

**MAYOR AND COUNCIL  
WORK SESSION AND  
AGENDA MEETING  
September 10, 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 – absent
Councilman Romano – present	Councilwoman Zdichocki – present

Mayor Maio – present

*Nixle Program* – Administrator McNeilly stated Byram Township has joined the Nixle system and he has heard that Byram plans to be very active in using this system. Stanhope Borough's Nixle system has been very successful with roughly 1,300 text messages and 600-700 emails. The reason for the success is how it is handled. Every little event is not sent out through Nixle. The school has their Honeywell system for their notices. Unfortunately, the neighboring towns do utilize the advisory portion for community events. Administrator McNeilly stated Stanhope Nixle users can go onto the site and opt out of receiving Byram's messages. Administrator McNeilly stated one of the challenges has been the sharing of the zip code which is not an issue in other parts of the country.

**PRESENTATION**

*2020 Census (Marvin Joss)* – Marvin Joss, a Specialist for the US Census Bureau representing Sussex County, stated his background is in local government. The Federal and Local Governments need to work together on the Census. There are some important things which come from the census numbers. The census counts people and provides statistics. The census counts every person living in the US once and only once, and in the right place which is done every ten years. The Census Department does conduct 130 other surveys throughout the year. The population survey is a joint exercise with the Bureau of Labor Statistics and this is where the unemployment rates come from. Every five years an economic census is done. The US Constitution, Article 1 Section 2, mandates that everyone in the country be counted every ten years. The first census was done in 1790. People are counted where they live and sleep most of the time. Under Title 13 of the US Code, the information is always confidential. Information cannot be shared with law enforcement, the courts or any federal agencies. Census employees are not permitted to reveal any information they find not even if they find overcrowded houses for example. All Census Bureau staff take a lifetime oath to protect your personal information, and any violation comes with a penalty of up to \$250,000 and/or up to 5 years in prison. The funding for social programs is determined by the census figures. Every 10 years, the results of the census are used to reapportion the House of Representatives by determining how many seats each state gets. State officials redraw the boundaries of the congressional and state legislative districts in their states to account for population shifts. The distribution of more than \$675 billion in federal

funds, grants and support to states, counties and communities are based on census data. This money is spent on schools, hospitals, roads, public works and other vital programs.

Mr. Joss stated the Census Bureau works closely with the Post Office to find households. Aerial photography is being used this year for the first time. Information will be mailed around mid-March. This is the first census where people are being asked to self-report. People can respond to the census questionnaire online, or by telephone. If no response is received, additional reminders will be sent out and then a paper questionnaire will be sent. If a response is still not received, someone will be sent to knock on the door and obtain the information. Census Department jobs are available. It is preferable to have local people work in the local areas they are familiar with. People are needed to obtain the information. Everything mailed out is bilingual, English and Spanish. The information online and on the telephone is available in 12 different languages and there is additional help available in 59 other languages. The census office for this area is located in Parsippany. Mr. Joss stated there are representatives currently out in the field to confirm addresses. Administrator McNeilly asked if the employees carry credentials. Mr. Joss confirmed this and stated everyone has identification with a computer chip and a picture, business cards, and contact phone numbers on where to call. The representatives do not wear uniforms or special jackets. Safety is very important. If anyone has questions they can ask the representative to come back at another time and they can contact the Census Bureau. Representatives work various hours in order to try and find people at home. The actual visits would not begin until May. Administrator McNeilly asked Mr. Joss to let him know when the representatives will be in the Borough so that he can send out information to the residents. Mr. Joss stated many job openings are still available, some of which are temporary jobs. There can only be one head of household and that is the person who should answer the questionnaire. Mr. Joss stated he will be meeting with various groups and the libraries to make this presentation regarding the census. He will be meeting with the Sussex County Community College and the students will be getting involved making posters and banners for the county. Job fairs will be held to get the students involved. If people do not have computer access when it comes time to file the information locations could be set up with computers to assist people. Mr. Joss asked the governing body to let him know of any groups he could meet with who would benefit from his presentation. The governing body suggested meeting with the Senior Citizens Group. Mr. Joss will send an email to Administrator McNeilly which will contain information that can be placed on social media and flyers which can be printed. Administrator McNeilly asked Mr. Joss to provide colored printed material when it becomes available. Mr. Joss stated he is creating a committee for Sussex County made up of a collection of people from the County such as citizens, government officials of all levels, clergy, school officials and business people. The committee will help to spread information about the census and why it is important. They will also help to set up various events such as job fairs and evenings for people to get help filling out the questionnaires. Mr. Joss stated the census website has an interactive map which provides a great deal of information compiled from all the various surveys. Mr. Joss suggested the governing body take a look at the information and review it. Administrator McNeilly stated multiple towns using the same zip code causes problems in this area. Mr. Joss stated the website has a great deal of helpful information.

Remembering September 11<sup>th</sup> – Mayor Maio asked those present to join her in a moment of silence as tomorrow is the 18<sup>th</sup> anniversary of September 11<sup>th</sup>. Mayor Maio reminded everyone there is a September 11<sup>th</sup> Memorial located at Musconetcong Park and she encouraged those who have not visited it to do so. The Memorial is maintained by the Stanhope Department of Public Works. The Lakeview Heights Community Club provides plantings. The Memorial is in remembrance of a Stanhope Borough resident.

## **COUNCIL COMMITTEE REPORTS**

Mayor Maio stated the Council Committee Reports were held over from last meeting.

### **Public Safety – Councilwomen Kuncken/Thistleton**

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

Councilwoman Kuncken stated the Fire Department for the month of July answered 10 calls, 2 mutual aid calls, 4 drills and 1 special detail for a total of 82 hours and 43 minutes man hours volunteered. The new fire truck has been delayed slightly but should be received in the next few weeks. On Saturday a fund raiser was held for the Fire Department which went very well. This week Stanhope Borough's Fire Department is attending the Firemen's Convention in Wildwood.

Councilwoman Kuncken stated the Sussex County Fire Marshal's report states no inspections or incidents occurred in Stanhope for the month of July.

Councilwoman Kuncken stated the Police Department for the month of July reported 108 motor vehicle stops and there were a total of 306 calls.

Councilwoman Kuncken stated the Ambulance Squad for the month of June reported 20 calls in Stanhope, 19 calls in Netcong and 2 stand-bys for a total of 41 calls. There were 2 out of town calls to Hopatcong and 2 to Mt. Olive. They treated 28 patients and made 25 trips to various hospitals (Dover, Denville, Hackettstown, Newton and Morristown). They travelled 779 miles and had a total of 396 hours and 32 minutes of volunteer hours. There was 1 assist from the Netcong Fire Department. The delivery of the new ambulance has been delayed. The Ambulance Squad is holding a fund raiser on September 28<sup>th</sup>.

**Finance & Administration – Councilman Romano/Councilwoman Kuncken**

Councilman Romano stated taxes collected to date for the month of July total \$838,523.63 and the year to date collection is \$6,804,108.75. The percentage of collections for the first quarter taxes was 97.5%, second quarter was 96.2% and third quarter was approximately 25%.

Councilman Romano stated the water collections for the month of July totaled \$72,398.12 and the year to date total is \$365,843.42. The sewer collections totaled \$88,643.84 and the year to date collection was \$444,695.06.

**Community Development – Councilwoman Zdichocki/Councilman Thornton**

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

Councilwoman Zdichocki stated for the month of July 1 vacant property was registered. As of July 31<sup>st</sup> a total of \$74,000 has been collected for vacant property registrations. Five violations were issued for the month and there was 1 complaint. Ten zoning permit applications were issued.

**Municipal Infrastructure – Councilman Thornton/Councilwoman Zdichocki**

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

No report was provided in Councilman Thornton's absence.

**Information Technology – Councilmen Riccardi/Romano**

Councilman Riccardi stated the CFO is nearing completion with the Municipay issues. A Technology Committee meeting will be scheduled.

**Boards/Commissions – Councilwoman Thistleton/Councilman Riccardi**

Councilwoman Thistleton stated the Halloween Parade will be held on Saturday, October 26<sup>th</sup>,

**ENGINEER'S REPORT**

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

Musconetcong Avenue – Eric Keller, Borough Engineer, stated there was a bit of a process with the contractor regarding the ADA curb ramps and the sidewalk replacement on Musconetcong Avenue but the work has been completed.

Young Drive & Maryann Terrace – Mr. Keller stated he is pleased to report that Cifelli, the contractor for Young Drive and Maryann Terrace, has completed 2,400 linear feet of curb replacement in just 7 days. The curbing is done. Cleanup will take place tomorrow. All of Maryann Terrace, almost 700 feet, was poured yesterday and this morning. The DPW is continuing with the restoration of the pavement for the water trenches, the curb repair and the driveways. Mr. Keller stated he met yesterday with Jason Titsworth, DPW Superintendent, with regard to some of the steeper driveways. Administrator McNeilly stated, in the event that the governing body receives any questions, the blacktop is being placed in the trenches to solidify the trenches. Temporary fill, using base material, is being placed at some of the driveways so the residents can access them. These driveways will not be left this way. Administrator McNeilly stated, under Mr. Keller's direction, a saw cut will be made with a very firm edge and then paving will be done to that edge.

Paving Projects – Mr. Keller stated the scheduled paving jobs for this year, Musconetcong Avenue, Walton Place, Young Drive, Maryann Terrace and the parking lots by the Post Office are ready. Mr. Keller has contacted Tilcon again to obtain a schedule. A reply has not been received to date. There is a significant amount of tonnage required for these projects. Tilcon could be in the Borough for a week. Mr. Keller stated Tilcon can put down 900 tons per day.

Administrator McNeilly stated the weather will have to be taken into consideration and in his opinion the work could take as long as two weeks. Mayor Maio stated residents need to be notified well in advance. Mr. Keller stated with a project this size the contractor will provide a schedule ahead of time. The work may not be done in consecutive days for all the areas. Mr. Keller stated he has informed Tilcon that the parking lots by the Post Office must be done in conjunction with one of the other projects. Administrator McNeilly stated he has spoken with Jason Titsworth, DPW Superintendent, regarding necessary signage and notifications. Signs will be posted stating work will begin “on or about” in order to provide as much notice as possible. Councilman Riccardi asked if the driveway work will be completed prior to paving. Administrator McNeilly stated the goal is to have all the work complete prior to the milling and paving.

Port Morris Pump Station – Mr. Keller stated the pumps for the pump station have been ordered. The generator resubmittal was received yesterday and is being reviewed. The work is scheduled to begin at the end of October with the work to be completed by early December. They have allowed for 45 days of temporary pumping but they are aiming to need just over 30 days. The first thing which will be done is to cut into the existing force main and put the pump around it. The old equipment will be removed and the concrete will be poured. Then the new equipment will be installed. Administrator McNeilly stated the residents will not notice any changes occurring. Mr. Keller stated toilets will continue to be flushed, waste will go into the wet well and it will be pumped out.

TAP Grant – Mr. Keller stated all of the revisions have been completed. The State, just two weeks ago, issued for the first time in 12 years, new State specifications. Everything which was done up to this time was based on the 2007 book and just now a 2019 book was introduced. All the specifications now have to follow the 2019 book. Mr. Keller has sent letters to Administrator McNeilly which will need to be printed on letterhead. The CED, which was expected by the end of last month, has not been approved as yet by the Bureau of Environmental Program Review. Mr. Keller received an email this morning stating it has not been completed. Mr. Keller sent an email back requesting a reason for the delay. A response has not been received. After all the State approvals are complete the paperwork will be forwarded to Federal Highway for further review and approval. Mayor Maio asked if anything can be done through the legislators to move this process along. Mr. Keller stated without knowing what the actual delay is, it is difficult to know. Mr. Keller stated there has been a small cost savings due to the fact the Stanhope Board of Education has paved the walkway down to the Highpoint Condominiums. All the paperwork should be submitted no later than Thursday this week.

Future Projects – Mr. Keller stated he and Administrator McNeilly would like to schedule a meeting with the Infrastructure Committee to discuss next year’s projects. One of the projects is Dell Road because there is a Local Aid Grant for that. The five year capital program needs to be reviewed and anything else which has come up which is critical. The County is planning to do some repaving. Brooklyn Road needs to be discussed.

Stormwater – Administrator McNeilly stated the annual training provided by the Musconetcong Watershed will be taking place soon for the governing body. There have been some changes with regard to stormwater. Mr. Keller stated he completed the annual reports. The DEP informed Mr. Keller that he needed the Stormwater Pollution Prevention Plan and the full Stormwater Management Plan posted on the website. They also needed a copy of the outfall map which has been done for years but it may not be in a format which can be submitted to DEP. Mr. Keller stated he has the DPW stormwater maps to review. These will also have to be posted on the website. The Stormwater Pollution Prevention Plan is out of date and needs to be updated. The current one will be posted to the website. There is now a Public Information Outreach Program which has to be put together. All of this is part of the Tier A permit which was issued last year. Administrator McNeilly stated it may be an option to include the public at the annual training for the governing body. Sending out a public notice to attend the presentation may satisfy the public outreach requirement. Mr. Keller stated the DEP is auditing various towns. Councilwoman Kuncken asked for an update on the manual for the detention basin. Mr. Keller stated it is moving forward. There were some delays on the construction side. The inspections have all been done. The report has to be written.

Mayor Maio thanked Eric Keller for attending tonight’s meeting.

## **ADMINISTRATOR'S REPORT**

Brush Pickup – Administrator McNeilly stated it is fall brush collection time. The chipper is in for repair. The DPW has a rental chipper and brush collection will be completed by Friday, September 13<sup>th</sup>. Administrator McNeilly stated he and the DPW will make a final sweep of the Borough to make sure everything has been collected. When we receive calls on Monday morning saying an address was missed we will know it was not there last week. This happens for brush collection and leaf collection at the end of December.

2019 Best Practice Checklist – Administrator McNeilly stated he and the CFO are reviewing the new and improved checklist and it will be prepared for the Governing Body's review. A copy of the Local Finance Notice was also provided to the governing body. There are questions on there that many municipalities cannot comply with. They are pushing for municipalities to have electric vehicles. For those of us in the northern part of the state where the temperatures drop very low, electric cars will not work. Another negative is the recommendation which is listed in the audit every year because the municipality does not hire enough employees for separation of duties. The Borough has done well in the past and has not come close to losing the funding which is tied to answering the checklist honestly. Administrator McNeilly stated in his opinion it is hard to believe the towns which are claiming 100% on the checklist. Stanhope Borough usually scores in the 89-90% range. The Checklist will have to be discussed at the October 24<sup>th</sup> meeting. The State's due date is October 29<sup>th</sup>.

Fire Department New Engine 2 – Administrator McNeilly stated the new fire truck is almost ready for delivery. The acceptance process has been discussed with Chief Bookspan. Administrator McNeilly stated he and the CFO are waiting for information on an acceptable payment method. For delivery it is C.O.D. and we will be preparing the check and adding it to the following bills list. Councilwoman Kuncken asked if the new truck will be stored in the garage and will the truck being replaced be moved to the DPW yard. Administrator McNeilly confirmed this and stated the old truck will remain registered and insured.

Municipal – Administrator McNeilly stated the CFO has reported that we are close to having the final details in place. A Finance Committee meeting needs to be scheduled in order to finalize. A resolution will then be prepared for the governing body's approval.

Capital 2020 Road, Water and Sewer – Administrator McNeilly requested a meeting be scheduled for the annual Infrastructure Committee to discuss the 2020 capital projects for roads, water and sewer.

Technology Committee – Administrator McNeilly requested a meeting be scheduled with the Technology Committee to discuss the iPad's as well as to discuss plans for a Citizen Service Request Portal. Administrator McNeilly stated there are funds in his budget for Code Enforcement which plays well into the Citizen Service Request Portal. Municipalities are using this to allow citizens, via a separate page on the website, to have their requests routed to the various departments. All of this can be monitored by the Administrator's desk. This would include not only Code Enforcement and Zoning but also Public Works, Police, Fire, Office, and the Administrator's Office. The system can be used for external and internal requests. Administrator McNeilly stated he is of the opinion this will provide a good tracking system. Administrator McNeilly will be able to see when a request was made, where it was directed to and when it is completed and if a follow up issue was filed. This will also provide information for staffing issues. For example, if there are 27 open issues in enforcement, this may indicate there is not enough staff available. Councilwoman Zdichocki stated this is not something to be posted or discussed on social media. Administrator McNeilly stated the key thing in a social media environment is this will give those individuals a place to report the issue without having to call or email Borough Hall. Administrator McNeilly has researched several different websites and he suggested the governing body members review some of the websites such as; Byram Township, Mt. Olive, Roxbury Township and Pemberton Township in South Jersey which is Administrator McNeilly's first design choice. Administrator McNeilly stated the level of frustration that exists on all sides would be alleviated by managing the issues properly. Administrator McNeilly stated a presentation and discussion will take place with the Technology Committee and the findings will then be presented to the governing body.

Brooklyn Road Crosswalk – Administrator McNeilly stated he is waiting for the signed agreement from Sussex County and a timeline regarding the Brooklyn Road Crosswalk. A discussion needs to be held to determine which crosswalk will be the next one to add to the program for 2020. Mayor Maio stated during a previous meeting it was determined the next crosswalk would be the one located at Maple Terrace. The neighborhood needs to be completed before moving onto another area. Councilwoman Kuncken stated she recently used the crosswalk in Netcong by the Growing Stage. She pressed the button, the flashing lights started and there was a car approximately five car lengths back. Fortunately she did not step off the curb because the car never stopped. The driver looked at her and drove right on through. Councilwoman Kuncken stated when the crosswalks are installed a lot of educating has to take place with the schools. The children cannot think they can step off the curb just because the lights are on. Administrator McNeilly stated it is a sad state of affairs in the same way that speed bumps had to be installed on a back road. During one of the recent meetings we heard residents complain how fast people drive going to and from Valley Road School. At Brooklyn Road and Route 183 you cannot accept that the cars will stop. The light will be an aid but people still have to stop and look and make sure it is safe to cross. The crossing guards will still be needed.

Tax Sale 2019 – Administrator McNeilly stated the 2019 Tax Sale for unpaid 2018 taxes, water and sewer charges will be held on October 8<sup>th</sup> at 10AM. Public Notice should be posted in the newspaper by Thursday. Administrator McNeilly stated the governing body members can attend the auction which can be a lively auction. Last year, system wide, it was not a good year for some reason. Administrator McNeilly stated the list remains the same once published. Property owners who make payments in time prior to the sale are removed from the sale but the names remain on the published list.

iPads - Councilwoman Zdichocki stated it has been awhile and the iPads need to be distributed. Councilwoman Zdichocki asked if the governing body could have the meeting agendas emailed to them now that everyone has an email address instead of receiving multiple paper copies. Ellen Horak, Borough Clerk, stated the agenda distributed on the Friday prior to a meeting is a draft agenda. This provides the governing body the chance to preview the draft agenda, ask questions or view resolutions. Ms. Horak stated she has not been instructed to send this information via email. Councilwoman Zdichocki stated every Friday she has to access the Stanhope Borough website to view the agenda. Having the agenda emailed would be more convenient. Mayor Maio stated this will be addressed at the Technology Meeting. Administrator McNeilly stated there are not enough hands to get through everything at once. There are filing methodologies, a documentation methodology, a use methodology and issues to be addressed by the Technology Committee.

Plaster Mill – Councilman Riccardi asked for an update on the Plaster Mill. Administrator McNeilly stated as a result of the presentation regarding the Plaster Mill and the fact that the Borough cannot move forward on that, this will become a budgetary item for 2020. A structural engineer will be needed for an adaptive use determination. Councilman Riccardi asked if information can be gathered in order for this to be discussed during the budget process.

## **WORK SESSION**

Municipal – Mayor Maio stated Municipal was discussed during the Administrator’s Report.

Approve Comp Time (Code Enforcement Official) – On motion by Councilman Romano, seconded by Councilwoman Kuncken and unanimously carried by the following roll call vote, five (5) hours of compensation time was approved for the Code Enforcement Official.

Roll Call:

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

Capitol Care (Sign Request) – Mayor Maio stated Capitol Care has requested additional signage due to the fact that this section of Route 183 is “one-way” and drivers, including some of their own suppliers, make a left turn out of their driveway. Only a right turn should be made at that location. Route 183 is a State road and therefore the Borough cannot provide signage. Mayor Maio suggested that Administrator McNeilly contact Capitol Care and have them install a sign at the end of their driveway stating “No Left Turn”.

Andrew Kuiken (Request for Dumpster in Municipal Lot) – Mayor Maio stated a request has been received from Andrew Kuiken to place a dumpster in the Municipal Lot. Administrator McNeilly stated parking in the downtown area is a challenge and the winter season is approaching. Parking on the street before 6AM will be restricted soon. Administrator McNeilly stated there is also concern about the length of time a dumpster would be left at the location. The request could be for a week but once it is in place, having it removed could become a problem due to weather or other issues. Administrator McNeilly stated he appreciates the fact that the building is located on a very tight site and has essentially zero offsite space but in his opinion having the dumpster in the parking lot is not advisable. The building in question is where the dog grooming business is located. The owner will be doing a complete renovation of the third floor. Councilwoman Kuncken stated parking for the people who live in the area is already a challenge. Mayor Maio stated perhaps a neighboring property owner could assist. Administrator McNeilly stated a dump truck could be brought in at the end of day, loaded up and the debris taken away. Mayor Maio asked Administrator McNeilly to write back to the gentleman stating we appreciated the situation but we cannot accommodate him and encourage him to reach out to the neighboring property owners.

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

Lake Hopatcong Tour - Councilwoman Kuncken stated last Wednesday night she and Councilwoman Zdichocki attended a boat tour on Lake Hopatcong. The event was sponsored by the New Jersey League of Conservation Voters with the Highlands Coalition and ANJEC. This was an educational event regarding the root causes of the algal bloom that Lake Hopatcong suffered this summer. There were representatives there from the New Jersey League of Conservation Voters along with a guest speaker. The event was attended by council members from neighboring towns with lakes, environmental commission members as well as members of the Lake Hopatcong Lake Commission and some lakefront property owners. Part of the presentation dealt with the causes of the algal bloom such as the runoff which comes from roofs, gutters and streets, pesticides and lawn treatments, dog waste and failing septic systems. Stanhope Borough has Lake Musconetcong but fortunately the Borough has a sewer system and does not have to worry about septic tank issues. All these issues contribute to the nitrogen and phosphorous levels in the water. Everyone was aware of the unusual amount of rain we have experienced this past spring and summer which certainly contributed to the problem. As a group there was the opportunity to comment and ask questions. One of the issues discussed was how the lakes do not freeze like they used to. This results in less ice fishermen, less ice skaters and less kids playing hockey on the ice and the effect this has on the fish and the condition of the lake underneath the ice. People made some good suggestions and observations. Mayor Maio asked if anyone brought up the issue about the State Parks not allowing ice skating on the lakes. Councilwoman Kuncken stated it was geared more toward how winters are changing and how things have changed. It was a very informal, non-threatening, exchange of ideas that people have observed, how do we move forward and what should be done to educate the residents about pesticide use, fertilizers and runoff and aeration. Councilwoman Kuncken stated she is glad she attended and it was a good learning opportunity. It was also helpful to see what other communities are experiencing and there was a beautiful sunset on the lake. Councilwoman Zdichocki stated there are things that the community can do to prevent some of the problems. When lawns are cut and the grass is blown into the roads, it gets washed down into the sewer system. Hopatcong just finished creating a water garden. They talked about the use of rain barrels. Some of the smaller lakes and coves use aeration or fountains to get the water moving. The program was very informative. The presenters stated they are willing to come speak to any environmental program or clubs or if people want to get together to learn how to build a water garden. Councilwoman Zdichocki stated she and Councilwoman Kuncken have paperwork regarding this information if anyone is interested. It is important when lawns are cut that the grass is bagged and cleaned up so that it doesn't back up the system. Administrator McNeilly stated the Borough is not able to collect grass clippings and the residents are encouraged to mulch their grass clippings.

## **NEW BUSINESS**

## **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 130-19**

**RESOLUTION TO REFUND OVERPAYMENT OF TAXES FOR SURVIVING SPOUSE OF A 100% DISABLED VETERAN**

WHEREAS, the homeowner was approved to receive the property tax exemption of the surviving spouse of a totally disabled veteran as of the date of application, August 10, 2019, and is therefore exempt from property taxes from that date forward; and

WHEREAS, the total amount due in 2019 was \$6,351.90, less the Veteran’s deduction of \$250.00 for a net liability of \$6,101.90; and

WHEREAS, the total liability is now pro-rated for 221 days from January 1, 2019 to August 9, 2019, or a total payable of \$3,694.22; and

WHEREAS, the property owner has in good faith paid the first three quarters of 2019 property taxes in the amount of \$4,559.62, creating an overpayment of \$865.40 in taxes on this property; and

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

**Homeowner Information:**

Block	Lot	Name & Address	Tax Year	Amount
11303	15	Edna J Leavy 20 King Street Stanhope, NJ 07874	2019	\$865.40

**Resolution 131-19**

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

WHEREAS, Stanhope-Netcong American Legion Ambulance Corps has filed an application for a Social Affair Permit for an event to be held at the Stanhope Fire House, 26 Main Street, Stanhope, New Jersey on September 28, 2019; 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 Stanhope-Netcong American Legion Ambulance Corps for their event to be held at the Stanhope Fire House on September 28, 2019.

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

**Roll Call:**

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



**PAYMENT OF BILLS**

**Resolution 132-19**

**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 September 10, 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 – absent
Councilman Romano - yes	Councilwoman Zdichocki – yes

Councilwoman Kuncken stated the bill for the washer and dryer for the Fire Department is on this bills list. The appliances will be delivered in the near future.

**AGENDA ITEMS**

All items listed on the Agenda for September 24, 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.

*Michael Assenza*, 1 Highland Avenue, stated he has some questions regarding the special meeting which was held. Mr. Assenza asked if there is a protocol for a person being recused and why the reason was not given to the public. Mayor Maio stated this was because the individual involved lives in the Highpoint Condominiums where special notice was given and therefore that individual cannot vote on the issue. Mr. Assenza stated this should have been explained to the public. Speculations were that the person in question owned the property or was involved in some other way. Mr. Assenza stated his other question deals with the whole Section 8 scenario. Mayor Maio stated Section 8 housing is not part of this plan. Mr. Assenza stated the HUD requirement which is predicated by the courts is 155,000 short on low income housing units. Administrator McNeilly stated the Borough is dealing with Affordable Housing. There is a very big distinction between Affordable Housing and Low Income Housing. Mr. Assenza stated at the meeting the Borough Attorney said the Borough’s number of units went from 200+ down to 126 units. Mr. Assenza stated in his opinion if the Borough’s numbers are decreasing due to the efforts of the attorney, and other towns are doing the same, then the algorithm being used must be wrong. The towns should gather together and ask for the algorithm to be fixed. Mayor Maio stated the Council on Affordable Housing and the numbers they have come up with for every municipality in the State have been argued for many years. The issue is constantly bounced back and forth between the courts and the coalition. The issue has not gone unattended. Administrator McNeilly stated in Sussex County there was a very cohesive approach. Administrator McNeilly stated he will explain this as simply as possible but this is not his area. The Borough went from what he calls the realistic numbers of 5 or 6 which in his opinion were fair percentages for a community this size. Then the number increased to 12. During the first round the Borough was creative with group homes and we were doing our part with affordable units. Then the Borough had a four family condominium unit added which was built at the corner of Lloyd Avenue and Brooklyn Road through Habitat for Humanity. During the third round, which almost seems to have occurred due to all the objections and the hold ups by the previous administration, politics aside, was like a rubber band was snapped, bringing in these monster numbers. To determine these numbers they were using aerial photography to determine where there was open space.

They were utilizing medians and off ramps from the highways as open space. Mr. Assenza asked if the Borough made agreements with other towns for trying to meet the numbers. Administrator McNeilly stated Stanhope did not do so. That was a substantive idea to place the affordable housing where it is needed most near transportation and jobs but Fair Share Housing said no. They want the units in every municipality. The Borough has 126 units and that is where it stands. Mr. Assenza stated the Borough just has to establish a plan. The Governing Body members stated this is what they have been saying. Mr. Assenza stated in his opinion both of the ordinances should have been used for the same purpose. Any part of the town could have been used to satisfy a plan rather than targeting the downtown area and graphically changing the acreage in order to satisfy a plan. Administrator McNeilly stated the ordinance was voted down. Mr. Assenza stated he does not know if it will resurface. Mayor Maio stated the State of NJ requires the Borough to have a plan. Mr. Assenza suggested different portions of the town should be used and zoned for 55+ senior housing and income restricted which would meet the requirement. Mayor Maio stated the current plan which has been in place from 2010 to 2018 was a requirement from the State of NJ for 58 affordable housing units. Administrator McNeilly stated this was the number before the court threw it out. Mayor Maio stated the governing body knows how to do the plan. Mr. Assenza stated in his opinion the area down there should not be used to satisfy housing. Anyone living in that area will not identify themselves as part of Stanhope. They will identify with being a part of Netcong. Mayor Maio thanked Mr. Assenza and stated she appreciates his time and the effort he has put into this. Mr. Assenza stated the land to be used should be along the lake, the train line and along Sparta Road for age 55 and up.

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

### **COUNCIL DISCUSSION**

Mayor Maio stated due to the fact that some of the current council members may not have a copy of the past plan, a copy of the Housing Plan and Fair Share Plan was distributed to each of the council members. The plan outlines the process and the COAH regulation and requirements. A copy was given to the Clerk for Councilman Thornton.

Councilwoman Kuncken stated the two ordinances were voted down and the governing body realizes that they need to take another look. It is not that the governing body is not aware that this needs to be done. That is the reason they voted no. Councilwoman Kuncken stated she appreciates Mr. Assenza's comments but they voted no for a reason. They were not happy with it either and they are going to go back to work.

### **ADJOURNMENT**

On motion by Councilwoman Kuncken, seconded by Councilwoman Zdichocki, and unanimously carried by voice vote the meeting was adjourned at 9:00 P.M.

Approved:

Linda Chirip  
Deputy Clerk for  
Ellen Horak, RMC  
Borough Clerk