

**WORK SESSION AND
AGENDA MEETING
September 13, 2022
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 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 – present
Councilman Romano – present	Councilman Wronko – present
Mayor Zdichocki – present	

ADMINISTRATOR'S REPORT

Hydrant Flushing – Administrator McNeilly stated the hydrant flushing has been suspended until the spring of 2023 due to the ongoing drought concerns. The State has not made any specific rulings regarding hydrant flushing but they are encouraging conservation at this time. The Borough is required to do one hydrant flushing per year. Normally the DPW does this twice a year as a matter of function. The valves have been exercised and the system is clean.

Water System Update – Administrator McNeilly stated the State of NJ continues to be on drought watch. The Borough's Water Operator, DPW Superintendent Jason Titsworth, reports that the static level in all the wells is three feet below normal, but he sees no need for restrictions at this time. The levels are being monitored on a daily basis until the rainy weather returns.

NJ Natural Gas – Administrator McNeilly stated he received an email to inform him that the NJ Natural Gas invitations for the October 5th event will be sent out this Friday. The RSVP must be received by September 30th. The governing body will inform the Clerk as to whether or not they will be attending. The Clerk will email the RSVP for the group. The Clerk asked for a copy of the invitation to reference.

Administrator McNeilly stated Suburban Engineering is the lead agency for the NJ Natural Gas project. They have already been dealing with the Borough with regard to the core bores which have been done at the bridge by Isolatek and US Mineral and have worked their way up to Furnace Street. Cores will be taken soon on Main Street, High Street and Linden Avenue. Suburban has also submitted an advice copy to the Borough for the proposed detour route for the gas main install on CR602 (Brooklyn Road). They have received approval from the County for the test holes along Brooklyn Road. Administrator McNeilly stated he was under the impression the main would be run with plastic pipe. The submitted instructions show a 12-inch metal main. The purpose of this project is not to bring gas to Stanhope or Byram. The purpose is to connect the Landing system to

the Netcong and Mt. Olive systems. The traffic detour route needs Sussex County Engineering approval and Sussex County Board of Commissioner approval. The projected work date is late Spring 2023. This work cannot be done while school is in session. Residents who are in need of replacing appliances may want to consider installing gas appliances or heating systems which can be converted to natural gas in the future. At this time, there is no set date for when or if the gas utility will be available.

Infrastructure Committee Meeting – Administrator McNeilly stated he is scheduling an Infrastructure Committee Meeting for October 18th at 9:00am to discuss the 2023 roads and vehicle capital.

Borough Engineer – Administrator McNeilly stated he has confirmed that Eric Keller, Borough Engineer, will be attending the September 27th Mayor and Council meeting.

Stormwater Training 2022 – Administrator McNeilly stated he has contacted Ryan at the Musconetcong Watershed to see if he is available to provide the annual training presentation to the Mayor and Council at the November 22nd meeting.

Budget 2023 Timeline – Administrator McNeilly stated the budget 2023 timeline is as follows: September 30, 2022 – Budget and Capital Request Presented to the Governing Body; October 25, 2022 – Proposed 2023 Budget Discussion; December 11, 2022 – Tax Assessor and Borough Auditor Presentations

Fire Hydrant on Linden Avenue – Mayor Zdichocki asked for an update on the status of the fire hydrant on Linden Avenue. Administrator McNeilly stated the 6-inch collar will be installed by the DPW now that the paving projects have been completed.

Dell Road Pipe – Councilman Vance asked for a follow up on the issue with the pipe and pavement on Dell Road. Administrator McNeilly stated there is a clean out on the East side of the sidewalk on Dell Road. For some reason the cap is too high. The DPW Superintendent will assess the situation along with some other issues on Dell Road and determine the best plan of action. With regard to the road, the Borough Engineer has reached out to the vendor with the infrared equipment. One neighbor at a time will be looked at to determine if the trench which was required to repair the drainage on Dell Road can be fused as is or does the blacktop have to be pulled out and then re-black topped. Councilwoman Kuncken asked if this work can be done before winter time. Administrator McNeilly confirmed there is time to do this before winter. Councilman Thornton asked if something happened that has caused the issue with the pipe in the sidewalk to suddenly be an issue. Administrator McNeilly replied the homeowner had brought it to the Borough's attention. Councilman Thornton asked if the governing body could be copied on notices which are sent to the residents in order to be kept informed. This would be especially helpful with issues where the residents have also contacted the governing body. Administrator McNeilly stated he will provide the governing body with the information.

Baker Place – Administrator McNeilly stated when the roads are milled and paved the areas near berms are not disturbed. The prior surface had a great deal of cracks where the water used to run. The berm on Baker Place does need to be raised. The Borough Engineer will get the profile of the berm to ensure the height will be sufficient to capture a typical rain storm. The homeowner has been informed of this plan.

Brush Pickup – Administrator McNeilly stated brush collection began on Monday. The DPW will sweep through the Borough all week. Ideally all the brush should be curbside on Sunday in order to be picked up on Monday. The final sweep will take place by Friday at 2pm.

WORK SESSION

Waive Construction Permit Fee for Certain Non-Profit Organizations – Mayor Zdichocki stated a discussion was held at a previous meeting regarding whether or not to waive construction permit fees for certain non-profit organizations. Administrator McNeilly stated he researched prior permits issued for the Buddhist Temple, the First Presbyterian Church and the Lutheran Church. The Construction Department has issued permits in the past for all three churches which have been

paid for. All three have needed new roofs. Councilwoman Kuncken asked if it is wise to commit to a written page or should the requests be handled on an individual basis as they occur. Administrator McNeilly stated the historical data shows that permits have been paid for in the past and to date a formal request to waive the fees has not been received from the Presbyterian Church. Administrator McNeilly contacted the neighboring municipalities of Netcong, Mt. Olive, Roxbury, Hopatcong and Byram to ask how they handle permits for these types of organizations. None of them have a written policy stating they will not charge churches. The only area of consensus among all the municipalities is with affordable housing entities. When the group home was built in the Borough, the water and sewer fees were waived. When the Habitat for Humanity four family home was built an accommodation was made there as well. Netcong does make accommodations for civic and social groups on a case by case basis. Councilwoman Kuncken stated, in her opinion, the cases should be handled individually as they arise. Mayor Zdichocki stated this option was discussed at the previous meeting and the Borough Attorney was not in favor of this option. Administrator McNeilly stated the attorney may be concerned about some issues that the Borough may not have to worry about. Councilman Romano confirmed that Netcong does handle the issues case by case. While working with the theatre, early on when funding was low, Netcong was able to waive some fees. As the theatre became more established, they paid for permit fees. Councilman Romano is of the opinion the issues should be handled on a case by case basis. Administrator McNeilly stated the department does require revenue and if the revenue is continually eroded, the funds have to come from somewhere else. Mayor Zdichocki asked the governing body if anyone disagrees with reviewing requests on a case by case basis. Administrator McNeilly stated on August 26th a check was received from the Presbyterian Church. The governing body decided to review cases as they arise. In this case, the fees have already been received from the church and the permit fees will not be waived.

Tree Lighting Dedication – Mayor Zdichocki asked the governing body if there would be any objection to dedicating this year’s tree lighting in memory of Rusty Peterson. The governing body had no objections. Mayor Zdichocki stated she will contact the Recreation Commission and ask them to let Rusty’s family know about the dedication and invite them to attend.

NEW BUSINESS

ORDINANCE

Mayor Zdichocki offered the following ordinance for Introduction and First Reading which was read by title.

Ordinance for Introduction and First Reading [Public Hearing on September 27, 2022]

Ordinance 2022-09 **AN ORDINANCE OF THE BOROUGH OF STANHOPE, SUSSEX COUNTY, NEW JERSEY AMENDING CHAPTER 133-33 “VEHICLES AND TRAFFIC”, ARTICLE XII, SCHEDULES”, SECTION 133-33 “SCHEDULE II: NO PARKING CERTAIN HOURS” OF THE CODE OF THE BOROUGH OF STANHOPE REGARDING LINDEN AVENUE**

WHEREAS, the Borough Council determined that Chapter 133-33, “Schedule II: No Parking Certain Hours”, needs to be amended to reflect the removal of certain parking restrictions concerning Linden Avenue 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

Section 133-33 “Schedule II: No Parking Certain Hours”, of Chapter 133, “Vehicles and Traffic” to delete the all no parking restrictions for Linden Avenue, as follows:

<u>Name of Street</u>	<u>Side</u>	<u>Hours</u>	<u>Location</u>
Linden Avenue	East	7:00 a.m. to 4:00 p.m.; Monday through Friday while school is in session	Along the full frontage of Block 11102, Lot 10

All other provisions of Section 133-33 “Schedule II: No Parking Certain Hours” of the Code of the Borough of Stanhope shall remain in full force and effect.

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

Roll Call:

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

On motion by Councilman Romano, seconded by Councilman Riccardi, 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 155-22

RESOLUTION APPROVING EMERGENCY TRUCK REPAIR

WHEREAS, the Borough of Stanhope became aware of transmission failure in Truck 377, a F550 Mason Dump and needed an emergency replacement; and

WHEREAS, Victor Dean Buywise Transmission & Repair, the Borough’s usual vendor, was directed to make the emergency repairs to the vehicle; and

WHEREAS, it was necessary to have this repair done with this vendor due to the close proximity, as the vehicle was not drivable; and

WHEREAS, N.J.S.A. 40A:11-6 provides for the awarding of contracts without public advertising for bids and without the need to seek competitive quotations, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, emergency repairs to Truck 377 totaling \$7,500.50 in work performed by Victor Dean Buywise Transmission & Repair is \$900.50 above the \$6,600 quote threshold;

WHEREAS, the emergent condition of the vehicle was properly reported by the DPW Supervisor to the Borough Administrator in accordance with Borough practices and the provisions of N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope, Sussex County, State of New Jersey, that it does hereby concur in the payment to Victor Dean Buywise Transmission & Repair for emergency repairs to Truck 377 in the amount of \$7,500.50.

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

Roll Call:

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

Councilman Thornton – yes
Councilman Vance – yes
Councilman Wronko – 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 156-22

AMENDED RESOLUTION AUTHORIZING USE OF TILCON NEW YORK, INC. AS SET FORTH IN THE MORRIS COUNTY CO-OP PUBLIC BIDS FOR ELIZABETH AVENUE MILLING AND PAVING, RECOMMENDATION OF AWARD

WHEREAS, the Borough of Stanhope is in need of roadway milling and paving for Elizabeth Avenue (the “Project”);

WHEREAS, the Borough Engineer’s estimate for milling and paving, including asphalt and fuel price adjustments on Elizabeth Avenue is \$95,740.00; and

WHEREAS, the Borough is a member of the Morris County Co-Op which has already publicly bid milling and paving services for the year 2022 and has awarded a contract therefore for the services needed; and

WHEREAS, the Borough may utilize the Co-Op bid price as a member of the Co-Op without the need for further public bidding; and

WHEREAS, the Borough Engineer has recommended the use of the Co-Op bids for the above noted and various construction items for the “Project”; and

WHEREAS, the Borough awards the milling and resurfacing to Tilcon New York, Inc. for the total amount of \$95,740.00;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope, that the Borough shall utilize Tilcon New York, Inc. for milling and paving of Elizabeth Avenue at the 2022 Morris County Co-Op awarded bid prices and quantities as set forth in the attached bid tabulation.

Resolution 157-22

RESOLUTION OPPOSING THE PROPOSED INCREASES TO THE STATE HEALTH BENEFITS PROGRAM

WHEREAS, the State Health Benefits Program (SHBP), governed by N.J.S.A. 52:14-17.25 et seq., offers medical, prescription drug, and dental coverage to qualified State and participating local government public employees, retirees, and eligible dependents; and

WHEREAS, all SHBP plans are self-funded meaning that the money paid out for benefits comes directly from a SHBP fund supplied by the State, participating local employers, and member premiums; and

WHEREAS, the Division of Pensions and Benefits is responsible for the daily administrative activities of the SHPB, the State Health Benefits Commission is the executive organization responsible for overseeing the SHBP; and

WHEREAS, the State Health Benefits Commission, comprised of state officials and union representatives, annually consider the calendar year premium levels for the Local Government Employer Group of the SHBP based on recommendations found in the Rate Setting Recommendation Analysis of the Local Government Employee Group; and

WHEREAS, the preliminary rate increase for the 2023 Local Government Employer Group is 22.8%, which includes a 21.6% increase for Active, a 13% increase in Early Retiree, and a 0.7% increase for Medicare Retiree; and

WHEREAS, subsequent news accounts have the Department of Treasury noting “rates for active members and early retirees would likely be increased between 12-20% across the various plans for the upcoming year”; and

WHEREAS, such proposed exorbitant rate increases will fall upon the local property taxpayer along with the local public employees at a time where there is record inflation, and

WHEREAS, the proposed premium increase for most active employees will take thousands more out of their paychecks annually and lead to huge costs for local governments that will translate into higher property tax bills for struggling families; and

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Stanhope in the County of Sussex call up the State Health Benefit Commission to reconsider the rate increase and strike a rate increase that is appropriate in the current economic conditions; and

BE IT FURTHER RESOVLED, that the governing body of the Borough of Stanhope in the County of Sussex urge the legislature to adopt legislation expanding the composition of the State Health Benefits Commission to include representatives from both municipal and county government management; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Murphy, State Treasurer Muoio, Senate President Scutari, Assembly Speaker Coughlin, Senator Steven V. Oroho, Assemblyman Parker Space, Assemblyman Harold J. Wirths, and New Jersey State League of Municipalities.

Resolution 158-22

RESOLUTION AUTHORIZING THE BOROUGH TO CHARGE A MAILING FEE FOR TAX SALE NOTICES

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services; and

WHEREAS, the rules and regulations permit a municipality to send two (2) notices of tax sale to all properties included in said sale in lieu of a newspaper advertisement; and

WHEREAS, the rules and regulations allow said municipality to charge a fee of \$25.00 per notice for the creation, printing, and mailing of said notice; and

WHEREAS, in an effort to more fairly assign greater fiscal responsibility to delinquent taxpayers, the Borough of Stanhope wishes to charge \$25.00 per notice mailed which will be assessed specifically to the delinquent accounts that are causing the need for a tax sale and not to the general tax base.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that a fee of \$25.00 per notice be established and is hereby authorized and directed to be charged for each notice of tax sale that is sent in connection to the 2022 electronic tax sale.

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

Councilman Romano – yes

Councilman Wronko – yes

Councilwoman Kuncken asked why Resolution #156-22 for the milling and paving by Tilcon is being adopted at this time. The project is complete. Administrator McNeilly replied this is necessary for the verbiage.

PAYMENT OF BILLS

Resolution 159-22

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 September 13, 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 – yes

Councilman Wronko – yes

AGENDA ITEMS

All items listed on the Agenda for September 27, 2022 were approved. Ordinance 2022-10 to decrease the speed limit on Sparta Road will also be added for introduction on to the agenda. Administrator McNeilly stated speed limit signs have been ordered along with additional no parking signs. The bike lane is not a parking lane.

CITIZEN'S TO BE HEARD

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

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

COUNCIL DISCUSSION

Halloween Parade – Mayor Zdichocki stated the Halloween Parade, sponsored by the Recreation Commission, is scheduled for October 29th. Mayor Zdichocki asked the governing body for volunteers to judge the costume contest and assist with any other activities.

Fire Department & Ambulance Squad Pig Roast Fundraiser – Mayor Zdichocki thanked all the members of the council who supported the fundraiser for the Fire Department and the Ambulance Squad. Councilwoman Kuncken stated there was a good turnout for the event and it was a beautiful evening.

ADJOURNMENT

On motion by Councilman Romano, seconded by Councilman Wronko and unanimously carried by voice vote the meeting was adjourned at 7:40 P.M.

Approved:

Linda Chirip
Deputy Clerk for
Ellen Horak, RMC
Borough Clerk