

**MAYOR AND COUNCIL
WORK SESSION AND
AGENDA MEETING
May 14, 2019
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 9, 2019 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 10:00 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. 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

Mayor Maio noted Borough Engineer Eric Keller was scheduled to attend this meeting. His mother-in-law passed away this past weekend so he is not able to be here.

WORK SESSION

Re-Zoning – Mayor Maio stated the ordinance regarding re-zoning of the area of the Compac building, across from Isolatek was forwarded to the Land Use Board for review and comment. That area was originally designated Age Restricted and last year the governing body decided they would change the zoning so it would be available for COAH housing. The governing body agreed to the re-zoning; however, at that time there was a change in attorneys and the re-zoning was never done. The Land Use Board has no comments on this proposed ordinance. The other re-zoning is for the Pic Zone on Sparta Road from Light Industrial/Commercial to High Density. This change is being done in the hope that a developer who has shown an interest in purchasing the property and building a development actually does it. This ordinance also went to the Land Use Board for review and comment. The only comment from the Land Use Board was the potential for additional traffic on both Sparta Road and Brooklyn Road. Mayor Maio stated the ordinance addressing short-term housing was also forwarded to the Land Use Board for review and comment. This ordinance eliminates the possibility of Air B&B's in the Borough. The Land Use Board reviewed this proposed ordinance and had no comment.

Ordinance to Amend Chapter 82 "Fees" – New Section "Notary Fees" – Mayor Maio stated the Clerk brought to her attention that there has been a large increase in requests for notary services and most of the requests are from out-of-town people. Other communities charge to notarize items for non-residents and most banks no longer offer notary services. Mayor Maio stated the ordinance would impose a fee for notary services for non-residents. Residents and business owners within the Borough would still receive the service free of charge. Mayor Maio stated she believes the fee is fair. Council agreed.

Resolution Re: Stormwater or Rain Taxes - Mayor Maio stated the government wants the towns to charge a “rain tax” based on the amount of impervious surface on any commercial property and residential property. Mayor Maio noted the Borough has a waste water plan and the Borough’s Land Use Board and Engineer do a very good job in keeping applicants within the confines of the waste water management. The Engineers for applicants have been required to make provisions for detention basins to control water so we are not contributing to waste water. Mayor Maio expressed her opinion that this is an unnecessary tax. Council agreed. The resolution will be placed on the next meeting agenda for adoption.

Memorial Day Parade – Mayor Maio noted the governing body was invited to march in the Memorial Day Parade. The Mayor and Council will march in the parade. The Clerk will respond to the invitation.

TAP Grant – Mayor Maio said Eric Keller was going to discuss the TAP Grant. Mayor Maio informed Council that the State representative for the federal grant is new. He has done a lot of site work and has requested additional information. Mayor Maio commented it looks like from a federal level, they are getting ready to say the Borough can start the project.

Stanhope Board of Education Meeting – Councilwoman Kuncken said she and Councilman Riccardi attended Monday’s Board of Education meeting. The governing body had received an invitation from Gil Moscatello, President of the Board of Education, to attend the meeting. Councilwoman Kuncken noted a while back Mr. Moscatello, the Superintendent and a representative of the school board approached the governing body to discuss a consolidated school district. At last night’s meeting, the person who did the demographic study presented his findings. Councilwoman Kuncken and Councilman Riccardi received a copy of the paperwork provided to the Board of Education which is a condensed version of the demographic study. They discussed projections and enrollment in the three districts and the high school in the future. The presentation provided two options. One option is called Grade Banding which, if done, would have Pre-K to 1st grade at Stanhope School, grades 2 to 3 at Netcong School, grades 4 to 5 at Byram School and grades 6 to 8 at the Byram Middle School. The other option would be to have Pre-K to 5th grade remaining at Stanhope, Netcong and Byram Schools and have Junior High (grades 6 to 8) at Byram. Councilwoman Kuncken stated they spoke about the ramifications on busing. They also spoke about curriculum, which is the most straight forward. The other topics discussed were the contracts and the condition of the buildings. They are going to proceed and the presentation given will also be given to Netcong School, Byram School and Lenape Valley Regional High School. Councilwoman Kuncken encouraged members of the governing body to attend one of the presentations. Councilman Riccardi said if the consolidation goes through, the current school district would be dissolved and all contracts would need to be renegotiated. Mayor Maio said the area of debt is also a concern with some districts having significantly more debt than others. The debt would have to be consolidated. Mayor Maio stated year one of the consolidation will show a cost increase, but as you go forward that will be reduced. Administration costs and building costs will be reduced and some communities will benefit more than other communities. Within five years the costs will be reduced. Councilman Riccardi stated from an education component, you will have students from all three towns together and you will have more teachers interacting. Mayor Maio agreed, adding Stanhope School has fewer than 300 students and it is difficult to put together sports teams or a band or similar art programs and the students suffer from lack of these activities. Councilwoman Kuncken noted it is going to be difficult for some parents especially if you live close to one school and your child is sent to another school or if you have children in different schools. There will also be an impact on the PTA’s. There are pros and cons to the consolidation and they recognize that. The next step will be a feasibility study and, if the day comes, the consolidation will go to a Referendum.

OLD BUSINESS

Mayor Maio offered the following ordinance for public hearing and final adoption which was read by title.

Ordinance 2019-07

AN ORDINANCE OF THE BOROUGH OF STANHOPE COUNTY OF SUSSEX, NEW JERSEY FIXING THE SALARY AND WAGES FOR BOROUGH EMPLOYEES AND OFFICIALS

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

SECTION 1. That the Annual salary, wage and compensation to be paid to Borough employees and officials in 2019 be as follows:

Mayor	\$ 3,013.00
Borough Council Member	2,739.00
Administrator	113,034.00
Borough Clerk	63,133.00
Deputy Borough Clerk	37,495.00
Registrar	4,324.00
Deputy Registrar	2,343.00
Website Content Manager	3,798.00
Chief Financial Officer/ Tax Collector	103,780.00
Utility Collector/ Asst to Tax Collector	39,332.00
Accounts Payable	23,871.00
Tax Assessor	20,636.00
Custodian	8,116.00

POLICE DEPARTMENT

Chief of Police	As per contract
Sergeant	As per contract
Sergeant's Stipend	As per contract
Detective's Stipend	As per contract
Patrolman	As per contract
Clerk Typist - Police Dept.	35,771.00
Police Matron	\$23.10 per hour
Police Matron – Call-out	\$50.00 per call-out
Special Officer	\$21.99 per hour
Crossing Guard	\$15.67 per hour

DEPARTMENT OF PUBLIC WORKS

D.P.W. Superintendent	\$ 75,350.00
Water Operator	5,502.00
Sewer Operator	5,502.00
Water T-1 License Stipend	3,500.00
Public Works Repairer	As per contract
Laborer	As per contract
Part-time Laborer	\$12.00 to \$13.25 per hour
Seasonal Help	\$14.42 per hour

CONSTRUCTION DEPARTMENT

Construction Official	24,043.00
Fire Subcode Official	3,174.00
Plumbing Subcode Official	3,649.00
Zoning Officer	11,328.00
Code Enforcement Officer	11,791.00
Municipal Housing Stipend	2,016.00
Clerical –Construction	8,680.00

BOARDS AND COMMISSIONS:

Land Use Secretary	\$ 9,795.00
Board of Health Secretary	4,626.00
Secretary to:	
Shade Tree	\$25.00 per month*
Environmental Commission	\$25.00 per month*
Recreation Commission	\$25.00 per month*

*submission of monthly minutes required.

SECTION 2. Salaries and wages for all Borough employees and officials shall be paid in bi-weekly installments as nearly equal as possible.

SECTION 3. Unless otherwise provided herein, remuneration for all employees shall be retroactive to January 1st of each year.

SECTION 4. The salaries and wages herein established shall be in lieu of any and all fees to which the respective incumbents of said offices might otherwise be entitled by statute or ordinance; which fees shall immediately upon collection thereof be paid over to the Treasurer for use of the Borough except as otherwise provided herein.

SECTION 5. The Borough shall pay medical insurance premiums in accordance with State law, collective bargaining agreements and the Borough's elected participation in any State health benefit program for all eligible employees and their eligible dependents.

SECTION 6. The terms and conditions of all collective bargaining agreements negotiated between the Borough and any bargaining unit representing Borough employees are hereby incorporated into this Ordinance.

SECTION 7. All Ordinances and Resolutions, or parts thereof, inconsistent herewith are hereby repealed.

SECTION 8. This Ordinance shall become effective immediately upon final adoption and publication as required by law.

On motion by Councilman Romano, seconded by Councilman Riccardi and unanimously carried by the following roll call vote, the foregoing ordinance was adopted.

Mayor Maio opened the meeting to the public for questions or comments on this ordinance only. Seeing no one from the public wishing to speak, Mayor Maio closed the public portion of the meeting.

Roll Call:

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

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

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

NEW BUSINESS

ORDINANCES

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 May 28, 2019]

Ordinance 2019-08

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 82 OF THE CODE OF THE BOROUGH OF STANHOPE, ENTITLED "FEES" BY THE ADDITION OF NEW SECTION 82-8 "NOTARY FEES"

WHEREAS, N.J.S.A. 22A:4-14 allows notaries public to charge a fee in exchange for certain services; and

WHEREAS, the Mayor and Council of the Borough of Stanhope desire to amend the Borough Code to allow for the charging of Notary fees.

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

SECTION 1.

Chapter 82 is hereby amended by the addition of a new section 82-8 entitled “Notary Fees” as follows:

82-8	Notary Fees	
	Borough Resident or Business Owner	\$0.00
	Non-Resident	\$2.50 per signature notarized

SECTION 2 - 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 3 - 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 Zdichocki, seconded by Councilman Thornton and unanimously carried by the following roll call vote, the foregoing ordinance was introduced.

Roll Call:

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

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

RESOLUTIONS

Resolution 095-19

**RESOLUTION FIXING THE 2019 SALARIES OF
BOROUGH EMPLOYEES**

WHEREAS, the Borough Council adopted Ordinance # 2019-07 on May 14, 2019; and

WHEREAS, the Borough Council of the Borough of Stanhope desires to set the specific salaries for full-time and part-time non-contract Borough employees for the year 2019,

NOW, THEREFORE, BE IT RESOLVED that the following salaries are retroactive to January 1, 2019:

Rosemarie Maio	Mayor	\$ 3,013.00
Anthony Riccardi	Council Member	2,739.00
Diana Kuncken	Council Member	2,739.00
Thomas Romano	Council Member	2,739.00
Doreen Thistleton	Council Member	2,739.00
Bill Thornton	Council Member	2,739.00
Patricia Zdichocki	Council Member	2,739.00
Brian McNeilly	Administrator	113,034.00
Ellen Horak	Borough Clerk	63,133.00
Linda Chirip	Deputy Borough Clerk	37,495.00
Ellen Horak	Registrar	4,324.00
Linda Chirip	Deputy Registrar	2,343.00
Linda Chirip	Website Content Manager	3,798.00
Dana Mooney	Chief Financial Officer/ Tax Collector	103,780.00

Maria Mascuch	Utility Collector/ Asst. to Tax Collector	39,332.00
Tammy Minniti	Accounts Payable	23,871.00
Jason Laliker	Tax Assessor	20,636.00
Ward Sherrer	Custodian	8,116.00
POLICE DEPARTMENT		
Steven Pittigher	Chief of Police	As per contract
	Sergeant	As per contract
	Sergeant's Stipend	As per contract
	Detective's Stipend	As per contract
	Patrolman	As per contract
Virginia Citarella	Clerk Typist - Police Dept	35,771.00
Various	Police Matron	\$23.10 per hour
Various	Police Matron – Call-out	\$50.00 per call-out
Various	Special Officer	21.99 per hour
Various	Crossing Guard	15.67 per hour
DEPARTMENT OF PUBLIC WORKS		
Jason Titsworth	Superintendent	75,350.00
Jason Titsworth	Water Operator	5,502.00
Jason Titsworth	Sewer Operator	5,502.00
Jason Titsworth.	Water T-1 License Stipend	3,500.00
	Public Works Repairer	As per contract
	Laborer	As per contract
Various	Part-time Laborer	\$12.00 to \$13.25 per hour
Various	Seasonal Part Time	\$14.42 per hour
CONSTRUCTION DEPARTMENT		
Thomas Pershouse	Construction Official	24,043.00
Joseph Olivo	Fire Subcode Official	3,174.00
Joseph Olivo	Plumbing Subcode Official	3,649.00
Arlene Fisher	Zoning Officer	11,328.00
Arlene Fisher	Code Enforcement Officer	11,791.00
Arlene Fisher	Municipal Housing Stipend	2,016.00
Tammy Minniti	Clerical - Construction	8,680.00
BOARDS AND COMMISSIONS:		
Ellen Horak	Land Use Secretary	9,795.00
Monique McNeilly	Board of Health Secretary	4,626.00
Secretary to:		
Shade Tree		25.00 per month*
Environmental Commission		25.00 per month*
Recreation Commission		25.00 per month*

*submission of monthly minutes required.

BE IT FURTHER RESOLVED that the Borough Administrator is authorized to set the salary level according to the salary amounts in Ordinance #2019-07 for the temporary part-time positions of police matron, crossing guards, general part-time, DPW part-time and seasonal employees.

On motion by Councilwoman Thistleton, 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 096-19

RESOLUTION ATTESTING THAT THE STANHOPE GOVERNING BODY HAS COMPLIED WITH THE PROMULGATION OF THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY RELATIVE TO THE 2018 ANNUAL REPORT OF AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the Borough Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations,” as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Stanhope, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

On motion by Councilman Romano, 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 - yes
Councilman Riccardi - yes	Councilman Thornton – yes
Councilman Romano - yes	Councilwoman Zdichocki – yes

Resolution 097-19

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. 2018-020, representing property taxes and/or utility charges on Block 11501, Lot 2 C0092, known as 692 Audubon Ct, assessed to Lisa DiDomenico, 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 #2018-020 and Interest to Date of Meeting \$ 7,997.48 Premium Paid by Lienholder <u>0.00</u>
Total From Current Fund:	\$ 7,997.48
Total From Tax Premium Account	0.00

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that the Borough Treasurer be authorized to prepare the necessary check as stated above and to forward same to the lien holder.

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

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

PAYMENT OF BILLS

Resolution 098-19

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 14, 2019 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	Councilwoman Thistleton - yes
Councilman Riccardi - yes	Councilman Thornton – yes
Councilman Romano - yes	Councilwoman Zdichocki – yes

AGENDA ITEMS

All items listed on the Agenda for May 28, 2019 were approved.

CITIZEN'S TO BE HEARD

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

Amy Mahoney, 3Young Drive, expressed concern over the condition of vacant property at 8 Dell Road. The property has been vacant since January 2018. The grass is overgrown and is a breeding ground for mosquitoes and ticks. There are also dead rats on the property. She contacted the Department of Health and was informed she needs to contact the Borough's zoning official. Ms. Mahoney stated she, her husband and several of her neighbors have called the zoning official to complain about the condition of the property; however, nothing has been done.

Ms. Mahoney said the zoning official recently contacted her husband about mowing the lawn, since he was the responsible party. Mayor Maio asked why the zoning official thought her husband was responsible for maintaining the property. Ms. Mahoney did not know why but thought possibly because she had his name from his complaints. Ms. Mahoney added that upon learning of her error, the zoning official apologized and said she would do her best to find the responsible party. Ms. Mahoney asked if it was possible for the Borough to mow the lawn and bill the property owner. Mayor Maio said that is not normal practice, but in extreme cases they may consider it. Mayor Maio said this is the first they are hearing of this problem. Mayor Maio assured Ms. Mahoney she will speak to the Administrator and zoning official about the condition of the property.

Edward Franco, 19 Young Drive, said he was going to speak to the governing body about the condition of 8 Dell Road. The condition of the property is exactly as described by Ms. Mahoney. Mr. Franco stated he had rats in his house which he believes was a result of the rats on that property. The property is an issue and needs to be addressed. Mr. Franco also spoke about the water issue on Young Drive that has been going on for almost two months. Water is spurting out of the ground. The water started between 23 and 25 Young Drive. The DPW looked at the problem and filled in the hole. Mr. Franco stated that section never dries and the water is now going down towards 11 Young Drive. Mr. Franco said he has spoken to numerous employees and with the DPW Superintendent and was told it is ground water. Mayor Maio stated it is not a break in the water system and it may be ground water that changed its direction. Mayor Maio noted there are several streams under that development. Mayor Maio assured Mr. Franco that she will follow up on this matter.

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

ADJOURNMENT

On motion by Councilman Romano, seconded by Councilman Riccardi, and unanimously carried by voice vote the meeting was adjourned at 7:40 P.M.

Approved:

Ellen Horak, RMC
Borough Clerk