

**MAYOR AND COUNCIL
REGULAR MEETING
May 25, 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:

| | |
|--------------------------------|-------------------------------|
| Councilwoman Kuncken – present | Councilman Thornton - present |
| Councilman Riccardi - absent | Councilman Wronko - present |
| Councilman Romano – present | |

Mayor Zdichocki – present

Fire Department and Ambulance Squad Agreement Acknowledgement

Mayor Zdichocki invited the representatives from the Fire Department and the Ambulance Squad to come forward to sign the agreement. Administrator McNeilly stated there are three copies of the agreement to be signed. One for each entity and one for the Clerk's file. Councilwoman Kuncken explained the signing of tonight's agreement is the culmination of discussions which took place over the past year. The agreement deals with the policies and procedures with regard to rescue operations. The Ambulance Squad has been the primary provider for rescue operations within the Borough for many years. The agreement states the Ambulance Squad will remain as the primary provider for extrication and the Fire Department will be the backup. Councilwoman Kuncken thanked the members of the Fire Department and the Ambulance Squad for being here tonight and for all the hard work that went into creating the agreement. This is a legal document but if there is any reason something needs to be altered, it can be done going forward.

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:

| | |
|----------------|-----------------------------------|
| April 13, 2021 | Work Session Meeting |
| April 27, 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 Councilman Wronko, seconded by Councilman Thornton and unanimously carried by voice vote, the list of correspondence was accepted and ordered placed on file.

COUNCIL COMMITTEE REPORTS

On motion by Councilman Romano and seconded by Councilwoman Kuncken, the Council Committee Reports were waived.

Public Safety – Councilwoman Kuncken/Councilman Thornton
(Police, Fire, Ambulance, Court & Violations Bureau, Emergency Management)

Finance & Administration – Councilman Romano/Councilwoman Kuncken

Community Development – Councilman Wronko/Councilman Riccardi

Municipal Infrastructure – Councilman Thornton/Councilman Wronko
(Water Distribution, Sewer Collection System, Road Construction & Maintenance, Buildings & Grounds)

Information Technology – Councilman Riccardi/Councilman Cipollini

Boards/Commissions – Councilman Cipollini/Councilman Romano

ADMINISTRATOR’S REPORT

Dell Road – Administrator McNeilly stated the milling and paving for Dell Road went amazingly smooth. There were only a couple of issues, but we made them work with good coordination on the part of the DPW, Police Department, Bowman Engineering staff and the contractor.

Young Drive and Dell Road – Administrator McNeilly stated the speed humps/speed tables will be installed on May 26th. Traffic will be detoured around the ones being installed. There are 4 on Young Drive and 4 on Dell Road. The DPW will be assisting again with traffic control. It is anticipated that the striping will take place within the next two weeks, weather permitting.

Byram/Stanhope Sewer Allocation Agreement – Administrator McNeilly stated, now that the agreements for the Byram/Stanhope Sewer Allocation have been signed, Byram has provided the initial payment. The Musconetcong Sewerage Authority (MSA) member communities have been notified and they will correspond back to the MSA regarding their acceptance with the transfer. MSA will then reapportion the allocation and the Borough’s capital requirements, thereby reducing our quarterly payments. Once that takes place everything will be finalized and the final payment will be forthcoming from Byram Township.

Musconetcong Sewerage Authority (MSA) – Administrator McNeilly stated the current daily usage of allocation at the MSA is averaging 288,786 gallons. The current allocation is 539,550. The Borough is currently utilizing 53.5%. The sale of allocation is for 4,300 gallons.

911 Survivor Tree – Administrator McNeilly stated the 911 Survivor Tree has been planted at Musconetcong Park. A great job was done by all those involved from the Fire Department and the DPW. The DPW has placed fencing around the tree to keep the deer from getting to it.

Fire Department – Administrator McNeilly stated, now that the agreement has been finalized between the Fire Department and the Ambulance Squad, the Fire Department will be providing an updated price quote on the tools. A process for releasing the PO once the quote is received must be determined. Councilwoman Kuncken stated the CFO will have to be involved to determine the procedure required. Councilwoman Kuncken would like to view the quote(s) when received and a determination has to be made regarding what funds will be used for the purchase. Alan Bookspan, Stanhope Hose Co. 2nd Assistant Chief, present in the audience, stated the original quote may have

changed by \$100-\$150 and the purchase would be made through a NJ state contract. Administrator McNeilly asked for confirmation that the governing body wants to see the quote and a memo from the CFO stating where the funds will be utilized from for discussion at the June 22nd meeting. The governing body agreed.

Borough Hall – Administrator McNeilly stated the public access restriction at Borough Hall is scheduled to be lifted on June 1st. Now that the Governor of NJ has lifted the mask requirements and social distancing requirements, the mask mandate for the employees will be discontinued and temperatures will no longer be taken at the start of each day beginning on Friday, May 28th. Any employee who feels the need to continue being masked may do so. As Borough Hall is reopened to the public, they will be limited to the counter area and the Council Chambers. The office area will remain for Staff only, which does include the Mayor and Council. Administrator McNeilly stated now would be a good time to consider bringing the Mayor and Council “home” to Borough Hall. The DPW is freshening up the entrance to the municipal building and they will do the same for the Council Chambers. Mayor Zdichocki asked what the maximum capacity is for the Council Chambers. Administrator McNeilly replied, based on the number of chairs, the capacity is approximately 35 people. Councilwoman Kuncken asked if the social distancing will still be in effect. Administrator McNeilly confirmed the social distancing will no longer be in effect. Councilwoman Kuncken stated due to the fact social distancing will not be an issue, should any public attend the meetings, she is in favor of moving the meetings back to the Council Chambers. The governing body agreed that the meetings should be moved back to Borough Hall. Councilwoman Kuncken suggested a very nice thank you letter be sent to the Board of Education for the use of the school during this past year. Administrator McNeilly stated the Land Use Board will have their June meeting at the school due to the fact the meeting has already been advertised.

2021 Bond Anticipation Notes (BAN) – Administrator McNeilly stated the CFO distributed a memo today to the governing body regarding the 2021 BAN results. The CFO received a rate of 0.3430% for the Borough’s Bond Anticipation Note. The low rates still in place are good news.

COUNCIL DISCUSSION

Recreational Cannabis Law – Mayor Zdichocki stated during the discussion at the last meeting, it was decided that the governing body members would review the available information regarding the Recreational Cannabis Law and prepare any questions or comments for tonight’s meeting. Councilman Romano asked Administrator McNeilly to review the timeline once again. Administrator McNeilly stated the legislation requires the municipalities to have taken a position by August 21st. The Recreational Cannabis Law Ordinance will fall under Chapter 100 Land Use Law. Therefore, the Land Use Board will have to review the ordinance and provide comment. The governing body has today for discussion and the June 22nd meeting would be the date to introduce the ordinance for first reading. The Land Use Board can review the ordinance at their July 12th meeting and provide their advice. The Mayor and Council meeting scheduled for July 13th would be the date for the public hearing and final adoption of the ordinance. The Mayor and Council meeting scheduled for July 27th has a substantial number of members who will not be present and there is a risk of not having a quorum for the August Land Use Board meeting. The neighboring towns of Roxbury, Netcong, Byram and Mt. Olive have all made their decisions.

Mayor Zdichocki asked Administrator McNeilly to review the six categories regarding the recreational cannabis law for the benefit of the audience. The municipalities can determine what, if any, classifications would be permitted in the town. Administrator McNeilly stated the classifications by state statute are as follows:

Class I – Cannabis Cultivator License, for facilities involved in growing and cultivating cannabis. This may sound like a farming activity, however, any growing in the North will have to take place inside a warehouse or large buildings. This could be an available option within the Borough. The EJIF (Environmental Joint Insurance Fund) has stated lighting and odor can be an issue.

Class II – Cannabis Manufacturing License, is for facilities involved with the preparation and packaging of cannabis. The processing includes washing the product and cutting. With this operation there would be concern for what is being washed down the drain and waste product. The Borough has been informed by the EJIF on potential issues to be aware of.

Class III – Cannabis Wholesale License, for facilities involved in obtaining and selling to other licensees. This is a warehouse facility. The concerns with this type of operation would be trucking and traffic.

Class IV – Cannabis Distributors License, for transporting cannabis from one license holder to another license holder. The concerns would involve traffic.

Class V – Cannabis Retail License, for a location to sell cannabis and related products directly to the consumer. This would be the storefront.

Class VI – Cannabis Delivery License, to provide courier services for consumer purchases. Delivery drivers are allowed to deliver to any location in the State of NJ. Municipalities cannot prevent deliveries from being made in their municipality.

Administrator McNeilly stated regardless of the municipality's decision regarding cannabis licensing, residents can travel to any retail cannabis business within the state, make a legal purchase and then transport their purchase within the state without suffering any legal action.

Councilman Wronko stated during prior discussions it was suggested that the Borough should consider allowing for the retail license and the delivery license even though the neighboring towns are not. Councilman Wronko stated he is of the opinion these two licenses should be permitted due to the fact that 75% of Stanhope residents voted in favor of the cannabis law. This is an overwhelming percentage. Allowing the retail license early on could bring tax revenue into the Borough. Councilman Wronko stated Colorado has collected over a billion dollars in tax revenue from February 20, 2014 to present. The studies indicate that in the communities where cannabis has been legalized, home prices have increased and the tax revenue has been used to support programs for the schools, police and the communities. New Jersey has the highest number of cannabis related arrests in the country. One third of the arrests in New Jersey are cannabis related. In states where cannabis is not legal, billions of dollars are spent relative to prohibition efforts. Those funds could be better spent on other programs. Mayor Zdichocki stated, for the audience's benefit, that the Borough can charge the cannabis businesses a tax up to 2%. This money would be paid directly to the Borough.

Councilman Romano stated he supports what Councilman Wronko has stated. Councilman Romano is of the opinion that Class V and Class VI are the only classifications which should be considered. The timeline imposed by the State, in order to come to a decision, is unacceptable. The State does not have their act together as yet and with all due respect, the State does not have a good track record with implementing these types of regulatory organizations. The State wants the municipalities to have their house in order but the State does not have theirs in order. Councilman Romano stated in his opinion this is bad business. If the Borough decides to postpone all six classes, a change in decision can be made as early as September 21st. The part of the law which prohibits the police from contacting a minor's parents is a bad rule. Councilman Romano stated he would like more information regarding this issue and therefore he is of the opinion the Borough should approve a temporary ban on all licenses at this time.

Mayor Zdichocki stated it appears that the State is leaving the decisions up to the municipalities and many municipalities are taking the wait and see approach. If the towns want to get out in front and be able to take advantage of the opportunity, now is the time to do so. Mayor Zdichocki stated in her opinion, the early bird gets the worm. Jonathan Frodella, Borough Attorney, suggested the Mayor and Council go into executive session where he would be able to answer any questions the governing body may have. Councilwoman Kuncken stated she agrees with Councilman Romano to the extent that she understands that 75% of the residents who voted on the question during the election voted for decriminalizing marijuana. Councilwoman Kuncken is of the opinion most of those people did not realize that this would mean the possibility of having a retail establishment within the Borough. The State has not provided the municipalities with enough direction. In looking back, the State promised to provide funding when casinos were permitted and when they raised the tolls on the turnpike and the parkway we were promised infrastructure improvements. Councilwoman Kuncken stated the source of revenue would be 2% of the gross sales. If the Borough made \$20,000 and divided that between all the property owners in Stanhope, the tax saving would not be much. Councilwoman Kuncken is not opposed to a retail business in the future, but at this time she is of the opinion it is too soon to permit the use. If the Borough permits the use now and it turns out that it was a mistake, changes cannot be made for five years. During the five years, the Borough can add permissions but nothing can be taken away. Therefore, in Councilwoman Kuncken's opinion there is no harm in waiting a few months. Why should Stanhope be the first to stick their necks out? This is not a guaranteed plus for the Borough. More information and guidance is needed from the State. Mayor Zdichocki stated she would like to hear views on this subject from the residents. Administrator McNeilly stated a direction has to be decided tonight in order to be able to have the Borough Attorney draft the appropriate ordinance.

Attorney Frodella stated in order for that to happen he is of the opinion a short executive session should be held this evening to answer any further questions or concerns. Administrator McNeilly stated upon returning to open session a straw poll of the governing body can be taken to determine what direction the Borough plans to go in. Councilwoman Kuncken stated she wants to make sure the public hears as much as possible to stay informed. Administrator McNeilly stated the public can step outside during the closed session and then come back to the meeting afterwards. Rosemarie Maio, a resident present in the audience, asked what the basis is for going into closed session. Why is this a closed session item? Attorney Frodella replied this would be done to provide legal advice for potential litigation. The broad ban approach with the idea of being able to pull it back a few months later is not exactly how the statute is set up. If the Borough does not pass a restrictive ordinance in time, by August, this potentially opens the argument that if you want to reinstate any types of licenses, there would be no strings attached because you cannot prohibit anything outside of the municipal 180-day period. There is no case law or an informal advisory committee but this has become a topic for discussion. Attorney Frodella is of the opinion that if the Council is moving toward doing anything, as much as possible, including the tax, should be on the table. The tax could be done after. The state did not orchestrate a lot of guidance but it is better to be safe. Councilwoman Kuncken stated her understanding is that if the Borough does not take a position, then we are automatically in for all of it. Attorney Frodella stated there is a chance if everything is prohibited, the governing body may not be able to go back and revisit it. This information has been reported in the media. High profile litigation firms are already toting this theory. Mayor Zdichocki asked Attorney Frodella if there are any specifications, rules or guidance on how many dispensaries are permitted. Attorney Frodella replied that the governing bodies are accepting their own unique situations and deciding whether to permit three or four licenses and what to prohibit. Councilwoman Kuncken stated, after hearing this additional information, she is of the opinion the Borough should prohibit everything. There is too much conflicting information. Councilman Thornton stated if there is any chance of potential litigation he is of the opinion the risk should not be taken and the governing body should prohibit everything at this time.

Mayor Zdichocki took a straw poll of the governing body. The results are as follows:

Councilman Wronko stated, based on how other states have had success, he is of the opinion the Borough should take the opportunity to benefit from the 2% tax. Based on what Attorney Frodella has stated, the governing body can put limits on how many licenses to permit by ordinance. Councilman Wronko stated he is in favor of going forward with an ordinance to permit Classes V and VI. The risk is low and the Borough can benefit by being at the forefront.

Councilman Thornton stated his vote is no. This may benefit the state overall but at this time there is no information available to determine the value to the Borough. As Councilman Romano stated earlier, the cost benefit of just \$20,000 is not worth the risk. Mayor Zdichocki confirmed Councilman Thornton is a no to all but yes to being revisited in the future.

Councilman Romano stated no to all but yes to being revisited in the future.

Councilwoman Kuncken stated no to all but yes to being revisited in the future.

Mayor Zdichocki stated the results of the straw poll were 3 against and 1 in favor. Mayor Zdichocki asked the Borough Attorney to prepare the ordinance.

911 20th Anniversary - Councilwoman Kuncken suggested a committee be formed to decide what the Borough would like to do for the 20th anniversary of 911. Councilwoman Kuncken stated she would agree to be on the committee and she suggested Administrator McNeilly be part of the committee as well. The committee should be comprised of 8 to 10 people. Mayor Zdichocki stated perhaps some members from the other boards and commissions would be interested in joining.

OLD BUSINESS

ORDINANCES

Mayor Zdichocki offered the following ordinances for public hearing and final adoption which were read by title.

Ordinances for Public Hearing and Final Adoption

Ordinance 2021-09

AN ORDINANCE OF THE BOROUGH OF STANHOPE, SUSSEX COUNTY, NEW JERSEY AMENDING CHAPTER 133 VEHICLES AND TRAFFIC, SCHEDULE XVII OF THE CODE OF THE BOROUGH OF STANHOPE, TO RESTRICT RIGHT TURNS BY TRACTOR TRAILERS AT CERTAIN INTERSECTIONS

WHEREAS, the Borough Council determined that the Code of the Borough of Stanhope needs to be amended to include restrictions to prohibit right turns by tractor trailers at certain intersections in the Borough; and

WHEREAS, the Borough Engineer has recommended, per N.J.S.A. 39:4-124, that right turns by tractor trailers be prohibited at certain intersections, with appropriate placement of signage; and

WHEREAS, the Borough Council has decided that right turns at the intersections of Main Street North and McKinley Street shall be prohibited.

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

SECTION 1.

Schedule XVII, Prohibited Turns at Intersections, shall be amended to include

| <u>Name of Street</u> | <u>Direction of Travel</u> | <u>Prohibited Turn</u> | <u>At Intersection of</u> |
|------------------------------|-----------------------------------|---|----------------------------------|
| Main Street (North) | North | All tractor trailer trucks are prohibited from making right turns | Route 183 (MP 1.54) |
| McKinley Street | East | All tractor trailer trucks are prohibited from making right turns | Brooklyn Road (CR 602) |

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 Romano and unanimously carried by the following roll call vote, the foregoing ordinance was adopted.

Mayor Zdichocki opened the meeting to the public for questions or comments on this ordinance only. Seeing no one from the public wishing to speak, Mayor Zdichocki closed the public portion of the meeting.

Roll Call:

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

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

Ordinance 2021-10 **AN ORDINANCE OF THE BOROUGH OF STANHOPE,
COUNTY OF SUSSEX, NEW JERSEY AMENDING
ORDINANCE 2021-08 FIXING THE SALARY AND WAGES
FOR BOROUGH EMPLOYEES AND OFFICIALS**

BE IT ORDAINED by the Mayor and Council of the Borough of Stanhope, Sussex County, New Jersey, as follows:

SECTION 1. The annual salary, wage and compensation to be paid to Borough Employees and Officials as contained in Section 1 of Ordinance 2021-08 is hereby amended to allow for the compensation of a temporary Zoning Secretary:

Temporary Zoning Secretary \$40.00/hr.

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 Councilman Romano, seconded by Councilman Wronko and unanimously carried by the following roll call vote, the foregoing ordinance was adopted.

Mayor Zdichocki opened the meeting to the public for questions or comments on this ordinance only. Seeing no one from the public wishing to speak, Mayor Zdichocki closed the public portion of the meeting.

Roll Call:

| | |
|------------------------------|---------------------------|
| Councilwoman Kuncken – yes | Councilman Thornton - yes |
| Councilman Riccardi - absent | Councilman Wronko - yes |
| Councilman Romano – 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.

Ordinance 2021-11 **BOND ORDINANCE PROVIDING FOR THE
IMPROVEMENT OF VARIOUS ROADS IN AND BY THE
BOROUGH OF STANHOPE, IN THE COUNTY OF
SUSSEX, NEW JERSEY, APPROPRIATING \$294,000
THEREFOR AND AUTHORIZING THE ISSUANCE OF
\$42,750 BONDS OR NOTES OF THE BOROUGH FOR
FINANCING SUCH APPROPRIATION**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by The Borough of Stanhope, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$294,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$2,250 as the down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes and including the sum of \$249,000 received or expected to be received by the Borough from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement.

Section 2. For the financing of said improvement or purpose and to meet the part of said \$294,000 appropriation not provided for by application hereunder of said down payment and grant, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$42,750 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$42,750 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the reconstruction and resurfacing of various roads in and by the Borough including Kelly Place, Waterloo Road and Furnace Street, to provide roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as such term is used or referred to in Section 40A:2-22 of said Local Bond Law), including the reconstruction of curbs and sidewalks, drainage improvements and milling thereof, together with all the aforesaid all paving, structures, appurtenances, engineering, surveys, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$42,750.

(c) The estimated cost of said purpose is \$294,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$2,250 down payment for said purpose and the said \$249,000 grant-in-aid from the New Jersey Department of Transportation.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$42,750, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$45,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

Section 5. The funds from time to time received by the Borough on account of the grant referred to in Section 1 of this bond ordinance shall be used for financing the improvement or purpose described in Section 3 of this bond ordinance by application thereof either to direct payment of the costs of said improvement or purpose, or to payment or reduction of the authorization of the obligations of the Borough authorized by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale at not less than par and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 8. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

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

Mayor Zdichocki opened the meeting to the public for questions or comments on this ordinance only. Seeing no one from the public wishing to speak, Mayor Zdichocki closed the public portion of the meeting.

Roll Call:

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

On motion by Councilman Romano, seconded by Councilwoman Kuncken, 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 Zdichocki offered the following resolutions which were read by title.

Resolution 108-21

RESOLUTION ATTESTING THAT THE STANHOPE GOVERNING BODY HAS COMPLIED WITH THE PROMULGATION OF THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY RELATIVE TO THE 2020 ANNUAL REPORT OF AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the Borough Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations," as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Stanhope, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

Roll Call:

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

Councilman Thornton - yes
Councilman Wronko - yes

Resolution 109-21

**RESOLUTION APPROVING SUBMISSION OF THE
CORRECTIVE ACTION PLAN FOR THE YEAR ENDED
DECEMBER 31, 2020 TO THE STATE OF NEW JERSEY,
DIVISION OF LOCAL GOVERNMENT SERVICES**

WHEREAS, all municipalities operating under the Local Fiscal Affairs Law must prepare and submit a Corrective Action Plan as part of their annual audit process, and

WHEREAS, the Borough of Stanhope has by Resolution accepted the 2020 audit as prepared and presented by the Borough Auditors, and

WHEREAS, Dana Mooney, the Chief Financial Officer for the Borough of Stanhope has prepared a Corrective Action Plan to address the findings and recommendations for the 2020 audit and presented copies of same to the Mayor, Council, and Administrator,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope, in the County of Sussex, that the Corrective Action Plan, attached hereto and made a part hereof, be approved for submission to the Division of Local Government Services.

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

Roll Call:

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

Councilman Thornton - yes
Councilman Wronko - yes

Resolution 110-21

**RESOLUTION AWARDING CONTRACT TO SALMON
BROS., INC. FOR THE STANHOPE PEDESTRIAN LOOP
PHASE 2 PROJECT**

WHEREAS, the Borough of Stanhope advertised for the receipt of sealed competitive bids for the Stanhope Pedestrian Loop Phase 2 Project (the “Project”); and

WHEREAS, the Borough accepted sealed, competitive bids on March 4, 2021 for the Project; and

WHEREAS, the Borough Attorney has reviewed the bids for compliance with the Local Public Contracts Law and the Borough’s bidding requirements; and

WHEREAS, although Tony’s Construction Co., Inc. initially appeared to be the lowest bidder, Tony’s Construction Co., Inc. was rejected due to not meeting the 2% DBE goal as determined by the New Jersey Department of Transportation’s (NJDOT) Division of Civil Rights and Affirmative Action; and

WHEREAS, Tony’s Construction Co, Inc. requested an Administrative Review Hearing to the NJDOT in reference to the rejected bid; and

WHEREAS, on May 11, 2021, NJDOT’s Final Decision (Federal Project No. TAP-D00S(263(CON))) rendered that Tony’s Construction Co.’s failed to meet the 2% DBE goal and upheld the decision to reject the bid;

WHEREAS, the next lowest responsive, responsible bidder for the Project was Salmon Bros., Inc. with a Bid of \$697,950.00 and the NJDOT Division of Civil Rights and Affirmative Action concurred with the Borough’s recommendation to award on May 20, 2021;

WHEREAS, the Borough Engineer concurs in the recommendation of the award of the contract to Salmon Bros., Inc.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope that the Borough does hereby award the contract to Salmon Bros., Inc., in an amount not to exceed \$697,950.00, for the Stanhope Pedestrian Loop Phase 2 Project subject to concurrence by the NJDOT Bureau of Local Aid; and

BE IT FURTHER RESOLVED that the award of this bid is subject to certification of the availability of funds by the Chief Financial Officer.

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

Roll Call:

Councilwoman Kuncken – yes

Councilman Thornton - yes

Councilman Riccardi - absent

Councilman Wronko - yes

Councilman Romano – 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 111-21

**RESOLUTION AWARDING THREE (3) YEAR
CONTRACT TO COMPRESSED AIR SYSTEMS, INC.
FOR AIR QUALITY TESTING AND PREVENTIVE
MAINTENANCE SERVICES**

WHEREAS, the Stanhope Borough Fire Department trucks require preventative maintenance; and

WHEREAS, the Borough has received a quotation from Compressed Air Systems, Inc. for a three (3) year contract for air quality testing and preventative maintenance on the Borough's fire trucks; and

WHEREAS, the provisions of N.J.S.A. 40A:11-15(c)(7) provides that contracts for the servicing of equipment of every nature and kind may be awarded for a period not to exceed 5 years, provided such contracts are awarded in accordance with the rules and regulations promulgated by the Department of Community Affairs; and

WHEREAS, N.J.A.C. 5:34-3.1 et seq. provides that multiple year agreements shall only be awarded subject to the availability and appropriation annually of sufficient funds or shall contain an annual cancellation clause; and

WHEREAS, Compressed Air Systems, Inc. has proposed to perform the testing at a fixed rate of \$1,004.50 per year for the three (3) year preventative maintenance contract, which includes all travel, labor and parts necessary to perform standard preventative maintenance and an air quality test;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope that the Borough does hereby award a three (3) year Service Agreement to Compressed Air Systems, Inc. to perform preventative maintenance and air quality tests on the Fire Department trucks in accordance with its proposal in an amount not to exceed \$3,013.50 over the three (3) year period;

BE IT FURTHER RESOLVED that the award of this three (3) year contract is subject to an annual appropriation by the Borough of Stanhope of sufficient funds for the contract.

BE IT FURTHER RESOLVED that the award of this three (3) year contract is further subject to annual cancellation by the Borough of Stanhope.

Resolution 112-21

**RESOLUTION AWARDING THREE (3) YEAR
CONTRACT TO ABSOLUTE FIRE PROTECTION CO.,
INC. FOR LADDER, PUMP AND GENERATOR
PREVENTIVE MAINTENANCE SERVICES**

WHEREAS, the Stanhope Borough Fire Department trucks require preventative maintenance; and

WHEREAS, the Borough has received a quotation from Absolute Fire Protection Co., Inc. for a three (3) year contract for preventative maintenance on the fire truck's ladders, pumps and generators; and

WHEREAS, the provisions of N.J.S.A. 40A:11-15(c)(7) provides that contracts for the servicing of equipment of every nature and kind may be awarded for a period not to exceed 5 years, provided such contracts are awarded in accordance with the rules and regulations promulgated by the Department of Community Affairs; and

WHEREAS, N.J.A.C. 5:34-3.1 et seq. provides that multiple year agreements shall only be awarded subject to the availability and appropriation annually of sufficient funds or shall contain an annual cancellation clause; and

WHEREAS, Absolute Fire Protection Co., Inc. has proposed to perform the testing at a fixed rate of \$7,815.00 per year for the three (3) year preventative maintenance contract, which includes picking up and dropping off the trucks at the firehouse;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope that the Borough does hereby award a three (3) year Service Agreement to Absolute Fire Protection Co., Inc. to perform preventative maintenance on the Fire Department trucks in accordance with its proposal in an amount not to exceed \$7,815.00 per year;

BE IT FURTHER RESOLVED that the award of this three (3) year contract is subject to an annual appropriation by the Borough of Stanhope of sufficient funds for the contract.

BE IT FURTHER RESOLVED that the award of this three (3) year contract is further subject to annual cancellation by the Borough of Stanhope.

Resolution 113-21

**RESOLUTION REGARDING THE TEMPORARY
APPOINTMENTS OF LINDA CHIRIP AS TEMPORARY
ZONING SECRETARY AND ERIC KELLER AS
TEMPORARY ZONING OFFICER**

WHEREAS, due to the ongoing vacancy in the Borough of Stanhope Zoning office, Linda Chirip was appointed temporary Zoning Secretary for five (5) hours per week and Eric Keller was appointed Zoning Officer, via Resolutions 076-21, dated March 23, 2021 and 102-21, dated April 27, 2021; and

WHEREAS, subsequently, a provisional Code Enforcement/Housing Officer/Zoning Officer, Thomas Dixon, will be appointed and will begin work as of June 1, 2021; and

WHEREAS, the temporary appointments of Mr. Keller and Ms. Chirip therefore shall expire on May 31, 2021.

NOW, THEREFORE, BE IT RESOLVED that based on the appointment of a zoning officer, the temporary roles that Linda Chirip and Eric Keller, as Borough zoning secretary and zoning officer, shall end on May 31, 2021, due to the appointment of the provisional Code Enforcement/Housing Officer/Zoning Officer, effective June 1, 2021.

Resolution 114-21

RESOLUTION ESTABLISHING INTEREST RATES FOR DELINQUENT WATER AND SEWER CHARGES

WHEREAS, the Mayor and Council adopted Resolution 167-20 on November 24 2020, which stated that all delinquent sewer and water charges less were waived during the COVID-19 pandemic, through March 15, 2021; and

WHEREAS, Resolution 010-21, adopted January 12, 2021, stated that beginning on March 16, 2021, the rate of 8% shall be charged on all delinquent sewer and water charges less than \$1,500 and 18% on all delinquent sewer and water charges in excess of \$1,500, received after the due date; and

WHEREAS, as per Executive Order No. 235, dated April 17, 2021, the current State of Emergency was extended an additional thirty (30) days; and

WHEREAS, the Borough desires to reinstate, effective June 1, 2021, the charges and late fees for sewer fees, and not delinquent water payments.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope to allow charges and late fees for delinquent sewer fees as of June 1, 2021, at the rates previously established via Resolution 010-21- 8% if less than \$1,500 and 18% on all delinquent sewer and water charges in excess of \$1,500.

Resolution 115-21

RESOLUTION - EXEMPT FIREMAN CERTIFICATE ZACHARY ELLICOTT

WHEREAS, the Chief of the Stanhope Borough Fire Department has certified that Zachary Ellicott, a member of the Stanhope Fire Department, has served the required number of years as an active fireman and is entitled to a certificate of exemption pursuant to N.J.S.A. 40A:14-59; and

WHEREAS, the provisions of N.J.S.A. 40A:14-59 require the Certificate to be duly executed by the Chief Executive Officer of the Municipality in which the fireman serves, as well as by the Clerk of said municipality; and

WHEREAS, the Borough of Stanhope wishes to duly authorize the issuance of the Certificate of Exemption to Zachary Ellicott;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that the Mayor and Clerk be in the same are hereby authorized and directed to duly execute a Certificate of Exemption for Fireman Zachary Ellicott; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall duly file the Certificate of Exemption with the Sussex County Clerk, the New Jersey State Fireman's Association, the Stanhope Borough Fire Department and Fireman Zachary Ellicott.

Resolution 116-21

RESOLUTION - EXEMPT FIREMAN CERTIFICATE BENJAMIN ELLICOTT

WHEREAS, the Chief of the Stanhope Borough Fire Department has certified that Benjamin Ellicott, a member of the Stanhope Fire Department, has served the required number of years as an active fireman and is entitled to a certificate of exemption pursuant to N.J.S.A. 40A:14-59; and

WHEREAS, the provisions of N.J.S.A. 40A:14-59 require the Certificate to be duly executed by the Chief Executive Officer of the Municipality in which the fireman serves, as well as by the Clerk of said municipality; and

WHEREAS, the Borough of Stanhope wishes to duly authorize the issuance of the Certificate of Exemption to Benjamin Ellicott;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that the Mayor and Clerk be in the same are hereby authorized and directed to duly execute a Certificate of Exemption for Fireman Benjamin Ellicott; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall duly file the Certificate of Exemption with the Sussex County Clerk, the New Jersey State Fireman’s Association, the Stanhope Borough Fire Department and Fireman Benjamin Ellicott.

Resolution 117-21 **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. 2019-001, representing property taxes and/or utility charges on Block 10209, Lot 9, known as 14 Smith St, assessed to Smith, Debra, 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: | Sunset Global Assets LLC P.O. Box 131 Lakewood, NJ 08701-0131 |
| Redemption Amount: | Tax Title Lien #2019-001 and Interest to Date of Meeting \$ 28,428.39 Premium Paid by Lienholder <u>11,000.00</u> |
| Total From Current Fund: | \$ 28,428.39 |
| Total From Tax Premium Account | 11,000.00 |

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 118-21 **RESOLUTION DESIGNATING THE MONTH OF MAY AS “BAG UP NJ” MONTH**

WHEREAS, P.L.202, c.117, signed into law on November 4, 2020 is the most progressive disposable bag law in the country, with the goal of phasing out single-use plastic and paper bags and encouraging the use of reusable bags throughout New Jersey; and

WHEREAS, New Jersey is working to reduce reliance on single-use products to ensure that future generations have a clean and healthy environment to live, work, and recreate in; and

WHEREAS, banning or limiting the use of single-use plastic and paper carryout bags is a significant step in this effort; and

WHEREAS, the New Jersey Clean Communities Council, the New Jersey Department of Environmental Protection, the New Jersey Department of State, policymakers, environmental and business groups, as well as other stakeholders, are working together to educate consumers, businesses, and communities about the new law and encouraging residents to "Bag Up" before the ban on single-use plastic bags goes into effect on May 4, 2022; and

WHEREAS, the comprehensive "Bag Up NJ" campaign will include educational programs, public and media engagement and reusable bag distribution programs throughout the state, with an emphasis on underserved communities; and

WHEREAS, this statewide public education campaign will provide residents, businesses and visitors with information about the types of reusable and sustainable bags and containers that they may use and where to access these products.

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Stanhope that it is critical to begin educating the public about this new law; and

BE IT FURTHER RESOLVED, that one way to gain important recognition is to deem the month of May each year as “Bag Up NJ” month in the Borough of Stanhope, as a further reminder that all residents should bring their own reusable bags to the store; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be transmitted to the NJ Clean Communities Council, and the New Jersey State League of Municipalities.

**Resolution 119-21 RESOLUTION AMENDING DATES FOR STANHOPE
HOSE CO. #1 TO CONDUCT A BUCKET DROP**

WHEREAS, Resolution 063-21, dated March 9, 2021 authorized Stanhope Hose Company No. 1 to hold a “Bucket Drop” on July 2nd to and including July 5th, 2021, with rain dates on July 9th to and including July 11th, 2021, within the hours of 8:00 am to 8:00 pm, at the intersection of State Rt. 183 and CR 602 in the Borough of Stanhope and on Linden Avenue from State Route 183 to McKinley Street; and

WHEREAS, due to unforeseen circumstances, the dates for the “Bucket Drop” must be revised to July 9th to and including July 11th, 2021; and

WHEREAS, should the weather be inclement, the following rain dates and times will be utilized instead, at the same locations: July 16th to and including July 18th, 2021 within the hours of 8:00 a.m. to 8:00 p.m. at the same locations; and

WHEREAS, Fire Department personnel are to be stationed at the above-mentioned location and all collections shall be done in a manner as to not impede the flow of traffic at any time, pursuant to the Traffic Safety Plan; and

WHEREAS, the Borough directs the Chief of Police to sign the NJDOT application for a charitable solicitation permit and to monitor compliance of the Traffic Safety Plan as necessary; and

WHEREAS, Fire Department members shall wear safety vests and traffic safety setup in shall conform with the “Manual on Uniform Traffic Control”; and

WHEREAS, N.J.A.C. 16:40-3.1 et seq. requires charitable organizations to obtain approval of the Commissioner of Transportation before soliciting contributions within State highways and County Freeholder approval for county highways.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Stanhope, in the County of Sussex, State of New Jersey hereby approves the Stanhope Hose Company No. 1’s request to amend the dates for the “Bucket Drop” to July 9th to and including July 11th, 2021, within the hours of 8:00am to 8:00pm, at the intersection of State Rt. 183 and CR 602 in the Borough of Stanhope and on Linden Avenue from State Route 183 to McKinley Street, and rain dates of July 16th to and including July 18th, 2021 within the hours of 8:00 a.m. to 8:00 p.m. at the same locations, per the Traffic Safety Plan and subject to obtaining approval of the Sussex County Board of Chosen Freeholders and a charitable solicitation permit from the New Jersey State Department of Transportation.

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

Roll Call:

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

Mayor's Acceptance of Resignations

Resolution 120-21

RESOLUTION OF MAYOR'S ACCEPTANCE OF RESIGNATION OF COUNCILMAN CIPOLLINI FROM HIS POSITION AS BOROUGH COUNCILMAN WITH COUNCIL CONCURRENCE

WHEREAS, Raymond Cipollini was heretofore elected to the Borough Council of the Borough of Stanhope; and

WHEREAS, on May 13, 2021, Councilman Cipollini submitted to the Borough Clerk a written resignation of his Council position effective immediately.

NOW, THEREFORE, be it resolved by the Council of the Borough of Stanhope that they do hereby concur with the Mayor's acceptance of Councilman Cipollini's resignation from the position of Borough Councilman effective immediately.

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

Resolution 121-21

MAYOR'S ACCEPTANCE OF THE RESIGNATION OF RAYMOND CIPOLLINI FROM THE STANHOPE LAND USE BOARD WITH COUNCIL CONCURRENCE

BE IT RESOLVED by the Council of the Borough of Stanhope that they do hereby concur with the Mayor's acceptance of Raymond Cipollini's resignation as a member on the Land Use Board, effective immediately.

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

Mayor's Appointments

Resolution 122-21

RESOLUTION OF THE MAYOR AND COUNCIL APPROVING THE MAYOR'S APPOINTMENT OF NAJIB IFTIKHAR, AS ALTERNATE #1 TO THE LAND USE BOARD WITH COUNCIL CONCURRENCE

Mayor's appointment to the Land Use Board with Council concurrence as follows:

Najib Iftikhar, as Alternate #1, for a 2-year term, with said term to expire December 31, 2022.

BE IT RESOLVED by the Council of the Borough of Stanhope that they do hereby concur with the Mayor's appointment of Najib Iftikhar as Alternate #1, to the Land Use Board for a 2-year term, with said term to expire December 31, 2022.

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

Resolution 123-21

MAYOR'S APPOINTMENT OF VALESKA MILLAN TO THE BOROUGH OF STANHOPE RECREATION COMMISSION

Mayor's appointment to the Recreation Commission as follows:

Valeska Millan to fill an unexpired term, said term to expire 12/31/2025

BE IT RESOLVED by the Council of the Borough of Stanhope that they do hereby concur with the Mayor's appointment of Valeska Millan as a member of the Recreation Commission, to fill an unexpired 5-year term, with said term to expire December 31, 2025.

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

PAYMENT OF BILLS

Resolution 124-21

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 May 25, 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 Wronko, seconded by Councilwoman Kuncken and unanimously carried by the following roll call vote the foregoing resolution was duly adopted.

Roll Call:

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

Unexpired Term for Council - Councilwoman Kuncken stated Councilman Cipollini has resigned because he has moved out of the state thereby creating a vacancy for his unexpired term. Councilman Cipollini was elected for his term on the Council as a Republican. This means the person who is appointed to replace Councilman Cipollini must be a registered Republican. There is a specific timeline to be followed. The resignation was accepted tonight and the timeline starts tomorrow. The local Republican Committee has 15 days. Councilwoman Kuncken stated she is the Chairperson of the Stanhope Republican Committee and therefore, if any anyone is interested in the position, they should submit a letter to her. The letter can be sent to Borough Hall Attn: Stanhope Republican Municipal Chair or to 8 Valley Road, Stanhope. If anyone knows of someone who is interested, please pass this information along to them. The letters must be received by June 11th. At that time, the names and letters will be submitted to the governing body who then have 15 days to chose a replacement for Mr. Cipollini. The decision will be finalized at the June 22nd meeting. Attorney Frodella asked when Councilman Cipollini sent his letter of resignation. Ellen Horak, Borough Clerk, stated the letter was received 9:38PM on Thursday evening, so it was received in her office Friday morning. Attorney Frodella stated usually the timeline begins when the resignation letter is received. Councilwoman Kuncken stated, having been through this many times before, the timeline has always started after the resignation has been accepted at the meeting.

ATTORNEY’S REPORT

Jonathan Frodella, Borough Attorney, stated he had no report this evening.

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.

Rana Degil, stated she has been coming to the council for quite some time. She is concerned there is going to be an accident involving the children walking to school along Delaware Avenue. Valley Road School does not provide busing and the children must walk. Cars are travelling down the road at 40mph. Ms. Degil stated she is tired asking for help. She has asked for a speed sign to be installed and it has not been done. A request has also been made for a speed bump which has not been done. They have them down by the lake. There is a 15mph speed limit sign on Grove Road. There are no signs on her block, not even a 25mph sign. There are no school signs. There are 11

children on the block. Ms. Degil asked to have a speed bump put at the beginning and end of the road before someone gets hurt. Summer is coming and kids will be outside playing. Teachers and parents are in a rush to get to the school and people are in a hurry to get to work. Ms. Degil stated if a speed bump is installed, people will slow down a lot better than if there is just a sign. She has put children at play signs on the road and people just speed by. Ms. Degil stated she has been coming to the council meetings since 2016 and she does not know what else to do. Should a petition be started? It is taking too long to do something. There are no sidewalks and the children have to walk in the street where people are speeding, where there are driveways and blind spots. Mayor Zdichocki stated she understands and apologizes. Councilwoman Kuncken stated this concern is true of every street in the neighborhood. Ms. Degil stated Grove Road has a 15mph sign, a crosswalk with a blinking light and her street has nothing. None of the other blocks have anything. There are no crossing guards. There are no sidewalks. Ms. Degil stated she knows it is expensive but a speed bump would be most effective because people care more about damaging their cars than they do with kids walking to school.

Administrator McNeilly stated on the East side of Delaware Avenue there are sidewalks except for one property. On the West side there are no sidewalks at the first three homes and none at the last one. There are a lot of sidewalks on Delaware Avenue. Ms. Degil stated her home does not have a sidewalk and the homes before hers does not have one and neither does the next one. Her daughter has no sidewalk. Administrator McNeilly stated the crosswalk which Ms. Degil referenced is a Sussex County crosswalk located on Route 602. Just for clarification it is not located on Grove Road. Some changes have been made to what is called Upper West but it is actually part of East Drive. Striping was done to narrow that intersection a little more. The 25mph hour signs can be installed there. Administrator McNeilly stated with regard to a speed hump, that decision lies with the governing body. Ms. Degil stated no one pays attention to the yellow lines on the road and no one is going to pay attention to the 25mph sign. The 25mph speed limit is the law and everyone knows it. If a sign is going to be installed and not a speed bump, Ms. Degil would prefer a 15mph sign. Ms. Degil stated in her opinion a speed bump should be installed. Mayor Zdichocki stated the signage issue will be checked into to start with. Councilman Wronko suggested having a police presence in the mornings to deter speeding. The officers do drive through the area in the mornings but if they sat on the road for a while it may help. Councilwoman Kuncken stated the governing body hears Ms. Degil's concerns and as for a speed hump or speed table, that is something which would require a lengthy discussion. Administrator McNeilly stated the Borough has 12 miles of roads and in that specific neighborhood Delaware is not the only street. Any discussion of speed humps for Delaware, also visits Grove, Hickory and Valley. Speed humps lower the response time for emergency vehicles to get to the schools. This will not be a quick discussion. Ms. Degil thanked the governing body for listening to her this evening. The governing body thanked Ms. Degil for attending tonight's meeting.

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

ADJOURNMENT

On motion by Councilwoman Kuncken, seconded by Councilman Wronko, and unanimously carried by voice vote the meeting was adjourned at 8:07 P.M.

Approved:

Linda Chirip
Deputy Clerk for
Ellen Horak, RMC
Borough Clerk