

**MAYOR AND COUNCIL
REGULAR MEETING
January 24, 2023
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 4, 2023 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 meeting time change was sent to the New Jersey Herald and Daily Record on January 11, 2023 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.

Moment of Silence

Mayor Zdichocki asked for a moment of silence in remembrance of two people who recently passed away. Mayor Zdichocki stated, with great sadness, that Robbie Depew, who was a valued DPW employee for the past 17 years, will be greatly missed. Mayor Zdichocki stated Neil Bookspan, who was a member of the Fire Police, has also passed away. Our thoughts and prayers go out to their families.

ROLL CALL

Council Members:

Councilwoman Kuncken – present	Councilman Thornton – present (arrived 6:03pm)
Councilman Riccardi - present	Councilman Vance - present
Councilman Romano – present	Councilman Wronko - present

Mayor Zdichocki – present

2023 BUDGET DISCUSSION

12-b Stormwater Management – Angelica Sabatini, CFO stated there was a question raised at the last meeting regarding *Line 10551021 Storm Management Supplies*. Ms. Sabatini stated this line is used for items such as catch basins, supplies, stones, blocks, pipe fittings, rentals of machines necessary for repairs for retention basins, cold patch, concrete and hardware. Councilman Riccardi asked if anything was charged to this line item or has it not been finalized. Ms. Sabatini stated there might be some items charged to appropriation reserves, so it has been charged in this year to last years budget. However, the DPW may have had supplies on hand and did not need to order additional supplies.

Ms. Sabatini stated the new budget pages provided for review are purple.

14-a Water Operating – Ms. Sabatini stated the figures provided are finalized amounts for the year 2022.

14-e Water – Line 60552220 Water: Interest on NJEIT Loan has decreased due to the fact there is less outstanding debt. Administrator McNeilly stated this loan will reach the halfway point of the total years next year.

Ms. Sabatini stated she has increased Line 60552320 Water: Interest on Notes because this includes the amount that needs to be declared at the end of the year. There is a one percent (1%) interest rate note now but, in May it will no longer be one percent. Ms. Sabatini stated she spoke with Ray Sarinelli, Borough Auditor, yesterday and he advised her to use the calculation of four percent (4%). The Payment on Notes has also been increased and there is a reserve for debt service which was a suggestion made by the Auditor. It worked out that this reduced the amount which we are trying to raise in revenues, by using the reserve for debt service. This is for water. Sewer is the same situation.

14-g Sewer Operating – Ms. Sabatini stated, just as what was done with the water budget, the reserve for debt service has been used as a revenue to pay off the debt service for sewer.

14-i Sewer Utility: OE – Ms. Sabatini stated Line 62550023 Postage & Meter Rental has increased due to increases in postage. Postage costs increased several times last year and they just rose again last week. The postage stamp cost is currently 60 cents and there is a cost for renting the meter. The overall total for 14-i has gone from \$683,271 in 2022 to a 2023 proposed amount of \$708,566.

Administrator McNeilly stated we have been able to contain the costs and therefore the rate does not need to be changed. The rates have been stable for quite some time. Councilman Wronko asked about the increase to Line 62550061 Sewer Authority. Ms. Sabatini stated the Borough has no control over that cost. Councilman Romano stated there will be additional increases to this line this year. Councilman Romano stated there is major work that needs to be done at the Sewer Authority. The MSA had stopped rebating money back because it did not make any sense to rebate money back and then charge it in the next bill. Administrator McNeilly stated the main plant is 33 years old. There are items which are past end of life and the building has some concerns as well. These are costs that just can not be avoided. Councilman Romano stated the HVAC system and the roof need to be replaced. Administrator McNeilly stated the controllers are all the same age so half are being changed out one year and the other half the following year. An internal improvement fund was set up twenty years ago to soften this day. However, there are only so many things that can be planned for. Even back then they recognized how expensive the technology was but it is all obsolete now. Councilman Romano stated there were decisions made ten years ago, which in hindsight, looked like they did their best but it was the wrong decision. Councilman Romano stated these issues will all be addressed in pieces over the next three to four years. Administrator McNeilly stated the head unit has issues due to bad practices in households. The “flushable wipes” are not flushable. The two-and-a-half-inch rotator bar was actually twisted due to the severe drag on the bar. Three million dollars was spent to add a front-end unit to capture these items. Councilman Romano stated there are costs for the removal of the sludge which has gotten very expensive. Fortunately, the budget was estimated high and the costs came in under that amount. Mayor Zdichocki asked if the government provides any support for any of these issues. Administrator McNeilly stated assistance is not provided. Government just adds more restrictions and regulations. Everyone talks about PFOS in the water and having it removed. PFOS is still going to be a result on the back end as well. It is going to get to a point where it is treated as a hazardous waste. Disposing of that will be extremely costly. Councilman Romano stated the DEP wants to apply the same standards for water as they do for waste water.

14-j-1 Sewer Capital – Ms. Sabatini stated these figures are projecting out the costs if the Borough does not go out to debt for anything additional for sewer for the next few years. These figures reflect the outstanding debt. Administrator McNeilly stated there are no future items anticipated at this time. Both the pump stations are essentially brand new.

15-a General Capital – Ms. Sabatini stated the Fire Department is receiving a grant in the amount of \$29,000 to cover the costs of SCBA bottles and turnout gear. Councilwoman Kuncken asked if the \$16,000 which the Borough was originally budgeting will now be covered by the grant. Ms. Sabatini confirmed this. Councilman Wronko stated there is another grant which is available to apply for which requires a five percent match and he asked if this is something the Borough could provide and if so, what would the limit be? Administrator McNeilly stated there is capital improvement fund money available. The recreation grant which was just applied for would require \$10,000 in matching funds. The grant Councilman Wronko mentioned, which the Fire Department

is looking into, is a short cycle grant. Councilman Wronko stated, based on the population of the Borough, the maximum amount for the grant request is one million dollars. The Fire Department would be requesting up to \$200,000. The matching portion would total \$10,000. Much discussion took place regarding the grants and the procedures. Councilman Wronko stated, if this grant is awarded, it would reduce the costs to the Borough for future budgets.

Administrator McNeilly stated there are no capital requests from the Police Department.

Administrator McNeilly stated the Public Works Department has a capital request for a mason dump truck. Ms. Sabatini stated the mason dump cost is split between the general, water and sewer accounts. Administrator McNeilly stated there is also a request for the balance of the funds needed to purchase the leaf machine. The availability of these items is going to take quite some time. Some of the funds for the leaf machine were set aside in last year's budget. There is also a truck from last year's capital which is still outstanding. The color of the truck is not going to be a choice the Borough can make.

Administrator McNeilly stated the two capital Road Projects are Lenape Drive/Woods Avenue & Lepont Street and Sagamore Road & Spencer Street. The majority of the costs for the Sagamore Road & Spencer Street project is funded by a DOT grant and this work has to be done immediately. Some discussion took place regarding paving roads and gas line installation. The governing body can make decisions in the future to hold off on paving until the gas line installations are completed but falling behind on infrastructure improvements may not be the best choice.

Ms. Sabatini stated there are additional budget pages which have been updated including the computer services and the crosswalk lights.

Councilman Wronko stated the Little League budget request, which was made at the last meeting, still needs to be discussed. Councilman Romano stated the budget amount cannot be changed but the amount to be paid per child could be increased from \$15.00 to \$25.00 to assist the league with their situation. This brings the amount the league would receive closer to the \$2,000 which is budgeted but stays within budget. Councilman Romano stated this stays in keeping with paying per person, as is done with other groups, and only for Stanhope Borough residents. Mayor Zdichocki stated last year the Little League had 67 residents signed up in their program. It was suggested that the Little League contact Netcong Borough to see if they could increase the amount they budget per child as well. Councilman Vance asked if the Little League's request to have the total amount of \$2,000 given this year is an option. Mayor Zdichocki stated the total amount of \$2,000 cannot be distributed due to the fact this was not done for the Senior Citizens Group. Councilman Thornton asked if the Little League can submit the number of children registered after the initial signups are complete and then again in the future if more children register later. The governing body stated the Senior Citizens Group was given a set date in which they had to report the number of people registered. The governing body, after some discussion, concluded the Little League must report their totals by June 1st.

Councilwoman Kuncken stated the legal and engineering budget issue still needs to be discussed and a determination made. Once the overall budget figures are available, this will help to determine how to budget these line items.

Councilman Vance asked when the conversation regarding salaries will be discussed. Last year a grid was provided to see the different percentages. Administrator McNeilly stated that information can be prepared for the governing body. Ms. Sabatini stated she has prepared data with percentages increasing in .25 increments, beginning at 1.50% up to 3.00%. There are only a few employees that are affected by this.

Mayor Zdichocki stated the next budget meeting discussion will address salaries, overall figures of the budget and the green page 5-a engineering and legal line items. Mayor Zdichocki asked the governing body if anyone would like to request any additional information for review. No additional information was requested. Mayor Zdichocki stated the February 14th meeting will begin at 6:00PM.

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 13, 2022 Business Meeting

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

CORRESPONDENCE *(List Attached)*

On motion by Councilwoman Kuncken, seconded by Councilman Vance 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 2022, answered 9 calls and 3 mutual aid calls. They had 2 drills, 1 meeting and 5 special details for a total of 251.5 man hours volunteered.

Councilwoman Kuncken stated the Sussex County Fire Marshal, for the month of December 2022, reported there were no fires or complaints responded to in the Borough. The Fire Marshal did complete 11 inspections and there were no violations.

Councilwoman Kuncken stated the Police Department, for the month of December, had 89 motor vehicle stops. The total number of overall calls for the month totaled 259.

Councilwoman Kuncken stated the Ambulance Squad, for the month of December, reported that they responded to 32 calls in Stanhope; 32 calls in Netcong; and 1 stand-by for a total of 65 calls. The out of town calls were as follows: 2 in Mt. Olive; 13 in Byram; 2 in Hopatcong and 3 in Roxbury for an overall total of 85 calls. The squad treated 61 patients and made 45 trips to the hospital. They travelled 1,346 miles with 266 hours and 7 minutes of hours volunteered.

Mayor Zdichocki stated the installment dinner was very nice. The Ambulance Squad did a very good job and they have had a very busy year. Councilwoman Kuncken confirmed the squad has been extremely busy and the year end report should be available at next months meeting.

Finance & Administration – Councilman Romano/Councilman Thornton

Councilman Romano stated the tax collections for the month of December were \$113,090.90. The year to date collections, as of December 31, 2022, were \$12,766,294.43. The overall collection rates throughout the year have been at 98%. One hundred percent of the delinquent taxes has been collected. There are no problems with collections.

Councilman Romano stated the water collections for the month of December totaled \$117,609.44. The year to date total is \$742,513.53. The sewer collections for the month of December totaled \$138,164.78 and the year to date total is \$868,693.65.

Community Development – Councilman Wronko/Councilman Riccardi

Councilman Wronko stated there were a total of 28 construction permits issued for the month of December and the total of fees collected was \$4,486.00.

Councilman Wronko stated the Minister from the Lutheran Church spoke with him at the Reorganization Meeting and was asking how he could become more involved in the community. Councilman Wronko has emailed the Minister but has not received a response to date but he will keep the governing body informed of any updates. Councilwoman Kuncken stated she and Mayor Zdichocki have spoken with Dan Slavek on several occasions which is how the church ended up participating in Family Fun Day and Stanhope Day.

Municipal Infrastructure – Councilman Thornton/Councilman Romano

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

Councilman Thornton stated he had no report this evening.

Information Technology – Councilman Riccardi/Councilman Wronko

Councilman Riccardi stated he had no report this evening.

Boards/Commissions – Councilman Vance/Councilwoman Kuncken

Councilman Vance stated the Lake Musconetcong Regional Planning Board report indicated that there was a billing error with regard to Solitude Lake Management. Rosemarie Maio, the Borough's representative on the board, picked up on the fact that Solitude was overpaid by \$8,000. A new payment structure is now being implemented to reference the payment number on the billing (example 1 of 12 etc.). Councilman Vance stated it is very important to have someone watching over this and paying close attention.

ADMINISTRATOR'S REPORT

NJ Natural Gas – Administrator McNeilly stated updates from NJ Natural Gas continue to go out every week. The NJ Natural Gas representative has informed him that the streets where the gas mains are currently being installed will be the first Stanhope residents to become customers. Additional details will be coming in the weeks ahead. The first areas will be Brooklyn Road, McKinley Street, High Street, part of Main Street, Kelly Place and Furnace Street. Administrator McNeilly stated once the printed information is available, it will be shared with the governing body. The representative was asking about the costs for the road opening permits. Each trench requires a separate permit. Mayor Zdichocki asked if other towns can be contacted to see what the costs were for the residents.

DCA Local Recreation Improvement Grant Program FY23 – Administrator McNeilly stated the DCA Local Recreation Improvement Grant Application has been submitted. The awards will be announced in April 2023.

FEMA Assistance to Firefighters FY 2022 – Administrator McNeilly stated the FEMA Assistance to Firefighters FY 2022 grant is another short timeline grant. The Fire Department is working on an application for additional gear. The submission deadline is February 10th with the grant award date of April 2023.

Water Service Replacement Program – Administrator McNeilly stated the governing body needs to make a decision with regard to the financial responsibility for the water service replacements. Eric Keller, Borough Engineer, will be attending the meeting on the 14th and he can answer any questions the governing body may have. Administrator McNeilly stated he did a survey across the Manager's Network as to how the municipalities are handling the costs of replacing the water services. Unless you are in one of the big city service areas, that receive federal money, everyone is stopping at the curb. The lines have to be required to be replaced to the house, but it is at the cost to the homeowner. Or there will be the option to sign a document stating they will not replace their lines. Councilwoman Kuncken stated if the Borough is going to set up a program to lend the funds to the homeowners, at low interest or no interest, those funds have to be made available. Mayor Zdichocki stated there will be residents who already replaced their lines who will be asking if they can be reimbursed. Administrator McNeilly stated the law requires that the Borough must ensure that 10% of the total number of lines are replaced each year. In 2022, this quota was met by the number of residents who replaced their water lines on their own. The total number of homes

in the Borough to have the lines replaced is approximately 135. A portion of these homes are located within the project which will take place on Ridge Road, Overhill Road and Sunset Avenue. Some sort of consistent program has to be put in place for the residents within the project area. Councilwoman Kuncken asked if the homeowners are aware that their lines will need to be replaced. Administrator McNeilly stated he is unsure of what number of homeowners are aware. The Water Operator has compiled the list based on age of residences and in many cases by visual inspection at the water meters. When the Borough goes to bid for the Ridge Road, Overhill Road and Sunset Avenue project, there is a line item that speaks to the cost to replace the services to those houses in the contract, which may be passed on to the homeowner, but in a large bid format like that a discounted rate should be available. This would be based on linear footage. Some of the homes in the Borough have very special services going to them. Often times the lines do not run where expected. Mayor Zdichocki stated this will cause different homes to have different replacement costs. Councilman Vance stated if there are sidewalks in front of the homes, the homeowners would also have to incur that cost. Administrator McNeilly stated the state has caused an issue by requiring work to be done on private property. Discussion took place regarding the determination of the number of homes affected and how the replacements are documented and sent to the state for proof of compliance. Administrator McNeilly estimated that the average replacement cost would be approximately \$5,000. There will be others which will cost more due to the distance and obstacles to go through or around. If a revolving fund is established for the homeowners to borrow from, which could be interest free over a certain amount of time, there is still exposure to the Borough. This would not be a lien and if the homeowner loses the house, the funds could be lost. Councilwoman Kuncken asked how a homeowner can determine if they have galvanized lines that would need to be replaced. Administrator McNeilly stated by looking at the pipes coming into the house through the wall a determination can be made if there are no copper pipes and if a magnet sticks to the pipes, they are galvanized. The loan program, if implemented, could be determined on an income basis, similar to how the affordable housing loan program is distributed. Discussion took place regarding various scenarios along with how many loans could be issued at one time and the timeframe for paying the loans back. The discussion will continue at the next meeting with the Borough Engineer.

Speed Sign on Sparta Road – Administrator McNeilly stated Radar Systems has determined that the speed sign on Sparta Road needs to be returned to the factory. The RMA# is issued and we are now awaiting shipping information. At this time, one of the portable radar signs has been removed and the other is located on Delaware Avenue. Mayor Zdichocki suggested placing one of the portable signs on Sparta Road while school is in session.

Street Light on Sparta Road – Administrator McNeilly stated the insurance check was received for the damaged street light on Sparta Road and the new light is on order. Like the original order, the order delay is long. No projected delivery date is available at this time.

Borough Engineer – Administrator McNeilly stated the Borough Engineer, Eric Keller, will be attending the February 14th Mayor and Council meeting.

Solid Waste and Recycling Contract – Administrator McNeilly stated a discussion regarding the solid waste and recycling contract renewal needs to take place with the Borough Attorney.

Online Auction – Administrator McNeilly stated the Borough had \$8,000 in sales at the first online auction. A resolution will be prepared for the next auction which may be able to take place in February. There a few police cars, a fire truck, a dump truck, the street sweeper and some other miscellaneous items which will be for sale at the next auction.

Electronic Portable Message Sign – Councilman Thornton stated he has not seen the electronic portable sign in use recently and asked if there is a problem with it. Administrator McNeilly stated the message board is not functioning properly and it is anticipated that a new message board may be obtained through capital budget perhaps next year. The board is almost ten years old and if a new board is purchased in the future, a different company will be used.

Election Signs – Councilman Thornton asked if the people with election signs still posted in the Borough could be contacted to come and remove their signs.

COUNCIL DISCUSSION

Ordinance Regarding Lead-Based Paint Inspection Requirements – Ursula Leo, Borough Attorney, stated there is a State law which requires a re-inspection for lead based paint for any residential property that is rented. There are exclusions where re-inspections are not required, the main one being for any residence built in 1978 or after. The State ordinance requires the inspections to be done every two to three years or with a tenancy turnover. The governing body needs to determine who will perform the inspections and what the fee will be. Usually, this inspection is the responsibility of the Construction Official. Attorney Leo stated we are awaiting DCA regulations. The State law is not going to change but the regulations may just clarify some information. Exclusions are as follows: dwellings built after 1978; multiple rental dwellings that have been registered with the Department of Community Affairs (DCA) for at least ten years; short term rentals which are rented for less than six months; and dwellings with a valid lead-safe certificate. Homeowners can have the certification done on their own. This is another fund requirement of the State to ensure there are lead paint inspections.

Mayor Zdichocki stated when a property is sold, there is paperwork which has to be signed stating the age of the residence and whether or not it has been tested for lead paint. Administrator McNeilly stated this law is for rental properties only. Administrator McNeilly stated he spoke with the Construction Official earlier today regarding this issue and it was determined that the Borough is going to have to contract with an outside agency to conduct the inspections. This is not an uncommon arrangement across the state. There is technology, training and recertifications required which the Borough is not in the position to do. Administrator McNeilly asked Attorney Leo if the ordinance still needs to list fees if the inspections will not be done internally. Attorney Leo replied the fees would need to remain as far as she is aware. However, the Borough could require the inspections to be done privately. Administrator McNeilly stated he does not want to end up in a situation where the owner wants the Borough to do the inspection because the fee is less than an outside contractor. Attorney Leo stated the fee may still have to be listed but she will look into what an outside contractor would charge. Mayor Zdichocki asked if there is a list of rental properties in the Borough and if so, could a letter be sent informing the owners that the lead paint inspection needs to be done and, upon completion, they must submit proof of inspection to the Borough. Administrator McNeilly stated the only option will be to have the homeowners responsible for the inspections. Attorney Leo stated it is possible to do this. Councilman Riccardi asked for confirmation that once the ordinance is adopted the homeowners have two years to have the inspection completed and then going forward the recertification is every three years. Attorney Leo stated she is of the opinion the inspection would need to be done with the next change in tenancy. There is a chart which outlines the requirements which will be forwarded to the Administrator to be shared with the governing body.

Councilman Thornton asked if Attorney Leo has heard of any push back against Trenton or class action suits being filed against the state by small municipalities, such as Stanhope, due to the heavy burden being placed on the municipalities with the lead paint and lead pipe replacement. Attorney Leo stated she has not heard of any such issues and suggested a letter be sent to the legislature voicing the Borough's concerns. Some municipalities do not have a Construction Official because those services are farmed out so this is a problem on many levels. Attorney Leo stated she will obtain the answers to the governing body's questions.

Solid Waste and Recycling Contract Renewals – Attorney Leo stated the Borough contracts for trash and recycling are due on June 1, 2023. The prices are not going to be favorable. There is a 60-day requirement once we advertise and a resolution of approval will be required from the governing body to go out to bid at least 60 days prior to that timeframe. This will need to be done at the end of March. The condominiums are still excluded from the contracts. Mayor Zdichocki stated other towns that have renewed contracts recently have seen the costs doubled. There are options to be considered which could reduce the costs such as; reducing recycling pickup to twice a month or once a month because the Borough does have a recycling yard available to residents. A five o'clock in the morning pickup would also reduce the costs. Ms. Sabatini, CFO, asked if the bid documents can be written to request various options. Attorney Leo confirmed this is an option. The bid for the recycling can request all the options. This has become a standard now in order to find ways to reduce the costs. Administrator McNeilly stated there is the possibility that the Borough may receive only one bid or zero bids. Netcong was able to reject their bid and entered into a contract with Mt. Olive but Stanhope cannot do that. One of the big issues with trash collection is that the trash needs to be picked up here and it has to get to SCMUA where the trucks

then get in line to be emptied before 2:00pm when the scales shut down. The issues of the scales closing at 2:00pm has been an issue for years but this is done for staffing reasons and it is due to the fact that all the trash brought in that day has to be covered before they can close for the night. Mayor Zdichocki stated that is why having pickup at 5:00am does reduce the costs. Administrator McNeilly stated this would then require the property owners to put their trash and recycling out the night before which, for some people, causes a problem with animals getting into it. The Borough already gets many complaints regarding animals and the cans do not have to be out until 7:00am. Councilman Romano stated if his trash/recycle cans are not out before 7:00am on his street, they do not get picked up. Administrator McNeilly stated there are haulers who will not bid due to the 2:00PM limitation. Councilman Thornton asked if the figures in the budget are based on the service the Borough currently has. Ms. Sabatini confirmed this. Administrator McNeilly stated this is a 54% increase and it is only for half a year. Ms. Sabatini stated there will be another 25% increase next year. Councilman Riccardi asked if there would be any benefit from moving away from single stream recycling. Administrator McNeilly stated the increased costs are actually in the fuel and manpower. Reducing the number of pickups per month could result in a savings. If changes are made from what the residents are used to there will be added issues to deal with such as the handling and enforcement and we do not have the staff to do this. Mayor Zdichocki stated another option would be for the Borough to do the collection. Administrator McNeilly stated it would seem like a great idea and, it was done here years ago because of flow control but, it does not work. Labor is not what it was back then and there would be no cost savings. Councilwoman Kuncken stated if the residents' contract on their own, which is done in other municipalities, garbage trucks from different companies are going up and down the streets every day. Mayor Zdichocki stated if trash pickup is taken away, residents will be complaining and asking why they pay taxes. There are many homes that do not put out recycling each week simply because they do not have enough. Recycling is something that could be stored if pickups are reduced. Councilman Vance asked if pickup could be eliminated completely and have the residents bring the recycling the DPW yard. Administrator McNeilly stated the tonnage numbers would fall drastically. Many people will stop recycling and just put everything in the garbage can and there could be incidents of recycling being dumped in the woods. If a change is made to every other week, eventually everyone will adjust and next year the calendar will go out with the updated schedule. Councilwoman Kuncken asked if it is possible to get an estimate of what the recycling costs might be if pickup was changed to once a month. Administrator McNeilly stated during the bid process we can ask for all the options. Much discussion took place regarding changing the pickup time to 5:00am.

NEW BUSINESS

RESOLUTIONS

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

Resolution 041-23

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

Roll Call:

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

Resolution 042-23

**RESOLUTION AUTHORIZING CHANGE ORDER NO. 1
FOR THE VALLEY ROAD & DELAWARE AVENUE
SIDEWALK AND ADA RAMP IMPROVEMENTS
PROJECT**

WHEREAS, a contract was entered into for professional construction services for the Valley Road and Delaware Avenue Sidewalk and ADA Ramp Improvements Project between the Borough of Stanhope and FDM Construction Limited Liability Company, for an original contract price of \$65,975.00 by the adoption of Resolution No. 160-22 on September 27, 2022; and

WHEREAS, FDM Construction Limited Liability Company has submitted Change Order No. 1 in the amount of \$19,198.00, which resulted from the unforeseen need to replace additional segments of concrete sidewalk along Valley Road and to provide a monolithic curb at the ends of the concrete driveway aprons; and

WHEREAS, the Borough Engineer, Eric Keller, via correspondence dated January 18, 2023, approved of the extra work cost with FDM Construction Limited Liability Company for a change order increase of \$19,198.00 and; and

WHEREAS, the Borough Engineer approved of FDM's increased work and costs due to the unforeseen increase in amount of pavement, and approved invoice #798 totaling \$62,750, which was less than the initial purchase order of \$65,975; and

WHEREAS, the Chief Financial Officer has certified that there are available funds to award Change Order No. 1; and

WHEREAS, the total project cost increased by 24.2%, still below the engineer project estimate of \$90,025.00, and has been approved as necessary by the Borough engineer; and

WHEREAS, this resolution shall be published per N.J.A.C. 5:30-11.9.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, authorizes Change Order No. 1 in the amount of \$19,198.00 for the Valley Road and Delaware Avenue Sidewalk and ADA Ramp Improvements Project, pursuant to N.J.A.C. 5:30-11.3 et seq., and increasing the overall contract cost to \$81,948.00.

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

Councilwoman Kuncken asked if part of the reason for the increase is due to the fact that the project went on for so long? Administrator McNeilly stated the quantities for the concrete sidewalk were somewhat higher. The driveway apron costs were the responsibility of the contractor because they did not get the work done in the required timeframe.

Roll Call:

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

Resolution 043-23

RESOLUTION OF SUPPORT FROM THE BOROUGH OF STANHOPE TO SUBMIT AN APPLICATION AND ABIDE BY CONCESSIONS OF THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FY2023 LOCAL RECREATIONAL IMPROVEMENT GRANT PROGRAM

WHEREAS, the Borough of Stanhope desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$100,000.00 to carry out a project to implement recreational improvements at the Dell Road Park, with a provided local match of \$10,000.00 for a total project cost of \$110,000.00,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of Borough of Stanhope does hereby authorize the application for such a grant; and,

BE IT FURTHER RESOLVED that the Borough of Stanhope does hereby recognize and accept that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Stanhope and the New Jersey Department of Community Affairs,

BE IT FURTHER RESOLVED that the Mayor and Borough Administrator are hereby authorized to sign the grant application on behalf of the Borough of Stanhope and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

Roll Call:

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

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

Resolution 044-23

RESOLUTION AUTHORIZING THE BOROUGH OF STANHOPE TO ENTER INTO AN AGREEMENT WITH THE BOROUGH OF HOPATCONG, NEW JERSEY FOR ANIMAL CONTROL AND POUND/SHELTER SERVICES

WHEREAS, the Borough of Stanhope is in need of animal control and pound services; and

WHEREAS, the Borough of Stanhope and the Borough of Hopatcong have determined it would be mutually beneficial to enter into an Agreement, whereby the Borough of Hopatcong's Animal Control Official would also service the Borough of Stanhope; and

WHEREAS, the Borough of Stanhope and the Borough of Hopatcong desire to enter into an Agreement effective January 1, 2023 through December 31, 2023, which will allow the Borough of Stanhope to call upon the Borough of Hopatcong's Animal Control Official and utilize Hopatcong's Animal Pound, in accordance with the Animal Control and Pound/Shelter Services Agreement; and

WHEREAS, the Borough of Stanhope shall pay the Borough of Hopatcong \$6,500.00 annually, pursuant to the Animal Control and Pound/Shelter Services Agreement between the Township of Byram, the Borough of Mt. Arlington, the Borough of Netcong, the Borough of Wharton, and the Borough of Stanhope; and

WHEREAS, State Statute permits municipalities to enter into a shared services agreement pursuant to N.J.S.A. 40A:65-1 et seq., and authorizes municipalities to enter into such agreement by adoption of a Resolution;

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

1. The Mayor and Clerk are hereby authorized to execute this Animal Control and Pound/Shelter Services Agreement between the Borough of Stanhope and the Borough of Hopatcong, New Jersey.
2. This Resolution shall take effect immediately.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to Hopatcong Borough Clerk's office.

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

Mayor Zdichocki asked if the price for the contract has increased. Administrator McNeilly stated there is a \$50.00 increase.

Roll Call:

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

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

Resolution 045-23

RESOLUTION AUTHORIZING THE AWARD OF NON-FAIR AND OPEN CONTRACTS FOR PROFESSIONAL SERVICES FOR THE BOROUGH OF STANHOPE FOR THE YEAR 2023

WHEREAS, the Borough of Stanhope has a need for professional services for the year 2023 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 2023; 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 2023; 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 2023; 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 2023; 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 2023; 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 046-23

RESOLUTION AUTHORIZING A REFUND OF OVERPAYMENT OF TAXES

WHEREAS, the homeowner was approved as a 100% exempt vet; and

WHEREAS, the homeowner made a payment later in the year; and

WHEREAS, there is no further 2022 tax liability, and therefore the owner is due a refund of the overpayment.

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

Homeowner Information:

Block	Lot	Qual	Name & Address	Tax Year	Amount
11501	2	C0075	Gonzalo Santiago 575 Dell Place Stanhope, New Jersey 07874	2022	\$1,230.20

On motion by Councilwoman Kuncken, seconded by Councilman Wronko 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

Mayor's Appointments

Resolution 047-23

MAYOR'S APPOINTMENT OF ANNMARIE THERRIEN AS CONSTRUCTION DEPARTMENT CLERK WITH COUNCIL CONCURRENCE

Mayor's appointment of AnnMarie Therrien as Construction Department Clerk with Council Concurrence.

BE IT RESOLVED by the Council of the Borough of Stanhope that they do hereby concur with the Mayor's appointment of AnnMarie Therrien as Construction Department Clerk, subject to the following terms and conditions:

1. The appointment is effective January 31st, 2023.
2. The annual salary will be \$15,600, to be pro-rated in CY2023.

3. Working hours to be a total of 15 hours per week on the following days and times:
Tuesday and Thursday 8:30am to 1:30pm and Wednesday 12:30pm-5:30pm.
Hours may be adjusted by the Borough Administrator, as necessary.

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

Resolution 048-23

**RESOLUTION APPROVING THE MAYOR’S APPOINTMENT OF THE
BOROUGH’S REPRESENTATIVE TO THE MUSCONETCONG
SEWERAGE AUTHORITY WITH COUNCIL CONCURRENCE**

Mayor's appointment of Anthony Riccardi as the Borough representative to the Musconetcong Sewerage Authority with Council Concurrence.

BE IT RESOLVED by the Council of the Borough of Stanhope that they do hereby concur with the Mayor's appointment of Anthony Riccardi as the Borough’s representative to the Musconetcong Sewerage Authority for a 5-year term effective February 1, 2023;

BE IT FURTHER RESOLVED that the Clerk be and is hereby directed to send a certified copy of this resolution to the New Jersey Secretary of State.

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

PAYMENT OF BILLS

Resolution 049-23

**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 24, 2023 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

ATTORNEY REPORT

Borough Attorney, Ursula Leo, stated she 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.

Rosemarie Maio, 31 Maple Terrace, asked how the 135 homes, which are going to be required to change their water services, were identified. Administrator McNeilly stated they were identified by maps, age, location and individual inspections and a list was compiled by the Water Operator. Ms. Maio asked if the list is created, why would a homeowner have to make a determination on their own using a magnet. Administrator McNeilly stated this is not an exact science and there is a chance that some homes have been missed. The magnet is just a way for someone to test on their own. Ms. Maio asked what the plan is to inform the public. Administrator McNeilly stated notice cannot be given until there is a methodology for the replacement. Councilwoman Kuncken stated the homeowners should be informed that the replacement is going to be required and they are going to be affected by this. Administrator McNeilly stated he will follow up with the Water Operator to see what stage the process is in.

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

ADJOURNMENT

On motion by Councilwoman Kuncken, 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
Borough Clerk