

**MAYOR AND COUNCIL
WORK SESSION AND
AGENDA MEETING
November 9, 2021
7:00 P.M.**

CALL TO ORDER

MAYOR'S STATEMENT AS TO COMPLIANCE WITH P.L. 1975

Adequate Notice of this Meeting has been provided according to the Open Public Meetings Act, Assembly Bill 1030. Notice of this Meeting was included in the Annual Meeting Notice sent to the New Jersey Herald and the Daily Record on January 13, 2021 and was placed on the Official Bulletin Board in the Municipal Building and on the official website of the Borough of Stanhope.

Furthermore, notice of the change in the meeting location was sent to the New Jersey Herald and Daily Record on June 9, 2021 and was placed on the official bulletin board in the Municipal Building.

In the event the Mayor and Council have not addressed all items on this Agenda by 10:00 PM and they are of the opinion that they cannot complete the Agenda in a reasonable time period, the Mayor and Council may exercise their option to continue this meeting at an agreed to date, time and place. Please turn off all cell phones for the duration of this Meeting.

OATH OF OFFICE

Borough Clerk, Ellen Horak, administered the Oath of Office to Michael Vance, elected Councilman at the November 3, 2021 election.

Mayor Zdichocki extended her congratulations to Councilman Vance and all the candidates who won the election.

Veteran's Day Programs – Mayor Zdichocki stated she and members of the governing body attended the Veteran's Day Program at the Valley Road School. The school had a very nice program. Mayor Zdichocki stated she also attended the Veteran's Program at the American Legion on Sunday which was a very nice tribute to the Veterans.

ROLL CALL

Council Members:

Councilwoman Kuncken – present
Councilman Riccardi – present
Councilman Romano – present

Councilman Thornton – present
Councilman Vance – present
Councilman Wronko – absent

Mayor Zdichocki – present

ADMINISTRATOR'S REPORT

Employee Handbook – Administrator McNeilly stated the governing body has received a draft copy of the handbook on Google Drive. Anne Mulhern of Laddey, Clark & Ryan is scheduled to be here this evening to answer any questions. The resolution accepting the changes is on the agenda this evening. The updates to the handbook are required to be done every two years. The current events delayed the process by a year but the two-year cycle will resume. Administrator McNeilly asked the governing body if they had any questions or concerns. There were none. The NJMEL needs the resolution by mid-November.

2021 Storm Water Training – Administrator McNeilly stated Ryan Jiorle, the Musconetcong Watershed Association's Community Engagement Coordinator will be at the November 23rd council meeting to provide the annual storm water training.

Altice/Cablevision – Administrator McNeilly stated Altice has begun the installation of the service cabinets on Musconetcong Avenue. No timeline has been received regarding the beginning of the fiber build out. Some restoration work still needs to be completed.

Stanhope/Byram Sewer Transfer – Administrator McNeilly stated all the documents have been signed and delivered for the Stanhope/Byram Sewer Transfer. The final resolutions for the transfer should take place at the Musconetcong Sewerage Authority (MSA) on November 23rd. The resolution will acknowledge the transfer of reserve allocation of 4,300 gallons from Stanhope to Byram. A date will be chosen in order for this to line up with the quarterly billing. Administrator McNeilly would like the payment to be received in 2021.

Engineer – Administrator McNeilly stated Eric Keller, Borough Engineer, will be attending the November 23rd Mayor and Council meeting.

2020 Tax Sale Day – Administrator McNeilly stated on the day of the 2020 Tax Sale, November 4th, there were only 14 sewer liens on the list totaling \$5,096.00. There were three lien holders at the sale and all 14 liens were purchased. There is one redemption already being processed. The Finance Department did a great job! The scare that tax payments would decline due to COVID was totally unfounded. The Borough's tax collection numbers were phenomenal. The tax collection for 2020 is now at one hundred percent. The reason there were only sewer liens is due to the fact that the Governor would not permit interest to accumulate for water bills. The lien holder cannot collect on water bills.

FEMA DR-4597 – Administrator McNeilly stated this FEMA claim is for the big snow storm which occurred on January 31, 2021 to February 1, 2021. The event was declared a national disaster. The Borough expects to receive a payment of approximately \$30,000 for the cleanup efforts. This FEMA reimbursement request was completed with a great deal of effort from the CFO, OEM and DPW. The information required was extremely detailed. This process was much more involved than the one for Hurricane Sandy.

Budget 2022 – Administrator McNeilly stated the Borough Auditor and the Tax Assessor will be making their presentations to the governing body at the December 14th meeting.

Sewer Allocation – Councilman Vance asked what the 4,300 gallons per day equates to in dollars. Administrator McNeilly stated when the transfer takes place based on the agreed to price, the amount is just short of \$200,000. This is a onetime payment which is received as revenue into the sewer account. It can then be used to paydown existing debt or authorize capital for sewer, but it is for a sewer dedicated item.

Towpath Driveway Skirt – Councilman Vance asked Administrator McNeilly for an update on the repair of the Towpath driveway skirt. Administrator McNeilly stated the DPW Superintendent has inspected the area. No blacktop has been applied to date.

Property on Corner of Valley Road – Councilman Vance asked if Tom would be calling the property owner. Administrator McNeilly stated Tom Dixon, Zoning and Code Enforcement Official, did contact the owner of the property located at the corner of Valley Road to discuss the zoning and property maintenance issues. Administrator McNeilly stated he received an email from the Board of Health Secretary stating she has also been in contact with the property owner. This was a unique opportunity in which both the Sussex County Health Department and the Zoning Officer were able to enter the house. Administrator McNeilly stated if anyone is having an issue with rats, it would be beneficial to have pictures to document the problem.

WORK SESSION

2022 Municipal Budget – Administrator McNeilly stated the budget books have been distributed and are ready for review. The current book does not include any salary budgets at this time. The focus to date has been on the expenditure side only. In addition, there are no revenues and no assessed values. The information provided is based on department requests.

3-a General Admin: Line 10510021 Office Supplies decreased by 87.5% due to the fact that over the past few years items are being moved from the general budget to their specific area. Therefore, there will be corresponding increases in the sewer budget and water budget for office supplies.

3-b Mayor & Council: Councilman Romano stated with regard to Line 10511031 Contribution to Senior Citizens, a meeting was held with the President and the Treasurer of the Senior Citizens Club last Thursday. A copy of their current membership was provided to us. A third of the membership are out of town members. A proposal was made, and they agreed, that the balance of the 2021 budget of \$1,500 would be paid. Councilman Romano stated he would recommend approval for this payment be made this evening. To make sure that Stanhope funds are being utilized by Stanhope residents, the 2022 budget line item will be set at \$3,000 however, it will be paid based on the number of Stanhope residents at a rate of \$55.00 each, not to exceed \$3,000. Currently there are 46 Stanhope residents who are members of the Senior Citizens Club out of 75 members. Councilwoman Kuncken stated it was pointed out at another time that the membership can vary. It was decided that a specific date would be chosen, which will be June 1st, and the number of members registered as of that date will be the number used to determine the payment. Administrator McNeilly asked that an email be sent to him outlining the agreement and what type of document to expect and the agreed to date. This information will be forwarded to the Finance Department.

Mayor Zdichocki conducted a straw poll of the governing body to approve the payment of \$1,500.00 to the Stanhope Senior Citizens Club. The results are as follows:

Councilman Vance – yes, Councilman Thornton – yes, Councilwoman Kuncken – yes, Councilman Riccardi – yes, Councilman Romano – yes

The governing body approved the payment of \$1,500.00 to the Senior Citizen Club.

Councilman Thornton asked if the neighboring communities contribute to the Senior Citizens Club. Councilman Romano replied not to his knowledge but he is not concerned about how the club spends their money or what they do with it. Mayor Zdichocki stated the club charges a membership fee and everyone pays the same amount.

3-c Municipal Clerk: Ellen Horak, Borough Clerk, stated Line 10512027 Election Costs has increased as a result of a letter received from the County Clerk. The amount has been estimated. The County has stated if they receive reimbursement from the State, those funds would be divided between all the municipalities. Mayor Zdichocki stated the wages for the poll workers has increased and early voting has been added. Ms. Horak stated the number of mail-in-ballots has also increased significantly.

4-a Financial Admin: The decrease in Line 10513021 Finance Office Supplies is due to allocating the funds elsewhere.

4-b Computer Services: Administrator McNeilly stated he has resolved the issue with Nixle. Nixle had changed their format. Text messages were unlimited and then their relationship with carriers changed which made their business model not feasible. Anyone that had provided an email address, in addition to their cell phone number, no longer received text messages along with their email notice. During the critical time during COVID, the Borough's message output went from 1,400 text messages to 700. Nixle provides half a million credits for the text messaging. A text message is equivalent to three (3) credits. In July, the Borough had used 189,000 credits, which is a very small number. Administrator McNeilly spoke with a representative from Nixle and asked why Nixle would care how the Borough uses their 500,000 credits. A request was made to have the issue fixed so that the Stanhope residents would receive text messages again. The change has been made and the number of text messages has increased to 1,400 again. The Borough will make it through the year with this allocation. Administrator McNeilly will continue to monitor the number of messages.

4-c Tax Collector: Administrator McNeilly will obtain clarification for the increase in Line 10514524 Seminars & Conferences and Line 10514523 Tax Bill Costs.

4-d Tax Assessment: No changes.

5-a Legal Services & Engineering Services: Administrator McNeilly reminded the governing body that the figures in the 2021 charged category only include up to the end of October. There are still expenditures which will be added to these figures before the end of the year. The amounts budgeted for Legal Services are done so to account for the unknown. Administrator McNeilly and Councilwoman Kuncken do not recommend reducing these budget items. If the funds are not expended they go back into the general fund after sitting in a hold for one year. Councilman Romano stated when these funds are not expended, it helps the surplus two years down the road. The Borough Auditor has been reminding the governing body to make sure the surplus stays healthy. No changes were made to these budgets.

5-b Land Use Board: No changes were made.

5-c Regional Planning Board: No changes were made.

5-d Construction Official: No changes were made.

5-e Zoning Officer: Administrator McNeilly stated the way in which the Zoning Officer's salary is paid has changed. It will be one salary as opposed to three separate line items.

6 – Insurances: Administrator McNeilly stated these figures are still being formulated. There are some solid numbers.

7-a-2 Police Department: Administrator McNeilly stated clarification is needed for Line 10524024 Equipment Purchase. The backup paperwork lists PC Replacement which is not a capital item. Also listed is Radio Replacement x2. This item may need to be placed in the capital budget as opposed to the OE budget. Line 10524026 Meetings & Seminars includes the State Convention and a new request for 2022 for 2nd in Command. This budget will be discussed again at a future date.

7-b Police Dispatch & 911 Services: Councilwoman Kuncken asked how many years are left on the current contract for dispatch services. Administrator McNeilly replied the years left are for 2022 and 2023. Councilwoman Kuncken suggested that discussions take place in 2022 to prepare for the future. Administrator McNeilly confirmed this stating this will affect the 2023 budget.

7-c Fire Department: No changes were made.

8-a-1 Road Maintenance: Administrator McNeilly stated the budgeted amount of \$10,000 for Line 10529026 Tree Trim & Removal is too low in his opinion. The Borough has been trying to prepare over the last few years for the problem with the Ash Borer. Mayor Zdichocki stated the amount charged in 2021 has already exceeded the budgeted amount. Administrator McNeilly stated in the area of Ridge Road, Overhill Road and Sunset Lane there are many Ash trees owned by the Borough. Tree removal has gotten out of hand. The fact is this problem amounts to thirty percent of the tree stock. They are not all on Borough property. Tree King, which is part of the co-op, took down 12 Ash trees in one day. Funds have been added to the water and sewer budgets for tree removal. In the past, the Borough would spend \$5,000 between the three budgets. This line item will be revisited.

8-a-3 Road Maintenance: Building Maint/Repairs: Line 10529040 Licenses, Permits, Registrations has increased due to renewals which take place every five years or so. There are also new items added each year. Administrator McNeilly will ask for backup regarding which licenses and permits are due in 2022.

8-b Solid Waste Collection: Administrator McNeilly stated the solid waste and recycling contracts are in place until the end of 2023. No changes were made.

8-c Buildings and Grounds: No changes were made.

Mayor Zdichocki stated the budget review will end for tonight with section 8-c and will resume at the next meeting with section 9.

OLD BUSINESS

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

Ordinance for Public Hearing and Final Adoption

Ordinance 2021-15

ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE WATER SUPPLY AND DISTRIBUTION SYSTEM IN AND BY THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND APPROPRIATING \$173,017.12 THEREFOR CONSTITUTING PROCEEDS OF A GRANT FROM THE AMERICAN RESCUE PLAN ACT OF 2021

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY, AS FOLLOWS:

The improvement described in Section 2 of this ordinance is hereby authorized as a general improvement to be made or acquired by The Borough of Stanhope, New Jersey, and there is hereby appropriated therefor the sum of \$173,017.12 constituting moneys received or expected to be received by the Borough from the American Rescue Plan Act of 2021 as a grant-in-aid of financing said improvement.

The improvement hereby authorized and the purpose for the financing of which the appropriation is made as provided in Section 1 of this ordinance is the improvement of the water supply and distribution system in and by the Borough, including the installation of new water mains where needed and desirable and all infrastructure improvements necessary therefor or incidental thereto, together with all structures, equipment, site work, studies, plans, work, materials and other expenses 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.

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.

This ordinance shall take effect after publication after final passage as provided by 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 Riccardi - yes
Councilman Romano – yes

Councilman Thornton – yes
Councilman Vance – yes
Councilman Wronko – absent

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

NEW BUSINESS

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

Resolution 193-21 AUTHORIZE A TRANSFER OF 2021 APPROPRIATIONS

WHEREAS, the Finance Officer certifies that there appear to be insufficient funds in the budgetary accounts listed below to meet the demands thereon for the balance of the year; and

WHEREAS, the Finance Officer certifies that there appears to be a surplus in the budgetary accounts listed below, over and above the demand deemed necessary for the balance of the year; and

WHEREAS, N.J.S. 40A:4-58 provides that transfers of funds may be made during the last two months of the budget year;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stanhope that the Borough Finance Officer is authorized to make a transfer in 2021 budget appropriations in the amount of \$6,166.00 within the Current Fund, as follows:

CURRENT FUND	From:	To:
	\$	
Fire Dept - O/E	5,066.00	
Road Maint. -	\$	
O/E	1,100.00	
Stormwater Eng'g -		\$
O/E		1,100.00
		\$
Vehicle Maint. - Fire		5,066.00
	\$	\$
	6,166.00	6,166.00

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

Roll Call:

Councilwoman Kuncken – yes	Councilman Thornton – yes
Councilman Riccardi – yes	Councilman Vance – yes
Councilman Romano – yes	Councilman Wronko – absent

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 194-21 RESOLUTION AUTHORIZING STANHOPE BOROUGH
TO ACCEPT A GRANT FROM THE STATE OF NEW
JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY,
OFFICE OF THE ATTORNEY GENERAL, IN THE
AMOUNT OF \$141,834.00 UNDER THE 2022 SAFE AND
SECURE COMMUNITIES PROGRAM, SUBAWARD
GRANT NUMBER 22-1919**

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

1. The Borough of Stanhope is authorized to accept a subaward grant from the State of New Jersey, Department of Law and Safety, Office of the Attorney General, in the amount of \$16,200.00, under the Safe and Secure Communities Program, Grant No. 22-1919, with a Match-Fringe Benefits of \$125,634.00, for a total project cost of \$141,834.00.

2. Mayor Patricia Zdichocki and Chief Steve Pittigher are authorized to execute and the Borough Clerk to attest to a Subgrant Award in connection with this grant, and any and all documents in connection with this grant.

3. The Borough of Stanhope is accepting this grant of funds for the purpose described in the application.

4. Subaward Period: January 16, 2022 to January 15, 2023.

5. A certified copy of this resolution shall be provided by the Office of the Borough Clerk to each of the following:

- a) Mayor Patricia Zdichocki
- b) Borough Council
- c) Brian McNeilly, Borough Administrator
- d) Ursula H. Leo, Esq., Borough Attorney
- e) Dana Mooney, CFO
- f) Police Department: Chief Steve Pittigher
- g) State of New Jersey, Office of Attorney General

Resolution 195-21

**MAYOR'S DECLARATION OF LAKE MUSCONETCONG
REGIONAL PLANNING BOARD VACANCY WITH
COUNCIL CONCURRENCE**

WHEREAS, Michael Balogh was appointed to the Lake Musconetcong Regional Planning Board as a representative of the Borough of Stanhope; and

WHEREAS, the Mayor has been advised by the Chairman of the Lake Musconetcong Regional Planning Board that Michael Balogh has only attended three meetings since the beginning of the year and has not attended the previous five consecutive meetings; and

WHEREAS, the Chairman of the Lake Musconetcong Regional Planning Board has informed the Mayor that all absences have been unexcused absences; and

WHEREAS, Michael Balogh has not submitted a written resignation to the Lake Musconetcong Regional Planning Board or to the Mayor; and

WHEREAS, the Mayor has declared the Lake Musconetcong Regional Planning Board seat of Michael Balogh vacant since he has failed to attend five consecutive regular meetings of the Lake Musconetcong Regional Planning Board;

NOW, THEREFORE, be it resolved that the Governing Body does hereby concur in the Mayor's Declaration of Vacancy of the seat of Michael Balogh on the Lake Musconetcong Regional Planning Board.

Resolution 196-21

**RESOLUTION AMENDING STANHOPE BOROUGH'S
EMPLOYEE HANDBOOK**

WHEREAS, the Borough of Stanhope maintains an Employee Handbook, last revised September 2018; and

WHEREAS, the Borough Council has requested that the Borough Attorney review certain provisions within the Handbook and make amendments in compliance with the Municipal Excess Liability Joint Insurance Fund 2020-2021 Employment Practices Risk Control Program.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that the Employee Handbook is revised to incorporate the changes recommended by the Borough's Attorney to be in compliance with the Municipal Excess Liability Joint Insurance Fund 2020-2021 Employment Practices Risk Control Program.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Employee Handbook is amended effective as of this date to include these changes.

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

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

Roll Call:

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

Councilman Thornton – yes
Councilman Vance – yes
Councilman Wronko – absent

Mayor's Acceptance of Resignation

Resolution 197-21

**MAYOR'S ACCEPTANCE OF THE RESIGNATION
OF NICOLE KOPICH FROM THE STANHOPE
RECREATION COMMISSION 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 Nicole Kopich's resignation as an appointed member on the Recreation Commission, effective immediately.

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

Mayor's Appointment

Resolution 198-21

**RESOLUTION APPROVING THE MAYOR'S APPOINTMENT
OF EUGENE M. WRONKO, AS A MEMBER OF THE
STANHOPE FIRE DEPARTMENT**

Mayor's appointment of Eugene M. Wronko, as a member of 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 Eugene M. Wronko, as a Member of the Stanhope Fire Department effective immediately.

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

PAYMENT OF BILLS

Resolution 199-21

**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 November 9, 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:

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

Councilman Thornton – yes
Councilman Vance – yes
Councilman Wronko – absent

AGENDA ITEMS

All items listed on the Agenda for November 23, 2021 were approved.

CITIZEN'S TO BE HEARD

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

Heather Costanza, 7 Highland Avenue, stated the contractor hired for the water line installation is very unprofessional. The road is a mess. Ms. Costanza stated her property was damaged in two places and she was home the entire time. The contractor never came to the door to discuss the damage to the fence. When one of the workmen was questioned about why he did not speak with them, he stated he was told to just piece the fence back together. Twenty minutes later there was a large sound hitting the house and the fence was hit again and pushed into the siding of the house. Ms. Costanza stated she was told to contact the Borough Engineer who would in turn contact the contractor. Ms. Costanza took pictures and stated she forwarded them to some members of the governing body. Ms. Costanza stated at this point no one wants to claim fault. Ms. Costanza stated she is very dissatisfied with the condition of the road, the conduct of the contractors and the dropping off and picking up of equipment before 6:00am on Saturdays. Mayor Zdichocki asked Ms. Costanza if she called the Police. Ms. Costanza stated she did not call the Police because she had been instructed to call the Engineer. The Police will have to be contacted. Pictures have been taken and the incident is on Ring. The contractor is claiming no responsibility.

Drew Costanza, 7 Highland Avenue, stated he has been with a municipality for the past 25 years and does this type of work every day. When you wreck someone's property you should go to the door. Mr. Costanza stated the contractor told him to get an estimate and he would turn it into his insurance company. An estimate was obtained from Quality Discount Fence in Ledgewood and the quote was emailed to the contractor, the Borough Administrator and Tom. A response has not been received to date. Mr. Costanza stated he emailed the Borough Engineer who told him he would have to deal with the contractor. Mr. Costanza stated he should not have to deal with the contractor because he did not hire him.

Administrator McNeilly stated the estimate from Quality Fence Mr. Costanza is referring to was emailed this past Friday at 3:48pm. The contractor responded back to Mr. Costanza on Saturday morning at 6:38am stating the estimate would have to be sent to his insurance company. Mr. Costanza replied back 45 minutes later on Saturday morning with required information. That is where the email string ends on Saturday. Today is Tuesday. If the contractor filed the claim yesterday, Monday, not much activity could have taken place since then. An email was sent by the Borough Engineer to the contractor this afternoon, Tuesday, asking for the contractor to provide the claim number from the insurance company. A certain amount of time has to be given for the claim to be processed. Ms. Costanza stated there will be another estimate submitted for the siding damage done to the house.

Councilwoman Kuncken asked what the procedure is for a situation such as this. Administrator McNeilly stated Mr. Costanza contacted him right away. Mr. Costanza works for a municipality and is aware of how these issues get handled. Administrator McNeilly asked the Borough Engineer to contact the contractor and inform them that a damage claim would be submitted. The contractor carries insurance for these types of issues. If the contractor is not able to fix the damage, the damage claim is filed with the insurance company. If the insurance company replies back that there is only \$200 worth of damage but the estimate is for more than that, the homeowner may decide to file a claim with the Borough. The next step would be to have the homeowner file a Tort Claim, which then gets routed through the Borough's insurance. Mr. Costanza stated the contractor is done with the Borough work and the town should not be responsible for damage done by the contractor. Mayor Zdichocki stated the claim has to have some time to be processed. It has only been three days so far. Mr. Costanza stated this incident occurred on October 25th. Administrator McNeilly stated we have to go forward from a documentation standpoint. If a response is not received, a follow up will take place by the end of the week. Mr. Costanza asked if he can remove the fence post from the side of his house which is pushing on the vinyl siding. Administrator McNeilly stated the Borough cannot offer a recommendation on that issue.

Ms. Costanza asked if the road will be paved this year. Mayor Zdichocki stated the road will be paved this month. Mr. Costanza stated the berm has to be such that his car can get over it. Administrator McNeilly stated the berm is not going to be touched. Mr. Costanza stated if that is the case the berm needs to be fixed because it is too high. It needs to be feathered out.

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

ADJOURNMENT

On motion by Councilman Romano, seconded by Councilwoman Kuncken and unanimously carried by voice vote the meeting was adjourned at 8:10 P.M.

Approved:

Linda Chirip
Deputy Clerk for
Ellen Horak, RMC
Borough Clerk