MAYOR AND COUNCIL REGULAR MEETING March 22, 2022 7:00 P.M

CALL TO ORDER

SALUTE TO COLORS

Council President Kuncken invited all those present to stand in a salute to the colors.

COUNCIL PRESIDENT'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.

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.

<u>Proclamation</u> - Council President Kuncken stated Mayor Zdichocki read the proclamation regarding child abuse prevention month prior to the last meeting.

<u>Moment of Silence</u> - Council President Kuncken asked for a moment of silence in memory of a dear friend and a good citizen who contributed greatly to the Borough of Stanhope. Earlier this morning Janett Gibbons passed away. Janett was ill for a short period of time. Council President Kuncken stated Janett served as the Chairperson for the Board of Health and was a member of the Board of Health for many years.

ROLL CALL

Council Members:

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

Mayor Zdichocki – absent

CITIZENS TO BE HEARD

Council President Kuncken 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, Council President Kuncken closed the public portion of the meeting.

MINUTES FOR APPROVAL

Council President Kuncken read aloud the list of minutes being presented for approval:

February 8, 2022 Work Session/Agenda Meeting February 22, 2022 Business Meeting & Closed Session

On motion by Councilman Wronko, seconded by Councilman Thornton and unanimously carried by voice vote, the above listed minutes were approved. Councilman Vance abstained from the minutes of February 22, 2022.

CORRESPONDENCE (List Attached)

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

COUNCIL COMMITTEE REPORTS

On motion by Councilman Vance, seconded by Councilman Riccardi and unanimously carried by voice vote, the council committee reports were waived.

Public Safety - Councilwoman Kuncken/Councilman Vance

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

Finance & Administration - Councilman Romano/Councilman Thornton

<u>Community Development - Councilman Wronko/Councilman Riccardi</u>

<u>Municipal Infrastructure – Councilman Thornton/Councilman Romano</u>

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

Information Technology - Councilman Riccardi/Councilman Wronko

Boards/Commissions - Councilman Vance/Councilwoman Kuncken

ADMINISTRATOR'S REPORT

<u>NJ Highlands Coalition</u> — Administrator McNeilly stated last year the Borough was asked to partner in and endorse a grant request under the Delaware Watershed Conservation Fund 2022 Conservation Action Grants Program. The grant would utilize green aspects to mitigate water runoff. The grant was also for Netcong and Mt. Arlington to be able to reduce the phosphorus loads in both lakes and the river. At that time, the Mayor and Council agreed and a letter of support for the application was submitted on behalf of Stanhope. Ultimately, their efforts were unsuccessful. The Coalition is once again attempting to secure the grant and is asking for the governing body's support. Council President Kuncken asked the governing body if there were any objections. Seeing none, Administrator McNeilly was given approval to submit a letter of support.

<u>DPW</u> – Administrator McNeilly stated pothole repairs will being in April once the asphalt plant reopens. The Borough is in better condition this year due to the fact Highland Avenue, Baker Place and all the roads in that section have been done. Pot hole repair will be centered around Elm Street, Delaware Avenue, Grove Road, Hickory Place, Elizabeth Avenue, Coursen Street through to Sunset Avenue and that area. Hydrant flushing will take place during the first week in April. The water shut off boxes have been cleared of road debris and salt which accumulates during the sixmonth period. The crews have begun to clean up the parks. Musconetcong Park is being prepared for the Easter Egg Hunt on April 9th.

<u>Scanning Project</u> – Administrator McNeilly stated another four banker boxes were shipped out this week to be scanned into the online system. Another four boxes are being worked on to be sent out in the near future. The scanned files have helped to alleviate the pressure in responding to the realtor OPRA requests.

<u>Sparta Road</u> – Administrator McNeilly stated he and Eric Keller, Borough Engineer, are working on the speed data for Sparta Road. Once complete, Mr. Keller will prepare his recommendation for lowering the speed limit.

<u>NJMEL/Morris JIF</u> – Administrator McNeilly stated Wayne Dietz, Risk Management, will provide the annual Elected Official's Training on April 12th or April 26th at 5:30PM. Additionally, Mr. Dietz is requesting, as has been done in the past, to offer the training class to elected officials from Mt. Olive Township, Hopatcong Borough and Sparta Township. Anyone that cannot attend the training in person will have the opportunity to take the training online. Administrator McNeilly stated, for every elected official who completes the training, a \$250.00 credit is applied to the premium.

<u>Budget 2022</u> – Administrator McNeilly stated the schedule for the 2022 Budget is as follows: March 22nd – Budget Introduction (First Reading); April 12th – Salary Introduction (First Reading); April 26th – Budget Adoption & Public Hearing; Salary Adoption & Public Hearing; Salary Resolution; Capital Ordinance (First Reading); May 10th – Capital Adoption & Public Hearing. Capital funds availability: Borough self-funded is available in 10 days; Bonded funds are available in 20 days. The plan is to be able to have the road jobs out to bid by the end of June.

COUNCIL DISCUSSION

James McNeilly Scholarship – Council President Kuncken stated the James McNeilly Scholarship has been sponsored by the Borough for many years. The Valley Road School has sent a letter of request regarding this year's participation. The award amount is \$100.00. Council President Kuncken took a straw poll vote of the governing body. The results are as follows: Councilman Vance – yes; Councilman Wronko – yes; Councilman Riccardi – yes; Councilman Thornton – yes; Councilman Romano – yes. As a result of the straw poll vote, the governing body approved the funds for the James McNeilly Scholarship.

<u>Shawn Flood Request (Water/Sewer Bill)</u> – Council President Kuncken stated a request has been received from Shawn Flood asking for relief from the water/sewer bill due to a fire which occurred at their residence. This is similar to other requests received in the past due to fire damage. Administrator McNeilly stated the fire occurred in late fall and the family has been displaced. There have been other similar situations in the past with the two family on Main Street, the home on Young Drive and Musconetcong Avenue and in the condominiums and townhomes. The requests, in the past, have been approved and the fee has been dropped down to the bare minimum for having the piping to the house and a notation is made in the system. The resolution is written in a way which states once the owner receives a certificate of occupancy, the regular billing resumes. The governing body granted the request. The resolution will be written to grant the request from the date stated in the letter.

OLD BUSINESS

Council President Kuncken offered the following ordinance for Public Hearing and Final Adoption which was read by title.

Ordinance for Public Hearing and Final Adoption

Ordinance 2022-02

AN ORDINANCE OF THE BOROUGH OF STANHOPE, SUSSEX COUNTY, NEW JERSEY AMENDING CHAPTER 120 "STREETS AND SIDEWALKS", ARTICLE 1, "EXCAVATIONS", OF THE CODE OF THE BOROUGH OF STANHOPE

WHEREAS, the Borough Council determined that Chapter 120, Article 1, "Excavations", needs to be amended to reflect substantive updates and revisions for excavations in all roads and public ways in the Borough of Stanhope.

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

SECTION 1

Article I, "Excavations", of Chapter 120, "Streets and Sidewalks" shall be deleted in its entirety and Article I shall be replaced as follows:

Article I. Excavations.

120-1. Permit required; contents of permit; bond requirement.

A. No person, firm or corporation shall dig up or excavate any road, street, highway, public way, public alley, easement or other right-of-way accepted or maintained by the Borough as a public street, as well as any State or County road or highway over which the Borough has acquired jurisdiction, in the Borough of Stanhope for the purpose of laying, replacing or repairing water or gas or sewer pipes, or for any other purpose whatsoever, without first

obtaining a permit from the Borough Department of Public Works (DPW) Superintendent, which permit shall be in writing and signed by the said DPW Superintendent and shall state, as nearly as practicable, where said digging up or excavating is to be done. Said permit shall further contain the stipulation that it is issued with the express understanding and agreement that the applicant therefor shall pay the expenses of repairing and replacing such street, highway, alley or public place so, as aforesaid, dug up or excavated, which work shall be done under the direction of the Borough Engineer.

- B. The fee for an excavation permit shall be as set forth in Chapter <u>82</u>, Fees. In addition, the applicant is required to post a performance bond in the amount of 120% of the cost of the work to be done and must also post a maintenance bond in the amount of 10% of the cost of the work to be done and to be held by the Borough for one year. Also, fees shall be paid when the application is made. Permits may issue to other public bodies without fee.
- C. Excavation may be commenced without a permit where an emergency has arisen which makes it necessary to start work immediately, provided that the application for a permit is made simultaneously with the commencement of the work or as soon thereafter as is practical. When issued, the permit shall be retroactive to the date on which the work was begun.

120-2. Issuing authority for permits.

The Borough Department of Public Works (DPW) Superintendent is hereby authorized to issue such permit hereinbefore mentioned. The Superintendent shall determine the initial time limit during which the permit shall be valid.

120-3. Application for permit.

Application for a permit shall be made to the Superintendent and contain the following information:

- A. Name and address of the applicant.
- B. Name of the street where the opening is to be made and the street number, if any, of the abutting property.
- C. The Borough Tax Map block and lot numbers of the property for the benefit of which the opening is to be made.
- D. Nature of the surface in which the opening is to be made.
- E. Character and purpose of the work proposed.
- F. Time when the work is to be commenced and completed.
- G. Each application shall be accompanied by a set of plans in quadruplicate showing the exact location and dimension of all openings.
- H. The name and address of the workman or contractor who is to perform the work.
- I. A statement that the applicant agrees to replace at his own cost and expense, the street, curb, gutter and sidewalk in the same state and condition in all things as they were at the time of the commencement of the work, within 48 hours of the commencement of same.

120-4. Permit conditions and regulations.

- A. Transferability. Every permit shall apply only to the person to whom it is issued and shall not be transferable.
- B. Commencement of work. Work under a permit shall commence within 45 days from the date of issuance of the permit. If work is not commenced within that time, the permit shall automatically terminate, unless extended in writing by the Superintendent.

- C. Interference and Police Department Notice. All work shall be done in such a manner as to cause a minimum of interference with travel on the street affected. No street shall be closed to traffic unless the closing is approved by the Chief of Police. The Police Department shall be informed of all street closings at least 24 hours in advance, except where the work is of an emergency nature, in which case notice shall be given to the Police Department when work commences.
- D. Possession of permit. A copy of the permit together with a copy of the plan endorsed with the approval of the Superintendent shall be kept in possession of the person actually performing the work and shall be exhibited on demand. The original of each permit shall remain on file with the Department of Public Works.
- E Revocation of permit. The Superintendent may revoke a permit for any of the following reasons:
 - 1. Violation of any provision of this section or any other applicable rules, regulations, laws or ordinances.
 - 2. Violation of any condition of the permit issued.
 - 3. Carrying on work under the permit in a manner which endangers life or property, or which creates any condition which is unhealthy, unsanitary or declared by any provision of this Code to constitute a nuisance.
- F. Modification of permit conditions. In a special case the Council may, by resolution, impose special conditions to which the issuance of the permit may be subject, or may decide that any provision of this Article shall not apply or shall be altered.
- G. Permits shall not be issued from November 1 through April 1 of each year due to anticipated weather conditions, absent an emergency, as determined by the Superintendent.
- H. All openings, cuts and excavations in any road, street, public way, curbing, sidewalk, and/or landscaping shall be prohibited for a period of five years from the date of any improvements, road and/or sidewalk pavement completion, unless in the judgment of the Superintendent, an emergency exists which makes it absolutely essential that the excavation be permitted.

120-5. Performance guarantees.

No permits shall be issued until the applicant has furnished a performance guarantee in favor of the Borough of Stanhope in a form and in an amount determined to be sufficient by the Borough attorney. The Superintendent may waive the requirements of this Section in the case of public utilities, upon the presentation of satisfactory proof that it is capable of meeting any claims against it up to the amount of the performance guarantee which would otherwise be required. The performance guarantee shall be executed by the applicant as principal and, when applicable, a surety company licensed to do business in the State of New Jersey as surety, and shall be conditioned as follows:

- A. To indemnify and hold harmless the Borough from all loss, damage, claim or expense, including expenses incurred in the defense of any litigation arising out of injury to any person or property resulting from any work done by the applicant under the permit.
- B. To indemnify the Borough from any expense incurred in enforcing any of the provisions of this Article, including but not limited to reasonable professional fees.
- C. To indemnify any person who shall sustain personal injuries or damage to his property as a result of any act or omission of the applicant, his agents, employees or subcontractors, in the course of any work done under the permit.

- D. The performance guarantee shall also be conditioned upon the applicant's restoring the surface and foundation of the street in accord with Borough specifications for which the permit is granted in a manner acceptable to the Superintendent.
- E. Performance guarantees or a portion thereof not less than \$500 shall remain in full force and continue in effect for a period not to exceed 12 months after acceptance by the Superintendent, or for such longer period as is determined by the Superintendent in order to guarantee the restoring of the foundation and surface of the street.

120-6. Insurance.

No permit shall be issued until the applicant has furnished satisfactory proof of insurance against injury to persons and damage to property caused by any act or omission of the applicant, his agents, employees or subcontractors in the course of the work to be performed under the permit, as approved by the Borough attorney. The insurance shall cover all hazards likely to arise in connection with the work, including but not limited to collapse and explosion, and shall also insure against liability arising from completed operations. The limits of the policy of insurance shall be \$100,000 for injury to any one person, \$300,000 for injuries to more than one person in the same accident, and an aggregate of \$100,000 for property damage for a single incident. The Superintendent may waive the requirements of this section in the case of public utilities upon the presentation of satisfactory proof that it is capable of meeting claims against it up to the amount of the limits of the insurance policy which would otherwise be required.

120-7. Placing of lights around obstructions at night.

Whenever any person or persons has been issued a permit authorizing to dig up or excavate any of the streets, highways, alleys or public places in said Borough so as to obstruct and prevent the same from being used for the time being for the purpose of travel, such person or persons shall place or cause to be placed, in conspicuous positions where such work is being done, at twilight in the evening, suitable and sufficient lights and keep them burning through the night during the performance of such work. All excavations shall be kept properly barricaded at all times and during the hours of darkness, shall be provided with proper warning lights.

120-8. Backfill and restoration specifications.

All excavations shall be completely backfilled by the permittee, and shall be compacted by tamping or other suitable means in a manner prescribed by the Department of Public Works. Specifications for backfilling any excavations shall be as follows: Whenever transit pipe is encountered, it shall be covered, for at least one foot above the top of the pipe, with sand or other materials approved by the engineer. The remaining backfill must be mechanically tamped in sixinch layers and the street brought to its original grade. The surface shall be restored the same as the original surface of the opening. Boulders and other material unsuitable for backfill must be removed from the site at no expense to the Borough. If excavation shall not provide material enough to make the backfill as directed, additional material must be furnished from other sources at no additional cost to the Borough.

Upon completion of the work, the permittee shall remove any excess material and leave the premises in a clean condition. All refuse and material shall be removed within 48 hours.

If blasting is required to be done in the course of any excavation, it shall be done in strict compliance with all applicable state laws and regulations.

In all cases, the permittee shall restore the surface of the street in accordance with the following rules, regulations and requirements:

- A. No permittee shall commence the restoration of any street foundation or surface until the Superintendent has determined that settlement of the subsurface is complete and the area properly prepared for restoration. During the settlement period, the permittee shall keep the trench filled to the level of pavement.
- B. The permittee shall be required to replace the permanent pavement when ordered to do so by the Superintendent within a period of six months following the completion of construction, should any additional settlement occur. If the permittee does not replace the

permanent pavement to the satisfaction of the Superintendent, the permittee shall be required to pay the Borough the cost of making said repair, but not less than \$50 for each time such repair is made. If payment to the Borough is not made at the time of repair by the Borough, the Superintendent may satisfy payment plus any additional fees from the posted payment made by permittee.

- C. The street surface shall be restored so as to extend six inches beyond the excavation on all sides.
- D. The street surface shall be restored to the satisfaction of the Superintendent.

120-9. Violations and penalties.

Any person, firm or corporation violating any of the provisions of this Article shall, upon conviction thereof, forfeit and pay a fine of not more than \$2,000 or be imprisoned for a term of not more than 90 days, or both, and the Judge before whom any such person, firm or corporation is convicted shall have power to impose any fine not exceeding the maximum herein fixed.

SECTION 2

In Chapter 120, Article II "Snow and Ice Removal", the Section numbers will now change to reflect the numbers in order, beginning with §120-10 to incorporate the additional Sections in Article I.

SECTION 3 - SEVERABILITY

If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

SECTION 4 - REPEALER

All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

SECTION 5: EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption and publication in accordance with law.

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

Administrator McNeilly stated this a very opportune document. New Jersey Natural Gas, over the last week and a half, has been asking questions with regard to the Borough's roads, permit fees, sample bores, trenches, and permit regulations. This ordinance is coming in place at just the right time.

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

Roll Call:

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

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

NEW BUSINESS

RESOLUTIONS

Council President Kuncken offered the following resolutions which were read by title.

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE INTRODUCING THE 2022
MUNICIPAL BUDGET

BE IT RESOLVED that the attached Statements of Revenues and Appropriations shall constitute the Municipal Budget for the 2022 calendar year; and

BE IT FURTHER RESOLVED that a Summary of said Budget shall be published in the *New Jersey Herald* and the public hearing and final adoption shall be held on April 26, 2022 at 7:00 p.m. at the Municipal Building, 77 Main Street, Stanhope, NJ at which time and place objections to the 2022 Municipal Budget may be presented by taxpayers or other persons of interest.

Council President Kuncken stated a public hearing will be held on April 26, 2022.

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

Roll Call:

Councilman Kuncken – yes

Councilman Riccardi - yes

Councilman Romano – yes

Councilman Wronko – yes

<u>CONSENT AGENDA</u> (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 AUTHORIZING REFUND OF OVERPAYMENT OF TAXES

WHEREAS, the former homeowner paid 4th quarter 2021 taxes late, and paid more interest than was due, creating an overpayment on the account; and

WHEREAS, the former homeowner sold the home on December 3, 2021 and therefore will have no further liability for this property.

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

Property Location: 13232 Dell Place

Block Lot	Qual	Name & Address	Tax Year	Amount
11501 2	C0232	Doreen Thistleton 13 Newbury Row Manchester, New Jersey 0875	2021 59	\$50.88

RESOLUTION AUTHORIZING REFUND OF ESCROW FUNDS

WHEREAS, 55 Lackawanna Development had placed funds on deposit in escrow with the Borough of Stanhope for Sewer Allocation Analysis in September 2016; and

WHEREAS, the project is complete and there is no further billing forthcoming; and

WHEREAS, there are unused funds in the amount of \$1,613.11.

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

55 Lackawanna Development, LLC \$1,613.11 4 Kynor Drive Stanhope, New Jersey 07874

RESOLUTION AUTHORIZING REFUND OF ESCROW FUNDS

WHEREAS, Lawrence Direnzo had placed funds on deposit in escrow with the Borough of Stanhope for engineering inspections on June 24, 2015; and

WHEREAS, the engineer has declared that this project is complete and there is no further billing forthcoming; and

WHEREAS, there are unused funds in the amount of \$110.48.

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

Lawrence Direnzo \$110.48 P.O. Box 336 Stanhope, New Jersey 07874

RESOLUTION AUTHORIZING REFUND OF CASH MAINTENANCE BOND FOR BLOCK 11207 LOT 11

WHEREAS, Vincenzo Bruzzese were required to post a cash maintenance bond in the amount of \$6,960.00 for improvements done in the vicinity of a Borough right-of-way for Block 11207, Lot 11, 67-69 Main Street on March 18, 2019; and

WHEREAS, the improvements have been completed and inspected by the Borough Engineer; and

WHEREAS, the Borough Engineer has certified that all work in the public right-of-way has been satisfactorily completed and that a sufficient escrow has been posted for the remaining onsite work; and

WHEREAS, the owner has requested the release of its cash maintenance bond;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope, that the Borough shall refund to the following owner the following cash bond:

Vincenzo Bruzzese \$6,984.76 P.O. Box 603 Netcong, New Jersey 07857

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

PAYMENT OF BILLS

Resolution 079-22

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 March 22, 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 Wronko - yes

ATTORNEY REPORT

Angelo Bolcato, Borough Attorney, stated he had no report this evening.

CITIZENS TO BE HEARD

Council President Kuncken 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, Council President Kuncken closed the public portion of the meeting.

COUNCIL DISCUSSION

<u>Land Use Board</u> — Councilman Vance stated the Land Use Board meeting was held this past Monday. The property owned by Juntos was on the agenda. After discussing the trucking issues, parking and access to the box for nearly an hour and a half, the applicant mentioned they had purchased a second property, the Mailander house, and demolished it. In order to open up the corner, the fire hydrant will be moved which would alleviate some of the issues at the bottom of Plane View Street at New Street. At that point, the meeting ended and the applicant was asked to return with the new plan showing the relocation of the fire hydrant. This was a very positive change to the plan. Councilman Thornton asked, now that the company has relocated to the Trade Zone, what is the Land Use Board's stand on the type and size of trucks that will be permitted at this location. Councilman Vance stated the Land Use Board has not made any decisions at this time. The applicant is asking for approval to bring a 53-foot trailer into the location once a quarter. Additional staff would be onsite to direct traffic to ensure there is no property damage.

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 Council President and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, as follows:

- 1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter(s).
- 2. The general nature of the subject matter(s) to be discussed is as follows:
 - 1 Contract
 - 1 Real Property
 - 1 Attorney-Client
- 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 Vance, seconded by Councilman Riccardi, and unanimously carried by voice vote, the foregoing resolution was adopted.

The Council President and Council went into Closed Session at 7:20 P.M.

RETURN TO OPEN SESSION

At the conclusion of the Closed Session, the Council President and Council reconvened the public meeting at 7:50 P.M. with all present, except for Councilman Wronko.

ADJOURNMENT

On motion by Councilman Romano, seconded by Councilman Thornton, and unanimously carried by voice vote the meeting was adjourned at 7:50 P.M.

Approved:	Linda Chirip
	Deputy Clerk for
	Ellen Horak, RM
	Borough Clerk