

**MAYOR AND COUNCIL
WORK SESSION AND
AGENDA MEETING
August 13, 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 – absent	Councilwoman Thistleton - present
Councilman Riccardi – present	Councilman Thornton – present
Councilman Romano – present	Councilwoman Zdichocki - absent

Mayor Maio – present

ENGINEER'S REPORT

Mayor Maio invited Eric Keller, Borough Engineer, to come forward to present his report.

Musconetcong Avenue ADA Ramps & Sidewalk Reconstruction– Mr. Keller reported the contractor was to have begun the curb ramp, but due to forecasted rain, the work was rescheduled for tomorrow. It is anticipated that the work will be done by early next week and they will then work on scheduling the milling and paving. Mr. Keller said he will also submit for the Post Office and Salmon Park paving at the same time as Musconetcong Avenue. The paving will take about 2 days and the milling will take about 1-1/2 days. The business owners, residents and the Post Office will receive prior notification of the project.

Young Drive/Maryann Terrace – Mr. Keller reported the DPW is completing the water service and starting on the trench repairs. They will be ready for the curb work when scheduled for the end of this month. The weather will affect the timeline, but the trenches will be done before Cifelli gets here.

Dell Road Speed Hump – Mr. Keller reported the Administrator forwarded to him a letter from a homeowner on Dell Road about the replacement of the speed hump. Mr. Keller stated he reviewed the previous plans and the location of the speed hump is where it needs to be. This is a 2020 project when they do the Dell Road Project.

Dell Road Water Issue – Mr. Keller stated he has not had an opportunity to visit the site and look at the drainage issue with the DPW Superintendent Jason Titsworth due to weather and Jason's vacation. The Administrator has been at the site and viewed the area before, during and after recent rain storms. The structure at Highpoint Condominiums is clear. The metal grate top is wide open. Shortly after a recent heavy rain, the creek rose, but at no point was the pipe overwhelmed. The Administrator also viewed under where it crosses over and goes back into the open creek area and there was no damage and or any water going over the top. The houses on the upside have a lot of roof leaders. There was no evidence of the water over-topping a curb or inlet. Administrator McNeilly noted impervious coverage will have an effect. There are large driveways along Dell Road and there are impervious coverage concerns. Mr. Keller and Jason

will visit the site and make sure all structures are secure and there are no detached pipes. Mr. Keller will also look at the impervious coverage in the area.

Port Morris Pump Station – Mr. Keller reported he reviewed the submittals from Rapid Pump and sent back his comments. Mr. Keller asked them for a schedule so by the end of the week they will have the pump's generator signed off on and they can order the equipment. Mr. Keller also asked them for a deduction change order for what was agreed to. Once the work starts the contractor has 45 days to complete the work. There will be 4 weeks of using a temporary by-pass pump.

37 Lloyd Avenue Run-Off – Mr. Keller reported the Administrator forwarded to him a complaint from the homeowner at 37 Lloyd Avenue regarding run-off going through their property. Mr. Keller inspected the site and the DPW put a small curb in front of the property to prevent run-off going onto their property.

Local Aid Grant – Mr. Keller reported he filed the Local Aid Grant application.

Stormwater Management – Mr. Keller reported he completed inspection of all the basins and is currently working on the maintenance manual report.

Sparta Road (TAP Grant) – Mr. Keller stated he spoke to the representative at the DOT today. We had been told that the CED approval, which comes from the Bureau of Environmental Resources, was to be done in early August; however, now he is being told it will be at the end of August. Due to the fact this is federal month, we can not specify a certain type of light. The street lights for Sparta Road are the same as the lights on Main Street, so he does not want to specify one. He will ask for a waiver to specify the light fixture. Mayor Maio asked if it will the project, adding the lights will not be next to each other so they do not have to be exactly the same. Mayor Maio stated she does not want a delay factor in choosing those specific lights. Mr. Keller will follow up with the DOT and find out the exact process to specify the light fixtures.

6 Overhill Road Water Issue – Mr. Keller reported the Administrator forwarded to him a concern from a resident at 6 Overhill Road. The Administrator forwarded a video provided by the homeowner, which Mr. Keller viewed. Mr. Keller noted the property sits at the crest of Overhill. It drops down to Sunset Avenue and the other side drops down to Brooklyn Road. The house sits lower than the road and there is no curb. The water runs from the edge of the road to the walkway at the front of the house. Mr. Keller observed a structure around a tree in the front which may be blocking water from running off towards Ridge Road. The house on the opposite corner has roof leaders; the one on the front corner of the house goes down the driveway to Ridge Road and the one in the back of the house dumps into the yard. There is a pile of leaves and debris at the leader drain. Mr. Keller stated he cannot at this time make a recommendation on the course of action to be taken. Mr. Keller noted it is a challenge when the house sits below the road. Mr. Keller said he must view it during a rain storm to see where the issue is coming from. Councilman Thornton asked if a temporary berm would help alleviate the problem until a solution is determined. Mr. Keller responded that he is not sure if a berm would possibly push more water to the garage and they would then be moving the problem from the front door to the garage door. Mr. Keller will inspect the site during a storm. Administrator McNeilly said he will inspect the site during the next storm.

Mayor Maio asked Mr. Keller about possibly starting the lighting on the path's part of the TAP grant project by splitting the project. Mr. Keller responded that can be done, but only after the entire project has been approved.

Mayor Maio thanked Mr. Keller for his report.

ADMINISTRATOR'S REPORT

Lackawanna Cut-Off – Administrator McNeilly reported on July 24th he attended the Sussex County Engineering meeting on the Lackawanna Cut-Off. In addition to the New Jersey legislators who were present, there was a large constituent from Pennsylvania, who want to move this project forward. The current status of the project is they will not do the Andover train station until the tunnel is done. The site is a historic railway so they cannot take down the tunnel. They are hoping to award the contract for the tunnel work next year. They are looking to apply for federal funding to go from Andover across the river. Administrator McNeilly noted that there was only one town listed on the agenda, which was Stanhope and our push for the quiet zone.

Administrator McNeilly added that a quiet zone is a challenge and if it happens, this will be the first area in the nation to get a quiet zone before the railway is constructed. Administrator McNeilly reminded the governing body and public present that a quiet zone is “less noisy.” You do not have the whistle, but you have all the other train sounds and if the conductor determines the whistle needs to be blown, i.e. a person or animal on the tracks, near the track, etc., he will blow the whistle. The governing body discussed the Lackawanna Cut-Off and the serious impact on the 5 properties in that area, one being the SCARC home. They acknowledged that this will definitely be happening, although no one knows exactly when. The project has been talked about for years, but discussions are now more serious and seem to be moving forward. Administrator McNeilly noted the impact statement goes from here to Scranton.

Construction Secretary Hour Review – Administrator McNeilly reported he spoke to the construction secretary and the extra hours have been used as needed and continue to be helpful to the operation in the department. Mayor Maio polled Council on whether to continue with the extra hours. The following is the result of the straw poll: Councilman Romano – yes; Councilwoman Thistleton – yes; Councilman Riccardi – yes; Councilman Thornton – yes.

Fire Department Truck Request – Administrator McNeilly noted the governing body received a request from the Fire Chief for a 9/11 photo shoot. They would like to bring the ladder truck to Liberty State Park on September 11th for the photo shoot. There is no fee for the photograph. Mayor Maio asked Council if they were in favor of permitting the ladder truck to be taken for the photo shoot. Council agreed to grant the request.

2020 Census Kickoff – Administrator McNeilly reported Marvin Joss, who is the Sussex County Partnership Specialist for the Census Bureau, will attend the September 10th meeting and make a short presentation.

Plaster Mill – Administrator McNeilly reported he and Borough Attorney Ursula Leo had a conference call with Meghan Baratta, Supervising Historic Preservation Specialist and Bob Craig, Registration Program Supervisor. The process for delisting, although it looks simple, is complicated and will be influenced by outside players that ultimately will scuttle the delisting plans. We were however encouraged to submit a plan for essentially an adaptive reuse of the site to maintain its listing but acknowledge the fact that this site is a ruins, not a building. Any reference to time periods in the process are really false as they can be held up waiting on State meeting schedules and they only meet 3 times per year. Administrator McNeilly stated these requests are usually not approved. Administrator McNeilly added, you would also need a structural engineer detail how the work will be done and how you will preserve what will remain. This can become very costly.

Brooklyn Road Crosswalk – Administrator McNeilly noted the resolution approving this is on tonight’s agenda.

Water & Sewer Allocation – Administrator McNeilly reported a resident is looking to build a house on Musconetcong Avenue. The Borough has a process for water/sewer allocation, which requires the Mayor and Council to adopt a resolution approving the connection. The construction official will not release the building permits because he is waiting for this resolution. Administrator McNeilly asked the Mayor and Council for approval to tell the construction official that there is no objection to the water/sewer allocation and that a formal resolution will be on the August 27th agenda, thereby allowing the building permits to be issued and have the work begin as scheduled by the applicant. Mayor Maio conducted a straw poll on whether Council was in agreement to approve the Administrator’s request. The following is the result of the straw poll: Councilman Romano – yes; Councilwoman Thistleton – yes; Councilman Riccardi – yes; Councilman Thornton – yes. Administrator McNeilly will inform the construction official.

Councilman Riccardi asked the Administrator if a response was sent to the Environmental Commission about permitting the fall clean-up. Administrator McNeilly responded the Chairman of the Environmental Commission was present in the public at the meeting, at which he informed him of the approval.

Councilman Riccardi asked for an update on Municipay. Administrator McNeilly responded he does not have an update. The CFO was out of the office last week. Mayor Maio asked the Administrator to have an update for the September Work Session meeting.

WORK SESSION

The items listed on the agenda for Work Session were discussed during the Engineer’s Report and Administrator’s Report.

MINUTES FOR APPROVAL

Mayor Maio stated there were two typographical errors in the December 4, 2018 minutes. The corrections have been made and they must approve the corrected version. On motion by Councilman Romano, seconded by Councilman Thornton and carried by voice vote, the minutes of the December 4, 2018 minutes, as corrected, were approved.

NEW BUSINESS

RESOLUTIONS

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

Resolution 118-19 RESOLUTION TO ENTER INTO A SHARED SERVICES AGREEMENT WITH THE COUNTY OF SUSSEX, NEW JERSEY, RELATED TO A PEDESTRIAN WARNING BEACON SYSTEM ALONG CR602 AND CRESTVIEW DRIVE

WHEREAS, the Borough of Stanhope and the County of Sussex have decided to work collectively towards the enhancement of pedestrian safety; and

WHEREAS, the Borough of Stanhope and the County of Sussex have determined that it would be mutually beneficial to enter into a Shared Services Agreement, related to a Pedestrian Warning Beacon System for the crossing of County Route 602, a.k.a. Brooklyn-Stanhope Road, along +/- milepost 0.64; and

WHEREAS, the Borough of Stanhope desires to enter into an Shared Services Agreement with the County of Sussex for the installation and maintenance of the Pedestrian Warning Beacon System; and

WHEREAS, the parties have the authority to enter into a contract for the joint provision of the services pursuant to N.J.S.A 40A:65-1, et seq.

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

1. The Mayor and Borough Administrator are hereby authorized to execute this Shared Services Agreement between the Borough of Stanhope and the County of Sussex, New Jersey.
2. This Resolution shall take effect immediately.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to Gregory V. Poff II, Administrator, County of Sussex, and to the Division of Local Government Services and Department of Community Affairs.

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

Roll Call:

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

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 119-19

**RESOLUTION ACCEPTING DONATION FOR A RING
ELITE DOORBELL AND SPOTLIGHT CAM MOUNT
FROM RING**

WHEREAS, Ring has offered to the Borough of Stanhope a complimentary Ring Elite Doorbell, including the Spotlight Cam Mount; and

WHEREAS, the Ring Elite Doorbell would be installed at the front door of the Police Department in the Borough and the Spotlight Cam Mount would be placed overlooking the Borough parking lot; and

WHEREAS, N.J.S.A. 40A:12-5 and N.J.S.A. 40A:5-29 authorizes the acceptance of bequests, legacies and gifts; and

WHEREAS, Police Chief Pittigher will report the contribution within his Financial Disclosure Statement filing.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Stanhope authorizes acceptance of the donation from Ring for its Ring Elite Doorbell and Spotlight Cam Mount in the best interests of the Borough.

Resolution 120-19

**RESOLUTION OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF STANHOPE APPROVING
SOCIAL AFFAIR PERMIT**

WHEREAS, Mount Olive Lions Club has filed an application for a Social Affair Permit for an event to be held at the American Legion Post 278 on October 12, 2019; and

WHEREAS, the Mount Olive Lions Club, as a non-profit organization, is allowed to hold a social affair under N.J.S.A.33:74-1; and

WHEREAS, the submitted application form is complete in all respects and the application has been properly reviewed and approved by the Chief of Police; and

WHEREAS, the Mayor and Council have no objection to the granting of the Social Affair Permit by the State of New Jersey Division of Alcoholic Beverage Control;

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Stanhope do hereby approve the Social Affair Permit for the Mount Olive Lions Club for their event to be held at the American Legion Post 278 on October 12, 2019.

Resolution 121-19

**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 21, 2019 from the hours of 11:00 a.m. to 8:00 p.m. on Towpath Lane between house numbers 22 and 23.

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 21, 2019 from the hours of 11:00 a.m. to 8:00 p.m. on Towpath Lane between house numbers 22 and 23.

Resolution 122-19

**MAYOR'S DECLARATION OF MUSCONETCONG
SEWERAGE AUTHORITY VACANCY WITH COUNCIL
CONCURRENCE**

WHEREAS, Thomas Bruno was appointed as one of the Borough of Stanhope's representative to the Musconetcong Sewerage Authority to serve a five-year term, with said term to expire on February 1, 2020; and

WHEREAS, the Mayor has been informed that Thomas Bruno is no longer a resident of the Borough of Stanhope; and

WHEREAS, Thomas Bruno has not submitted a written letter of resignation to the Musconetcong Sewerage Authority or to the Mayor; and

WHEREAS, the Mayor has declared the Musconetcong Sewerage Authority seat of Thomas Bruno vacant since he no longer resides in the Borough of Stanhope;

NOW, THEREFORE, be it resolved that the Governing Body does hereby concur in the Mayor's Declaration of Vacancy of the seat of Thomas Bruno as one of the Borough of Stanhope's representative on the Musconetcong Sewerage Authority.

On motion by Councilman Thornton, seconded by Councilman Romano and unanimously carried by the following roll call vote, the foregoing resolutions were duly adopted.

Roll Call:

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

Mayor's Appointment

Resolution 123-19

RESOLUTION APPROVING THE MAYOR'S APPOINTMENT OF THE BOROUGH'S REPRESENTATIVE TO THE MUSCONETCONG SEWERAGE AUTHORITY WITH COUNCIL CONCURRENCE

Mayor's appointment of Thomas Romano as the Borough representative to the Musconetcong Sewerage Authority to fill the unexpired term of Thomas Bruno, said term to expire 2/1/2020, with Council Concurrence.

BE IT RESOLVED by the Council of the Borough of Stanhope that they do hereby concur with the Mayor's appointment of Thomas Romano as the Borough's representative to the Musconetcong Sewerage Authority to fill the unexpired term of Thomas Bruno, said term to expire 2/1/2020;

BE IT FURTHER RESOLVED that the Clerk be and is hereby directed to send a certified copy of this resolution to the New Jersey Secretary of State.

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

PAYMENT OF BILLS

Resolution 124-19

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 August 13, 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 Councilman Riccardi and unanimously carried by the following roll call vote the foregoing resolution was duly adopted.

Roll Call:

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

AGENDA ITEMS

All items listed on the Agenda for August 27, 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.

Owen Newson, 8 Kelly Place, voiced his opposition to the two ordinances scheduled for the August 27th meeting.

James Percarpio, 47 Lloyd Avenue, expressed his opposition to proposed Ordinance 2019-10 and 2019-11.

Erica O’Connor, 6 Overhill Road, spoke about the water issue on her property mentioned during the Engineer’s Report. Ms. O’Connor stated the issue began in October/November when the neighbor across the street put a drain pipe in the back of his property leading to the road. She made Arlene Fisher, Code Enforcement Official aware of the issue. Ms. O’Connor stated it seems like the water is coming from the neighbor’s pipe. She has lived at this location for 7-1/2 years and never had flooding until the pipe was installed. Mayor Maio assured Ms. O’Connor that the Borough Engineer will inspect the area. Ms. O’Connor also noted that the road is in disrepair and there are no berms on the road; however, she is not sure a berm would help the issue. Her main concern is stopping the water. Ms. O’Connor noted the Borough Engineer’s comment about a structure around the tree and stated the flooding was occurring prior to the structure being put around the tree, which was done a few months ago.

Rick Perry, 43 Sparta Road, expressed his opposition to the two ordinances schedule for August 27th. Mr. Perry said he would like to see something ahead of the meeting that expresses the pros to mandating the affordable housing. He would like to hear the pros of the proposed ordinances and the reason for why the area is being rezoned. Mr. Perry noted there are many rumors going around and he would like to hear what is actually going on.

Mayor Maio stated the public hearing for both ordinances is scheduled for the August 27th meeting and by law, the governing body cannot discuss the ordinances until that time. Mayor Maio stated there cannot be any discussion on the ordinances by this governing body individually or as a group before the public hearing.

Andrea Trapper, 29 New Street, expressed concern with the tractor trailer traffic on New Street going to Ad Magic and she asked how much the road can take. Mayor Maio stated the owner of Ad Magic was present at last night’s Land Use Board meeting. They are asking for a variance, which if denied, they could appeal to the governing body, which is why she as Mayor and Councilman Romano, as the Council’s representative on the Board, had to step down and cannot sit during the hearing. Mayor Maio stated there was a presentation made by Ad Magic’s engineer, which was a conceptual site plan. Nothing was determined at the meeting and Ad Magic will be coming back at the next Board meeting. Mayor Maio agreed the trucks are a problem in the area.

Jason Boehm, 15 Ridge Road, stated he has witnessed the flooding at 6 Overhill Road and he observed the pipe which does seem to be exasperating the issue.

Nicole Member, 10184 Dell Place, voiced her opposition to Ordinances 2019-10 and 2019-11. She would prefer to keep the small-town atmosphere. Ms. Member questioned if high density fits into the Borough’s Master Plan, if the ERI has been evaluated and if it fits into the Borough’s Open Space Plan. Ms. Member stated she has environmental concerns since the property is in the Highlands Planning Area. She understands the difference between Highlands protected and planning areas; however, this area is a wildlife corridor. Ms. Member stated they will be putting up buildings and structures with impervious coverage, causing environmental issues. Mayor Maio asked where Ms. Member found the plans of which she is speaking about. Ms. Member responded “on the internet.” Mayor Maio stated there are no plans for the area. Ms. Member

stated she is speaking of her concerns if there were a high-density development in the future. She questions how it would affect traffic and the school and said you would need to know if people moving in are compliant with Megan's Law because the property is near two school districts. Ms. Member asked that her concerns be thought about before putting a high-density zone in the area.

Paula French, 27 New Street, expressed her opposition to the two ordinances scheduled for the August 27th meeting. Ms. French stated when Pennington Homes and Stonegate Condominiums were developed, they were on a highway. She has a concern that there is no highway access for the proposed development and the traffic will go through small residential areas.

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

GENERAL DISCUSSION

Councilman Riccardi stated in September 2010, the Borough adopted a resolution supporting the Sustainable Jersey Municipal Certification Program, and he questioned why no information was ever sent. Councilman Riccardi stated that over the years the Borough has done things that would qualify getting certified and open us up to grants through the program. Councilman Riccardi would like to look into getting this done. Mayor Maio noted the Borough would need someone to monitor the program and they do not have the staff to monitor such a program. Mayor Maio suggested this be a budget discussion topic.

ADJOURNMENT

On motion by Councilman Romano, seconded by Councilman Riccardi, and unanimously carried by voice vote the meeting was adjourned at 8:15 P.M.

Approved:

Ellen Horak, RMC
Borough Clerk