

**MAYOR AND COUNCIL  
REGULAR MEETING  
July 25, 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 July 19, 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.

**ROLL CALL**

Council Members:

Councilwoman Kuncken – present	Councilman Thornton – absent
Councilman Riccardi – present	Councilman Wachterhauser – present
Councilman Romano – absent	Councilman Wronko - present

Mayor Zdichocki – present

**CLOSED SESSION**

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

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

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

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

The Mayor and Council went into Closed Session at 6:00 P.M.

## **RETURN TO OPEN SESSION**

At the conclusion of the Closed Session, the Mayor and Council reconvened the public meeting at 6:45 P.M. with all present.

## **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.

*Valentina Gailums* stated the sidewalk by her home has big cracks in it and she asked who is responsible for those repairs. Administrator McNeilly stated the Borough is currently repairing a water issue in one section of the sidewalk and that section of the sidewalk will be repaired by the Borough. The other sections are the responsibility of the homeowner. Ms. Gailums asked if a permit is required to make the repairs. Administrator McNeilly stated he will check on that and get back to her but he does not think a permit is required. However, the DPW should be notified and the work needs to be done by someone that knows how to install sidewalks properly.

Administrator McNeilly stated the DPW will also be replacing the curb box which comes in off the main water line. Ms. Gailums stated she is concerned about the rock wall. There are young children who play in the brook and on the rocks and the rocks are hanging on by a hair. Administrator McNeilly stated, as the DPW Superintendent already explained to Ms. Gailums, the DPW is going to be replacing the rock which fell into the brook and will try to pin it in place. That is the extent of what the Borough can do. There are rocks beyond that point but they are the responsibility of the homeowner. Administrator McNeilly explained the way the water runoff occurs in that area and stated the wall collapsed many years ago during Hurricane Irene or Sandy. At that time the Borough's DPW Superintendent and the Borough Engineer devised a plan to install the concrete stacks in order to fix the problem.

Ms. Gailums asked if she can add rocks to that area. Administrator McNeilly stated he cannot say what can or cannot be done as this is private property. It is not owned by the Borough. Councilwoman Kuncken stated, prior to doing anything, a determination should be made with regard to how that would change the flow of water to prevent causing another problem. Ms. Gailums stated the wall was installed by the Borough and as such she asked if the Borough is responsible to maintain it. Administrator McNeilly stated there is no easement. The Borough only has the water coming from the outflow. The concrete wall was done as a courtesy repair years ago. The rocks were already in place there. The further down you go, the further the wall is from the kinetic energy of the water hitting that area. If that hadn't been the case, the wall would not have been touched at all. The only reason the Borough was involved was to redirect water which was running down the creek unnaturally. Ms. Gailums stated some of the rocks were added by the Borough. Borough Attorney, Ursula Leo, stated the Borough cannot get involved on personal property.

Administrator McNeilly stated there was a subcommittee meeting regarding this issue and as a result it was decided that a Hold Harmless Agreement will be required from the property owner. The panels will be put down and the DPW will come in with the backhoe and pull them back and reset them in place. Administrator McNeilly stated, unless directed by the governing body, the Borough will not be going in and doing a massive reengineering of the section down and around and near the back. That is beyond the scope of the project. Ms. Gailums asked if in another few years the rock falls again and causes a dam, and if the children playing in there get hurt, who takes responsibility for that? Mayor Zdichocki asked where the children are playing. Ms. Gailums replied they are on the rocks and in the brook. Mayor Zdichocki stated the rocks are in Ms. Gailums yard and perhaps she should post no trespassing signs. Administrator McNeilly stated he is of the opinion the children cannot get to that area without passing through Ms. Gailums property. Ms. Gailums stated she does not own the brook and asked if the Borough is going to post something to keep people out of the brook. Attorney Leo stated the Borough's responsibility is for the public property and it sounds like private property is being trespassed. Administrator McNeilly stated there is no amount of safety enhancement that can be provided by moving or not moving the rocks. Ms. Gailums stated some of the rocks are teetering and if a good rain comes they may fall. Councilwoman Kuncken stated she understands that Ms. Gailums has a concern regarding future liability if a child should get injured. What the governing body is saying is that this is not Borough property. Ms. Gailums stated when her property was purchased, the pipe did not exist. Administrator McNeilly stated the pipe was installed 60 years ago. Ms. Gailums stated she had

emailed two councilmen two years ago and they came and looked at the property and said they would look into the issue but she never heard back.

Administrator McNeilly stated the only property owned by the Borough in the area of Ms. Gailums home is where the park is located and there is a 15-foot easement for the drainage and sewer pipe. Ms. Gailums stated she is of the opinion the Borough should maintain the wall because they installed it. Administrator McNeilly stated the Borough cannot maintain something it does not own. It is very important for everyone to understand, there is only so far you can go without having possible DEP issues. It was determined in the past that the area to stop in was the end of the concrete wall and a couple rocks past that. Other than that, you would be redirecting the flow of water which cannot be done. Mayor Zdichocki recapped the work which will be done on Ms. Gailums' property. The issue that exists in the sidewalk is being taken care of and the rock which has fallen will be put back into place. Ms. Gailums stated there is more than one rock. Administrator McNeilly stated the area in question is shorter than the length of the table they are currently sitting at. Ms. Gailums disagreed and stated the area with the engineered rocks would go all the way to the council chamber wall. Administrator McNeilly agreed that the engineered wall is every bit of that length. The DPW will make the rocks as stable as possible. Administrator McNeilly stated a Hold Harmless Agreement will need to be signed. Ms. Gailums agreed to sign. Ms. Gailums thanked everyone for their time. Mayor Zdichocki thanked Ms. Gailums for attending tonight's meeting.

*Stan Szczesny*, Ms. Gailums' husband, stated approximately five years ago the water meter was changed out. The DPW discovered that the water shut off valve did not work. The Superintendent at the time came and looked at but it has not been fixed to date. The shut off used to be located near the curb but when the Belgian block was put in the shut off was in the way and the contractor pushed it back with the backhoe about two and a half feet. The shut off is at such an angle that it cannot be turned off. Administrator McNeilly stated, as mentioned earlier in the meeting, a new curb box is going to be installed. Once that is completed, the homeowners were advised to contract with a plumber to repair or replace the shut off valve inside the house.

Seeing no one further 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:

June 13, 2023	Work Session/Agenda Meeting
June 27, 2023	Business Meeting

On motion by Councilwoman Kuncken, seconded by Councilman Wronko and carried by a majority voice vote, the minutes of June 13, 2023 were approved. Councilman Riccardi abstained.

On motion by Councilman Riccardi, seconded by Councilman Wronko and carried by a majority voice vote, the minutes of June 27, 2023 were approved. Councilman Wachterhauser and Councilwoman Kuncken abstained.

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

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

### **COUNCIL COMMITTEE REPORTS**

On motion by Councilman Riccardi, seconded by Councilman Wronko and unanimously carried by voice vote, the Council Committee Reports were waived.

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

**Finance & Administration – Councilman Romano/Councilman Thornton**

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

**Municipal Infrastructure – Councilman Thornton/Councilman Romano**

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

**Information Technology – Councilman Riccardi/Councilman Wronko**

**Boards/Commissions – Councilman Wachterhauser/Councilwoman Kuncken**

**ADMINISTRATOR’S REPORT**

Water Main Replacement Project – Administrator McNeilly stated Eric Keller, Borough Engineer, is finalizing the bid specifications for the water main replacement project, as per USEPA direction. The plan is to go out to bid late 2023, early 2024, with work to start in the spring of 2024. Mr. Keller is available for the August 8<sup>th</sup> meeting if the governing body wishes for him to attend.

Musconetcong Park – Administrator McNeilly stated the DPW has received all the replacement playground parts for Musconetcong Park and they will be installing them this week and next week.

NJ Natural Gas – Administrator McNeilly stated he had a meeting with the marketing team from NJ Natural Gas last week. Addresses were provided for the schools and primary building locations. They are preparing a block diagram which will need to follow where the Borough is paving roads. They anticipate having the community information meeting at the American Legion in early spring 2024. Those residents who have recently had the gas main installed in front of their homes are able to hook up right now. Some residents and businesses have already begun the process.

Cannabis – Administrator McNeilly stated Attorney Leo is preparing some zoning information regarding cannabis retail sales. This topic will be added to the August 8<sup>th</sup> work session for council discussion.

Budget 2024 – Administrator McNeilly provided the timeline for the 2024 budget. Administrator McNeilly stated now that everyone has Borough provided iPads, he asked if the budget review can be done paperless this year. Councilwoman Kuncken stated she is of the opinion it is hard to follow on the iPad due to the small size. Mayor Zdichocki stated due to this concern, paper copies need to be provided.

NJ Natural Gas - Councilman Riccardi asked how many residents are currently hooking up to the NJ Natural Gas lines. Administrator McNeilly stated there are 14 homes. They are located along Brooklyn Road, Linden Avenue and Route 183. Councilwoman Kuncken asked who will be responsible for informing the residents about the meeting at the American Legion regarding NJ Natural Gas in the spring. Administrator McNeilly stated it will be a combination of efforts. NJ Natural Gas will advertise and the Borough will provide the information on the website and through Nixle messages. NJ Natural Gas has obtained the tax bill mailing list from the tax assessor.

Andover Township Court - Councilman Riccardi asked if the transition to the Andover Court has been completed and if all the information has been placed on the Borough website. Administrator McNeilly confirmed the transition is complete. The information is on the website and printed on the backs of the tickets. E-tickets are not in use as yet.

**COUNCIL DISCUSSION**

13 Dell Road – Mayor Zdichocki stated this topic was discussed during Citizen’s to be Heard. Further discussion was not needed at this time.

**NEW BUSINESS**

**ORDINANCE**

**Ordinance for Introduction and First Reading [Public Hearing on August 8, 2023]**

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

**Ordinance 2023-11**

**ORDINANCE PROVIDING FOR THE IMPROVEMENT OF PLAYGROUND AND RECREATIONAL FACILITIES AND THE ACQUISITION OF EQUIPMENT BY THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND APPROPRIATING \$118,000 THEREFOR FROM VARIOUS FUNDS OF THE BOROUGH.**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY, AS FOLLOWS:**

Section 1. The improvement or purpose described in Section 2 of this ordinance is hereby authorized a general improvement to be made or acquired by The Borough of Stanhope, New Jersey, and there is hereby appropriated therefor the sum of \$118,000, to the extent of \$26,000, from moneys available in Recreation Trust Reserves of the Borough, to the extent of \$21,000, from moneys available in General Capital Fund Balance of the Borough and, to the extent of \$71,000, from the proceeds of a Fiscal Year 2023 Local Recreation Improvement grant from the New Jersey Department of Community Affairs received or expected to be received by the Borough.

Section 2. The improvement hereby authorized and the purpose for the financing of which the appropriation is made as provided in Section 1 of this ordinance is the improvement of playground and recreational facilities in and by the Borough and the acquisition by purchase and installation, as necessary, of new and additional recreational equipment in and by the Borough, together with all sitework, structures, equipment, accessories, apparatus, appurtenances, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

Section 3. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 4. This ordinance shall take effect after publication after final passage as provided by law.

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

Roll Call:

Councilwoman Kuncken – yes	Councilman Thornton – absent
Councilman Riccardi – yes	Councilman Wachterhauser – yes
Councilman Romano – absent	Councilman Wronko - yes

On motion by Councilman Wronko, 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**

**Resolution 132-23**

**RESOLUTION AUTHORIZING THE DONATION OF VARIOUS FIRE DEPARTMENT GEAR**

**WHEREAS**, the Stanhope Hose Company No. 1 currently has various fire gear that has no public purpose and can no longer be utilized by the department due to the PEOSHA guidelines in the State of New Jersey; and

**WHEREAS**, the gear will be donated to fire departments outside the State of New Jersey.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stanhope that the Stanhope Hose Company No. 1 is permitted to donate the various fire gear to fire departments outside of the State of New Jersey.

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

Roll Call:

Councilwoman Kuncken – yes	Councilman Thornton – absent
Councilman Riccardi – yes	Councilman Wachterhauser – yes
Councilman Romano – absent	Councilman Wronko - abstain

**Resolution 133-23**

**RESOLUTION AUTHORIZING PURCHASE OF PLAYGROUND EQUIPMENT FROM BEN SCHAFFER RECREATION, INC.**

**WHEREAS**, the Borough of Stanhope desires to award a contract for new playground equipment from an authorized vendor under the Educational Services Commission of New Jersey Co-Op (“ESCNJ Co-Op”); and

**WHEREAS**, the purchase of goods and services through County agencies by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12 et seq.; and

**WHEREAS**, Ben Shaffer Recreation Inc. has been awarded a contract by the ESCNJ Co-Op for Bid #ESCNJ 20/21-232, Co-Op #65MCESCCPS in the amount of \$\$115,900.72; and

**WHEREAS**, the Township Chief Financial Officer has certified as to the availability of funds.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Stanhope that the purchase of new playground equipment from Ben Shaffer Recreation, Inc. at a total price of \$115,900.72, pursuant to Bid #ESCNJ 20/21-232, Co-Op #65MCESCCPS, is authorized.

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

**Resolution 134-23**

**RESOLUTION AUTHORIZING USE OF SCHIFANO CONSTRUCTION CORPORATION AND CIFELLI & SON GENERAL CONTRACTING AS SET FORTH IN THE MORRIS COUNTY CO-OP PUBLIC BIDS FOR LENAPE DRIVE, WOODS AVENUE AND LEPONT STREET IMPROVEMENTS**

**WHEREAS**, the Borough of Stanhope is in need of roadway milling, paving and limited curb replacement for Lenape Drive, Woods Avenue and Lepont Street (“the Project”);

**WHEREAS**, the Borough Engineer’s estimate for milling, paving and limited curb replacement on the Project is \$105,912.30; and

**WHEREAS**, the Borough is a member of the Morris County Co-Op which has already publicly bid milling, paving and curb replacement services for the year 2023 and has awarded contracts therefore for the various 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 various construction items for the “Project”; and

WHEREAS, the Borough awards the milling and resurfacing, including asphalt and fuel price adjustments to Schifano Construction Corporation for District #2 in a total amount of \$103,987.30 (see attached bid tabulation); and

WHEREAS, the Borough awards the limited curb replacement to Cifelli and Son General Contracting, Inc, for District #2 for curb replacement in a total of \$1,925.00 (see attached bid tabulation);

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope, that the Borough shall utilize Schifano Construction Corporation for milling and paving; and Cifelli & Son for curb replacement; for the Lenape Drive, Woods Avenue and Lepont Street Project at the 2023 Morris County Co-Op awarded bid prices and quantities as set forth in the attached bid tabulation.

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

Mayor Zdichocki asked when this project is scheduled to begin. Administrator McNeilly stated the actual date has not been determined as yet.

Roll Call:

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

Councilman Thornton – absent  
Councilman Wachterhauser – yes  
Councilman Wronko - yes

**Resolution 135-23**

**RESOLUTION AUTHORIZING USE OF  
DENVILLE LINE PAINTING, INC. AS SET  
FORTH IN THE MORRIS COUNTY CO-OP  
PUBLIC BIDS FOR SAGAMORE ROAD AND  
SPENCER STREET IMPROVEMENTS NJDOT  
LOCAL AID PROJECT**

WHEREAS, the Borough of Stanhope is in need of limited striping for Sagamore Road and Spencer Street (“the Project”);

WHEREAS, the Borough applied for and received a Local Aid Grant from the New Jersey Department of Transportation; and

WHEREAS, the Borough Engineer’s estimate for limited striping on the Project is \$1,784.30; and

WHEREAS, the Borough is a member of the Morris County Co-Op which has already publicly bid striping services for the year 2023 and has awarded contracts 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 limited striping to Denville Line Painting, Inc. for traffic striping on roadways for District #2 for the “Project” for the total amount of \$2,337.50 subject to the approval of the New Jersey Department of Transportation (see attached bid tabulation);

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope, that the Borough shall utilize Denville Line Painting, Inc., for traffic striping on roadways for the Sagamore Road and Spencer Street Local Aid Project at the 2023 Morris County Co-Op awarded bid prices and quantities as set forth in the attached bid tabulation.

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

Roll Call:

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

Councilman Thornton – absent  
Councilman Wachterhauser – yes  
Councilman Wronko - yes

**Resolution 136-23**

**RESOLUTION AUTHORIZING USE OF SCHIFANO CONSTRUCTION CORPORATION AS SET FORTH IN THE MORRIS COUNTY CO-OP PUBLIC BIDS FOR SAGAMORE ROAD AND SPENCER STREET IMPROVEMENTS NJDOT LOCAL AID PROJECT**

WHEREAS, the Borough of Stanhope is in need of roadway milling and paving for Sagamore Road and Spencer Street (“the Project”);

WHEREAS, the Borough applied for and received a Local Aid Grant from the New Jersey Department of Transportation; and

WHEREAS, the Borough Engineer’s estimate for milling, paving, including asphalt and fuel price adjustments on the Project is \$100,786.10; 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 2023 and has awarded contracts 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 Schifano Construction Corporation for District #2 in a total amount of \$100,786.10 subject to the approval of the New Jersey Department of Transportation (see attached bid tabulation);

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope, that the Borough shall utilize Schifano Construction Corporation for milling and paving for the Sagamore Road and Spencer Street Local Aid Project at the 2023 Morris County Co-Op awarded bid prices and quantities as set forth in the attached bid tabulation.

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

Roll Call:

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

Councilman Thornton – absent  
Councilman Wachterhauser – yes  
Councilman Wronko - yes

**Resolution 137-23**

**RESOLUTION AUTHORIZING USE OF CIFELLI & SON GENERAL CONTRACTING, INC. AS SET FORTH IN THE MORRIS COUNTY CO-OP PUBLIC BIDS FOR SAGAMORE ROAD AND SPENCER STREET IMPROVEMENTS NJDOT LOCAL AID PROJECT**

WHEREAS, the Borough of Stanhope is in need of curb replacement for Sagamore Road and Spencer Street (“the Project”);

WHEREAS, the Borough applied for and received a Local Aid Grant from the New Jersey Department of Transportation; and

WHEREAS, the Borough Engineer’s estimate for curb replacement on the Project is \$2,337.50; and



WHEREAS, the Borough is a member of the Morris County Co-Op which has already publicly bid curb replacement services for the year 2023 and has awarded contracts 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 construction item for the "Project"; and

WHEREAS, the Borough awards the curb replacement to Cifelli and Son General Contracting, Inc, for District #2 curb replacement for the total amount of \$2,337.50 subject to the approval of the New Jersey Department of Transportation (see attached bid tabulation);

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope, that the Borough shall utilize Cifelli and Son General Contracting, Inc, for curb replacement for the Sagamore Road and Spencer Street Local Aid Project at the 2023 Morris County Co-Op awarded bid prices and quantities as set forth in the attached bid tabulation.

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

Roll Call:

Councilwoman Kuncken – yes	Councilman Thornton – absent
Councilman Riccardi – yes	Councilman Wachterhauser – yes
Councilman Romano – absent	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 138-23**

**RESOLUTION AUTHORIZING REFUND OF ESCROW FOR BLOCK 10701 LOT 9.01**

WHEREAS, Alberto Montalva was required to post an escrow deposit for variance for Block 10701, Lot 9.01, 71 Brooklyn Road; and

WHEREAS, the applicant has withdrew the application; and

WHEREAS, there are no bills forthcoming; and

WHEREAS, there are unused funds in the amount of \$500.00.

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 amount:

Montalva, Alberto	\$500.00
71 Brooklyn Road	
Stanhope, NJ 07874	

**Resolution 139-23**

**RESOLUTION GRANTING TAX EXEMPTION FOR 100% DISABLED VETERAN**

WHEREAS, the homeowner was approved to receive the property tax exemption of a totally disabled veteran as of the date of application, April 19, 2023, and is therefore exempt from property taxes from the date forward; and

WHEREAS, the total amount due for 2023 was \$5,416.20; and

WHEREAS, the total liability is now pro-rated for 109 days from January 1, 2023 to April 19, 2023, or a total payable of \$1,639.91; and

WHEREAS, the property owner has in good faith paid the amount of \$2,646.28 in 2023, creating an overpayment of \$1,006.38 in taxes on this property;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, that a check be drawn to the homeowner in the designated amount representing an overpayment of taxes, as follows:

Block	Lot	Name & Address	Tax Year	Amount
10604	3	Adam Marano 12 Highland Ave Stanhope, NJ 07874	2023	\$1,006.38

**Resolution 140-23**

**RESOLUTION GRANTING TAX EXEMPTION FOR 100% DISABLED VETERAN**

WHEREAS, the homeowner was approved to receive the property tax exemption of a totally disabled veteran as of the date of application, May 4, 2023, and is therefore exempt from property taxes from the date forward; and

WHEREAS, the total amount due for 2023 was \$10,925.33; and

WHEREAS, the total liability is now pro-rated for 124 days from January 1, 2023 to May 4, 2023, or a total payable of \$3,763.17; and

WHEREAS, the property owner has in good faith paid the amount of \$5,337.98 in 2023, creating an overpayment of \$1,574.82 in taxes on this property;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, that a check be drawn to the homeowner in the designated amount representing an overpayment of taxes, as follows:

Block	Lot	Name & Address	Tax Year	Amount
11601	3	Velez, Luis 6 Dell Rd Stanhope, NJ 07874	2022	\$1,574.82

**Resolution 141-23**

**RESOLUTION TO REDEEM LIEN**

WHEREAS, the Tax Collector has received payment for the redemption of Tax Title Lien No. 2022-006 representing 2021 property taxes and/or utility charges on Block 11302, Lot 12 known as 3-5 Bedford Ave, assessed to Aero General, LLC, and;

WHEREAS, the Tax Collector certifies that reimbursement is now required to be made to the following lien holder for the required redemption amounts as shown below:

To Lienholder:	FIG 20, LLC FBO SEC PTY PO Box 12225 Newark, NJ 07101		
Redemption Amount:	Tax Title Lien #2022-006 and		
	Interest to Date of Meeting	\$	4,365.59
	Premium Paid by Lienholder		<u>1,700.00</u>
Total From Current Fund:		\$	4,365.59
Total From Tax Premium Account			1,700.00

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that the Borough Treasurer be authorized to prepare the necessary check as stated above and to forward same to the lien holder.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer/Tax Collector.

On motion by Councilwoman Kuncken, seconded by Councilman Wronko and unanimously carried by voice vote, the foregoing resolutions were duly adopted.

Roll Call:

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

Councilman Thornton – absent  
Councilman Wachterhauser – yes  
Councilman Wronko - yes

**PAYMENT OF BILLS**

**Resolution 142-23**

**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 July 25, 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 Wronko, seconded by Councilman Riccardi and unanimously carried by voice vote, the foregoing resolution was duly adopted.

Roll Call:

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

Councilman Thornton – absent  
Councilman Wachterhauser – yes  
Councilman Wronko – yes

**RESOLUTION**

**Resolution 143-23**

**RESOLUTION RECOMMENDING REDEVELOPMENT AREA PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:12A-6(B)(5)**

**WHEREAS**, the Governing Body of the Borough of Stanhope by Resolution 095-23, approved April 25, 2023, directed the Land Use Board of the Borough of Stanhope to undertake a preliminary investigation to determine whether or not a proposed area of the Borough, as established by the Governing Body, is to be delineated as an area in need of non-condemnation redevelopment, pursuant to the Local Redevelopment and Housing Law (“LRHL”) N.J.S.A. 40A:12A-1 et seq.; and

**WHEREAS**, the Land Use Board of the Borough of Stanhope, in compliance with the provisions of N.J.S.A. 40A:12A-6, provided a written report to the Mayor and Council, setting forth its findings resulting from such preliminary investigation and has recommended to the Mayor and Council that the property located at Block 11207, Lot 8 is an "Area in Need of Redevelopment" under the meaning and intendment of the LRHL; and

**WHEREAS**, on July 10, 2023, the Land Use Board adopted a Resolution of Memorialization, memorializing its determination, which was forwarded to the Mayor and Council; and

**WHEREAS**, the Mayor and Council were presented with the Land Use Board’s recommendation at the Council’s regularly scheduled public meeting on July 11, 2023; and

**WHEREAS**, the Mayor and Council hereby accept the recommendation of the Land Use Board to declare the property known as Block 11207, Lot 8, as set forth in the Planning Board’s written report as a Non-Condensation Redevelopment Area.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stanhope as follows:

1. The Mayor and Council hereby accepts the recommendation from the Land Use Board and finds that the property known as Block 11207, Lot 8 be and is hereby deemed a Non-Condensation Redevelopment Area, pursuant to the LRHL.
2. The Borough hereby reserves all other authority and powers granted to it under the Redevelopment Law.
3. The Borough Clerk shall forthwith transmit a copy of the within Resolution to the Commissioner of the Department of Community Affairs for review.
4. Within ten (10) days of the Mayor and Council's adoption of the within Resolution, the Borough Clerk shall serve notice of the Mayor and Council's determination and the within Resolution upon all record owners of property within the Non-Condensation Redevelopment Area, those whose names are listed on the tax assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of the determination and Resolution may be sent and upon the Commission of the New Jersey Department of Community Affairs.

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately.

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

Roll Call:

Councilwoman Kuncken – yes	Councilman Thornton – absent
Councilman Riccardi – yes	Councilman Wachterhauser – abstain
Councilman Romano – absent	Councilman Wronko - yes

**ATTORNEY REPORT**

Ursula Leo, Borough Attorney, stated she had no report this evening.

**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.

**ADJOURNMENT**

On motion by Councilwoman Kuncken, seconded by Councilman Wronko and unanimously carried by voice vote the meeting was adjourned at 7:20 P.M.

Approved:

Linda Chirip  
Deputy Clerk for  
Ellen Horak, RMC  
Borough Clerk