

**MAYOR AND COUNCIL
WORK SESSION AND
AGENDA MEETING
June 9, 2020
7:00 P.M.**

CALL TO ORDER

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 8, 2020 and was placed on the Official Bulletin Board in the Municipal Building.

Furthermore, notice of the change in the meeting to an electronic meeting via Zoom was sent to the New Jersey Herald and Daily Record on June 4, 2020 and was placed on the official website of the Borough of Stanhope.

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:

Councilman Cipollini – present	Councilman Romano - present
Councilwoman Kuncken – present	Councilman Thornton – present
Councilman Riccardi – present	Councilman Wronko – present

Mayor Zdichocki – present

Mayor Zdichocki spoke about the food drive held last Saturday at the Valley Road School at which she and the entire Council attended. Mayor Zdichocki thanked the Council for their help at the food drive. Mayor Zdichocki thanked all the residents who donated bags of food to the school. Mayor Zdichocki noted Stanhope is a small town with a large heart. There will be a distribution of the food at the Valley Road School on June 13 between 10:00 am and 12:00 noon for anyone in need. Mayor Zdichocki said if anyone is not able to come to the school, let them know and arrangements will be made for delivery of the food. Mayor Zdichocki also stated that the Police Chief would like to thank all the residents who sent thank you notes and packages to the Police Department. It is very much appreciated.

Mayor Zdichocki provided an update on COVID-19 within the Borough. The last positive was on May 11th. There were a total of 20 positive cases that will become negative as of Thursday which will be 30 days from the last positive case. If there are no new positives, as of Thursday, the Borough will have nothing.

Councilman Romano congratulated Council on a job well done at the food drive, adding he was proud to be a part of last Saturday's food drive and is proud of our residents and the school.

Councilwoman Kuncken stated Saturday's event was a fine example of how the school and the community can work together, adding it was a pleasure to work with that group of people.

ADMINISTRATOR'S REPORT

Administrator McNeilly stated he asked the CFO/Tax Collector to give input now that we are past the grace period that was extended by 30 days. She reported to him that tax collections are at 96% for the second quarter, which is good news. The water/sewer bills were mailed on May 29th with a due date of June 30th, after which we will have a better forecast for this year.

Administrator McNeilly asked Eric Keller, the Borough Engineer, to join the discussion on engineering projects.

Musconetcong Avenue - Eric Keller, Borough Engineer, stated Lakeside Construction has informed him that they will be installing the speed humps on Musconetcong Avenue this Friday. Denville Line Painting will do the striping once the speed humps are complete. The painting will be complete in a couple weeks or sooner.

Brooklyn Road & Baker Place – Mr. Keller stated the bid for the water system upgrade for Brooklyn Road and Baker Place has been advertised and is available electronically. To date five contractors have obtained bid packets. The packets are due back to the Borough by June 30th. The bid opening will take place on June 30th at 2:30pm.

Sparta Road – Mr. Keller stated the revisions are being finalized and will be sent back to the DOT this week. The right of way issues are being addressed. Three of the four parties have signed the waiver for the work to be done on their property. Land Use Board files may be needed to clarify information for the right of way. Mr. Keller does not know how quickly the DOT will respond to the resubmittal. The DOT is very slow with their responses.

Mayor Zdichocki asked Mr. Keller if this was regarding the two property owners near the crosswalk location. Mr. Keller stated this concerns the ADA ramps on Smith Street on both of the corners. Both of those property owners have signed. There are some encroachment issues on the sidewalk, the roadway at the gas station which he has. Mr. Keller stated Milinsky is the one waiver he has not obtained which is across the street. The project limits are being tweaked in order to eliminate the need for a waiver. This will enable the paving work to occur in the portion of the right of way that is already established and will not take place on private property.

Local Aid Grant 2021 – Mr. Keller stated next year's Local Aid Grant is due by July 1st. Mr. Keller stated he has reviewed the capital list. There are three areas within the Borough which have not been worked on in the past 15 years. They are Elizabeth Avenue, Mountain, Sunset Overhill, Ridge, Valley and Delaware. Mr. Keller recommends Valley Road and Delaware Avenue be submitted for the grant which would include milling, resurfacing and curbing. The roads are close to the school and therefore they will rank higher. Furnace Street and Kelly Place will be worked on next year as last year's local aid. The cost estimate from a year and a half ago was \$176,000. The co-op price is \$180,000. There are some contingencies which will increase this a bit. The grant amount awarded is usually less than the amount requested. The water saddles should be done before the work is done to the roads. Mayor Zdichocki asked how many saddles are left to do. Administrator McNeilly stated all the saddles on Young Drive were done before it was paved. If and when paving is to be done, the saddles will be done first.

Musconetcong Avenue - Administrator McNeilly stated the DPW will be coning and signing Musconetcong Avenue on Thursday. The speed humps will be installed on Friday. The DPW will be on traffic duty during the installation. Mayor Zdichocki asked that the residents be noticed. Administrator McNeilly stated the residents will be able to get through if necessary but no parking will be permitted on the street. Mayor Zdichocki asked Administrator McNeilly to send out a Nixle stating work is going to be done.

Administrator McNeilly asked Councilwoman Kuncken to report on the Public Safety Committee Meeting.

Councilwoman Kuncken stated the Public Safety Committee held a meeting on June 1st. Administrator McNeilly had a preliminary draft plan for bringing the employees back to their regular schedule and then the public. Some work has already been done at Borough Hall. A follow up meeting is scheduled for July 1st. Administrator McNeilly stated the DPW will be back on a full schedule beginning on June 15th. They will not be sharing vehicles and they will wear masks within six feet and will follow additional safety measures. Administrator McNeilly stated modifications still need to be made to the municipal building and everyone will have to adjust to the new confines and being back together. Administrator McNeilly showed pictures of the changes which have been made. Plexiglas panels have been installed on the gate and the area surrounding the Deputy Clerk's desk. The "hot zone" near the bathroom door has a full panel across the front to secure that area. There is a pass through area located by the gate. Visitors will only be permitted in the holding area. Sign Art did an excellent job with the Plexiglas panels. A window is going to be installed at the Accounts Payable/Receivable desk. Air circulation is also needed.

Councilwoman Kuncken asked Administrator McNeilly to show a picture of the area being discussed. Administrator McNeilly stated the map will disappear and a window will be installed in its place. The two desks in that office are six feet apart but as soon as one more person goes in there it does not work. Best practices call out that you need to be in your workstation or at your desk. The kitchen area will also be changed. Mayor Zdichocki stated the work done looks great. Councilwoman Kuncken stated it looks very professional. Administrator McNeilly stated he is pleased with what has been done so far. Councilman Riccardi asked when will the pinch points be resolved. Administrator McNeilly stated he does not have an answer to that question. There are three points for Borough Hall are getting the full staff back which is a moving target. The soft return for the public will be by appointment only. Until the six foot ban is lifted, the Borough does not have a workable building. The holding area constitutes space for just one person. Councilwoman Kuncken asked if the window for Finance will be installed prior to the staff returning to full status. Administrator McNeilly confirmed this. Once the DPW is back on full staff they will continue with outside work and they will install the window while the Finance Clerk is out of the building. The work will be mapped out next week. The wall is not load bearing but the electric needs to be checked. The following week the work should be done. Councilwoman Kuncken asked what will be done to the Tax Assessor's area. Administrator McNeilly stated in the short term the Tax Assessor will use the Council Chambers. The Tax Assessor's office is located in a hallway and there is no way to fix that. The area is a major walk through to access the bathroom and the copier. The Tax Assessor's hours do not conflict with any meetings. Councilwoman Kuncken asked the governing body to let her or Administrator McNeilly know if they have any questions moving forward.

WORK SESSION

No discussion took place.

NEW BUSINESS

RESOLUTIONS

Mayor Zdichocki offered the following resolutions which were read by title.

Resolution 104-20

RESOLUTION AUTHORIZING THE BOROUGH OF STANHOPE TO ENTER INTO A SHARED SERVICES AGREEMENT WITH THE COUNTY OF SUSSEX FOR ENFORCEMENT AGENCY SERVICES AS SET FORTH IN THE NEW JERSEY STATE UNIFORM FIRE CODE REGULATIONS

WHEREAS, the Borough of Stanhope and the County of Sussex heretofore entered into a Shared Services Agreement pursuant to the provisions of N.J.S.A. 40A:65-1 et seq. wherein the County of Sussex provided Certified Fire Marshal services to the Borough of Stanhope; and

WHEREAS, said Shared Services Agreement expires as of June 30, 2020; and

WHEREAS, the County of Sussex has offered a renewal Shared Services Agreement to the Borough of Stanhope for Fire Marshal services for the period effective July 1, 2020 through June 30, 2023; and

WHEREAS, the proposed form of the Shared Services Agreement has been reviewed and approved by the Borough Attorney; and

WHEREAS, the Governing Body is of the opinion that it is in the best interest of the Borough of Stanhope to enter into the Shared Services Agreement with the County of Sussex; and

WHEREAS, the Borough of Stanhope and the County of Sussex have the full authority to enter into the proposed Shared Services Agreement pursuant to N.J.S.A. 40A:65-1 et seq.;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope that the Mayor and Clerk are hereby authorized to execute the attached Shared Services Agreement between the Borough of Stanhope and the County of Sussex; and

BE IT FURTHER RESOLVED that a certified true copy of this resolution shall be forwarded to the Clerk of the Board of Chosen Freeholders.

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:

Councilman Cipollini – yes	Councilman Romano - yes
Councilwoman Kuncken – yes	Councilman Thornton – yes
Councilman Riccardi – yes	Councilman Wronko - yes

Resolution 105-20

RESOLUTION AUTHORIZING THE ISSUANCE OF TEMPORARY SPECIAL USE PERMIT APPLICATIONS AND APPROVALS FOR RELIEF FROM BOROUGH ORDINANCES DUE TO LIMITATIONS ON BUSINESS OPERATIONS DURING THE COVID-19 PANDEMIC

WHEREAS, given the reduced risks of COVID-19 transmission outdoors, and pursuant to Executive Order No. 150, the New Jersey Governor has authorized restaurants, bars, and other food or beverage establishments to provide in-person service at areas designated for food and/or beverage consumption (“outdoor dining”) in accordance with CDC and DOH safeguards, while still restricting indoor dining at this time; and

WHEREAS, pursuant to the Governor’s Executive Order No. 150, establishments can only open to the public to offer outdoor dining or such food and/or beverage consumption as conducted in a way that ensures critical statewide health standards are met, standards which have been issued by the Department of Health; and

WHEREAS, the Mayor and Council of the Borough of Stanhope wish to provide commercial relief to the Stanhope Borough business by allowing the issuance of Temporary Special Use Permits for Relief From Borough Ordinances Due to Limitations on Business Operations During the COVID-19 Pandemic, at no additional cost to Borough businesses; and

WHEREAS, the Mayor and Council of the Borough of Stanhope wish to assist and approve proper applications filed for COVID-19 Expansion of Premises Permits for Plenary Retail Consumption Licenses with the ABC, for the purpose of temporarily expanding the premises under license wherein the sale, service and storage of alcoholic beverages are authorized.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that Temporary Special Use Permits for Relief From Borough Ordinances Due to Limitations on Business Operations During the COVID-19 Pandemic shall be issued, upon proper application to the Zoning Officer, to grant relief from specific limitations so that businesses may conduct their operations out of doors during the COVID-19 pandemic subject to the following:

1. Each business seeking to take advantage of this special temporary relief shall complete a Temporary Special Use Permit application, to be submitted to the Borough Zoning Officer.
2. This special temporary relief is to support business operations while applicable COVID-19 restrictions are in effect due to the Governor’s Executive Orders or other federal or state requirements which are imposed due to COVID-19 pandemic. Any approval ultimately granted, or a condition thereof, is subject to change upon the Governor’s issuance of a modifying Executive Order, or federal or state requirements are added or changed.
3. Approval of said temporary relief does not relieve the applicant from any requirements of all other regulatory authorities (e.g., county, state, federal, ABC, DOH, FD, Fire Marshall, PD, UCC).
4. The Borough Clerk is authorized to approve the temporary expansion of applications for Plenary Retail Consumption Licensed premises to place under license the area delineated in the application form to the ABC, effective through November 30, 2020.
5. Regardless of the foregoing, all temporary permits granted pursuant to this Resolution shall expire on January 1, 2021, unless extended or terminated by the Mayor and Council.

6. This Resolution shall take effect immediately. If any section, subsection, sentence, clause or phrase in this Resolution is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this resolution.

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

Administrator McNeilly explained that the Governor's Executive Order lists stages for outdoor dining requirements for restaurants with a liquor license and for those without. Sidewalks, lawns, parking lots can all be utilized. Administrator McNeilly stated several of the Borough's restaurants already have established approved outdoor dining areas. The adoption of this resolution would permit the restaurants to submit a request to the Zoning Official for approval to expand past the areas already permitted. The Zoning application form will be on the Borough website Wednesday morning. The zoning approval will be for a temporary use. If the area is outside of the ABC's footprint, the Borough approval will be sent to the ABC with a request for the expansion of the liquor license. Councilman Wronko asked what the turnaround time will be. Administrator McNeilly stated the Borough turnaround will be excellent. The turnaround timeframe for the State approval is unknown. Mayor Zdichocki stated a lot of pressure and decisions are being placed on the Borough. The State says they will make decisions in a few days. The temporary approval does not change the hours of operation. People will only be allowed to enter the buildings to use the bathrooms and there are very specific rules in place to be followed. Administrator McNeilly stated on the local zoning level we are only dealing with a few requests. On the State ABC level they will be receiving requests from 565 municipalities all at once. The liquor permit portion could take some time. The liquor license holders in the Borough are confident they are covered as far as their footprint level from the ABC. Councilwoman Kuncken stated the State is charging a \$75 fee for the permit expansion. Administrator McNeilly stated on the local level there will not be a fee charged. Mayor Zdichocki stated some counties are trying to get the ABC to not charge a fee. The liquor license holders have already paid to have a liquor license. Warren County is looking into the possibility of paying the fee for their businesses.

Roll Call:

Councilman Cipollini – yes	Councilman Romano - yes
Councilwoman Kuncken – yes	Councilman Thornton – yes
Councilman Riccardi – yes	Councilman Wronko - yes

PAYMENT OF BILLS

Resolution 106-20

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 June 9, 2020 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:

Councilman Cipollini – yes	Councilman Romano - yes
Councilwoman Kuncken – yes	Councilman Thornton – yes
Councilman Riccardi – yes	Councilman Wronko - yes

AGENDA ITEMS

All items listed on the Agenda for June 23, 2020 were approved. A correction was made to the typographical error of ordinance number from 2020-047 to 2020-07. Ellen Horak, Borough Clerk, stated a revision to the minutes for approval was forwarded to the governing body.

CITIZEN'S TO BE HEARD

Mayor Zdichocki 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 Zdichocki closed the public portion of the meeting.

CLOSED SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231 P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently existing;

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

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter(s).
2. The general nature of the subject matter(s) to be discussed is as follows:
 - 1 - Real Property (Lien Redemption)
 - 1 - Litigation (O'Bitz)
3. It is anticipated at this time that the above stated subject matter(s) will be made public at the conclusion of each individual specified subject matter.
4. This resolution shall take effect immediately.

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

The Mayor and Council went into Closed Session at 7:40 P.M.

RETURN TO OPEN SESSION

At the conclusion of the Closed Session, the Mayor and Council reconvened the public meeting at 8:05 P.M. with all present.

ADJOURNMENT

On motion by Councilman Wronko, seconded by Councilman Riccardi, and unanimously carried by voice vote the meeting was adjourned at 8:05 P.M.

Approved:

Linda Chirip
Deputy Clerk for
Ellen Horak, RMC
Borough Clerk