

**MAYOR AND COUNCIL  
REGULAR MEETING  
January 26, 2021  
7:00 P.M.**

**CALL TO ORDER**

**SALUTE TO COLORS**

Mayor Zdichocki 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 13, 2021 and was placed on the Official Bulletin Board in the Municipal Building and 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 – absent

Councilman Romano - present

Councilwoman Kuncken - present

Councilman Thornton - present

Councilman Riccardi – present

Councilman Wronko - present

Mayor Zdichocki – present

**CITIZENS 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.

**MINUTES FOR APPROVAL**

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

December 15, 2021 Business Meeting & Closed Session

On motion by Councilman Romano, seconded by Councilman Wronko and unanimously carried by voice vote, the above listed minutes were approved.

**CORRESPONDENCE** *(List Attached)*

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

**COUNCIL COMMITTEE REPORTS**

**Public Safety – Councilwoman Kuncken/Councilman Thornton**

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

Councilwoman Kuncken stated the Fire Department for the month of December reported 5 calls answered, 2 mutual aid calls and 2 special details for a total of 198.25 man-hours volunteered.

Councilwoman Kuncken stated the Sussex County Fire Marshal for the month of December did not report to any fires or incidents. One complaint filed by the Fire Department is in the process of being resolved. There were 89 inspections completed for the year and 18 violations were cited. There are 12 violations remaining. For the month of December, 11 inspections were conducted and abatement dates were issued for any violations.

Councilwoman Kuncken stated the Police Department for the month of December had a total of 169 calls. Motor Vehicle Stops were the highest category.

Councilwoman Kuncken stated the Ambulance Squad submitted three reports this month; October, November and December. For the month of December, there were 15 calls in Stanhope and 30 calls in Netcong for a total of 45 calls. There were 6 out of town calls to Hopatcong and 1 assist from the Netcong Fire Department. The squad treated 33 patients. They made 24 trips to the hospital. They travelled 672 miles. In the month of November, there were 14 calls in Stanhope and 22 calls in Netcong for a total of 36 calls. There were 2 out of town calls to Hopatcong. The squad treated 23 patients and made 15 trips to the hospital. For the month of October, there was a total of 58 calls for the month.

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

Councilman Romano stated the tax collections for December totaled \$128,066.81. The year to date total is \$12,557,501.31. The overall tax collection rate for the end of 2020 is 98.191%. This rate is better than last year's percentage of 97.937%. Any concern about tax collection is unfounded. The Borough is in good shape.

Councilman Romano stated there is no water collection report at this time.

#### **Community Development – Councilman Wronko/Councilman Riccardi**

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

Councilman Wronko stated the Zoning report for November and December lists 4 permit applications and 13 violations and complaints.

Councilman Wronko stated the Fire Department is having a St. Patrick's Day fundraiser on March 17<sup>th</sup>. The event is being advertised and information is on the Borough website. Orders are due by March 1<sup>st</sup>. Mayor Zdichocki stated she has order forms available and the food can be delivered on that day between the hours of 1:00pm to 7:00pm.

#### **Municipal Infrastructure – Councilman Thornton/Councilman Wronko**

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

Councilman Thornton stated the DPW has been out taking care of the roads and preparing for the slippery, slushy mess we are experiencing right now. They are doing a fine job.

#### **Information Technology – Councilman Riccardi/Councilman Cipollini**

Councilman Riccardi stated there were 49 tax payments made through the Municipay online program \$100,008.00 in 2/4/2020 and 67 utility payments totaling \$8,802.00. In January 2021 to date, there have been 13 tax payments totaling \$32,818.00 and 92 utility payments totaling \$30,042.00. There has definitely been a big increase in the number of residents utilizing the online program.

Councilman Riccardi stated another batch of approximately a dozen banker boxes are being prepared to be sent out to be scanned. It seems to take longer to go through the older boxes due to quantity of paper in the files to sort through.

Mayor Zdichocki asked if there have been any complaints received with regard to Municipay. Councilman Riccardi replied he is not aware of any complaints.

Councilman Romano stated the Police Chief has inquired about utilizing Muncipay to receive payments for firearm permits. Administrator McNeilly stated Muncipay would charge service fees. Councilman Riccardi stated the information will be obtained and discussed at a Technology Committee meeting. Councilman Romano stated the option for paying online for pet licenses should also be included. Councilman Romano will discuss this issue at the Board of Health meeting next month. The service fee for an ACH payment is \$1.50. The service fee for using a credit card is much higher as it is a percentage of the amount of the bill being paid.

### **Boards/Commissions – Councilman Cipollini/Councilman Romano**

Councilman Romano stated the Board of Health has set the rabies clinic date for April 16<sup>th</sup>. One of the concerns is traffic and how to keep the cars from blocking any driveways in the neighborhood while waiting in line. The Board of Health Secretary is going to contact the Police Chief for his recommendations and to determine if an officer will need to be on special duty.

Councilman Romano stated the Environmental Commission has sent an email listing the plants available for planting at the park. The commission would like to know by the beginning of February which plants are acceptable. Mayor Zdichocki stated she did some research on blueberry plants and found that there are no issues with the berries fermenting and affecting the animals, which was an issue brought up at a previous meeting. Mayor Zdichocki stated she has no objection to the planting of blueberries. Councilman Romano stated the other issue is what funds will be used to purchase the plants. Administrator McNeilly stated he has asked the CFO to inform him as to where the funds are available to purchase the plants. A reply has not been received to date. Councilwoman Kuncken stated the Environmental Commission should decide which plants they would like to purchase and let the governing body know. Councilman Riccardi asked Administrator McNeilly to inform the Environmental Commission with regard to the funding and to let them know the governing body approved the list of plants.

Mayor Zdichocki stated the Recreation Commission is planning to hold the annual Easter Egg Hunt. The logistics are still being worked out.

Mayor Zdichocki suggested getting volunteers to assist with the rabies clinic. Councilman Romano and Administrator McNeilly stated volunteers cannot be used for traffic detail. The Borough does have a sufficient supply of cones and horses. Administrator McNeilly stated the rabies clinic held in Hopatcong last year was extremely busy due to the fact many other municipalities had to cancel their clinics, including Stanhope. Cars will be accessing the school by way of Elm Street and Valley Road. Administrator McNeilly suggested having the officer who is on duty that day present along with an additional officer. If there is another CARES reimbursement from the State for COVID expenses, the cost for the additional coverage for the rabies clinic would be covered.

Administrator McNeilly stated, with regard to Muncipay, the minimum credit card charge is \$3.00 or 2.65% of the transaction amount and the service charge for an ACH transaction is \$1.50.

### **ADMINISTRATOR'S REPORT**

DOT TAP – Administrator McNeilly stated the resolution to authorize the Mayor and the Clerk to sign the DOT TAP paperwork is on the meeting agenda for this evening. There is also a resolution for authorization to go out to bid. The projected bid opening is March 4<sup>th</sup>. The construction would begin May 3<sup>rd</sup> and the project duration is six months.

JIF Insurance Certs – Administrator McNeilly stated 14 insurance certifications were requested and sent out. This included the certifications for the use of the school for the Mayor and Council the Land Use Board meetings and the rabies clinic. The Sussex County Fire Academy agreement has been sent out as well.

Furnace Pond Park – Administrator McNeilly stated he was contacted by John Rogalo regarding an issue with a beaver at Furnace Pond Park causing damage. Administrator McNeilly and the DPW Superintendent took a hike through the woods at the pond and there is definitely a beaver doing serious tree removal along the Stanhope shoreline and across on the other side near the apartments. There are several large trees down and it has destroyed almost everything behind the Plaster Mill which was planted by the Environmental Commission over the years. The DPW Superintendent is investigating solutions available through the NJDEP. Administrator McNeilly

stated they tried to locate the beaver's home. The concentration seems to be at the area where the Stanhope property and the State property meet.

Millennium Strategies – Administrator McNeilly stated he and Mayor Zdichocki attended their annual meeting with the grant writers from Millennium Strategies via Zoom. Mayor Zdichocki stated discussions took place regarding firehouse subs, grants to improve the community, types of protections available for council meetings, the ambulance squad and the fire department. Administrator McNeilly stated he was under the impression firehouse subs were strictly focused on firehouses but that is not the case. The Borough has submitted for firehouse related items in the past such as; the jaws of life and the fire extinguisher training program, all with no success. It was brought to the Borough's attention that grant requests can also be submitted for ambulance squads and police departments through the firehouse subs. There are mini grants for \$25,000. Administrator McNeilly stated he will pass this information on to the ambulance squad. Mayor Zdichocki stated she inquired about programs for senior citizens due to the fact Stanhope has a large population of senior citizens. Administrator McNeilly stated a request was made with regard to a transportation vehicle for seniors. Providing the service would be very appropriate due to the population. It can become difficult to keep the service in place once it is started. There are costs associated with the service such as drivers, maintenance and obtaining a second vehicle when the time arises to replace the vehicle. A grant may be obtained for the first vehicle but most likely grants would not be available for future vehicles. The cost of an ADA accessible van is approximately \$100,000 to \$150,000 and the grant may cover up to \$80,000. A part time CDL driver would be required and a DPW employee would have to have the same CDL designation to act as a backup driver. Administrator McNeilly stated other projects that were requested included a fountain for the lake, assistance from Millennium with the next CARES grant filing (they did assist with the last CARES grant), the seniors AARP grant for assistance with studies, designs or improvements for crosswalks on Route 183. Mayor Zdichocki stated a focus group of three or four people may be needed. Administrator McNeilly stated the Sustainable NJ grant, which the Mayor inquired about, would require establishing a volunteer group. Charging stations were discussed. Administrator McNeilly stated Katherine, from Millennium, had pointed out that many municipalities are in favor of the charging stations however, finding a location can be difficult and it is an added location to be kept clear of snow. A charging station is good for local business. Once installed, the location is placed on a map and travelers would be directed to Stanhope. Administrator McNeilly stated perhaps one of the local businesses such as; Bell's Mansion, might be interested in partnering with this project by supplying the parking spaces. People stopping to charge their vehicles might also stay to eat. The last project discussed was funding for the possibility of a community center to be located at the Linden Avenue School. Mayor Zdichocki stated the school is for sale and may be auctioned off. Councilwoman Kuncken stated the inside of the school is in good condition. Councilman Riccardi asked how the Environmental Commission can utilize the services of Millennium Strategies to pursue available grants. Administrator McNeilly stated an email should be directed to the Administrator who in turn will contact Millennium and ask them to work with the commission but to keep the Administrator in the loop. In this way, the governing body can stay informed as well. Sometimes grants require matching funds or a resolution and those issues definitely have to be brought to the attention of the Administrator. Councilman Riccardi stated the Environmental Commission may want to contact Millennium to find out what type of grants may be available in order to replace the destroyed trees at Furnace Pond. Administrator McNeilly suggested an email be sent to him asking if there is money for specifically what is needed. The Administrator will then send that request to Millennium. Administrator McNeilly stated during the meeting with Millennium they discussed the Assistance for Firefighters Grant (AFG). This grant is specifically geared toward firefighters. The Borough was awarded this grant a few years ago to purchase air packs. The Borough scored the 4<sup>th</sup> highest in the State at that time. This is a yearly grant and the material has been forwarded to the Fire Department. This is a case where the information is supplied to the Department Heads and they will determine if this is something within their means. If so, they will respond back to the Administrator and start the process.

Internet Service - Councilman Thornton stated he sent an email Monday asking Administrator McNeilly when Verizon will be coming back with the FIOS technology or to install the boxes on Musconetcong Avenue. Councilman Thornton stated prior to the pandemic Verizon was going to install boxes on Musconetcong Avenue and that was not done. Councilman Thornton stated the Optimum service is not good and there are many complaints from residents on the Stanhope Facebook page regarding how dreadful the service is. Administrator McNeilly stated the boxes for Musconetcong Avenue are being installed by Altice, not Verizon. The Verizon FIOS technology

is stalled in the Flanders area and they have no intention of carrying it any further. Mayor Zdichocki stated she called Verizon to inquire about FIOS and was told they are keeping a list of people requesting the service to see the number of residents interested. There is no plan to bring it to this area at this time. Altice is coming one direction with fiber, and that is Cablevision. They are putting their boxes on the corner of Musconetcong Avenue. They have their building permits but work has not begun. Planet Network is coming from Newton and they have gotten as far as Byram Township. Councilman Thornton asked if the Borough had authorized fiber lines to be run a few years ago. Administrator McNeilly stated Planet Network has approval and there was a company given permission to run dark fiber which was not for use by the residents. Much discussion took place about the various companies and the lack of service available. The demands on the internet have increased significantly with the pandemic with everyone working and schooling from home. Administrator McNeilly stated internet services are not governed by the Board of Public Utilities. The Borough has no control over this service, just like the Borough has no control when the electric goes out. At this time there are two choices for internet; Verizon DSL and Optimum Online. Administrator McNeilly stated he will find out the status for Verizon and for Altice. Mayor Zdichocki stated she has contacted Optimum and often times the residents have not registered their complaints with the provider. Councilman Thornton asked for the contact information for the Optimum representative to be shared with the governing body. Councilman Riccardi stated this issue is a problem being faced by the entire country. Most service providers divide the marketplace and have non-compete agreements and they do not interfere with other providers in order to make the most amount of money possible. It is a very frustrating situation. Mayor Zdichocki stated anyone contacting the Optimum representative is doing so as a resident, not a council member. Councilman Thornton suggested a letter be drafted to send to the legislature to make them aware of the problems. Mayor Zdichocki stated she will reach out to the area representative again and perhaps the representative could attend a mayor and council meeting.

*Change Order Dell Road* – Councilman Thornton asked if there is supporting documentation for the change order for Dell Road. Councilwoman Kuncken stated there was backup with the bill. Ellen Horak, Borough Clerk, stated the resolution, which was given to her by the CFO was prepared by the Borough Attorney and it was forwarded to the Mayor and Council. Councilman Thornton asked if the resolution amount exceeds the budgeted amount. Administrator McNeilly confirmed this and stated the increase is not engineering related it is due to material costs. The contract with Cifelli, the contractor who did the crosswalks and the curb repair on Dell Road, exceeded the original estimated amount for the linear footage of the repair. Some extra sections were added in. At the corner of Young Drive and Dell Road there is a concrete retaining wall which had to be added in order to make the sidewalk meet the profile for the ADA ramp which added to the increased cost. Councilwoman Kuncken stated the supporting documentation stated there was unexpected work to be done at the driveway openings to level out the areas. Councilman Thornton stated he understands changes and decisions have to be made and they cannot always wait for governing body approval. However, as Chairman of the Infrastructure Committee, Councilman Thornton stated the backup information should have been forwarded to the governing body. Councilwoman Kuncken stated in the past she is of the opinion the change order information was provided to the governing body prior to approving the bill. Much discussion took place regarding the procedure for change orders and estimations. Administrator McNeilly stated the Borough is about to embark on a million-dollar project and a methodology needs to be determined that everyone will be comfortable with before March 4<sup>th</sup>. If not, that project will go from a six-month project to a two-year project because there will be a need for field changes and field approvals and the bill is going to show up two months later. Things are going to occur that are unexpected such as pulling a piece of curbing which in turn pulls the next piece of curbing out of place. The estimate was done to repair the curbing on Dell Road as opposed to replacing the curbing on both sides in an order to keep the costs as low as possible. Councilman Thornton is of the opinion the engineer needs to provide accurate information to the subcontractor and the extra costs should not always be the responsibility of the Borough and the taxpayers. There needs to be accountability. Administrator McNeilly stated this was a DOT project and this is only the second time he has seen a change order for approval for a DOT project. Paving projects are also estimated jobs and often times the amount of blacktop is exceeded or the job could require less material. Administrator McNeilly stated the governing body can vote on the change order this evening or table it and discuss the issue with the engineer who will be present at the next scheduled meeting. Councilman Wronko suggested keeping track of the changes and to monitor the amount of the overages to make sure there are not constant discrepancies. Administrator McNeilly stated the governing body also has to keep in mind the difference between the bid variance and the actual

project variance. Councilman Riccardi asked to have the engineer communicate any changes in a timelier manner by notifying the Administrator who in turn would notify the governing body.

*Budget 2021* – Administrator McNeilly stated he would like to recommend utilizing the next two meetings to finalize the 2021 budget. The CFO will be asked to prepare and present the revenues and begin to provide preliminary municipal only tax rate information. The water and sewer budgets also need to be discussed. The governing body agreed to change the meeting time for the two February meetings to 6:00pm. The Clerk will advertise the meeting time change to start at 6:00pm. The meeting will begin with the budget discussion and will continue on from that point.

## **COUNCIL DISCUSSION**

Mayor Zdichocki stated there were no issues for council discussion.

## **NEW BUSINESS**

### **ORDINANCE**

Mayor Zdichocki offered the following ordinance for introduction and first reading which was read by title. {Public Hearing on February 23, 2021}

#### *Ordinance for Introduction and First Reading*

#### **Ordinance 2021-01**

#### **AN ORDINANCE REVISING CHAPTER 124, TAX ABATEMENTS AND EXEMPTIONS OF THE CODE OF THE BOROUGH OF STANHOPE WITH THE ADDITION OF NEW SECTION 124-17 “DISABLED VETERAN TAX REFUNDS”**

**WHEREAS**, the Borough of Stanhope is desirous to revise Chapter 1124, Tax Abatements and Exemptions, of the Borough Code to further clarify the exemption from the date of proper application to the Tax Assessor.

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

#### **SECTION 1.**

Chapter 124, Tax Abatements and Exemptions, shall be amended to include a new Section 124-17, Disabled Veteran Tax Refunds, as set forth below:

#### **124-17 Disabled Veteran Tax Refunds**

A retroactive refund of property taxes as set forth in N.J.S.A. 54:4-3.32 shall be limited to the current year of the submission of a proper claim to the tax assessor, as required by N.J.S.A. 54:4-3.30.

#### **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 Riccardi and unanimously carried by the following roll call vote, the foregoing ordinance was introduced.

Roll Call:

Councilman Cipollini – absent  
Councilwoman Kuncken – yes  
Councilman Riccardi – yes

Councilman Romano - yes  
Councilman Thornton – yes  
Councilman Wronko - yes

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

## **RESOLUTIONS**

### **Resolution 040-21**

### **Resolution Authorizing Compliance with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964**

**WHEREAS**, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

**WHEREAS**, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

**NOW, THEREFORE BE IT RESOLVED**, That the Borough of Stanhope hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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

Roll Call:

Councilman Cipollini – absent  
Councilwoman Kuncken - yes  
Councilman Riccardi - yes

Councilman Romano - yes  
Councilman Thornton – yes  
Councilman Wronko – yes

### **Resolution 041-21**

### **RESOLUTION AUTHORIZING AND APPROVING THE FEDERAL AID AGREEMENT BETWEEN THE BOROUGH OF STANHOPE AND NJDOT FOR THE STANHOPE PEDESTRIAN LOOP PHASE 2 PROJECT**

**WHEREAS**, the Borough of Stanhope wishes to enter into a Federal Aid Agreement with the State of New Jersey, Department of Transportation (“NJDOT”) for State aid for the project entitled “Stanhope Pedestrian Loop Phase 2”.

**WHEREAS**, said project consists of streetscape beautification and roadway improvements along Sparta Road and the enhancement of existing trails, to improve road conditions and current pedestrian circulation, and to reduce speed-using traffic calming measures; and

**WHEREAS**, the total estimated cost for the Stanhope Pedestrian Loop Phase 2 is \$956,692.45; and

**WHEREAS**, the total municipal aid grant requested is \$943,593.00;

**NOW, THEREFORE, BE IT RESOLVED** that Council of the Borough of Stanhope, formally approves the Federal Aid Agreement for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the Federal Aid Agreement on behalf of the Borough of Stanhope and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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:

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

**Resolution 042-21**

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE STANHOPE PEDESTRIAN LOOP PHASE 2 PROJECT**

**WHEREAS**, the Borough of Stanhope has entered into a Federal Aid Agreement with the State of New Jersey, Department of Transportation (“NJDOT”) for State aid for the project entitled “Stanhope Pedestrian Loop Phase 2” for funding in the amount of \$943,593.00 for the Stanhope Pedestrian Loop Phase 2 Project; and

**WHEREAS**, said project consists of streetscape beautification and roadway improvements along Sparta Road and the enhancement of existing trails, to improve road conditions and current pedestrian circulation, and to reduce speed-using traffic calming measures; and

**WHEREAS**, the scope and extent of the work requires that the work be publicly bid pursuant to the Local Public Contracts Law; and

**WHEREAS**, the Borough Engineer has prepared Bid Specifications in accordance with the Local Public Contracts Law and NJDOT Regulations for work to be completed, including the required Notice to Bidders.

**NOW, THEREFORE**, be it resolved by the Mayor and Council of the Borough of Stanhope that the Borough is hereby authorized to advertise for bids for the Stanhope Pedestrian Loop Phase 2 project in accordance with the prepared Bid Specifications.

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

Roll Call:

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

**Resolution 043-21**

**RESOLUTION AUTHORIZING CHANGE ORDER FOR THE DELL ROAD ADA RAMP INSTALLATION PROJECT**

**WHEREAS**, the Borough of Stanhope awarded a contract to Cifelli & Son General Construction, Inc. in the base bid amount of \$18,950.00 for the Dell Road ADA Ramp Installation Project, via Resolution #126-20; and

**WHEREAS**, as result of field conditions, additional construction was undertaken to meet ADA design criteria and minimize disruption to adjacent properties; and

**WHEREAS**, Eric Keller, P.E., P.P., LEED, AP, Borough Engineer has recommended a change order to the Governing Body in the amount of a \$5,280.00 increase of the original purchase order of \$18,950.00, in order to increase the amount of total payment to \$24,230.00; and



**WHEREAS**, the Governing Body must approve the change order to authorize payment to the contractor.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council that the Borough does hereby authorize the issuance of a change order to Cifelli & Son General Construction, Inc. in an increase of \$5,280.00 for a total amount of \$24,230.00.

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

Roll Call:

Councilman Cipollini – absent	Councilman Romano - yes
Councilwoman Kuncken - yes	Councilman Thornton – no
Councilman Riccardi - yes	Councilman Wronko – yes

**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 044-21**

**RESOLUTION AUTHORIZING THE AWARD OF NON-FAIR AND OPEN CONTRACTS FOR PROFESSIONAL SERVICES FOR THE BOROUGH OF STANHOPE FOR THE YEAR 2021**

**WHEREAS**, the Borough of Stanhope has a need for professional services for the year 2021 of Borough Attorney, Borough Labor Attorney, Bond Attorney, Borough Engineer, Borough Planner, Borough Auditor and Conflict Counsel; and

**WHEREAS**, the Chief Financial Officer has determined and certified in writing that the value of the position of each of the agreements will exceed \$17,500.00; and

**WHEREAS**, the anticipated term of each contract is one year; and

**WHEREAS**, Laddey, Clark & Ryan, LLP has submitted a proposal to provide legal services as Borough Attorney and as Labor Attorney for the year 2021; and

**WHEREAS**, Robert Beinfield, Esq. of the firm Hawkins, Delafield and Wood has submitted a proposal to provide legal services as Borough Bond Attorney for the year 2021; and

**WHEREAS**, Bowman Consulting Group, Ltd. has submitted a proposal indicating that it will provide engineering services as Municipal Engineer and Municipal Planner for the Borough of Stanhope for the year 2021; and

**WHEREAS**, Nisivoccia & Company, LLP has submitted a proposal indicating that it will provide auditing services as Municipal Auditor for the Borough of Stanhope for the year 2021; and

**WHEREAS**, Robert Morgenstern, Esq. has submitted a proposal indicating that he will provide legal services to the Borough as Conflict Counsel for the year 2021; and

**WHEREAS**, each of the aforesaid professionals has completed and submitted a Business Entity Disclosure Certification certifying that they have not made any reportable contributions to a political or candidate committee in the Borough of Stanhope in the previous one year and that the contract will prohibit said professional from making any reportable contribution through the term of the contract; and

**WHEREAS**, each of the aforesaid professionals has completed and submitted a Political Contribution Disclosure Form; and

**WHEREAS**, the Chief Financial Officer of the Borough of Stanhope has certified the availability of funds for these contracts pursuant to NJAC 5:30-5.4;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stanhope that the Mayor and Clerk be and the same are hereby authorized to execute individual agreements with each Borough Professional named herein above; and

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

**BE IT FURTHER RESOLVED** that notice of the above contract shall be published by the Borough in accordance with the provisions of the Local Public Contracts Law.

**Resolution 045-21**

**RESOLUTION AUTHORIZING ADOPTION OF REVISED STANDARD OPERATING PROCEDURES-RULES AND REGULATIONS FOR THE STANHOPE BOROUGH POLICE DEPARTMENT PURSUANT TO CHAPTER 37 OF THE CODE OF THE BOROUGH OF STANHOPE**

**WHEREAS**, all police departments are required to have adopted written rules and regulations under a Standard Operating Procedure manual; and

**WHEREAS**, the Governing Body of the Borough of Stanhope pursuant to Section 12 of Chapter 37 of the Borough Code has heretofore adopted and has incorporated by reference into the Borough Code said Police Department Rules and Regulations under Standard Operating Procedures; and

**WHEREAS**, the New Jersey Attorney General has issued Law Enforcement Directive 2020-7, requiring municipal police departments, and others, to revise existing code of ethics, resolution of complaints and discipline authority policies to be consistent with the Directive;

**WHEREAS**, the Police Department has revised its Standard Operating Procedures-Rules and Regulations in accordance with the New Jersey Attorney General's Directive on code of ethics, resolution of complaints and discipline authority, a copy of which is on file with the Borough Clerk and Police Department; and

**WHEREAS**, the Chief of Police has recommended to the Governing Body the adoption of the new Standard Operating Procedures-Rules and Regulations; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stanhope that pursuant to Section 37-12 of the Borough Code, the Stanhope Police Department Standard Operating Procedures-Rules and Regulations, dated January 1, 2021, be and the same is hereby adopted and shall be in immediate effect.

**Resolution 046-21**

**RESOLUTION AUTHORIZING A REFUND OF OVERPAYMENT OF TAXES**

**WHEREAS**, the homeowner applied for the property tax deduction for veterans on December 28, 2020, for the 2020 tax year; and

**WHEREAS**, the tax collector and tax assessor have approved the property tax deduction of \$250.00 for the 2020 tax year; and

**WHEREAS**, the homeowner's 2020 property taxes were paid in full, creating an overpayment of taxes on the account, and future taxes will be paid by the homeowner's bank.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Stanhope, that a warrant be drawn to the property owner named below in the designated amount representing an overpayment of taxes, as follows:

**Homeowner Information:**

Block	Lot	Qual	Name & Address	Tax Year	Amount
11004	3		Keith C Noeltner 7 Ridge Road Stanhope, New Jersey 07874	2020	\$250.00

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

Roll Call:

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

Mayor’s Appointment

**Resolution 047-21 RESOLUTION APPROVING THE MAYOR’S APPOINTMENT OF HANNAH ELLICOTT, AS A JUNIOR MEMBER OF THE STANHOPE FIRE DEPARTMENT**

Mayor’s appointment of Hannah Ellicott, as a junior member to the Stanhope Fire Department.

**BE IT RESOLVED** by the Council of the Borough of Stanhope that they do hereby concur with the Mayor’s appointment of Hannah Ellicott, as a Junior Member of the Stanhope Fire Department effective immediately.

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

**PAYMENT OF BILLS**

**Resolution 048-21 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 January 26, 2021 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 – absent	Councilman Romano - yes
Councilwoman Kuncken - yes	Councilman Thornton – yes
Councilman Riccardi - yes	Councilman Wronko – yes

**ATTORNEY’S REPORT**

Mayor Zdichocki stated due to Attorney Leo’s absence, there is no report.

## **CITIZENS 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 - Personnel
  - 2 – Contracts
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 Councilwoman Kuncken, seconded by Councilman Romano, and unanimously carried by voice vote, the foregoing resolution was adopted.

The Mayor and Council went into Closed Session at 8:10 P.M.

## **RETURN TO OPEN SESSION**

At the conclusion of the Closed Session, the Mayor and Council reconvened the public meeting at 8:50 P.M. with all present.

## **COUNCIL DISCUSSION**

On motion by Councilman Romano, seconded by Councilman Wronko and unanimously carried by voice vote, DPW employee Rob Depew was granted approval to use four sick days from this year (2021) for the past year (2020).

## **ADJOURNMENT**

On motion by Councilwoman Kuncken, seconded by Councilman Wronko, and unanimously carried by voice vote the meeting was adjourned at 8:51 P.M.

Approved:

Linda Chirip  
Deputy Clerk for  
Ellen Horak, RMC  
Borough Clerk