

**MAYOR AND COUNCIL  
REGULAR MEETING  
December 14, 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.

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.

**ROLL CALL**

Council Members:

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

Councilman Thornton - present  
Councilman Vance - present  
Councilman Wronko - present

Mayor Zdichocki – present

**CITIZENS TO BE HEARD**

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

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

**PRESENTATION**

*Ray Sarinelli, Borough Auditor*, stated last year when he was here the discussion took place regarding how difficult the 2021 budget was going to be due to the loss of revenue from 2020. While there has not been a resurgence of the revenues yet, things have kind of stabilized. As we head into 2022, that difficulty on the revenue side from last year hopefully will not exist. Financially, we are optimistic about where things are going to go. The lapsing of the appropriation reserve from 2020 will be a little higher due to the fact we did not operate on a normal year. Mr. Sarinelli stated he projects that the fund balance will regenerate and may have an increase. This will be helpful in stabilizing the tax rate and stabilizing financially. A lot of this is tax rate dependent. The Borough had a great tax rate in 2020 despite the pandemic. When the close out for 2021 is done we will see if this will be repeated. Looking at the 2022 budget, we need to stay with a good plan. The debt service plan is good. What was implemented a few years ago helped through 2021. Maybe not as many projects were done and the Borough did not get into as much debt. The Borough should not deviate from the debt service plan. Another thing which will help is that the ARP will be covering the costs of some upcoming projects. The thing which will put the most amount of pressure on the budget is inflationary pressure. Costs are going to increase in 2022. This will not be any easy budget, but the hardships we went through in

trying to craft the 2021 budget are not going to be there. The needs of the town need to be met which usually includes a tax increase. Last year it was 2.2%. This year it may be similar. Last year was very difficult to get to that. This year Mr. Sarinelli is of the opinion the Borough can have a really good budget that will meet what the governing body wants for the town at around 2%. Hopefully, we can get there. This will be reviewed more after the year end close out. Financially things look very good and there is a good plan. We will have to see how much pressure there is from the expenditures to see what the budget does. The projection is that everything will close out very nicely.

Councilwoman Kuncken asked Mr. Sarinelli if he has a figure for the debt service which they should use as a guide. Mr. Sarinelli replied there was a plan to hold the notes for no longer than ten years and that changed a bit in trying to keep taxes lower. We have gotten back to having a good plan in place with a good figure. As an accountant, his recommendation is to do more if possible. Interest rates are historically low, but you still do not want to pay interest. Right now, the amount being contributed is \$382,000 which is a good plan. If it is possible to get the amount up to \$400,000 that would be great. Administrator McNeilly stated he would be more comfortable at \$450,000. Mr. Sarinelli agreed and stated he knows the governing body is very conscious of the tax rate. Administrator McNeilly stated the surplus from 2020 could be used to make a payment to the debt service and get ahead of the benchmark. There have been two years where the borrowing was very low. Mr. Sarinelli agreed making a one-time payment would put the budget in a better spot.

The governing body thanked Mr. Sarinelli for attending this evenings meeting.

Jason Laliker, Borough Tax Assessor, stated the market has been very aggressive lately and with that, it causes the ratios to start dropping. To drop 4.42 is not the end of the world but, when the County Tax Board looks at the figures to determine if a revaluation is needed, one of the numbers they look at is the ratio. Once the ratio is in the mid 80's, they are going to look at to see if something needs to be done. The good news is that they will be hesitant to do anything this year or next year due to what occurred in 2007 and 2008 when the market was going crazy and then it collapsed. Mr. Laliker stated he just wanted to bring this to the governing body's attention. He reviews every sale which occurs in the Borough. If work was done to the properties such as kitchens and bathrooms and the ratios come in low, they can be removed from the ratio study. The coefficient of deviation of 9.32 is another statistic which the County will review. This measures the uniformity of the assessments. Anything under 12 is deemed reliable. The Borough is still in very good shape. The other statistic has to do with how many appeals there are. Mr. Laliker stated for the first time he has no County appeals. Mr. Laliker is worried about the ratio but it will not be an issue for this year or next year. Most of the other towns are in the same situation. The Borough did well this year with added assessments. There were 33 this year. Last year there were 11. This year did well despite the increased cost in building materials and the shortage of labor. The increase was approximately \$550,000 in assessments. There were 88 sales in 2021. Last year there were 60 sales. This is a good time for homeowners interested in selling. The homes are selling quick and for a lot of money. Mr. Laliker stated he is of the opinion the market will not collapse like it did in 2008. There may be a bit of a comeback in the sale prices. This has been a very steady, typical year. Discussion took place regarding the prices and the fact that many people are still working from home and may continue to do so. Mayor Zdichocki asked Mr. Laliker to explain the main reason property owners apply for appeals. Mr. Laliker stated in this market the reason for appeals are due to the taxes in New Jersey which are high. Mr. Laliker stated he explains the procedure to the property owners and once they are aware of the procedure they usually realize they do not have a case. The housing market right now is very good. Occasionally, someone will call and state that they feel their assessment is too high. If the property owner truly believes they cannot sell their home for the assessed value, then they should file an appeal.

Administrator McNeilly asked where the new convenience store/gas station on Route 206, which is commercial property, falls into the mix. Mr. Laliker stated he has not yet received a certificate of occupancy for the gas station. The property will be put on the added assessment list for 2022. The building next door to the municipal building will also be added which is good for the Borough.

Administrator McNeilly stated in 2012 the assessments for the condominiums were done. The last townwide re-valuation was done in 2007. Much discussion took place regarding the benefit this had for the town and how the process works. Mr. Laliker is of the opinion a reassessment will not be required for a few years. The ratio may go up as well once the market settles down a bit. Stanhope is mainly a residential town with a small amount of commercial properties. Therefore, the assessments are fairly uniform.

### **MINUTES FOR APPROVAL**

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

November 9, 2021    Work Session/Agenda Meeting  
November 23, 2021    Business Meeting

On motion by Councilman Vance, seconded by Councilman Riccardi and unanimously carried by a majority voice vote, the above listed minutes were approved. Councilman Wronko and Councilman Romano abstained from the minutes of November 23, 2021.

### **CORRESPONDENCE** *(List Attached)*

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

### **COUNCIL COMMITTEE REPORTS**

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

Councilwoman Kuncken stated the Fire Department, for the month of November, answered 8 calls, 2 mutual aid calls, 5 drills, 1 meeting and 4 special details for a total of 263.75 volunteered hours.

Councilwoman Kuncken stated the Sussex County Fire Marshal report for November states no incidents were responded to in Stanhope. There was an issue with the fire alarm at the Whistling Swan which they addressed, as a result of a complaint from the Stanhope Fire Department. A meeting was attended with the members of the Presbyterian Church and the Building Inspector to discuss the replacement of the exterior stairs. The report states 16 inspections were completed. One inspection failed but has since been cleared.

Councilwoman Kuncken stated the Police Department for the month of November had 86 motor vehicle stops and 225 total calls.

Councilwoman Kuncken stated the Ambulance Squad for the month of September answered 43 calls; 17 in Stanhope, 24 in Netcong and 2 stand-by calls. There was 1 out of town call to Hopatcong for an overall total of 44 calls. The squad treated 31 patients, made 18 trips to the hospital. They travelled 686 miles and had 207 hours and 1 minute of volunteer hours.

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

Councilman Romano stated the month to date tax collection for the month of November totaled \$852,420.18 and the year to date total is \$12,581,293.73. The collection rate for the fourth quarter is at nearly 96%. The overall tax collection for the year is just over 97.5% and 100% of the prior year delinquent taxes have been collected.

Councilman Romano stated the water collections for November total \$17,630.71 and the year to date total is \$562,605.25. The sewer collections for November total \$22,375.97 and the year to date total is \$716,809.19.

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

Councilman Wronko stated the tree lighting was well attended. Santa Claus will be traveling through the Borough this weekend bringing holiday spirit.

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

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

Councilman Thornton stated he spoke with the DPW Superintendent and the leaf collection should be completed by the end of this week weather permitting. There were some problems encountered with the collection but the DPW has been working weekends to get caught up.

**Information Technology – Councilman Riccardi/Councilman Vance**

Councilman Riccardi stated payments continue to be made by residents through Municipay, located on the Borough website. There were 76 tax bills paid for the 4<sup>th</sup> quarter and 240 utility payments made through Municipay. The total to date is 306 tax payments and 689 water/sewer utility payments. The total dollar amount for these payments is \$850,044.00. The online system has helped the Borough last year and this year to stabilize the payment collections.

Councilman Riccardi stated repairs have been made to the municipal building telephone system. Options are being investigated with regard to replacing the antiquated system. It is just a matter of time before something goes wrong again with the current system. One of the two estimates have been received. The Technology Committee will review the options. Administrator McNeilly stated this item could be placed in the 2022 budget or the 2023 budget. The replacement parts came with a warranty. Replacement parts are still readily available. The building is already wired. The upgrade will require just a new panel and telephones which will keep the cost lower.

Councilman Riccardi stated Altice is currently working in town to run fiber lines.

**Boards/Commissions – Councilman Vance/Councilman Romano**

Councilman Vance stated at the Land Use Board meeting last night Mayor Zdichocki thanked Chairman, John Maguire, for his twenty plus years of service. Last night's meeting was Chairman Maguire's last meeting, as he has resigned from the Land Use Board. The LUB has an application for a change of use for the property located next to the Phillips 66 Gas Station.

**ADMINISTRATOR'S REPORT**

Lenape Valley Regional High School Superintendent – Administrator McNeilly stated he met with Dr. Rossi last Monday to review the Lenape Path to Elm Street. There is a concern from the school regarding the narrowness of the path for snow removal. The pickup truck and the plow are 7 feet wide. If the truck rolls off the edge during plowing, any ruts will be repaired in the spring. Administrator McNeilly also discussed the VenTrac equipment which the Borough owns. The school may acquire a VenTrac of their own in the future. Dr. Rossi indicated there are two projects which will need zoning approval for a new scoreboard and a storage building. The applications were submitted during the interim before the new Zoning Officer was hired and the applications were denied. Administrator McNeilly stated the Zoning Officer has gotten involved and LVRHS will have to submit applications to the Land Use Board.

Altice – Administrator McNeilly stated he had a meeting with representatives from Altice regarding their fiber optic build out program for Stanhope. The head unit on Musconetcong Avenue is complete and awaiting testing. JCP&L has work to do on the cabinet. Once testing is complete, overhead crews will move into town and begin to string fiber. According to their team, they anticipate starting sometime in the next few weeks. As soon as overhead work begins, the marketing of the service will take place and customers will be active in early February. Councilman Riccardi stated he noticed one of the cabinets which he walked by was noticeably loud. Administrator McNeilly stated he will take a look at it tomorrow.

Mount Olive – Administrator McNeilly stated he received a call from Mayor Greenbaum in Mt. Olive regarding a potential future land use application at the New York Box facility for a cannabis growth facility. Currently, Mt. Olive does not allow any of the classifications but that could change at any time. Mayor Greenbaum wanted to make sure Stanhope's governing body was made aware of this due to the fact that the New York Box property is in close proximity to

our border. Councilman Thornton stated at the League of Municipalities Conference he learned that if a facility is going to be built next to a municipality which does not permit the use, there is a specific buffer area that has to be adhered to. Administrator McNeilly stated the buffer may be for the retail side.

Hopatcong ACO Contract – Administrator McNeilly stated a new animal control contract has been received from Hopatcong Borough. This service, currently provided by Hopatcong, is a per hour service. The new contract is a flat rate which is based on an average of the past five (5) years. The amount works out to be \$6,450.00 per year. Hopatcong will be contracting with five municipalities to provide animal control services. Stanhope has had a good relationship with Hopatcong regarding animal control services for many years. Administrator McNeilly stated he will forward the contract to the Borough Attorney and the Board of Health review. A resolution would need to be placed on the business meeting in January. Councilman Riccardi asked Administrator McNeilly to provide the governing body with the data from the last five years. Councilman Romano stated the Board of Health has been monitoring this for a few years. The relationship with Hopatcong has been very good. Two years ago, inquiries were made to see if another service would be more cost effective. The other options available were much more expensive. Administrator McNeilly stated the housing will only take place for seven days. After that time, the animal is considered abandoned and is then moved to the shelter. If a pet is brought to Hopatcong's animal pound, the owners will have to pay a fee to Hopatcong to get their pet back. In the past, the owner was just called to pick up their pet. If an animal is injured and requires additional care, the Borough will be charged separately.

Leaf Collection – Administrator McNeilly stated leaf collection is a service provided by the Borough. There were some challenges in this calendar year. Some were current event related and some were equipment related. The equipment is 15-16 years old. If this was not an essential service we could continue to piece it together. The leaf machine has to be kept functioning. The calls and concerns for lack of pickup are too great when the machine breaks. A leaf machine request will be made for the 2022 budget. The cost is approximately \$75,000 and it cannot be spread across multiple budgets. The current machine would be kept and prepared for backup. Two crews could operate on the back streets at the same time during peak season. Councilwoman Kuncken stated leaf collection has fallen into the same category as snow removal and it just has to be done. Administrator McNeilly stated if a state contract or co-op contract is unavailable, the Borough will have to go out to bid. Councilman Thornton stated he saw how difficult it was to pick up the wet leaves and how heavy they were. Perhaps newer equipment would have features to help with that issue. Administrator McNeilly stated unfortunately the technology has not evolved. The savings will be in the reliability and the capacity to run two machines at the same time. Councilman Thornton stated a newer machine should be more efficient in picking up the leaves. Administrator McNeilly stated extra crews have been working after hours and Saturdays. Fortunately, there has not been any snow. The down time this year on the machine amounted to a couple of weeks. Complaints are made to the office when the leaves fall early and aren't being picked up and when the leaves fall late in the season and collection has been completed. Administrator McNeilly stated purchasing a used machine would not be advisable. There would be no way of knowing how it was maintained and used. Rocks could have been pulled through or lodged inside. Administrator McNeilly stated he and the DPW Superintendent drive through the Borough on Friday once leaf collection is complete to certify that all the leaves have been collected. Otherwise, people will call the office on Monday morning to say their leaves need to be picked up which they raked up over the weekend. Councilman Wronko asked if the Borough has looked into outsourcing the leaf collection or hiring additional staff to assist during the collection period or if the department is shorthanded due to injury or illness. Administrator McNeilly is of the opinion outsourcing would not be cost effective. Hiring extra temporary staff has not been looked into. An additional employee will be hired shortly for the DPW. Mayor Zdichocki stated she has spoken with the Administrator about options for when the department is short on staff. Administrator McNeilly stated having the major road project going on in the Borough did not help the situation this year. The DPW had to work as flaggers for the project.

Speed Sign(s) – Administrator McNeilly stated he forwarded a voluminous amount of data earlier today from the speed signs. One sign was placed on Dell Road facing north, going up the hill, one is for the Waterloo Road Bridge coming into town, and there is a short duration report from Delaware Avenue East, going toward Elm Street. A quick review of the charts shows that the drivers in the Borough of Stanhope are generally law abiding citizens. The DPW installed the

new speed limit sign on Delaware Avenue and the electronic speed sign was attached to that sign. The data collected for Delaware Avenue, at the time of the report, was for just one day. The largest amount of traffic occurs between 7:30am to 7:45am. Of the ten cars that went through there at 7:30am, none of them exceeded the speed limit. Twenty four cars went through at 7:45am and only one of them exceeded the speed limit. Perhaps the sign is causing people to slow down. The sign will be used in stealth mode to determine if there is any change. The average speed on Delaware Avenue is 19 ½ miles per hour. The data is being captured from the location of the first house on the left hand side. The battery life is currently at two and a half weeks. The current location of the sign on Dell Road is not ideal because it is too close to the curve. Administrator McNeilly stated the Waterloo Bridge sign has indicated some speeding issues and a large number of traffic crossing the bridge. Similar reports will be generated for the two speed signs which will be installed on Sparta Road. Councilman Vance stated he was surprised to learn that over 700 cars a day travel up Dell Road. The speed sign will be moved to the other side of Dell Road to monitor coming down the road.

Budget 2022 – Administrator McNeilly asked the governing body to consider having an early start time for the January meetings to discuss the 2022 budget.

Lights (Sparta Road Update) – Councilman Wronko asked Administrator McNeilly for an update on the lights. Administrator McNeilly stated the light heads were all supposed to be shipped on December 7<sup>th</sup>. The path lights are moving quicker than the Sparta Road ones are. The path lights have a delivery date of later this month and the Sparta Road lights are scheduled for next month. The banners for the light posts are winter seasonal so they can be used for a few months this season. The striping for the bike lanes was completed today. The fog lines were also completed out to where the road ends. The Welcome to Stanhope sign is on site. The posts are being installed. Mayor Zdichocki asked if the symbol in the road is for the bike sharing lane. Administrator McNeilly confirmed this and stated the DOT requires this. The south side bike lane is a dedicated bike lane but the northbound side is a shared lane. This is due to the fact parking is permitted on this side and the bike lane cannot be in the parking area. Councilman Riccardi asked when the signs on Lenape Drive will be replaced. Administrator McNeilly stated the sign replacement is not part of the contracted services. The Stanhope DPW will be replacing the required signage. Administrator McNeilly stated he and the DPW Superintendent have compiled a list of signage to be replaced.

Crosswalk by Lutheran Church - Councilman Riccardi asked about the old crosswalk by the Lutheran Church. Administrator McNeilly stated that crosswalk is a Sussex County issue. The crosswalk should not have been placed there because it does not have a starting pad and landing pad. Councilman Riccardi asked Administrator McNeilly to send a letter to the County requesting the crosswalk be removed. Administrator McNeilly stated he can make the request to County Engineering.

## **COUNCIL DISCUSSION**

Office Staff Holiday Party (Change of Date to December 20, 2021) – Mayor Zdichocki stated a request has been made to change the date of the staff holiday party to Monday, December 20<sup>th</sup> and a poll was taken of the governing body and approval was granted. The results are as follows:

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

Reorganization Meeting – Ellen Horak, Borough Clerk, stated the reorganization meeting packets were distributed last week in order for the governing body to provide any additions or changes. The governing body had no changes.

Alternative Hiring of Police Officers (Chief Pittigher) – Councilwoman Kuncken stated this subject, alternative hiring of police officers, was brought up at a prior meeting and as a result, Chief Pittigher has been asked to attend tonight’s meeting to answer any questions. Chief Pittigher stated the legislatures of New Jersey enacted a bill that Governor Murphy signed into effect which allows municipalities that are civil service and are hiring police officers to step outside of civil service and hire someone who has their Police Training Certificate (PTC) directly into the municipality. This means the rule of three is not required and a civil service list is not

needed. What is recommended by labor counsel, in order to do this, the resolution should be in place prior to hiring someone. The best time to put the resolution in place is annually at the governing body's reorganization meeting. The resolution is to allow the Borough to opt-in to the program which the State is recommending. This does not mean anyone is being hired at this time, and it is not stepping outside of civil service. This is simply putting the tool in place in the event there is an opening in law enforcement and there is a candidate who already has their PTC you can hire that person. The PTC is received from the Police Academy. In civil service, you can hire someone that is already working elsewhere and it is called an interoffice transfer. Stanhope has used this procedure several times over the years. To do so, there has to be an agreement between both of the communities. The new program eliminates the requirement for an agreement. The resolution does not affect the hiring ordinance which is already in effect. Chief Pittigher explained the current process for hiring through civil service and the limitations. Under the current procedure, if there is someone who lives in town that the police department would like to hire, it can only be done if that person has made it to the list. If the Borough hires someone who does not reside in town, the hiring resolution has to state that the residency requirement is being waived. When hiring someone who is already working, they come in at the step they currently hold. Step 4 is the maximum. The opt-in resolution would even allow a State Trooper to be hired. Towns that are not civil service can hire whoever they want without any agreements.

Chief Pittigher explained the State is enacting this resolution in order to make it easier to hire more minorities into law enforcement. Stanhope is not a 100% white community but there has never been an applicant on the civil service list of a different ethnicity. The department now has a woman on the police force. She was not hired because she is female; she was the best candidate for the job. There are not a lot of females taking the civil service test or minorities. Now if someone has taken an alternate route the Borough would have the opportunity to be able to hire them. There is a Senate Bill 2765 coming in behind this next year. This will study the ethnicity and race of the police departments, salaries, how has this helped and do you have a residency requirement. Once that is completed, they will look into the possibility of a state law eliminating residency requirements for all civil service departments in the state of New Jersey. If the departments cannot solve their problems it will be done through civil service. Councilwoman Kuncken asked if Chief Pittigher has consulted the Borough's legal counsel. Chief Pittigher stated he has contacted Ursula Leo, Borough Attorney, and the recommendation is to have the resolution in place now. Do not wait until the opportunity arises to hire someone to adopt the resolution. There is a chance the resolution will not be needed but having it in place could be beneficial. A resolution is good for one year and that is why the suggestion is being made to place it on the reorganization agenda.

On motion by Councilman Vance, seconded by Councilman Thornton and unanimously carried by voice vote, approval was granted to place the Alternative Hiring of Police Officers Resolution on the Reorganization Agenda.

Police Department Rules and Regulations - Chief Pittigher stated there is an additional item for the reorganization agenda concerning rules and regulations. The rules and regulations have to be in place in order for a police department to exist and they are done so by resolution. During the state association meetings it has been brought up that this has been an issue. Resolutions are good for one year. Some towns are being challenged because the resolution has been done once and has not been readopted each year. Chief Pittigher discussed this with the Borough Attorney and he is recommending the rules and regulations for the police department to be reaffirmed each year at the reorganization meeting, even though none of the rules and regulations are being changed. The Borough Attorney agreed and she will provide a resolution.

## **NEW BUSINESS**

### **RESOLUTIONS**

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

**Resolution 205-21**

**RESOLUTION AUTHORIZING THE SUBMISSION AND ACCEPTANCE OF A GRANT FROM THE SUSSEX COUNTY TRAIL GRANT PROGRAM PROVIDED FOR RESTORING THE TRI-COMMUNITY TRAIL PROJECT IN THE AMOUNT OF \$2,500**

**WHEREAS**, the Borough of Stanhope desires to further the public interest by obtaining a grant from the Sussex County Trails Grant Program for “Restoring the Tri-Community Trail” for the Borough of Stanhope and other neighboring communities; and

**WHEREAS**, the Sussex County Trails Grant Program will provide grant funding to the Borough of Stanhope in the amount of \$2,500.00; and

**WHEREAS**, the grant funds will be used to restore the trail entrance to the Tri-Community Trail and add signage; and

**WHEREAS**, the grant funds will also be used to promote the trail to the residents of Stanhope and neighboring towns; and

**BE IT RESOLVED**, by the Council of the Borough of Stanhope, that the Mayor and/or her designee are hereby authorized to accept the grant funding in the amount of \$2,500.00 from the Sussex County Trails Grant Program to restore the trail entrance to the Tri-Community Trail and promote the trail, as set forth herein; and

**BE IT FURTHER RESOLVED**, that a fully executed copy of this resolution, together with the executed grant award letter be filed in the Office of the Borough Clerk as one (1) document.

On motion by Councilman Riccardi, 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 Thornton - yes
Councilman Riccardi - yes	Councilman Vance - yes
Councilman Romano – yes	Councilman Wronko – yes

**Resolution 206-21**

**RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO DENVILLE LINE PAINTING FOR THE SPARTA ROAD LOCAL AID PROJECT**

**WHEREAS**, a contract was entered into for limited striping for the Sparta Road Local Aid Project between the Borough and Denville Line Painting for an original amount of \$2,260.48 by the adoption of Resolution 062-21 on March 9, 2021; and

**WHEREAS**, this project was part of a Local Aid grant received from the NJDOT; and

**WHEREAS**, Denville Line Painting has now submitted their invoice for the services, which included Change Order No. 1 for additional costs of \$273.36 for extra epoxy and thermoplastic striping of various types and widths, plus a layout charge of \$200.00, equaling \$473.36, for a total increase in the overall contract amount to \$2,733.84; and

**WHEREAS**, the Borough Engineer finds that Denville Line Painting’s request for the full payment of \$2,733.84, accurately reflects the total work completed; and

**WHEREAS**, the Chief Financial Officer has certified that there are available sufficient funds for the full payment of \$2,733.84 to Denville Line Painting.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Stanhope, that the Borough authorizes payment to Denville Line Painting, which includes Change Order No. 1 in the amount of \$473.36, pursuant to N.J.A.C. 5:30-11.3 et seq. and increasing the overall contract cost to \$2,733.84.



On motion by Councilwoman Kuncken, seconded by Councilman Vance 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 – yes

**Resolution 207-21**                      **RESOLUTION AUTHORIZING CHANGE ORDER NO. 1  
TO SCHIFANO CONSTRUCTION CORP. FOR THE  
SPARTA ROAD LOCAL AID PROJECT**

**WHEREAS**, a contract was entered into for milling and resurfacing of Sparta Road for the Sparta Road Local Aid Project between the Borough and Schifano Construction Corp. for an original amount of \$181,188.55, by the adoption of Resolution 062-21 on March 9, 2021; and

**WHEREAS**, this project was part of a Local Aid grant received from the NJDOT; and

**WHEREAS**, Schifano Construction Corp. has now submitted their invoice for the services, which included Change Order No. 1 for additional costs of \$24,785.70 for additional milling and HMA, for a total increased contract cost in the amount of \$205,974.25; and

**WHEREAS**, the Borough Engineer finds that Schifano Construction Corp.’s request for the full payment of \$205,974.25, accurately reflects the total work completed; and

**WHEREAS**, the Chief Financial Officer has certified that there are available sufficient funds for the full payment of \$205,974.25 to Schifano Construction Corp.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Stanhope, that the Borough authorizes payment to Denville Line Painting, which includes Change Order No. 1 in the amount of \$24,785.70, pursuant to N.J.A.C. 5:30-11.3 et seq. and increasing the overall contract cost to \$205,974.25.

On motion by Councilman Wronko, seconded by Councilman Romano 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 – yes

**Resolution 208-21**                      **RESOLUTION AUTHORIZING CHANGE ORDER NO. 3  
FOR THE STANHOPE PEDESTRIAN LOOP PHASE 2  
PROJECT**

**WHEREAS**, a contract was entered into for professional construction services for the Stanhope Pedestrian Loop Phase 2 Project between the Borough of Stanhope and Salmon Bros., Inc. for an original contract price of \$697,950.00 by the adoption of Resolution No. 110-21 on May 25, 2021; and

**WHEREAS**, Change Orders Nos. 1 and 2 were previously authorized via Resolutions No. 110-21 (increase of \$34,136.50) and No. 165-21 (increase of \$13,218.43), resulting in a revised overall contract cost of \$745,304.93; and

**WHEREAS**, Change Order No. 3 has been submitted for additional costs for rock excavation, increase path thickness, and price adjustments, as approved by the NJ DOT, Division of Local Aid and Economic Development engineer, required for the Lenape Valley High School trail and Sparta Road Conduit Installation in the amount of \$95,673.19; and

**WHEREAS**, the Chief Financial Officer has certified that there are available sufficient uncommitted appropriations in General Capital Ordinance #2021-03 to award Change Order No. 3.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, authorizes Change Order No. 3 in the amount of \$95,673.19 for the Pedestrian Loop Phase 2 Project, pursuant to N.J.A.C. 5:30-11.3 et seq., and increasing the overall contract cost to \$840,978.12.

On motion by Councilman Riccardi, 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 - yes	Councilman Vance - yes
Councilman Romano – yes	Councilman Wronko – yes

**CONSENT AGENDA** (All items listed on the Consent Agenda are considered routine by the Borough Council and were enacted by one motion of the Borough Council with no separate discussion.)

**Resolution 209-21**                      **RESOLUTION AWARDED BID TO KEYTECH LABORATORIES FOR ASPHALT TESTING SERVICES FOR THE IMPROVEMENTS TO SPARTA ROAD**

**WHEREAS**, on March 9, 2021, the Borough adopted Resolution 062-21 for the Improvements to Sparta Road; and

**WHEREAS**, as a requirement of NJDOT Bureau of Local Aid, all projects that include resurfacing of roadways, testing of asphalt cores is required to comply with applicable specifications; and

**WHEREAS**, the Borough Engineer obtained quotes from qualified firms to provide the services; and

**WHEREAS**, the lowest quote obtained was from KeyTech Laboratories, with a quote of \$1,620.00, which includes the services of bituminous concrete core sampling, laboratory analysis, calculation of penalties (if applicable) and final report; and

**WHEREAS**, the Borough Engineer concurs in the recommendation of the award of the testing services to KeyTech Laboratories; and

**WHEREAS**, the Chief Financial Officer has certified that there are available sufficient funds for the full payment of \$1,620.00 to KeyTech Laboratories.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Stanhope, that the Borough does hereby award the testing services to KeyTech Laboratories in an amount not to exceed \$1,620.00, subject to concurrence by the NJDOT Bureau of Local Aid; and

**Resolution 210-21**                      **RESOLUTION AWARDED BID TO KEYTECH LABORATORIES FOR ASPHALT TESTING SERVICES FOR IMPROVEMENTS TO DELL ROAD**

**WHEREAS**, on March 9, 2021, the Borough adopted Resolution 061-21 for the Improvements to Dell Road; and

**WHEREAS**, as a requirement of NJDOT Bureau of Local Aid, all projects that include resurfacing of roadways, testing of asphalt cores is required to comply with applicable specifications; and

**WHEREAS**, the Borough Engineer obtained quotes from qualified firms to provide the services; and

**WHEREAS**, the lowest quote obtained was from KeyTech Laboratories, with a quote of \$1,620.00, which includes the services of bituminous concrete core sampling, laboratory analysis, calculation of penalties (if applicable) and final report; and

**WHEREAS**, the Borough Engineer concurs in the recommendation of the award of the testing services to KeyTech Laboratories; and

**WHEREAS**, the Chief Financial Officer has certified that there are available sufficient funds for the full payment of \$1,620.00 to KeyTech Laboratories.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Stanhope, that the Borough does hereby award the testing services to KeyTech Laboratories in an amount not to exceed \$1,620.00, subject to concurrence by the NJDOT Bureau of Local Aid.

**Resolution 211-21**

**RESOLUTION AWARDED BID TO KEYTECH LABORATORIES FOR ASPHALT TESTING SERVICES FOR THE KELLY PLACE, WATERLOO ROAD AND FURNACE STREET IMPROVEMENT PROJECT**

**WHEREAS**, on September 28, 2021, the Borough adopted Resolution 175-21 for the Kelly Place, Waterloo Road and Furnace Street Improvement Project; and

**WHEREAS**, as a requirement of NJDOT Bureau of Local Aid, all projects that include resurfacing of roadways, testing of asphalt cores is required to comply with applicable specifications; and

**WHEREAS**, the Borough Engineer obtained quotes from qualified firms to provide the services; and

**WHEREAS**, the lowest quote obtained was from KeyTech Laboratories, with a quote of \$1,620.00, which includes the services of bituminous concrete core sampling, laboratory analysis, calculation of penalties (if applicable) and final report; and

**WHEREAS**, the Borough Engineer concurs in the recommendation of the award of the testing services to KeyTech Laboratories; and

**WHEREAS**, the Chief Financial Officer has certified that there are available sufficient funds for the full payment of \$1,620.00 to KeyTech Laboratories.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Stanhope, that the Borough does hereby award the testing services to KeyTech Laboratories in an amount not to exceed \$1,620.00, subject to concurrence by the NJDOT Bureau of Local Aid.

**Resolution 212-21**

**RESOLUTION AWARDED BID TO KEYTECH LABORATORIES FOR ASPHALT TESTING SERVICES FOR THE IMPROVEMENTS TO MUSCONETCONG AVENUE/WALTON PLACE**

**WHEREAS**, on May 8, 2018, the Borough adopted Bond Ordinance 2018-09 for the Improvements to Musconetcong Avenue/Walton Place; and

**WHEREAS**, as a requirement of NJDOT Bureau of Local Aid, all projects that include resurfacing of roadways, testing of asphalt cores is required to comply with applicable specifications; and

**WHEREAS**, the Borough Engineer obtained quotes from qualified firms to provide the services; and

**WHEREAS**, the lowest quote obtained was from KeyTech Laboratories, with a quote of \$1,620.00, which includes the services of bituminous concrete core sampling, laboratory analysis, calculation of penalties (if applicable) and final report; and

**WHEREAS**, the Borough Engineer concurs in the recommendation of the award of the testing services to KeyTech Laboratories; and

**WHEREAS**, the Chief Financial Officer has certified that there are available sufficient funds for the full payment of \$1,620.00 to KeyTech Laboratories.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Stanhope, that the Borough does hereby award the testing services to KeyTech Laboratories in an amount not to exceed \$1,620.00, subject to concurrence by the NJDOT Bureau of Local Aid.

**Resolution 213-21**

**RESOLUTION RE-AWARDING THREE (3) YEAR AGREEMENT TO IIA FIRE DEPARTMENT TESTING FOR ANNUAL TESTING OF VARIOUS FIRE DEPARTMENT EQUIPMENT**

**WHEREAS**, the Stanhope Borough Fire Department utilizes various equipment that requires annual safety testing and quotations were received, with Fail Safe Testing to provide a three-year service agreement; and

**WHEREAS**, by Resolution 049-21, the Mayor and Council awarded a three (3) year Service Agreement to Fail Safe Testing on February 9, 2021, to perform the specified testing on the Fire Department equipment in accordance with its proposal in an amount not to exceed \$4,812.75; and

**WHEREAS**, the Borough was notified that Fail Safe Testing has changed names and is now IIA Fire Department Testing; and

**WHEREAS**, no other terms of the current Service Agreement have changed, including services to be provided and costs.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Stanhope that the Borough does hereby re-award a three (3) year Service Agreement to IIA Fire Department Testing, from February 9, 2021 through February 9, 2024, to perform the specified testing on the Fire Department equipment in accordance with its proposal in an amount not to exceed \$4,812.75; and

**BE IT FURTHER RESOLVED** that the award of this three (3) year Service Agreement is subject to an annual appropriation by the Borough of Stanhope of sufficient funds for the Service Agreement; and

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

**Resolution 214-21**

**RESOLUTION AUTHORIZING PAYMENT OF INVOICE TO SCHIFANO CONSTRUCTION CORP. FOR THE ADDITIONAL WORK FOR THE BAKER PLACE/HIGHLAND AVENUE/N. CENTRAL AVENUE PROJECT**

**WHEREAS**, the Borough was in need of roadway resurfacing of Baker Place (from Brooklyn Road to the end), Highland Avenue (from Baker Place to the northern end) and North Central Avenue (“Road Project”) for milling and resurfacing work and through Resolution 182-21, awarded the bid to Schifano Construction Corporation for a total amount of \$40,246.50 on October 12, 2021; and

**WHEREAS**, the invoice for work has been submitted, and the invoice and work completed have been approved by the Borough engineer; and

**WHEREAS**, the Borough Engineer finds that Schifano’s Construction Corp.’s request for payment of \$37,282.73 accurately reflects the work completed.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Stanhope authorizes the payment to Schifano Construction Corp. in the amount of \$37,282.73 for their services.

**Resolution 215-21**

**RESOLUTION AUTHORIZING PAYMENT OF INVOICE TO DENVILLE LINE PAINTING FOR THE ADDITIONAL WORK FOR THE BAKER PLACE/HIGHLAND AVENUE/N. CENTRAL AVENUE PROJECT**

**WHEREAS**, the Borough was in need of roadway resurfacing of Baker Place (from Brooklyn Road to the end), Highland Avenue (from Baker Place to the northern end) and North Central Avenue (“Road Project”) for milling and resurfacing work, and through Resolution 182-21, awarded the bid to Schifano Construction Corporation for a total amount of \$40,246.50 on October 12, 2021; and

**WHEREAS**, Denville Line Painting was contracted through the Morris County Co-op for the installation of a stop bar and centerline striping on Baker Place and submitted an invoice in the amount of \$66.22 for their services; and

**WHEREAS**, the Borough Engineer finds that Denville Line Painting’s request for payment of \$66.22 accurately reflects the work completed; and

**WHEREAS**, while the work was not specifically listed within Resolution 182-21, the additional cost is within the overall budget of \$40,246.50, given that the milling and resurfacing work came in below this amount; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Stanhope authorizes the payment to Denville Line Painting in the amount of \$66.22 for their services.

On motion by Councilman Wronko, seconded by Councilman Vance 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 – yes

**Mayor’s Acceptance of Resignation**

**Resolution 216-21**

**MAYOR’S ACCEPTANCE OF THE RESIGNATION OF AVERY BADOLATO 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 Avery Badolato’s resignation as an appointed member on the Recreation Commission, effective December 31, 2021.

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

Mayor Zdichocki stated Avery has been a member of the Recreation Commission for many years and extended her thanks for all she has done over the years.

**Resolution 217-21**

**MAYOR’S ACCEPTANCE OF THE RESIGNATION OF MARYBETH DIBERNARD 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 Marybeth DiBernard's resignation as an appointed member on the Recreation Commission, effective December 31, 2021.

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

Mayor Zdichocki extended her thanks to Marybeth for her many years of service which date back to when Mayor Zdichocki was on the Recreation Commission.

**Resolution 218-21**                      **MAYOR'S ACCEPTANCE OF THE RESIGNATION OF MICHELLE OLIVERI 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 Michelle Oliveri's resignation as an appointed member on the Recreation Commission, effective December 31, 2021.

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

Mayor Zdichocki also extended her thanks to Michelle for her time on the Recreation Commission.

**PAYMENT OF BILLS**

**Resolution 219-21**                      **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 December 14, 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 Thornton – yes
Councilman Riccardi - yes	Councilman Vance – yes
Councilman Romano – yes	Councilman Wronko yes

Ellen Horak, Borough Clerk, stated there is an additional resolution which was received this afternoon from the Borough Attorney after the agenda packets were prepared.

**Resolution 220-21**                      **RESOLUTION AUTHORIZING PARTICIPATION IN NATIONAL OPIOIDS SETTLEMENTS**

**WHEREAS**, nationwide settlements have been reached to resolve all opioids litigation brought by states and local political subdivisions against the three largest pharmaceutical distributors: McKesson, Cardinal Health and AmerisourceBergen (together, the "Distributors"), and manufacturer Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson (collectively, "J&J"); and

**WHEREAS**, these settlements will provide substantial funds to states and subdivisions for abatement of the opioids epidemic across the country and will impose transformative changes in the way the settling defendants conduct their business; and

**WHEREAS**, New Jersey is expected to receive over \$600 million in settlement funds, but the actual amount received will depend on how many county and municipal governments choose to participate, and participating states will receive more money if more county and municipal governments join the agreements; and

**WHEREAS**, in order to participate, the Borough must execute the J&J Participation Form and the Distributors Participation Form and deliver them to the State Attorney General by January 2, 2022; and

**WHEREAS**, the Mayor and Borough Council have reviewed the above-referenced forms, which are on file with the State Attorney General and pulled from the Distributors and J&J Master Settlement Agreements, and have determined that it would be in the Borough's best interest to participate in the national opioids settlements.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Stanhope, Sussex County, New Jersey on this 14th day of December, 2021 as follows:

1. That the Mayor is hereby authorized to execute the Distributors Participation Form and the J&J Participation Form.
2. The Clerk is hereby directed to provide the executed Distributors Participation Form and the executed J&J Participation Form to the State Attorney General on or before January 2, 2022 via the following email address: [OpioidSettlements@njoag.gov](mailto:OpioidSettlements@njoag.gov)

On motion by Councilman Riccardi, 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 - yes	Councilman Vance – yes
Councilman Romano – yes	Councilman Wronko yes

### **ATTORNEY REPORT**

Attorney Jonathan Frodella stated he had no report this evening and wished everyone a happy holiday season. The Mayor and Council thanked Attorney Frodella and wished the same for him.

### **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.

### **ADJOURNMENT**

On motion by Councilman Romano, seconded by Councilman Vance, and unanimously carried by voice vote the meeting was adjourned at 8:35 P.M.

Approved:

Linda Chirip  
Deputy Clerk for  
Ellen Horak, RMC  
Borough Clerk