

**MAYOR AND COUNCIL
REGULAR MEETING
October 22, 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
Councilman Riccardi - present
Councilman Romano – present

Councilwoman Thistleton - present
Councilman Thornton - present
Councilwoman Zdichocki - present

Mayor Maio – present

CITIZENS TO BE HEARD

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

Nancy Hoyt, 33 Lawrence Avenue, asked when the next property re-evaluation will take place. The last one was done over ten years ago. Mayor Maio stated the percentage of ratio to values is still quite good. Administrator McNeilly stated the percentage is in the 90's. The Tax Assessor will be attending the work session meeting on December 10th to speak about the state of the assessment. Mayor Maio suggested Mrs. Hoyt attend that meeting.

Rich Perry, 43 Sparta Road, stated it recently came to his attention that Governor Murphy wants to merge towns in New Jersey. Mayor Maio stated a requirement does not exist to have towns merge. Mr. Perry stated he heard the Governor wants to eliminate 191 towns. Other towns, such as Netcong, are building. If Stanhope merges with another town would that eliminate the Borough's COAH obligation? If Stanhope does not meet the COAH obligation will the State file a lawsuit against the Borough? Attorney Leo stated the COAH obligation would go away if the municipalities were to merge. However, in order for a merge to take place it would take years. If a merge did occur, a new COAH number would be declared and there is nothing to say that the new number would not be just as offensive.

Mr. Perry stated he has asked in the past about installing stop signs. Mayor Maio stated the stop signs have never been there. Mr. Perry stated he is of the opinion that he needs to mention this because he would feel badly if something were to happen and he didn't bring it to someone's attention. If an accident occurs and someone is "T-boned" at an intersection without a stop sign, who is liable? Mayor Maio stated there are a number of intersections within the community that do not have stop signs. Good judgement and caution should be something everyone should exercise. Mr. Perry stated he experienced an accident like the one he described and he is just trying to protect the town. In his opinion the cost of installing a stop sign is less than if the Borough were to be sued from a resulting accident where there is no stop sign. Mayor Maio stated, as was explained in the past by the Administrator when this subject was last brought up, a study would have to be done and a proven need has to exist. Administrator McNeilly stated there are numerous areas where traffic flow is non-existent. The intersections of Hill Road and Central Avenue; Central Avenue and Lakeview Terrace; Lakeview Terrace and Roberts Place; Walton Place and Central Avenue; Upper Central Avenue and Highland Avenue are all intersections with side streets which go to a marginally larger street. Administrator McNeilly stated stop sign

or not, if there is an accident, the Borough would still be a named party. Councilman Thornton stated he is of the opinion that because Mr. Perry is bringing this to the governing body's attention, and we are declining, does that make the Borough liable if something unfortunate occurs. Attorney Leo stated it would be a case of foreseeability someone could argue.

Mr. Perry asked if any studies have been conducted on what the impact would be to the school, police and the municipality if the rezoning ordinance is approved to comply with the COAH requirements. Mayor Maio stated the Borough has an obligation to plan for 128 units. It is the responsibility of this governing body to come up with those units. The Planner has been contacted and the plan is being redone. The plan is simply the roadmap in the event that construction was to be built this is where it would happen. Mr. Perry stated Netcong invited the construction in and now those taxpayers are on the hook for a \$700 increase this year just for the school tax. The 2.5% max cap increase which is State mandated for taxes does not include school taxes. Mr. Perry stated he is asking for a study in order to be ahead of this because it is coming. This is a State requirement and our taxes could increase \$1,000. Mayor Maio stated just because another community has growth and that growth impacts their schools, it does not mean that is the case here. As it happens right now our school population at the grammar school and the high school are well under capacity. The Borough is not faced with that situation. Mayor Maio stated she is not aware of what the cause of the Netcong tax increase entails. Mr. Perry asked for the governing body to provide more information to the public so they can be informed and on the governing body's side. Mayor Maio stated at this time there is no information to share. Mayor Maio stated the ordinances did not pass and do not exist.

Mrs. Hoyt - In response to Mrs. Hoyt's question, Administrator McNeilly stated he contacted the Tax Assessor. The ratio in 2019 is 90.78%, In 2020 the ratio is dropping slightly to 88.98%. These are solid numbers. Mrs. Hoyt thanked Administrator McNeilly for the information.

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

MINUTES FOR APPROVAL

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

August 27, 2019	Business Meeting
September 10, 2019	Work Session/Agenda Meeting
September 24, 2019	Business Meeting & Closed Session

On motion by Councilman Romano, seconded by Councilman Riccardi and carried by voice vote, the above listed minutes were approved. Councilman Thornton abstained from the September 10, 2019 meeting.

CORRESPONDENCE (List Attached)

On motion by Councilman Thornton, seconded by Councilwoman Zdichocki and unanimously carried by voice vote, the list of correspondence was accepted and ordered placed on file.

COUNCIL COMMITTEE REPORTS

Public Safety – Councilwomen Kuncken/Thistleton

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

Councilwoman Kuncken stated the Fire Department for the month of September reported 9 calls answered, 65.75 man hours; 1 mutual aid call, 1 EMS assist, totaling 3.75 man hours; 3 drills, 7 special details, 1 funeral and 1 parade. The total number of man hours volunteered was 285 hours. Councilwoman Kuncken stated as part of the capital budget last year, a new pumper fire truck was purchased. Last Thursday night the truck arrived. Councilwoman Kuncken stated she, Mayor Maio, Councilwoman Zdichocki and Administrator McNeilly were present when the truck arrived. Administrator McNeilly is making sure the truck is registered and insured. The Fire Chief has indicated the truck will be in service in approximately six weeks. Training and other requirements have to be completed before the truck can be placed in service. The truck which is being replaced will be prepared for auction.

Councilwoman Kuncken stated the County Fire Inspector for the month of September did not have any inspections and there were no complaints or fires.

Councilwoman Kuncken stated the Police Department had 80 motor vehicle stops calls for the month of September. There were a total of 248 calls for the month.

Councilwoman Kuncken stated the Ambulance Squad for the month of August reported 15 calls in Stanhope, 39 calls in Netcong, and 1 stand-by for a total of 55 calls. There were 7 out of town calls; 1 in Byram, 4 in Hopatcong and 2 in Roxbury. The total number of calls was 62. A total of 48 patients were treated and 41 trips were made to the various hospitals. The number of miles travelled was 925 and there were 212 hours and 54 minutes of volunteer hours. There was 1 assist from the Fire Department. Councilwoman Kuncken stated they are still waiting for the new ambulance.

Finance & Administration – Councilman Romano/Councilwoman Kuncken

Councilman Romano stated the taxes collected for the month of September totaled \$128,347.75. The year to date total for taxes is \$9,130,429.70. The Borough has collected 95% of the third quarter taxes.

Councilman Romano stated the water collections for the month of September totaled \$123,012.52. The year to date total is \$517,142.59. The sewer collections for the month of September totaled \$148,102.40 and the year to date total is \$630,065.95.

Community Development – Councilwoman Zdichocki/Councilman Thornton

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

Councilwoman Zdichocki stated for the months of August and September there were 18 violations and complaints (9 for each month). There were 8 zoning permit applications and 4 vacant property registrations. The total amount collected to date for vacant property registration is \$75,000.

Municipal Infrastructure – Councilman Thornton/Councilwoman Zdichocki

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

Councilman Thornton stated the Municipal Infrastructure Committee met this morning with Administrator McNeilly, Mayor Maio and Eric Keller the Borough Engineer. Several items were reviewed. Councilman Thornton stated that Administrator McNeilly and Mr. Keller have been asked to provide a broader approach to some of the smaller streets which are in poor condition. Eleven streets have been singled out to see what can be done to improve the conditions of the roads. They are Roberts Place, Lakeview Terrace, Sunset Avenue, the balance of Ridge Road, Elizabeth Avenue, Highland Avenue, Baker Place, Central Avenue, Overhill Road, Mountainview Road and Mountain Terrace. Potential purchases for the DPW were discussed. Another meeting was scheduled for November 7th.

Information Technology – Councilmen Riccardi/Romano

Councilman Riccardi stated the Information Technology Committee met a few weeks ago to discuss the iPads and how they will be deployed to the members of the governing body. The general setup has been reviewed. Councilman Riccardi asked the members of the governing body to contact him or Councilman Romano for assistance in setting up their iPads. More information will be added to the iPads in order to reduce the paper footprint in this building. The iPads will also provide better communication.

Councilman Riccardi stated the resolution for Municipay is included on tonight's agenda. The Finance Committee and the Technology Committee have worked hard on this project and Councilman Riccardi is of the opinion this program will assist the residents when paying their bills.

Councilman Riccardi stated he does not have an update on the records scanning project. Administrator McNeilly stated the next set of 4 boxes is ready to be sent for scanning. The boxes are now being pulled from the storage shed for scanning. There are a few boxes which are problem boxes. There is no benefit to incur the expense of scanning these items. They are permits which would not be requested by OPRA such as the permits for the schools. Administrator McNeilly will be meeting with the Construction Secretary to retrieve and prepare more boxes for scanning. This is a tedious project. All the staples must be removed. In order to have the funding stretch as far as possible, the duplicate pages must also be removed.

Administrator McNeilly stated MSI was here this morning to look at the wireless router. A glitch was encountered when the iPads were being setup. The system was checked and the 5 GHz side of the router has been activated. MSI has stated unless we have 100 Wi-Fi units going at one time, this system should be sufficient. Mayor Maio stated the MSI representative stated the concrete walls and steel have no effect on the signal. Administrator McNeilly stated if any problems are encountered the issue will be reassessed.

Boards/Commissions – Councilwoman Thistleton/Councilman Riccardi

Councilwoman Thistleton stated the Halloween Parade will be held on October 26th at 11:00am. The parade will begin at the Municipal Building and the children will walk to the Fire House.

Councilwoman Zdichocki stated the Clean-Up Day is scheduled for this Sunday. However, rain is predicted.

ENGINEER'S REPORT

Mayor Maio invited Eric Keller, Borough Engineer, forward to present his report. Mr. Keller stated things have been very busy for the past couple of weeks.

Young Drive and Maryann Terrace – Mr. Keller stated all work has been completed on Young Drive and Maryann Terrace except for the striping. We are still waiting for the striping schedule. There was one complaint received from 23 Young Drive regarding their driveway lip. This will be reviewed and discussed with the DPW.

Musconetcong Avenue – Mr. Keller stated Musconetcong Avenue was milled on Friday, October 11th and paving was completed today despite the misty light rain and the delivery of a house foundation on Lake Street. Tilcon has not provided the schedule as yet for the re-installation of the speed humps.

Post Office and Salmon Park Milling and Resurfacing – Mr. Keller stated the Post Office and the Salmon Park areas were milled on October 14th and the paving is scheduled for Wednesday, October 23rd. Denville Line Striping has not provided a schedule for striping.

Mayor Maio stated she received a call from a resident on Young Drive who is pleased with the paving and glad the work was done. The resident did point out, however, that the road has become a virtual speedway with drivers exiting from the condominiums and going down Young Drive because there are no speed humps like there are on Dell Road. Mayor Maio asked Administrator McNeilly to speak with the Police Chief about having an officer posted in that area during commuter hours tomorrow. Administrator McNeilly stated the speed radar sign can be placed in that area. It will be some time before the speed humps are installed.

Port Morris Pump Station – Mr. Keller stated the schedule provided by Rapid Pump for the Port Morris Pump Station has a construction start date of Monday, October 28th, with all work to be completed by early December. All the submittals have been approved. Mayor Maio stated members of the Lake Board are concerned about the location of the dumpster which will be used during this project with regard to access for the harvester. Mayor Maio asked Mr. Keller to have the contractor speak with him or Administrator McNeilly regarding the dumpster or any concerns and not the Lake Board. Administrator McNeilly stated at the pre-construction meeting the contractor was informed to speak with the Engineer or Administrator. Apparently some members of the Lake Board were present when Rapid Pump was there receiving equipment. The harvester should be pulled out soon and the hydorrake has already been removed.

Sparta Road TAP Grant – Mr. Keller stated comments were received from the NJDOT and the final revisions are being worked on. The CED approval was received from the Bureau of Environmental Program Resources (BEPR) on September 13, 2019. The notice of ESBE/DBE (Disadvantaged Business Enterprise) Goals from NJDOT which has established a DBE Goal of 2.0% was also received. This is a set aside for minority, small business and disadvantaged businesses which is a requirement of Federal Grants. The 2.0% set aside is a small amount. Administrator McNeilly stated when the water tower work was done several years ago the set aside was 5%. That was accomplished with the scaffolding around the water tower and the traffic control items were purchased from disadvantaged businesses. Mr. Keller stating meeting the 2% will be easy to achieve. Local Aid indicated that the Borough should be able to start the advertising process in January 2020.

2020 Capital Budget – Mr. Keller stated Councilman Thornton discussed the 2020 capital budget earlier in the meeting. Mr. Keller stated he has some work to do on the budget and this information will be available at the next meeting.

Operations & Maintenance (O&M) Manual – Mr. Keller stated a draft O&M Manual for all the stormwater facilities located within the Borough has been developed. This is a DEP requirement and they are conducting audits all around the state. The first quarterly inspections for the 4th quarter of 2019 will begin in the next couple of weeks and this will begin the compilation of inspection records. This is a requirement of the Tier A Stormwater Monitoring activities. This information will be included in the annual report. Councilwoman Kuncken stated the maintenance over the summer months was behind schedule due to other projects. Councilwoman Kuncken asked if the detention basins are in decent shape now. Mr. Keller stated the basins have all been mowed and cleared. As part of this program, a schedule will be created for routine maintenance to be done to have the grass mowed and debris cleared. The basins also have to be inspected within 24 hours every time there is a rainfall of 2 inches or more. There are rain gauges that will be monitored. All the detention basins are municipally owned. Therefore, this burden will not be placed on our local businesses or homeowners associations.

Councilman Riccardi asked what the comments were from DOT with regard to the Sparta Road project and what revisions had to be made. Administrator McNeilly stated there was title block information. Mr. Keller stated some of the sidewalk today is outside of the right of way. It is technically on private property. The Borough will need easements and acceptance from the property owner to replace what already exists to install a conforming ADA sidewalk. There are items we need to go through in order to meet the specific requirements of the DOT. Councilwoman Zdichocki stated the public should not be contacted until all the information is finalized. Mr. Keller confirmed he will work with the Administrator when the time comes to contact the public. There is a specific process which has to be followed to replace the sidewalks because this is a federal aid grant.

ADMINISTRATOR'S REPORT

Speed Hump Request – Administrator McNeilly stated a request was received from 41 Linden Avenue to have a speed hump installed. This is the only house located between Route 183 and McKinley Street. Mr. Keller stated the State law states if the traffic exceeds 3,000 vehicles per day, a speed hump cannot be placed in that location. There are additional requirements and an engineering study that dictates the proper placement and so on. Mr. Keller is of the opinion that this area will not meet the requirements for a speed hump. Mayor Maio stated unfortunately many people have driveways that are located on busy streets. Mayor Maio polled the governing body to determine if an engineer's study should be performed to determine if a speed hump could be placed at 41 Linden Avenue. The results of the poll are as follows: Councilman Romano – no; Councilwoman Thistleton – no; Councilwoman Kuncken – no; Councilman Thornton – no; Councilman Riccardi – no; Councilwoman Zdichocki – no. Administrator McNeilly stated he will convey the decision back to the resident.

Leaf Pickup – Administrator McNeilly stated the DPW is currently working on Route 3 for leaf pickup. The next four weeks will be the heaviest weeks for leaf pickup. We are continuing to stress no leaves should be placed in the street and leaves must be ready for pick up on Monday's. Councilman Thornton stated brush pick up was interrupted due to the chipper repair. Administrator McNeilly stated when the chipper went in for repair, another chipper was rented so brush pick up could continue. Brush pick up was completed but residents can bring brush to the DPW yard on Wednesday's and Saturday's.

Houdaille Road – Administrator McNeilly stated the Boy Scout's recycling dumpster which is located on Houdaille Road caught on fire on Saturday, October 12th. The Fire Department extinguished the fire with the assistance of the Stanhope DPW. The State Park was notified as well as the vendor for the dumpster. The site was cleaned up and the dumpster has been removed and will not be replaced.

Stormwater Training Reminder – Administrator McNeilly stated the Stormwater Training has been rescheduled for November 12th at 7:00PM.

Municipal Liens – Administrator McNeilly stated the Tax Collector has provided a list of municipal liens that could be foreclosed on. The list shows the original certificate amount but the current amount owed is significantly higher. A couple of the properties are located in the woods out behind the school. The property located at 258 Route 206 has a lien of \$172,469 which is a substantial number. The property at 83 Main Street has a lien of \$30,043.33 and 583 Dell Place also has a large lien. The Borough is currently making 18% interest on these properties. Administrator McNeilly asked the Governing Body to consider how the properties should be

handled going forward and perhaps have the attorney begin foreclosing on some of the municipal liens. The houses and vacant properties would be the best choices to start with. The peat bog and 258 Route 206 could have additional issues. Options are available now that were not available twenty years ago. Environmental teams can assess the properties to determine if there is an exposure or not. The peat bog may have tire issues. The property itself is beautiful. It may be time to foreclose on some of the liens with the higher amounts. Attorney Leo stated it is better to do as many properties as possible at one time to save costs. Mayor Maio asked Administrator McNeilly to make a recommendation as to which properties should be bundled together. Administrator McNeilly stated the Environmental JIF office has a free service that can provide a visual inspection on each property to identify any environmental concerns. They will also use the DEP Data Miner and IMap along with any other documentation and they will view the adjoining properties to see if there are any concerns. At last years' tax sale, there were no outside buyers. The governing body agreed to have the Environmental JIF inspect the properties.

State Health Benefits – Administrator McNeilly stated it is currently open enrollment for State Health Benefits. There is good news. NJSHBP has lowered its premium rates by almost 4% and the prescription plans have been lowered by 9-17%. It has become mandatory across the board for prescriptions to be generic brands. The State is again allowing us to offer the financial incentive to anyone who enrolls in the tiered plan, which saves both the employee and the Borough. The incentive is now set at \$1,000 no matter what level of coverage the employee selects and the employee only has to stay in the plan for one year. To date, five (5) employees have switched and they have not experienced any issues with the new plan. Administrator McNeilly asked the Governing Body for approval to grant the employee incentive. This benefits the employee and the Borough. Dana Mooney, CFO, can prepare a resolution for the November 12th meeting. The benefit packets will be available to the employees on Wednesday, October 23rd.

Budget 2020 – Administrator McNeilly stated the budget books will be prepared by Friday. The window is closing for departments to submit their capital budgets. The budget schedule for 2020 is as follows:

October 25th – Prepare Budget Books

November 12th – Council Review – 1st Pass

December 10th – Auditor and Assessor Presentations

Orange Bridge – Administrator McNeilly stated the County is supposed to be going out to bid in November for the “Orange Bridge”, which is actually a white bridge. The bridge will be on a full closure for approximately 10 months. Work may start just as the weather clears. This is a Class “C” protected waterway. When the bridge is complete it will be a 60 ton rated bridge. Two tandems will be able to pass each other and there will be shoulders. There will be a sidewalk on the far side, not the current side. The bridge will look very different from how it looks now. Mayor Maio asked if the Borough can maintain a 4 ton limit on the Borough streets. Administrator McNeilly confirmed this. The bridge cannot be used as a cut through to get to Route 183. Traffic has to be for local service only. The bridge has a 60 ton limit because federal funds are being used to replace it. Much discussion took place regarding the type of traffic which will utilize the bridge.

Budget – Councilman Riccardi asked if a digital copy of the budget will be provided. Mayor Maio stated a digital copy will not be utilized during the budget discussions. Paper copies will be used until everyone is comfortable with the tablets. At this time a digital version would slow down the budget process. Mayor Maio stated the assessment to the Borough from the Lake Musconetcong Regional Planning Board has increased significantly. The increase is almost 15%. This is largely due to the fact no funding has been received from the State of NJ and as a result there was minimal work done on the lake and it showed. We have to get back to treating the lake or giving it up. This can be discussed during budget time. The assessment has gone up for all the members. Stanhope has the largest amount of shoreline even though most of it is leased.

COUNCIL DISCUSSION

TAP Grant – Mayor Maio stated no further discussion is necessary for the TAP Grant at this time.

Best Practice Checklist – Administrator McNeilly stated the Borough’s score is currently at 44. The Best Practice Checklist is designed to be discussed with the Governing Body but there is no way to provide an electronic copy of the checklist. The checklist contains 29 printed pages which were provided to the governing body for review. The governing body agreed to discuss the questions with a “no” response. Question 18 concerns audit findings which have not been corrected due to the fact that the Borough does not have enough personnel for separation of duties. Administrator McNeilly stated the DCA sent him a letter regarding this issue as well. This has been an issue for many years. We appeal the finding, which we do every year, because we cannot correct the issue. Question 42 regarding the exploration of shared services is yes. The Borough has a shared QPA and the crosswalks are a shared service with the County. Question 50 has multiple parts and they are unscored questions. Administrator McNeilly stated these questions have raised concern within his organization. They could bring unwanted activity. The questions which ask if the Borough wants to receive assistance have been answered no. Question 56 concerns bids for private residential garbage hauling and whether or not two bids were received. The Borough answered no because we only received one bid. Administrator McNeilly stated the bid process for garbage and recycling is bad business. On the recycling side, municipalities are only receiving one bid and it is causing sticker shock. It seems information is being gathered to see how the municipalities have been hurt from the legislation which was pushed through. The bid requirements for garbage and recycling are very different than the bid process for other contracts. Much discussion took place regarding recycling. Recycling is no longer being sent overseas and the centers on the East Coast have been shut down. Recycling is not worth anything anymore and the cost for hauling it has increased. When the Borough’s contract ends, comingle recycling may not be an option in the future. Question 60 asks if the municipality has established a SALT charitable fund. The Borough has not due to the IRS regulations prohibiting it. Question 61 regarding an emergency list for special needs residents established by ordinance. The Borough does not maintain a list but the Police Department does have a list. Question 78 is a confusing question with multiple parts but the municipality does have a system for stormwater runoff. Question 81 is from the Affordable Housing Department and they are asking the Borough for our numbers. The numbers come from them. Administrator McNeilly and the CFO will research to provide the correct numbers. The Borough has scored 44%. A score of 30+ has no aid withheld. All the municipalities’ scores will be published and can be reviewed by the governing body. Councilman Riccardi asked if the list maintained by the Police Department regarding residents who may need assistance in emergencies is available to the Fire Department and the Ambulance Squad. Administrator McNeilly stated the list maintains names of residents on oxygen and any other residents who have asked to be on the list. Councilman Riccardi asked if there is a reason a list is not maintained as is referenced in Question 61. Administrator McNeilly stated it is a manpower issue which could create an expectation that cannot be met. Councilman Riccardi asked if there is a requirement to maintain such a list to reduce liability. Administrator McNeilly replied there are no requirements. Councilwoman Kuncken stated the Senior Citizen Group over the years has done a good job of reminding people to let the Police Department know if they are in a situation where they may need help. During Hurricane Sandy the governing body went and knocked on doors. Councilman Riccardi stated having a list of residents such as seniors with special needs and children with disabilities could be beneficial. Councilwoman Zdichocki stated Sussex County has a CERT program which may be able to assist with this issue in the future. Administrator McNeilly stated having the list is a nice idea but he is concerned about how that would be handled and in what department. Mayor Maio stated the current list is substantial. Administrator McNeilly stated people who have a relative in town are encouraged to sign up for the Borough’s Nixle program to keep informed of issues that may arise.

OLD BUSINESS

ORDINANCE

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

Ordinance for Introduction and First Reading [Public Hearing November 26, 2019]

Ordinance 2019-13

AN ORDINANCE AMENDING CHAPTER 128 “TOWING AND STORAGE OF VEHICLES” OF THE CODE OF THE BOROUGH OF STANHOPE TO AMEND SECTION 128-11 “FEES” TO INCLUDE A COMPREHENSIVE SCHEDULE OF SERVICES

WHEREAS, the Borough of Stanhope has reviewed recent amendments to the Predatory Towing Prevention Act, N.J.S.A. 56:13-1 et seq., regarding the charging of reasonable fees for certain non-consensual tows; and

WHEREAS, N.J.S.A. 56:13-16(i) permits towing companies to charge any and all fees authorized by a fee schedule established by a municipality...when performing a non-consensual law enforcement tow, and any fee charged in performing a non-consensual law enforcement tow in accordance with such duly authorized fee schedules will be presumed reasonable and not excessive; and

WHEREAS, the Borough desires to incorporate the New Jersey State Police Schedule of Services approved by the Attorney General and implemented by the New Jersey State Police for towing and related charges.

NOW, THEREFORE BE IT ORDAINED, that the Mayor and Council of the Borough of Stanhope has reviewed the Borough Code regarding Towing and has determined that the revisions to Section 128-11 are required, as follows:

SECTION 1:

Section 128-11 shall be deleted and its entirety and shall be replaced as follows:

The rates for all towing and towing-related services shall be as set forth in the New Jersey State Police Schedule of Services approved by the Attorney General and implemented by the New Jersey State Police, as shall be amended. A current listing of rates is attached hereto and shall be maintained, as amended, by the Chief of Police or his designee, and towing companies operating within the Borough of Stanhope.

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 Kuncken, seconded by Councilman Thornton and unanimously carried by the following roll call vote, the foregoing ordinance was introduced.

Roll Call:

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

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

On motion by Councilman 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.

NEW BUSINESS

RESOLUTIONS

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

Resolution 145-19

**RESOLUTION AUTHORIZING BOROUGH OF
STANHOPE TO ENTER INTO ELECTRONIC PAYMENT
AGREEMENT WITH MUNICIPAY**

WHEREAS, the Borough’s Chief Financial Officer has recommended that the Borough, as a convenience to residents and taxpayers, should allow for the payment of taxes and municipal charges by credit card or electronic check; and

WHEREAS, the New Jersey Government Electronic Payment Acceptance Act, N.J.S.A. 40A:5-43, et seq., and implementing regulations, N.J.A.C. 5:30-9.1 et seq., as may be amended, authorizes municipalities to establish online and electronic payments.

WHEREAS, the firm of MuniciPAY provides for such a service to municipal governments; and

WHEREAS, MuniciPAY has offered a proposed Electronic Payment Agreement to the Borough with sub-agreements with CardConnect for debit and credit card payments, electronic checks and convenience fees; and

WHEREAS, the resident or taxpayer utilizing the service would pay the convenience fee in addition to their tax or municipal fee charge; and

WHEREAS, other than a nominal initial fee for a credit card reader, there is no expense to the Borough to utilize either the credit card or electronic payment; and

WHEREAS, the Borough must adopt a resolution to authorize the execution of the Agreement with MuniciPAY with sub-agreements with CardConnect; and

WHEREAS, the Mayor and Council is of the opinion that the Borough should extend the convenience of credit card or electronic payment to the public.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the Borough is hereby authorized to enter into an Electronic Payment Agreement with MuniciPAY with sub-agreements with CardConnect.

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 – yes
Councilman Riccardi - yes
Councilman Romano - yes

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

Resolution 146-19

**RESOLUTION AUTHORIZING THE AWARD FOR
THE LEASE PURCHASE FINANCING OF TWO
PATROL VEHICLES UNDER THE EDUCATIONAL
SERVICES COMMISSION OF NEW JERSEY
COOPERATIVE PURCHASE AGREEMENT TO FIRST
HOPE BANK**

WHEREAS, the Borough of Stanhope is permitted to join cooperative purchasing agreements under the authority of N.J.S.A. 5:34-7; and

WHEREAS, the Educational Services Commission of New Jersey (“ESCNJ”) bidding and contract award process meets the criteria as established by the Department of Community Affairs; and

WHEREAS, the Borough of Stanhope obtained quotes for lease purchasing financing of two patrol vehicles through participation in the ESCNJ; and

WHEREAS, it is the intent of the Borough of Stanhope to an award for lease purchase financing to First Hope Bank pursuant to the proposal submitted to ESCNJ; and

WHEREAS, ESCNJ has reviewed the proposal and recommended that the contract be awarded to First Hope Bank at a rate quote of:

ICE Swap Rate Constant Maturity: 1.318% 5 year swaps dated October 4, 2019
Purchase Option Penalty: 101%
Rate Quote: 2.149%
Total Cost of Financing of: \$2,825.16

WHEREAS, the Chief Financial Officer has reviewed and approved of the award to First Hope Bank.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope that the lease purchasing financing for two patrol vehicles shall be awarded through ESCNJ to First Hope Bank for a rate quote of ICE Swap Rate Constant Maturity of 1.318% 5 year swaps dated October 4, 2019; Purchase Option Penalty of 101%; Rate Quote of 2.149%; and total cost of financing will be \$2,825.16.

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

Roll Call:
Councilwoman Kuncken – yes Councilwoman Thistleton - yes
Councilman Riccardi - yes Councilman Thornton – yes
Councilman Romano - yes Councilwoman Zdichocki – yes

CONSENT AGENDA

**Resolution 147-19 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. 2019-004, representing 2018 property taxes and/or utility charges on Block 11008, Lot 2, known as 12 Maple Terr, assessed to Moodie, Stephen G & Georgia A, and;

WHEREAS, the redemption of the lien was made prior to the issuance of the Tax Sale Certificate, and therefore requires no Search or Recording fees, 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:	Pro Cap 8, LLC. US Bank Cust for Pro Cap 8 2500 McClellan Ave, Suite 200 Pennsauken, NJ 08109
Redemption Amount:	Tax Title Lien #2019-004 and Interest to Date of Meeting \$ 1,104.01 Premium Paid by Lienholder <u>1,300.00</u>
Total From Current Fund:	\$ 1,104.01
Total From Tax Premium Account	1,300.00

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

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

**Resolution 148-19 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. 2017-014, representing 2016 property taxes and/or utility charges on Block 11501, Lot 2, C0142, known as 8142 Ashland Court, assessed to NJSL 6, LLC, formerly Kenneth Loia, and;

WHEREAS, the Tax Collector certifies that reimbursement is now required to be made to the following lien holder for the required redemption amounts as shown below:

To Lienholder:	US Bank Cust for Actlien Holding Inc. 50 South 16 th Street, Suite 2050 Philadelphia, Pennsylvania 19102		
Redemption Amount:	Tax Title Lien #2017-014 and		
	Interest to Date of Meeting	\$	4,636.52
	Premium Paid by Lienholder		<u>1,100.00</u>
Total From Current Fund:	\$	4,636.52	
Total From Tax Premium Account		1,100.00	

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 Thornton, 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

PAYMENT OF BILLS

Resolution 149-19

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 October 22, 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

Councilwoman Kuncken stated the bill for new fire truck is included on the bills list this evening.

ATTORNEY REPORT

Ursula Leo, Borough Attorney, had no report.

CITIZENS TO BE HEARD

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

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

ADJOURNMENT

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

Approved:

Linda Chirip
Deputy Clerk for
Ellen Horak, RMC
Borough Clerk