketable, providing claim is made therefor within ninety (90) days after the sale.

(f) A Quitclaim Deed without covenants will be delivered at the office of the Borough Clerk on or before sixty (60) days after the date of the sale, at which time and place the balance of the purchase price shall be required to be paid in cash or certified check. The Mayor and Clerk are hereby authorized to execute said Quitclaim Deed.

(g) The Deed will be subject to all matters of record, which may affect title herein, what an accurate survey may reveal, the Ordinances of the Borough of Stanhope and reserving an easement for all natural or constructed drainage systems, waterways, water and sewer easements, if any, on the premises and the continued right of maintenance and flow thereof.

(h) The purchaser shall also pay to the Borough of Stanhope the cost of preparation of this Ordinance and the Deed, plus all charges of sale, including the cost of advertisement, the notice of public sale and cost of recording the Deed with the County Clerk's Office and all other instruments necessary or required by law at the time of the sale.

(i) The property will be sold subject to 2018 taxes, prorated from the date of sale.

(j) The Governing Body does hereby reserve the right to withdraw this offer to sell, or upon completion of the bidding to accept or reject any or all bids for said property or to waive any informality in relation thereto.

(k) All bidders currently owing property within the Township must have their taxes, as well as sewer and water charges, if applicable, paid to date in order to be

a qualified bidder. In the event the bidder's taxes or sewer or water charges are delinquent, the bidder shall be deemed unqualified and such bid shall be rejected.

(l) This same is made subject to all applicable laws, statutes, regulations and ordinances of the United States, State of New Jersey and Borough of Stanhope.

(m) No employee, agent or officer of the Borough of Stanhope has any authority to waive, modify or amend any of the conditions of sale.

(n) The purchaser must abide by appropriate zoning, subdivision, health and building regulations and code, and agrees that this sale will not be used as ground to support any variance from or realization of the regulations.

(o) The failure of the purchaser to close on title within the time provided for in Subsection 5(f) of this Ordinance shall constitute a breach of this Agreement unless the Borough agrees in writing prior to that date to extend the time of the closing. In the event the purchaser fails to close within the dates provided for in Subsection 5(f) or such date as may be extended by the Borough, the deposit paid by the purchaser shall be retained by the Borough as liquidated damages. The municipality is entitled to retain the purchaser's deposit to the extent of any expenses and/or losses it incurs including but not limited to advertising costs, attorney's fees, lost tax revenues from the date of the required closing as well as additional cost of resale and the difference in the sales price, to the extent the property is sold for a lower price and any subsequent sale. The only exception to this section is in the event that the purchaser fails to close as a result of the title being unmarketable, in which case the Purchaser shall be entitled to a refund of their deposit as provided for in Subsection 5(c) of this Ordinance.

(p) The purchase shall not be used for any County, Board of Taxation, Tax Court of New Jersey, or in any Courts of the State as grounds to support a challenge of the existing assessments with regard to other properties.

(q) The sale shall be subject to final approval by the Borough Council.

(r) The deeded conveyance shall contain a restriction that there shall be no subdivision of the merged lot or lots created by this sale and no structure or improvements shall be built on or under such property. The successful bidder shall provide a copy of their existing property Deed to the Municipal Attorney within seven (7) days of their being notified that they are the successful bidder of the sale.

5. 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.

6. 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.

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

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

Roll Call:

Councilwoman Kuncken – yes

Councilman Riccardi - yes

Councilman Romano - yes

Councilwoman Thistleton - yes

Councilman Thornton – yes

Councilwoman Zdichocki – yes

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

RESOLUTIONS

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 159-18

RESOLUTION AUTHORIZING CANCELLATION OF MUNICIPAL CERTIFICATE OF SALE

WHEREAS, Certificate of Sale #2018-003 was issued to Stanhope Borough, 77 Main Street, Stanhope, New Jersey 07874 for delinquent 2017 taxes and/or utility charges on Block 10707, Lot 8, 93 Brooklyn Road, assessed to Mary R Samuels, at a tax sale held on October 16, 2018; and,

WHEREAS, the certificate was redeemed on November 5, 2018 by paying the full amount of the delinquency.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Clerk of the Borough of Stanhope are hereby authorized to endorse Certificate of Sale #2018-003 for cancellation.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer/Tax Collector.

Resolution 160-18

RESOLUTION AUTHORIZING CANCELLATION OF MUNICIPAL CERTIFICATE OF SALE

WHEREAS, Certificate of Sale #2018-018 was issued to Stanhope Borough, 77 Main Street, Stanhope, New Jersey 07874 for delinquent 2017 taxes and/or utility charges on Block 11303, Lot 7, 15 New Street, assessed to Valentino A G Ianetti Jr., at a tax sale held on October 16, 2018; and,

WHEREAS, the certificate was redeemed on November 7, 2018 by paying the full amount of the delinquency.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Clerk of the Borough of Stanhope are hereby authorized to endorse Certificate of Sale #2018-018 for cancellation.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer/Tax Collector.

Resolution 161-18

RESOLUTION AUTHORIZING CANCELLATION OF MUNICIPAL CERTIFICATE OF SALE

WHEREAS, Certificate of Sale #2018-026 was issued to Stanhope Borough, 77 Main Street, Stanhope, New Jersey 07874 for delinquent 2017 taxes and/or utility charges on Block 11501, Lot 2, C0351, located at 19351 Dell Pl, assessed to Bank of New York/Specialized Loan S (formerly Leonard Koets) at a tax sale held on October 16, 2018; and,

WHEREAS, the certificate was redeemed on November 21, 2018 by paying the full amount of the delinquency.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Clerk of the Borough of Stanhope are hereby authorized to endorse Certificate of Sale #2018-026 for cancellation.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer/Tax Collector.

Resolution 162-18

RESOLUTION AUTHORIZING A REFUND OF OVERPAYMENT OF TAXES

WHEREAS, the former owner of 39 Musconetcong Avenue, Community Capital, LLC, has made payment in error for 4th Quarter 2018 property taxes, and the bank for the present homeowner has also made payment of 4th Quarter 2018 taxes, creating an overpayment of taxes on this property; and

WHEREAS, the property changed hands on August 29, 2018, prior to the 4th Quarter property tax due date and after their liability for payment ended.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, that a warrant be drawn to the former owner in the designated amount representing an overpayment of taxes, as follows:

Prior Owner Information:

Block	Lot	Qual	Name & Address	Tax Year	Amount
10710	3		Community Capital LLC 20151 SW Birch, Suite 200 Newport Beach, CA 92660	2018	\$3,278.33

Resolution 163-18 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. 2018-002, representing property taxes and/or utility charges on Block 10704, Lot 1.07, known as 16 Crestview Dr, assessed to Ventures TST/Capital Partners, LLC, 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:	Stuart Lasher P.O. Box 83 Milltown, NJ 08850
Redemption Amount:	Tax Title Lien #2018-002 and Interest to Date of Meeting \$ 5,265.93 Premium Paid by Lienholder <u>0.00</u>
Total From Current Fund:	\$ 5,265.93
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.

Resolution 164-18 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. 2016-009, representing 2015 property taxes and/or utility charges on Block 11205, Lot 6, known as 7 Kelly Pl, assessed to Robert E & Catherine M Foberg, 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 BV002 Trust & Creditors 50 S. 16 th Street, Suite 2050 Philadelphia, PA 19102-2513
Redemption Amount:	Tax Title Lien #2016-009 and Interest to Date of Meeting \$ 6,270.86 Premium Paid by Lienholder 1,800.00
Total From Current Fund:	\$ 6,270.86
Total From Tax Premium Account	1,800.00

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.

Resolution 165-18

**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. 2016-013, representing 2015 property taxes and/or utility charges on Block 11402, Lot 1 known as 10 Sagamore Rd, assessed to Catherine M Bruen (now NJCC Fund #5 REO Subsidiary, LLC), 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 #2016-013 and Interest to Date of Meeting \$ 2,868.59 Premium Paid by Lienholder <u>500.00</u>
Total From Current Fund:	\$ 2,868.59
Total From Tax Premium Account	500.00

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.

Resolution 166-18

**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. 2018-021, representing property taxes and/or utility charges on Block 11501, Lot 2, C0183, known as 10183 Dell Pl, assessed to Edward R & Edward K Sperling, 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:	Stuart Lasher P.O. Box 83 Milltown, NJ 08850
Redemption Amount:	Tax Title Lien #2018-021 and Interest to Date of Meeting \$ 721.50 Premium Paid by Lienholder <u>0.00</u>
Total From Current Fund:	\$ 721.50
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.

Resolution 167-18

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. 2017-025, representing 2016 property taxes and/or utility charges on Block 11701, Lot 13.18, C0508, known as 508 Stonegate Ln, assessed to 338 Carnegie, LLC, 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 Actlien Holding Inc. 50 South 16 th Street, Suite 2050 Philadelphia, Pennsylvania 19102
Redemption Amount:	Tax Title Lien #2017-025 and Interest to Date of Meeting \$ 2,062.42 Premium Paid by Lienholder <u>1,500.00</u>
Total From Current Fund:	\$ 2,062.42
Total From Tax Premium Account	1,500.00

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 Councilwoman Kuncken, 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 Thornton – yes |
| Councilman Romano - yes | Councilwoman Zdichocki – yes |

Mayor’s Appointment

Resolution 168-18

MAYOR’S APPOINTMENT OF DONNA KOMOROWSKI TO THE BOROUGH OF STANHOPE SHADE TREE COMMISSION WITH COUNCIL CONCURRENCE

Mayor’s appointment to the Shade Tree Commission as follows:

Donna Komorowski to fill the unexpired 5-year term, said term to expire 12/31/2019

BE IT RESOLVED by the Council of the Borough of Stanhope that they do hereby concur with the Mayor’s appointment of Donna Komorowski to the Shade Tree Commission to fill the unexpired 5-year term of vacant Seat #35, with said term to expire December 31, 2019.

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 169-18

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 November 27, 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 - yes

Councilman Thornton – yes

Councilwoman Zdichocki – yes

ATTORNEY REPORT

Attorney Ursula Leo stated she has two additional items for Executive Session. The issues to be discussed are Kelly/New Street and Ridge Road.

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.

Ray Cipollini, 11 Towpath Lane, stated, due to the pedestrian fatalities, are there any initiatives to address the crosswalks and install indicators. Mayor Maio stated the Borough has asked the State of NJ twice for flashing lights to be installed at the crosswalks and the request has been denied both times. The Borough has also asked to have the speed limit reduced which has also been denied. Administrator McNeilly stated the Borough asked for a grant eight months ago which Officer Heater felt very strongly about. The crosswalks located at the American Legion, Linden Avenue and the Enrite Station are of great concern. Administrator McNeilly suggested reviewing the issue again during budget discussions. Mayor Maio stated perhaps funds can be set aside for the crosswalks, however, the Borough would still need permission from the State of NJ. Administrator McNeilly stated the Borough crosswalks should have the same indicators that Netcong Borough has just down the road. Netcong Borough received funding through the Safe Routes to School Program. Stanhope Borough was denied the funding and the Borough's children walk to school. Mayor Maio stated there have been two fatalities in the past 24 months. Attorney Leo stated Trans Options has been successful for other municipalities and she suggested the Borough contact them. Administrator McNeilly stated he will look into that option. Councilwoman Kuncken suggested the Borough submit the request again and if it is not successful perhaps generating community support will help. Councilwoman Zdichocki stated the community does need to be made aware that the Borough is trying to address the issue. Mayor Maio stated the Borough already has the cost figures from the Sparta Road project. Administrator McNeilly stated the prior cost estimate for five (5) crosswalks was \$147,000. Mayor Maio stated the Borough does want to protect our residents. Mayor Maio thanked Mr. Cipollini.

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 – Contract (Water System)
 - 3 – Litigation/Potential Litigation
(Police/Kelly & New Streets/5 Ridge Road)
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 8:17 P.M.

RETURN TO OPEN SESSION

At the conclusion of the Closed Session, the Mayor and Council reconvened the public meeting at 9:05 P.M. with all present.

ADJOURNMENT

On motion by Councilman Riccardi, seconded by Councilwoman Kuncken, and unanimously carried by voice vote the meeting was adjourned at 9:05 P.M.

Approved:

Linda Chirip,
Deputy Clerk