

**MAYOR AND COUNCIL
REGULAR MEETING
January 25, 2022
6:00 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 5, 2022 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 January 5, 2022 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 - present	Councilman Vance - absent
Councilman Romano – present	Councilman Wronko - absent

Mayor Zdichocki – present

CLOSED SESSION

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

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

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

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter(s).
2. The general nature of the subject matter(s) to be discussed is as follows:

2 - Personnel
1 – Real Property
1 – Potential Litigation
3. It is anticipated at this time that the above stated subject matter(s) will be made public at the conclusion of each individual specified subject matter.
4. This resolution shall take effect immediately.

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

The Mayor and Council went into Closed Session at 6:01 P.M.

RETURN TO OPEN SESSION

At the conclusion of the Closed Session, the Mayor and Council reconvened the public meeting at 6:50 P.M. with all present.

Sick Time Request – On motion by Councilwoman Kuncken, seconded by Councilman Romano and unanimously carried by the following roll call vote, the sick time extension for Kevin Cavanaugh to use one (1) sick day from 2022 in 2021 was granted.

Roll Call:

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

Small City Loan – On motion by Councilman Thornton, seconded by Councilman Romano and unanimously carried by the following roll call vote, the small city loan for 5 Kelly Place was forgiven.

Roll Call:

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

CITIZENS TO BE HEARD

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

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

MINUTES FOR APPROVAL

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

December 14, 2021 Business Meeting

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

CORRESPONDENCE *(List Attached)*

On motion by Councilman Riccardi, 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 Vance

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

Councilwoman Kuncken stated the Fire Department for the month of December responded to 7 calls, 2 mutual aid calls, 3 drills, 1 meeting and 8 special details for a total of 342.5 volunteer hours.

Councilwoman Kuncken stated the Fire Marshal for the month of December responded to a structure fire at Isolatek. The fire was deemed accidental. Four inspections were conducted during the month and they all passed. The annual summary states the Fire Marshal conducted 85 inspections for 2021.

Councilwoman Kuncken stated the Police Department for the month of December had 184 motor vehicle stops and a total of 333 calls for the month.

Councilwoman Kuncken stated the Ambulance Squad has submitted several reports and they are now up to date. For the month of October, there were 19 calls in Stanhope, 22 calls in Netcong, 1 Stand-by and 1 out of town call to Hopatcong for a total of 43 calls. There were 29 patients and 23 trips to the hospital for a total of 695 miles travelled and 208 hours and 08 minutes of volunteer time. For the month of November there were 32 calls in Stanhope, 11 calls in Netcong, 1 call to Roxbury, 1 call to Byram, 5 calls to Hopatcong and 1 call to Mt. Olive for a total of 51 calls. There were 38 patients and 29 trips to the hospital for a total of 926 miles travelled and 204 hours and 03 minutes of volunteer time. For the month of December there were 27 calls in Stanhope, 31 calls in Netcong, 1 stand-by, 1 call to Byram, 3 calls to Hopatcong and 1 call to Roxbury. There were 46 patients and 35 trips to the hospital for a total of 990 miles travelled and 229 hours and 29 minutes of volunteer time.

Councilwoman Kuncken stated the Ambulance Squad annual report states there were 238 calls in Stanhope, 307 calls in Netcong, and 11 Stand-by calls for 2021. The out of town calls totaled 2 in Frankford, 10 in Byram, 37 in Hopatcong, 2 in Roxbury and 6 in Mt. Olive for an overall total of 57 calls for 2021. The total number of calls for 2021 totaled 613. The squad treated 442 patients and made 330 trips to the hospital. The total number of miles travelled was 9,847. The volunteer hours totaled 2,557 hours and 40 minutes. There were 2 assists from the Netcong Fire Department and 1 assist from the Stanhope Fire Department.

Councilwoman Kuncken stated on Sunday, January 16th a call went out that individuals had fallen through the ice on Lake Musconetcong. The Stanhope Police Department, the Ambulance Squad, the Stanhope Fire Department, the Netcong Police Department and Fire Department responded to the call. Collectively, using their training and equipment, the three individuals who fell through the ice were rescued and brought to safety. Councilwoman Kuncken stated she is sure that everyone joins her in expressing their gratitude and appreciation for their efforts. Councilwoman Kuncken stated she would like to recognize Stanhope Officer Rob Popelka, who was on duty that day, for his quick response to the incident and for his rescue efforts. We are very proud of everyone. Mayor Zdichocki stated we are very proud and appreciative and happy that no lives were lost. It was nice to see Stanhope in the news for a positive incident. Councilwoman Kuncken stated the story was broadcast on all the Channels, 2, 4 and 7. The pictures and film provided were all from Officer Popelka's camera.

Finance & Administration – Councilman Romano/Councilman Thornton

Councilman Romano stated the tax collections for the month of December totaled \$96,961.38. The year to date total is \$12,676,101.37. A little over 98% of the taxes have been collected to date.

Councilman Romano stated the water collections for the month of December totaled \$121,658.34 and the year to date total is \$684,264.64. The sewer collections for the month of December totaled \$141,435.68 and the year to date total is \$858,236.33.

Community Development – Councilman Wronko/Councilman Riccardi

Councilman Riccardi stated he had no report for this evening.

Municipal Infrastructure – Councilman Thornton/Councilman Romano

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

Councilman Thornton stated he has heard and received compliments with regard to the work the DPW did on Monday.

Information Technology – Councilman Riccardi/Councilman Wronko

Councilman Riccardi stated he had no report for this evening.

Boards/Commissions – Councilman Vance/Councilwoman Kuncken

Councilwoman Kuncken stated more people have been appointed to serve on the Recreation Commission and they are regrouping to start planning events. Mayor Zdichocki stated the commission is currently working on the plans for the Easter Egg Hunt. They are also working with the Fire Department and the Ambulance Squad to plan a fund raiser for St. Patrick's Day. The corned beef dinner will be available for take out or delivery.

ENGINEER'S REPORT

Eric Keller, Borough Engineer, came forward to give his report.

Sparta Road TAP Grant Project – Mr. Keller stated the Sparta Road TAP Grant Project is complete, except for a few punch list items. The lights are on and they are all working. Tom Pershouse, Construction Official, has approved all the permits. Mr. Keller asked if the governing body will want to have the COBRA street lights turned off. Administrator McNeilly stated the governing body is going to wait and see how the lighting looks in the spring. Some of the lights may have to stay.

Kelly Place/Waterloo Road – Mr. Keller stated the work is complete on Kelly Place and Waterloo Road except for the planting of the shrubs which cannot be planted this time of year. The first pay request has been approved. A change order is being prepared to address the issue of the concrete which was found underneath the roadway which was unexpected. This was not discovered before hand in the testing. The cost will be below the engineer's estimate for the project. The change order should not be more than \$20,000 which will put the total of the whole project at \$204,000. This is subject to the negotiations with Reivax. The engineer's estimate was \$217,000. There was a DOT grant for this project.

Capital Budget 2022 – Mr. Keller stated the Valley Road and Delaware Avenue Project needs to move forward this year. This is a Local Aid Grant project. Mr. Keller stated he would like to get this into the bidding process sooner than was done last year. Getting Kelly Place and Furnace Street completed within the timeframe was a bit stressful. Mr. Keller will prepare the proposal for the project for the governing body's review. The budget will need to be in place before we can move forward. A meeting was held with the Infrastructure Committee in October to discuss other projects for this year which would be primarily milling and resurfacing. The governing body will have to determine what work should be done. The water system improvements for the Ridge Road, Overhill Road and Sunset Lane area is another project which is subject to funding. Mayor Zdichocki stated this project does need to be done. Mr. Keller stated he will prepare a proposal.

School Crossing Guard Study – Mr. Keller stated the Police Chief asked if the school crossing guard study is going to be done. Mr. Keller informed the Police Chief that he would have to speak to the governing body. Mr. Keller stated he can only work on projects which are approved by the governing body. A proposal had been prepared back in 2019, pre-pandemic, which will have to be updated if the governing body wants to move forward with the project. Administrator McNeilly stated the strategy at the time was to wait until August to determine if there were enough funds left to cover the engineering costs. The project did not get done in 2020 or 2021 due to the fact the traffic was affected by the pandemic. Mr. Keller stated in the spring or fall of this year the study could be done. Mr. Keller will prepare the quote. His portion will not have changed but the data collection costs may have. The counts are not done by Mr. Keller, they are sub-contracted.

Councilwoman Kuncken asked if the Police Chief is working on replacing the crossing guard who recently retired. Mayor Zdichocki asked who is covering the crossing guard's job in the meantime. Administrator McNeilly replied a police officer is covering until a replacement is hired.

Councilwoman Kuncken asked if there is an update for the lighted crosswalk to be installed. Administrator McNeilly stated he will cover this in his report.

Land Use Board Application (Plumbing Store) – Mr. Keller stated an application should be submitted to the Land Use Board shortly for the property where the plumbing store is located. Mr. Keller stated their engineer has been in contact with him. A concept meeting was held approximately a year and a half ago and it is now moving forward.

Sparta Road - Mayor Zdichocki stated a great job was done with the lights and everything done on the Sparta Road project. The contractor worked well with the residents in the area. No complaints were received. A great deal of compliments have been received. Mr. Keller stated he was not involved in the day to day construction of the project but it was a pleasure working with the contractors, Salmon Brothers, the general contractor and Gilmore Electric. Both were very professional. Even with some of the disagreements, they were very easy to work with and were very responsive. Mayor Zdichocki stated on Elm Street there used to be a gate and she asked if something will be replaced there to prevent vehicles from accessing the area. Mr. Keller stated the bollards are installed but the above ground part has not been installed because of the snow. Mr. Keller stated he has spoken with Administrator McNeilly regarding some type of gate system. After the State signs off on the project, this will be discussed further.

COBRA Lights – Councilman Thornton stated the COBRA lights on Sparta Road were discussed briefly at the last meeting and he is of the opinion none of these lights should be turned off. The lighting is especially important for the safety of individuals on the road and those utilizing the bike lanes. Mr. Keller stated it was just a recommendation and the governing body can choose what to do. Mayor Zdichocki asked if it is a big cost savings to have the lights turned off. Administrator McNeilly replied the lighting budget for 2022 is \$18,000 and this amount has remained the same for many years. Additional lights are going to be added further out on Sparta Road. Councilman Riccardi stated he agrees with Councilman Thornton that the lights should not be turned off and perhaps the lights should be reassessed to determine where they are needed.

COUNCIL DISCUSSION

Mayor Zdichocki asked the governing body if there were any items for council discussion. There were none.

ADMINISTRATOR'S REPORT

Crosswalks Brooklyn Road – Administrator McNeilly stated a resolution was adopted last year regarding the crosswalk for Brooklyn Road and Maple Terrace. The Borough also contacted the County with regard to another crosswalk for Brooklyn Road and Lloyd Avenue. The County has combined the two agreements. A new resolution is required for the new agreement for both crosswalks to be installed this calendar year. There are dedicated funds from two budgets ago for one of the crosswalks. The Lloyd Avenue crosswalk has been included in the 2022 budget for \$10,000. Councilwoman Kuncken stated the goal was to have them installed prior to the next school year opening. Administrator McNeilly stated the installation will be done on the County's timeframe. The landing pads for Crestview Drive were easier to design than the ones for the Maple Terrace crosswalk will be. Mayor Zdichocki suggested sending a letter stating the Borough is anxious for the crosswalks to be installed. Administrator McNeilly stated they are working on the project and he is of the opinion a letter is not required at this time. The agreement and resolution will be sent once approved.

JIF Loss Control Inspection – Administrator McNeilly stated the annual JIF Loss Control Inspection was completed and the DPW passed with flying colors. Minor issues were reported, such as paperwork and signage, and the DPW Superintendent is already working on them.

Certified Recycling Coordinator – Administrator McNeilly stated the annual service agreement with the Sussex County Municipal Utilities Authority (SCMUA) for the Certified Recycling Coordinator is due. The documents have been prepared and the resolution will be on the February 8th meeting agenda. The request letter has been submitted to the County requesting the shared service.

Sussex-Warren Area Energy Cooperative – Administrator McNeilly stated he has been informed that the current pricing market is not favorable for holding an auction at this time. An auction date had been set for November which was changed to January and has now been pushed to March. The BGS rate is lower. The State will go back out to bid for the BGS rate in February. The provider will be keeping track of the rates. Administrator McNeilly explained how the agreement was set up. The rates have to remain lower than the basic rate provided by the State. If the rates are higher, the agreement is no longer in effect. Councilman Thornton asked how much of a savings is pertinent. Administrator McNeilly stated that is a healthy conversation for the governing body to have each time the auction ends. After the first auction, some of the rates were good and some

were not. But, there were more wins than loses. Councilman Thornton stated the governing body receives phone calls from the residents who are upset that the Borough officials have entered them in this program. Administrator McNeilly stated the office receives many phone calls as well. The governing body can decide whether or not to continue in the program. If, however, the decision is to withdraw, that needs to be done prior to going out to auction again. The Borough's kilowatts would have to be pulled out of the auction. If the Borough stays in the program, the residents have the option to opt-out. If the Borough leaves the program, the residents could not opt-in but they could shop around for a third-party vendor. Administrator McNeilly stated when the BPU sends out the documentation to the residents, the office receives many calls because people are confused by the fact the letterhead has the Borough's address. It generates a lot of questions. A healthy discussion to take place in the future regarding this program is welcomed.

Shared Services – Administrator McNeilly stated a resolution for the shared court and animal control services with Hopatcong Borough will be placed on the February 8th meeting agenda. The shared service for the Recycling Coordinator with Sussex County will also be on the February 8th agenda.

Street Excavation Ordinance – Administrator McNeilly stated the street excavation ordinance, which was prepared by the Borough Attorney, has been reviewed by the Borough Engineer.

Budget 2022 – Administrator McNeilly stated the requested changes to the budget have been made. The CFO will have updated budget sheets ready before the meeting on February 8th. The CFO will be attending the February 8th meeting and will present the revenues and valuations. The capital budget should be determined at that time. Funding is needed for Elizabeth Avenue, Lenape Drive and Woods Avenue. Funds need to be put in place for the Borough's portion of Valley Road and Delaware Avenue. The DPW Superintendent has informed the Administrator that he has all of the parts necessary for the water services. The capital budget will include the road requirements, trees, two additional portable speed signs and a firmer number is needed for a leaf machine. The target date for the introduction of the 2022 budget is March 22nd.

Borough Clerk, Ellen Horak, stated a 6:00pm start will be advertised for the February 8th meeting as requested. Mayor Zdichocki asked if the February 22nd meeting should have a 6:00pm start. Administrator McNeilly stated, in his opinion, a 6:00pm start is not necessary.

Animal Control Services - Councilman Romano asked if the animal trust can be utilized to cover costs outside of what is covered in the agreement. The Board of Health is concerned that, although enough funding has been allocated for the agreement, there will be costs for unlicensed animals. The funds in the animal trust are sufficient to cover any costs. Administrator McNeilly confirmed the trust can be used for housing, veterinarian costs and unlicensed animal costs.

Proposed Cannabis Facility in Mt. Olive – Councilman Thornton stated at previous meetings a discussion took place as to whether or not buffer zones exist between municipalities that permit cannabis businesses and those that do not. Angelo Bolcato, Borough Attorney, stated he and Ursula Leo researched the issue and there is nothing in the state law which requires a buffer zone. Currently, Mt. Olive's ordinance does not permit any cannabis use. Councilman Thornton stated, back in 2019, he believes the proposed legislation did refer to buffer zones and it may not have made it to the final legislation. Administrator McNeilly stated at that time there was mention of a prohibition boundary of 1,000 feet for retail establishments. Essentially, if Netcong had voted no to the use but Stanhope was going to permit it, the prohibition boundary would have affected Stanhope's Main Street and vice versa. Administrator McNeilly stated the property in question has the width of the river as a buffer and there is 150 feet on the Musconetcong side. Councilman Thornton stated the type of business proposed does have a significant odor emitted which will travel. Administrator McNeilly stated if and when the time comes, Stanhope will receive notice. Councilman Thornton stated the Borough will need to voice concerns regarding our well which is located in that area.

NEW BUSINESS

ORDINANCE

Mayor Zdichocki offered the following ordinance for introduction which was read by title.

Ordinance 2022-01

CALENDAR YEAR 2022 ORDINANCE OF THE BOROUGH OF STANHOPE, COUNTY OF SUSSEX, NJ TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Stanhope in the County of Sussex finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$36,611.18 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Stanhope, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Borough of Stanhope shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$128,139.11, and that the CY 2022 municipal budget for the Borough of Stanhope be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

Roll Call:

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

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

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

RESOLUTIONS

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

Resolution 044-22 (TABLED) **Resolution Authorizing Compliance with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964**

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

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

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

On motion by Councilwoman Kuncken, seconded by Councilman Romano and unanimously carried by voice vote, the foregoing resolution was tabled until the February 8, 2022 meeting.

Resolution 045-22 **RESOLUTION AUTHORIZING AN APPROPRIATION RESERVE TRANSFER FOR THE YEAR 2021**

WHEREAS, various 2021 bills have been presented for payment this year, which bills were not covered by order number and/or recorded at the time of transfers between the 2021 Budget Appropriations in the last two months of 2021; and

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allows transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stanhope that transfers be made in the amount of \$1,657.00 in Current Fund between the 2021 Budget Appropriation Reserves as follows:

CURRENT FUND	From:	To:
Police - S & W	\$ 266.00	
Engineering - Other Expenses	\$ 1,391.00	
Police - Other Expenses		\$ 266.00
Stormwater Mgmt - Other Expenses		\$ 1,391.00
	\$ 1,657.00	\$ 1,657.00

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 Riccardi - yes
Councilman Romano – yes

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

Resolution 046-22

RESOLUTION AUTHORIZING RENEWAL OF INTERLOCAL SERVICES AGREEMENT WITH THE BOROUGH OF HOPATCONG FOR A SHARED MUNICIPAL COURT

WHEREAS, the Borough of Stanhope is required by law to operate a Municipal Court to hear those summonses which fall within the jurisdiction of Municipal Courts in the State of New Jersey; and

WHEREAS, N.J.S.A. 2B:12-1(c) expressly provides that two or more municipalities may by ordinance or resolution agree to provide jointly for courtrooms, chambers, equipment, supplies and employees for their Municipal Courts, wherein each Municipal Court maintains its separate identity; and

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:65-1, the Uniform Shared Services and Consolidation Act, Hopatcong and Stanhope are empowered to enter into an agreement to provide for the sharing of said municipal court services; and

WHEREAS, in 2011 the Borough of Stanhope and the Borough of Hopatcong entered into a Interlocal Services Agreement to provide for the consolidation of their municipal courts, under a Shared Court Agreement; and

WHEREAS, the Governing Body of the Borough of Stanhope believes that it is in the best interest of the Borough of Stanhope to enter into a renewal of the Interlocal Services Agreement with the Borough of Hopatcong wherein the Borough of Hopatcong shall operate the Stanhope Borough Municipal Court in Hopatcong’s facilities with Hopatcong personnel as is provided for in the attached Interlocal Services Agreement; and

WHEREAS, the Interlocal Services Agreement with the Borough of Hopatcong is a shared services agreement, which shall result in costs savings to the Borough of Stanhope while continuing the efficient operation of the Stanhope Borough Municipal Court;

NOW, THEREFORE, be it resolved by the Mayor and Council of the Borough of Stanhope on this 25th day of January 2022 that the Mayor and Clerk be and the same are hereby authorized to execute the attached Interlocal Services Agreement with the Borough of Hopatcong to continue a shared municipal court.

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

Roll Call:

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

Councilman Thornton - yes
Councilman Vance - absent
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 047-22

RESOLUTION AUTHORIZING THE AWARD OF NON-FAIR AND OPEN CONTRACTS FOR PROFESSIONAL SERVICES FOR THE BOROUGH OF STANHOPE FOR THE YEAR 2022

WHEREAS, the Borough of Stanhope has a need for professional services for the year 2022 of Borough Attorney, Borough Labor Attorney, Bond Attorney, Borough Engineer, Borough Planner, Borough Auditor and Conflict Counsel; and

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

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

WHEREAS, Laddey, Clark & Ryan, LLP has submitted a proposal to provide legal services as Borough Attorney and as Labor Attorney for the year 2022; and

WHEREAS, Robert Beinfield, Esq. of the firm Hawkins, Delafield and Wood has submitted a proposal to provide legal services as Borough Bond Attorney for the year 2022; and

WHEREAS, Bowman Consulting Group, Ltd. has submitted a proposal indicating that it will provide engineering services as Municipal Engineer and Municipal Planner for the Borough of Stanhope for the year 2022; and

WHEREAS, Nisivoccia & Company, LLP has submitted a proposal indicating that it will provide auditing services as Municipal Auditor for the Borough of Stanhope for the year 2022; and

WHEREAS, Robert Morgenstern, Esq. has submitted a proposal indicating that he will provide legal services to the Borough as Conflict Counsel for the year 2022; and

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

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

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

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

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

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

Resolution 048-22

**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. 2021-009, representing property taxes and/or utility charges on Block 11501, Lot 2, C0247, known as 14247 Dell Pl, assessed to David Scheidecker, 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: Trystone Capital Assets, LLC
 P.O. Box 1030
 Brick, NJ 08723

Redemption Amount:	Tax Title Lien #2021-009 and Interest to Date of Meeting	\$ 741.63
	Premium Paid by Lienholder	<u>1,500.00</u>
Total From Current Fund:		\$ 741.63
Total From Tax Premium Account		1,500.00

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 049-22 Governor’s Council on Alcoholism and Drug Abuse Fiscal Grant Cycle FY2023

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough Council of the Borough of Stanhope, County of Sussex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Sussex;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Stanhope, County of Sussex does hereby recognize the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Lenape Valley Municipal Alliance grant for fiscal year 2023 in the amount of:

DEDR	\$ 3,918.00
Cash Match	\$ 979.50
In-Kind	\$ 2,938.50

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Resolution 050-22 RESOLUTION WAIVING FEES AND CHARGES FOR UNTIMELY WATER AND SEWER ACCOUNT PAYMENTS THROUGH MARCH 15, 2022

WHEREAS, the Mayor and Council recently adopted Resolution 010-22, stating that the rate of 8% 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, Governor Murphy previously issued Executive Order No. 190, banning the imposition of charges and late fees by municipal utilities for water accounts that are delinquent during the COVID-19 pandemic and emergency; and

WHEREAS, recent legislation, New Jersey Senate Bill 4081, extended this ban of charges and late fees, to remain in effect through March 15, 2022; and

WHEREAS, Stanhope Borough desires to extend the temporary waiver of fees and charges for late payments related to water and sewer accounts.

NOW, THEREFORE, BE IT RESOLVED that due to the COVID-19 pandemic emergency and in consideration of existing legislation, the Mayor and Council of the Borough of Stanhope hereby waives any charges and late fees on all municipal water and sewer accounts that are delinquent during the COVID-19 pandemic and emergency through March 15, 2022.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Mayor and Council hereby suspends Resolution 010-22 until March 15, 2022, when it would then charge a rate of 8% 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.

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

Resolution 051-22 RESOLUTION REFUNDING ESCROW FUNDS

WHEREAS, Michael & Kenia Choquette had placed funds on deposit in escrow with the Borough of Stanhope for Land Use fees for Block 11403, Lot 3 on December 14, 2020; and

WHEREAS, the Land Use Board has stated that the project is complete and there is no further billing forthcoming; and

WHEREAS, there are unused funds in the amount of \$102.50.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, that a warrant be drawn to the homeowners below in the designated amount representing a refund of unused escrow funds, as follows:

Michael & Kenia Choquette \$102.50
12 Mountain Terrace
Stanhope, New Jersey 07874

Resolution 052-22 RESOLUTION REFUNDING ESCROW FUNDS

WHEREAS, Leonard & Diana Goduto had placed funds on deposit in escrow with the Borough of Stanhope for Land Use fees for Block 11104, Lot 1 on January 31, 2020; and

WHEREAS, the Land Use Board has stated that the project is complete and there is no further billing forthcoming; and

WHEREAS, there are unused funds in the amount of \$235.40.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, that a warrant be drawn to the homeowners below in the designated amount representing a refund of unused escrow funds, as follows:

Leonard & Diane Goduto \$235.40
27 Musconetcong Avenue
Stanhope, New Jersey 07874

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

PAYMENT OF BILLS

Resolution 053-22

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE AUTHORIZING PAYMENT OF BILLS

WHEREAS, the Chief Finance Officer has certified that funds are available in the proper account; and

WHEREAS, the Chief Finance Officer has approved payment upon certification from the Borough Department Heads that the goods and/or services have been rendered to the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the current bills list, dated January 25, 2022 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 Councilman Thornton 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 – absent
Councilman Wronko - absent

ATTORNEY REPORT

Angelo Bolcato, 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.

Nancy Hoyt, 33 Lawrence Avenue, asked what the pictures on Sparta Road indicate for the bike lanes. Administrator McNeilly stated on Sparta Road when going toward Brooklyn Road there is a dedicated bike lane. Going away from Brooklyn Road toward Hopatcong, it is a share the road lane. The original plan was for the bike lane to be unidirectional but the State did not allow that. The lanes are as follows: bike lane, lane, lane, share the road and parking. The white line is for the parking area. The goal is to have the speed on the road slowed down. One of the key elements to do this is to park cars on the side of the road. Mrs. Hoyt asked if the bike lane goes to Brooklyn Road. Administrator McNeilly stated the bike lane ends when Brooklyn Road is reached.

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

ADJOURNMENT

On motion by Councilman Riccardi, seconded by Councilwoman Kuncken, and unanimously carried by voice vote the meeting was adjourned at 7:35 P.M.

Approved:

Linda Chirip
Deputy Clerk for
Ellen Horak, RMC
Borough Clerk