

**MAYOR AND COUNCIL
REGULAR MEETING
February 27, 2024
7:00 P.M.**

CALL TO ORDER

SALUTE TO COLORS

Mayor Wronko 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 10, 2024 and was placed on the Official Bulletin Board in the Municipal Building.

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 Riccardi – present
Councilman Romano – present

Councilman Simpson – present
Councilman Thornton – present
Councilman Wachterhauser – present

Mayor Wronko – present

Mayor Wronko amended the agenda and moved an ordinance and two resolutions of importance to this portion of the meeting.

OLD BUSINESS

ORDINANCE

Ordinance for Public Hearing and Final Adoption

Mayor Wronko offered the following ordinance for Public Hearing and Final Adoption which was read by title.

Ordinance 2024-01

**CALENDAR YEAR 2024 ORDINANCE OF THE BOROUGH
OF STANHOPE, COUNTY OF SUSSEX, NJ TO EXCEED
THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

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

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

WHEREAS, the Mayor and Council of the Borough of Stanhope in the County of Sussex finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the

previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$40,467.83 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Stanhope, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Borough of Stanhope shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$141,637.39 and that the CY 2024 municipal budget for the Borough of Stanhope be approved and adopted in accordance with this ordinance; and,

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

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

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

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

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

Roll Call:

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

Councilman Simpson – yes
Councilman Thornton – yes
Councilman Wachterhauser – 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.

NEW BUSINESS

RESOLUTIONS

Mayor Wronko offered the following resolutions which were read by title. The Public Hearing for the Municipal Budget will be held on March 26, 2024.

Resolution 069-24

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE INTRODUCING THE 2024 MUNICIPAL BUDGET

BE IT RESOLVED that the attached Statements of Revenues and Appropriations shall constitute the Municipal Budget for the 2024 calendar year; and

BE IT FURTHER RESOLVED that a Summary of said Budget shall be published in the *New Jersey Herald* and the public hearing and final adoption shall be held on March 26, 2024 at 7:00 p.m. at the Municipal Building, 77 Main Street, Stanhope, NJ at which time and place

objections to the 2024 Municipal Budget may be presented by taxpayers or other persons of interest.

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

Roll Call:

Councilwoman Kuncken – yes	Councilman Simpson – yes
Councilman Riccardi – yes	Councilman Thornton– yes
Councilman Romano – yes	Councilman Wachterhauser – yes

Resolution 070-24

SELF-EXAMINATION OF BUDGET RESOLUTION
[as required by DCA]

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the *Borough of Stanhope* has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2024 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the *Borough of Stanhope* that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate and correctly stated,
- b. Items of appropriation are properly set forth
- c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

On motion by Councilwoman Kuncken, seconded by Councilman Simpson 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 Simpson – yes
Councilman Thornton– yes
Councilman Wachterhauser - yes

ENGINEER’S REPORT

Eric Keller, Borough Engineer, stated he had no report for this evening.

ADMINISTRATOR’S REPORT

Administrator McNeilly stated his report is as provided and asked if there were any questions. There were no questions.

CITIZEN’S TO BE HEARD

Mayor Wronko opened the meeting to the public after advising attendees that there is a five (5) minute time limit for each speaker. Mayor Wronko advised the audience there is another portion of the meeting which will be open to the public and he asked that the speakers wait until after the Council Discussion to comment.

Greg Jones asked the Borough Attorney if some members of the governing body should step down while he is speaking about the Stanhope House as they have a conflict. Attorney Leo stated the governing body members will remain on the dais during the Open to the Public Session. If there is a discussion, they will be recused. Mr. Jones stated Stanhope is legendary because of the Stanhope House. The proposed issue with the Village/Business District, in his opinion, erases the village and the business and when that is done it erases the district. Mr. Jones stated he was a member of the Land Use Board in Washington Township for 12 years. An ordinance may be adopted with the intent that a certain building will be built but at some point, a developer will come in and build the maximum allowed, which they would have the right to do. Mr. Jones reviewed the number of units discussed during the February 13th Mayor and Council meeting. The cost to educate a child in Stanhope Borough is \$22,934 a year. Depending on the number of children, any ratable could quickly disappear. Mr. Jones stated the proposed 1.7 parking spaces does not seem reasonable to him. There is no public transportation. If there are 56 units, there should be at least 2 parking spaces per unit, another one or two for the three-bedroom units, with a total of maybe 140 spaces. The plan calls for 90 with a variance down to 71. EV parking spaces are also required but they cannot be parked in. Mayor Wronko informed Mr. Jones his five minutes was up. Mr. Jones stated he has more to say later and thanked the governing body for their time.

Paul Viggiano, stated he wants to champion on what Mr. Jones stated and Mr. Viggiano agrees with Mr. Jones. There has been no impact study done to determine what will happen if condominiums are built here. Mr. Viggiano stated this town has a responsibility to live up to the historical aspect of what Bill, Jon Klein and Ren created for this town and the town is lucky to have these people in the town’s graces. Mr. Viggiano stated he has played at the Stanhope House many times and he saw Stevie Ray Vaughn and Muddy Waters perform there. This place is a gold mine and it is not being respected. Mr. Viggiano asked that Mr. Klein be given the chance to be able to recapture what he needs to get the financial resources to re-establish this. If the Pattenburg House can live in a place where there are no people, then Muddy Waters can live. This place can live. Mr. Viggiano stated there are 10,000 cars a day travelling down Main Street. He says he knows this because he almost bought the Stanhope House but Mr. Klein beat him to it. Condos can be built but you can do both. Mr. Viggiano stated don’t let this happen. You are disappointing everyone in this town and letting them down. It is the towns responsibility to maintain it. The liquor license does not belong to the council, it belongs to the people of this town. We are custodians of this and I will help these people to maintain it.

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

MINUTES FOR APPROVAL

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

January 10, 2024	Reorganization Meeting
January 23, 2024	Business Meeting & Closed Session
January 30, 2024	Special Meeting & Closed Session

On motion by Councilman Romano, seconded by Councilwoman Kuncken and carried by a majority voice vote, the minutes for January were approved. Councilman Simpson abstained from the Reorganization Minutes of January 10, 2024.

CORRESPONDENCE *(List Attached)*

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

COUNCIL COMMITTEE REPORTS

On motion by Councilman Simpson, seconded by Councilman Romano and unanimously carried by voice vote, the Council Committee Reports were tabled.

Public Safety – Councilwoman Kuncken/Councilman Riccardi

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

Finance & Administration – Councilman Romano/Councilman Thornton

Community Development – Councilman Wachterhauser/Vacant

Municipal Infrastructure – Councilman Thornton/Councilman Romano

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

Information Technology – Councilman Riccardi/Vacant

Boards/Commissions – Vacant/Councilwoman Kuncken

COUNCIL DISCUSSION

Redevelopment Plan – At this time Mayor Wronko and Councilman Thornton recused themselves from the discussion regarding the Redevelopment Plan and left the dais. Councilwoman Kuncken oversaw this portion of the meeting.

Councilwoman Kuncken thanked everyone for attending tonight's meeting and explained that she has moved over to the Mayor's seat due to the fact that Mayor Wronko and Councilman Thornton have a conflict and have to step down. The Redevelopment Plan regarding the property on Main Street will now continue. At the last meeting, a discussion was held with the Borough Engineer to go over some aspects of the plan. Some of the focus at that time was directed toward parking issues. Councilwoman Kuncken asked Eric Keller, Borough Engineer, for an update on that topic.

Mr. Keller, Borough Engineer, from Bowman Consulting Group, stated as a result of the discussion held two weeks ago, the proposed Redevelopment Plan has been revised and it is dated February 22, 2024. This document has been worked on with the Borough Planner, Bill Hamilton, from Bowman Consulting Group. The two main areas which were focused on are the parking and the retail space on the ground floor, which is a requirement of the plan. This clarifies the scope of the retail space as noted on the bottom of Page 5. The maximum retail and service use for the ground floor is 1,500 square feet. The ground floor will be a mix of retail space, mechanical space, lobby space for the residential units and parking. Parking will be located under the building and there will be some surface parking beyond the limits of the building.

Mr. Keller stated on Page 6, the parking has been revised to be compliant with RSIS (Residential Site Improvement Standards). These are standards which were adopted by the State and managed by the Department of Community Affairs (DCA). They are updated on an occasional basis. These were first adopted in 1997. The parking ratios set forth for apartment buildings are the same as they were in 1997. The parking is one of the criteria which has not been changed in the various

revisions to the RSIS over the years. A one-bedroom apartment has a maximum requirement of 1.8 parking spaces per unit. A two-bedroom unit requires 2 spaces and a three-bedroom unit requires 2.1 spaces. Also qualified in the plan is the fact this is a downtown area and we are trying to encourage and promote walkability. Like other downtown retail establishments, there is no parking requirement for the retail. The building which was approved and constructed next door has parking in the rear of the building which is for the residential units only, not for the retail. There are common parking areas, on street parking and we are encouraging people to walk within the downtown. Therefore, there is no additional parking requirement for the maximum 1,500 square foot commercial use on the ground floor. As established by the State Legislature several years ago, there is a requirement for multi-family housing with more than five units to provide electric vehicle (EV) charging spaces. This is established by State law and must be 15% of the required parking. At this point we do not have a plan because we do not know specifically what a developer would propose. As an example, if there are 30 units, there is no density requirement because it is governed by parking, setbacks, the size of the property, the number of stories and so on. The bulk requirement criteria set forth in this plan will limit what number of units can be provided. There can be a variety of different sizes and different bedroom mixes. With 30 units, if there are 15 one-bedrooms, 12 two-bedrooms and 3 three-bedrooms, usually in multi-story apartments there is a predominance of one- and two-bedroom apartments. The 15 one-bedroom units would require 1.8 parking spaces totaling 27 parking spaces. The 12 two-bedroom units at 2 parking spaces per unit would total 24 parking spaces. The 3 three-bedroom units at 2.1 parking spaces per unit would total 6.3 parking spaces. Under the RSIS standards, anything under .5 spaces is truncated. The overall total number of parking spaces required in this example would be 57. The EV charging spaces required would total 8.55, as the EV charging law requires that at least 15% of the spaces be EV spaces. The 8.55 would require 9 EV charging spaces. By State Law, each space counts as 2 parking spaces. By supplying 9 EV spaces, it counts as 18 parking spaces. This is State Law (P.L. 2021, c.171) and therefore the Land Use Board, the governing body and the engineer cannot comment on this. During the lame duck session, there were minor modifications made but it was so immaterial that it did not change anything substantive. The EV charging law also requires, for residential developments, under this hypothetical scenario, with 9 EV spaces provided, 3 would have to be constructed and installed at the outset of the project. Three more would have to be completed three years hence and the final three six years hence. This would be the minimum requirement. The developer could build all of them on day one. With the 9 EV spaces you are only allowed to provide a credit up to 10% of the required parking. There would not be 18 EV parking spaces because of the non-EV. There would be 5 additional parking spaces due to the fact that 10% of 57 parking spaces equals 5.7 spaces. In this case it would be no more than 10% so you would only get 5 additional spaces. They have provided 52 physical spaces plus the 5 EV credit which would meet the RSIS requirement.

Mr. Keller stated these are the changes which were made to the plan subsequent to the discussion which took place two weeks ago. The reference to the EV charging law is general due to the fact they did not want to list the specifics in case the law should change. By doing so the Borough would be covered and would not have to redo the redevelopment plan if changes are made to the law. The municipality has to comply with what the State says the electric vehicle charging requirements are. It is a mandate. The Borough could increase the amounts but most municipalities Mr. Keller has appeared in and represented have all accepted the State Law as it is written. Councilwoman Kuncken thanked Mr. Keller for his report.

Councilman Wachterhauser asked about the reference to compact cars. Mr. Keller stated an allowance was made for a certain percentage of spaces for compact cars, which is not an unusual thing to do. With multi-family residential generally, and this is up to the approval process and the developer, each unit is given a reserve space. There is a provision for compact cars which many ordinances do have. Councilman Wachterhauser asked if compact car spaces are covered in the RSIS. Mr. Keller stated there are multiple parts to the RSIS. Councilman Wachterhauser stated he still has concerns with regard to the parking for this redevelopment plan. Councilwoman Kuncken stated the governing body is still gathering information and will not be coming to any decisions this evening.

Councilman Wachterhauser asked if there is a height restriction for the building. Mr. Keller stated the height restriction is listed on Page 5 and the limit is 55 feet in 5 stories. The building height in the Borough's Code Chapter 100 is not being modified. So, depending on the type of roof, whether it is a flat roof, a gable roof, or whatever, the height is calculated based upon our current Land Use Ordinance. If it is a flat roof, it is measured to the deck. If it is a mansard roof it would be to the deck of the structure, not to the top of the mansard. If there is a parapet it is not to the parapet. Every time Mr. Keller looks at a gable roof he has to review it specifically. Mr. Keller would have

to check to see if the Borough's ordinance for a gable roof goes to the midpoint or to the peak. Councilman Wachterhauser stated he had been speaking with a member of the Fire Department and the ladder truck has a 75-foot ladder but then you have to account for the angle. Mr. Keller stated to the roof line would be 55 feet, however that is measured according to the Borough's ordinance.

Councilman Simpson asked how many parking spaces will there be for the proposed building. Mr. Keller stated the number of units has not been determined to date. The parking spaces will depend on the development plan, number of units, how big the units are and the number of bedrooms. The example given tonight with the 30 units is hypothetical.

Councilman Romano questioned the COAH requirement. Mr. Keller stated he was reminded by the Planner, Bill Hamilton, that the Borough Code currently does not have an inclusionary requirement within a building. It is a payment. Attorney Leo stated it is 1.5% for residential and 3% for non-residential. Any developer in town has to comply with the Affordable Housing Ordinance.

Councilman Wachterhauser stated the request for the Redevelopment Plan was brought to the governing body for clarity and approval by the owner of the property. The governing body did not approach the property owner and we are not requiring the property owner to redevelop the property. Councilwoman Kuncken confirmed this and stated this is a private sale. Mr. Keller stated this is a two-step process. The first step was completed last year which was a determination that the property qualifies under the State Law as an area in need of redevelopment. There is condemnation and non-condemnation. This property was identified and qualified as an area in need of redevelopment, non-condemnation. That report was presented to the governing body last year and to the Land Use Board. Once that was accepted, we moved on to the second step which is the preparation of a Redevelopment Plan. This is essentially a zoning ordinance for this particular piece of property with some added factors to it. Attorney Leo stated once the property was found to be suitable for redevelopment, the Borough sent this to the DCA (Department of Community Affairs at the State of NJ) and they did approve it in August of 2023. The decision for redevelopment was made and tonight the council is discussing the proposed zoning. After this is completed they will move forward with an ordinance. Any applicant who wishes to proceed under the redevelopment plan would have to appear before the Land Use Board with site specific information. Administrator McNeilly stated that determination for the redevelopment area was transferred over to the Land Use Board. Attorney Leo stated the Land Use Board has reviewed the document twice. Administrator McNeilly stated one of those times the process involved sending out a notice to properties located with 200 feet of the property. Ms. Leo stated April was the first time the Land Use Board was considering the area in need of non-condemnation redevelopment. The Land Use Board held a hearing in July on the resolution for the redevelopment area. Then the Land Use Board subsequently considered a draft of the Redevelopment Plan and made recommendations. Councilwoman Kuncken stated, just for clarification due to the fact the word non-condemnation triggers emotional reactions from people, which is understandable, there is nothing that is going to be condemned here. Again, this is a private sale. The owner of the property wishes to sell his property and there is someone with a potential interest in buying the property. This property is not being rezoned either. Councilman Wachterhauser stated the code for the Village Business District is being expanded. Attorney Leo stated one block and lot changes the zoning as long as the requirements of the Redevelopment Plan are met and as long as the applicant goes to the Land Use Board for site plan approval which requires a hearing, public notice and all of the requirements. Mr. Keller stated once the council introduces the ordinance for first reading then a second reading and a public hearing will be held. Once adopted, any potential developer would be able to appear before the Land Use Board with a set of plans, just like any other applicant, to develop that property in accordance with this plan. If there is a deviation of the bulk requirements as set forth on Page 5 or Page 6, which qualifies as a "C" Variance according to Municipal Land Use Law, the Land Use Board can act upon that just as they can on any other site plan application. If something would qualify as a "D" Variance under the Municipal Land Use Law, which includes height in excess of 10% or 10 feet, that cannot be acted upon by the Land Use Board. This would have to come back to the governing body for an amendment to the Redevelopment Plan. This has greater controls over someone who would come in under the Village Business District and states they want to build a five-story building and only a three story is permitted and it is fifty feet in height and only forty feet is permitted. The Land Use Board, acting as Zoning Board, would be able to act upon that application. With the Redevelopment Plan the Land Use Board would not be able to act on this scenario. Councilman Wachterhauser asked if handicap parking spaces are included in the plan. Mr. Keller confirmed this and stated, under State Law, 5% of the required spaces have to be available for ADA compliance. In this case, 5% of 9

would require 1 ADA parking space. All the parking is for the residents, visitors and guests. No spaces are provided for the commercial use.

Councilman Riccardi asked Attorney Leo if she could please provide a summary of the housing law and how it is non-inclusive and the payment portion. Attorney Leo stated municipalities had the option to opt in to COAH (Council of Affordable Housing) for third round approximately eight years ago. There were two prior ten-year periods. When municipalities opted in to COAH they had to make certain zoning changes and requirements as to how they were going to plan for their affordable housing based upon a number provided by state reports. The Borough instead chose to, and does have currently, in Chapter 57, a development fee requirement. The development fee is for any residential development within the Borough of Stanhope, with some exceptions for reconstruction. The rate of the development fee is 1 ½% of the equalized assessed value. The non-residential development fee is 3% of the equalized assessed value. The first half of the payment is due before a CO (Certificate of Occupancy) is issued and the second half is due at the end of the project. There is legislation which has passed the Assembly and is pending before the Senate which seeks to abolish COAH and to provide a new way to provide affordable housing throughout the State of New Jersey. This will be very interesting and if municipalities opt in this will start soon. At this time, the Borough can consider whether they want to opt in or not. As of now, the residential and non-residential fees apply.

OPEN TO THE PUBLIC

Councilwoman Kuncken stated, seeing no further questions from the governing body, the meeting is being opened up to the public for comment. Councilwoman Kuncken asked that anyone wishing to speak raise their hand and she will identify one person at a time to speak who will come forward and state their name. Each speaker will be allowed five minutes.

Darryl Vetro, stated he understands a multi-family unit is going to try and be built, whether it be apartments or condominiums. Mr. Vetro asked if the infrastructure can handle this with regard to storage, water, electrical grid, and schools? Who is going to pay the taxes? Renters do not pay taxes and he is of the opinion the owner of the building is not going to cover the taxes for fifty families. He has a relative living nearby who pays \$17,000 for a single-family house. Where are these people going to park during the winter when parking is not permitted on the street? Where are their guests going to park? In his opinion, this is not feasible. Mr. Vetro stated he moved to this town purposely because of the Stanhope House because it is the last operational roadhouse in America. This is “The House of Blues”. As for commercial shopping, there are a ton of empty stores here. What good is the retail space under the apartment building? This is a no go for him.

Owen Newson, asked why the council voted last year to redevelop this property? He understands it is not being condemned. Councilwoman Kuncken stated the council is not the entity that wants to redevelop the property. This came about as a result of the fact that the owner wants to sell his property. Mr. Newson asked what came before the council last year? Attorney Leo stated this is a multi-step process so when the Borough cannot control what a private property owner does with their property, a request was made so the Borough engaged in a consideration as to whether the piece of property met the requirements of the local redevelopment policy law, which began in April of last year. That started the process for the Borough to consider whether this property met those requirements and that is the process we are still on. Mr. Newson stated he is of the opinion that if he polled the governing body they would want to keep the Stanhope House. This is a part of Stanhope’s history and Stanhope is such a historical town. The Plaster Mill is gone and the ball has been dropped on other historic sites like the blacksmith shop which used to be behind the Stanhope House. Mr. Newson asked, if we all want to keep it, what do other towns do when they face a situation like this, where they have a historic property that they want to keep? Do they let it fold and let what is happening happen? Mr. Newson does not believe this would happen in Chatham or Sparta. Councilwoman Kuncken stated everything comes back to money. Mr. Newson stated there needs to be some creative thinking and the elected leaders need to do the work to see what we can do. Can it be designated as a State Historic Site so that we would have to keep it? Administrator McNeilly stated the Borough has a National Historic Site registered with the State because it is a public piece of property. Placing a privately-owned property on the registry would have to be done by the private property owner. Mr. Newson asked what if there was a historically designated zone. We have it in name only. Wouldn’t that stop this from happening? Councilman Wachterhauser stated the owner of the property came to the council stating he wants to do this to his property. There are processes he has to go through to allow that. If tomorrow, the owner decides he does not want to do this and decides to tear down the building, he can file the permits to do so. The building does not have deed restrictions and has never been placed on a historical registry.

Mr. Newson stated that is because we do not have a designated historical zone or a historical commission. What do other towns do, because they do save their historic buildings. How can we preserve Stanhope's history and keep the Stanhope House here?

Bill Eaves, asked what the exact verbiage is for the ordinance and will this be expanding the existing zoning? Attorney Leo stated the redevelopment area would allow for supplemental zoning at Block 11207 Lot 8. That is what the Redevelopment Plan details. Councilman Wachterhauser stated the current zoning in the Village/Business District allows for commercial/retail space on the first floor and residential spaces up to two floors. This plan would be an expansion. Attorney Leo stated the Redevelopment Plan details the requirements and it is a public document.

Katy Smith, stated she attended the July meeting after receiving the 200-foot notice but she is here this evening because she learned of this issue on Facebook. Ms. Smith lives behind the Stanhope House and the difference between a two-story building and a five-story building which is set back is going to make a big difference. As this moves forward, how are the neighbors going to find out what is happening and will we have the opportunity to say that we do not want to live next to a five-story building? Councilwoman Kuncken stated as this moves forward, if there is a first reading it will be followed by a public hearing. Just like tonight, people will be able to speak and express their concerns with their approval or disapproval. The same procedure, allowing each speaker to have five minutes, will be followed and everyone will have the opportunity to speak. Councilwoman Kuncken suggested Ms. Smith follow the website. Ms. Smith stated she looked for the plan on the website but there was nothing posted, which is why she attended tonight's meeting. Ms. Smith asked if the plan is public and if she can obtain a copy. Ms. Horak, Borough Clerk, stated Ms. Smith can submit an OPRA request to the Clerk's Office to obtain a copy of the document. Ms. Smith asked if the name of the proposed buyer can be disclosed or who presented the plan? Attorney Leo stated the Redevelopment Plan has been prepared by the Borough Planner and the Borough Engineer. Councilwoman Kuncken stated the Borough does not have the name of the developer.

William Miller, stated he has been going to the Stanhope House since 1979. He is a musician and an artist and he supports the fine arts. He is also a conservationist when it comes to historic buildings. These days he travels to New England two or three times a month to see blues because the Stanhope House is not having the caliber of blues that he prefers. He lives in Denville and, in the last 12 months, the town lost what he considered to be the crown jewel of Denville, which was the Saint Francis Health Resort. It was a beautiful building built in the 1890's which was located across from the Library. The nuns did not announce that they were selling it. It was done quietly and privately and by the time it was sold, there was nothing that could be done about it. There will most likely be multifamily dwellings built there. The Stanhope House is a gem and he has seen many significant blues acts there. Mr. Miller stated he was a member of a blues society that used to bring bands years ago to the Stanhope House in an effort to keep the Stanhope House going which has been owned by several different people during that time. Mr. Miller would hate to see the Stanhope House go. You cannot get it back once it's gone. Councilwoman Kuncken stated she understands and there is a lot of nostalgia. She feels it too, but sometimes we have to deal with reality. Mr. Miller stated in other countries they preserve the old buildings but in America we tear things down.

Nick Bravante, stated he used to work in the Saint Francis building and it was a beautiful building. There was a place called Pal's Cabin in West Orange which is now a CVS. This breaks his heart because we do not need another CVS. We need more multifamily buildings but not where there is a beautiful old historic building. Mr. Bravante stated he understands the money issue. The Town of Boonton recently purchased the Darress Theatre which is one of the last front entry theatres in the country. There are provisions with the state to get money. Morristown has the MPAC which is a state and municipally funded venue. He does not know the science behind making this possible, but Mr. Bravante believes it is possible. Mr. Bravante stated the council has not approved the plan and the developer as yet. Councilwoman Kuncken confirmed this is still in the discussion phase. Mr. Bravante stated if the Redevelopment Plan is not accepted, the development cannot be done. The council does have that power.

Virginia Hansen, stated she has never lived in the state of New Jersey but she travels over an hour to come to Stanhope since 2008 or 2009. It was mentioned earlier that this is the reality of the world. The reality of the world is very harsh and music is the one thing that ties everyone together and the council wants to take that down. Ms. Hansen stated we need to stop this from happening. She said she lives in an area where neighborhood crime rates have gone up due to affordable housing with kids running around doing what they want. Ms. Hansen stated the Borough needs to

prepare. The parking issue does not matter to her because if the Stanhope House is torn down she will never come back here.

Ciara Wilson, stated she is an art and architectural history student and as a concerned and impassioned citizen she is speaking on the topic of historical preservation of the Stanhope House. Ms. Wilson stated she has deep concern regarding the proposal to demolish one of the Borough's oldest structures. She was appalled to hear that the Stanhope House, the iconic purple house just a few buildings down, is in danger of being sold or torn down and turned into a 30- or 56-unit modern apartment complex. If we allow this to happen, we as a community, are turning away from the rich history of our Borough and entering a new world of modernization with overpriced apartments and a total lack of historic charm. Ms. Wilson stated she is of the opinion the demolition of this building erases a link to our past. It has stood since before the grandparents of our own grandparents were born. Right after the 13 colonies became a nation, the building was built in 1794 and its walls have witnessed the evolution of our society. At first it was a private home, then a stagecoach stop and hotel and finally an iconic music venue. It has almost always been a hub for artistic expression and social interaction within Stanhope and has left a significant mark on the collective memory of many. Our historic buildings, including the Stanhope House, embody the spirit of our Borough, our people and the community by acting as a physical reminder of our shared history, our cultural identity and who we are as a Borough. Thus, bearing historical significance. It is not just old. Granting a historic designation under the National Register and preserving the building will not only be an act of protecting the structure itself but would be a testament to honor the rich heritage of our Borough. Whatever the building may become, to demolish it and replace it with an apartment complex would erase who we are as a community and where we came from. We must push for this designation of protection. Ms. Wilson stated she lives in an apartment complex next door and she understands there will be private parking for the guests and visitors of this new apartment complex. However, she has a fight and a struggle every day to find parking in the existing municipal lots. When she first moved in to the apartment, there was a "cowboy party" one night and there was no parking available anywhere. Ignoring the Stanhope House entirely, there is not enough parking for the existing residents. If the Stanhope House is removed, this will not make any impact to their parking. However, the business units will take up the already limited existing parking spaces that we do have. Ms. Wilson stated, as an existing resident of Stanhope for several years, she will not be able to find parking. The night of the "cowboy party" her roommate was told he would have to park in the next town over and Uber home. Ms. Wilson stated keeping this in mind she encourages everyone on the council and the members of the audience to protest this redevelopment. Protest the removal and erasure of our history and consider the effect on the existing residents, especially those along Main Street.

Audrey Burnett, owner of the Whistling Swan Inn, stated she has not heard anything with regard to how this will impact the businesses. Ms. Burnett stated during the busy season, there are Sunday nights and Friday nights when the Inn is packed and everyone is going to a show at the Stanhope House. From that event the people go to Bells Mansion, the Black Forest, Sal's Pizzeria, and Carmine's for dinner and to the Blue Heron antiques. This will be a domino effect. This will impact the small businesses in the area. Parking is an issue with the EV charging. If she forgets to turn off the EV charging station at her business she ends up with random cars in her parking lot. Ms. Burnett stated in her opinion this will also be an issue for the EV spaces in the proposed parking lot. Ms. Burnett asked that consideration for the impact on the downtown area be considered.

Michele Franchi-Ruocco, stated she is from a neighboring town and her heart is very caring about what is going on here. Ms. Franchi-Ruocco stated her town also deals with this type of issue and she is on committees in her town. The Stanhope House is privately owned. What the community does not understand, and as wrong as you may think it is, just like in Netcong, if a parcel of land is privately owned, you cannot tell that owner that they cannot sell it. You cannot put that demand on it. The wrong people are being fought. The council does not have the control of who that owner sells his property to. The owner is the one that has that control. The property is not designated historical. Ms. Franchi-Ruocco stated her heart breaks for what everyone is hearing and what the community is feeling and what Netcong is also going through when you are dealing with privately owned property. Ms. Franchi-Ruocco stated perhaps the community needs to find a way to save it by working with the actual owner. That is where the creativity comes in. As far as redevelopment, that is a very long process, so is reconstruction, it is not going to happen tomorrow. It still has to go to the Land Use Board. The community has enough time to help the owner.

Stephen Krakowski, stated he would just like to second what the speaker before him just said. This is private property and he would hate for someone to tell him what he can and cannot do with his

property. Truthfully, that seems kind of crazy. If the ordinance does not go through, is there still a potential for the developer to build something smaller in that location if the sale still goes through? Councilwoman Kuncken confirmed this and stated it would be up to the developer. Mr. Krakowski stated he understands that even if the ordinance does not go through, something still might go there and this body here will not be able to impact it, unless some other things are brought up. In his opinion there have been a lot of valid points heard today. As a resident here, the parking is definitely an issue and the people living in this area probably do not want this. But, as far as this being a place that people have gone to and have loved, unfortunately sometimes that just doesn't work out. In this world, financials mean a lot. There are emotions involved but he would hate for the property owner to lose out on the potential sale and possibly go bankrupt, lose his property in a different way or whatever negative thing may happen. Mr. Krakowski stated he would hate for the potential for something maybe positive for the town or for the owner to go away leaving the owner stuck.

Gil Moscatello, stated he is here this evening speaking as a citizen, not as a member of the Board of Education. First of all, he would like to clear up some misinformation and some little bit of fear mongering. Affordable housing in today's market means your income can be almost \$80,000 in New Jersey to qualify for affordable housing. A few years ago, there was a meeting at the American Legion where possible developments were discussed for Stanhope Borough. We were arguing about it and meanwhile they were building like mad in Netcong. All these terrible things were going to happen. You weren't going to be able to drive on the roads in Netcong with all the apartments they were building. Today you cannot tell the difference regardless of the time of day. There is no congestion. The area where this property is located is better because it can be exited in five different ways. With regard to taxes, that building is going to pay taxes. The question is whether or not it is a pilot program. Mr. Moscatello stated that is a bigger concern to him. But whatever it is, there will still be a tax base. The Bank Street apartment building in Netcong that has approximately 200 - 225 units only generated seven (7) children added to the school system. Stanhope School would love to have 7 new students. Any developer worth his salt would not get this far in the process without checking to see if the water, sewer, electric or gas is adequate. A developer buying a property is going to do all that research ahead of time. Mr. Moscatello stated he has worked 40 years in education and for a lot of that time he supervised the music area. There is no one more passionate about their subject area than musicians. They are passionate people. Part of what we are hearing is that passion. And people are speaking that are not Stanhope residents and while they are passionate about the Stanhope House, the residents in Stanhope may have a different view of it. Is there a trade off? One gentleman mentioned beautiful buildings being taken down in Denville and Mr. Moscatello stated he agrees, they were gorgeous. But all these apartment buildings that are going up are not being done so to keep them empty. We are in a housing shortage. There is no place for people to live. We have a little bit of civic responsibility somewhere along the line for people who want to live in our town to provide a place to live. If there is affordable housing, an elderly couple retiring in Stanhope, who cannot continue to live in Stanhope because living in their house is too expensive, could move into an affordable house and not have to leave our community. This would be a plus to us as a community by having something like this available. Lastly, Mr. Moscatello stated kudos to the council for sitting here. You are doing what you are supposed to do. Somebody wants to sell their commercial property. That is their right and you cannot stop it. But, what you can control is how it goes in, that it is safe to go in and that it meets all of the codes and construction requirements. The council's job is separate than the passion for having the Stanhope House there. Mr. Moscatello thanked the council for the time they are putting in to do this correctly.

Cristy Benvenuti, President of the North Jersey Blues Society, stated Bill spoke earlier about how his Blue's Society tried to help the Stanhope House years ago. Ms. Benvenuti stated she too tried to help but she was told she had to pay a substantial amount of money in order to bring a band in. As a non-profit, she cannot afford to pay the band. The Stanhope House is a historic site. If you ask anyone in the blues community, they can talk about it. Ms. Benvenuti stated she has a petition where people from three countries and 46 states have raised their hands about it. This is a national legend. Because of the poor management, it is sad that 94% of the time that historic building made it and only 6% of the time with this current owner now all of a sudden it is in disrepair. Ms. Benvenuti questioned why the owner is not able to make the repairs. The stairways have been mentioned. Councilwoman Kuncken stated she has no comment to that question. Ms. Benvenuti stated it is frustrating to her that no repairs have been made and in looking at the environment today she sees the Patton Improv House, which is over 150 years old, is operating. Lots of other bars are still operating seven days a week yet Stanhope House is not. Unfortunately, their core operations are what we credit that to.

Jon Klein, sole owner of the Stanhope House, stated his family has been in the restaurant, tavern, entertainment business for almost one hundred years. They built a place called the Sundance Lodge along the banks of the pristine Passaic River back in 1930. This was along a brand-new road which was coming through called Route 46. The Sundance Lodge burned in 1960. Mr. Klein started singing blues music in 1956 at his old man's supper club. Mr. Klein stated his father made him work in the kitchen where all of the employees there were black. While the people out front were listening Frankie Lane and Perry Como, he was listening to Ray Charles, Bobby Blue Bland and Howling Wolf and so forth. Then they bought a place called the Wimbein in Riverdale. Subsequently after that, they ended up in a place called Suntan Lake where they had a place called Dexters. Mr. Klein stated he began singing at the Stanhope House back thirty years ago, around 1995, when it was owned by Eddie and Maureen Myers. He did a residency there for Maureen later on but she was having trouble making money. The business was going down. His band stayed for a week under the name of Jon Klein Combine. They had a following so they drew some people, or so they thought.

Mr. Klein stated when he was 65 years old (he is now 80), he retired. His buddy, a real estate guy, who knew him and how much he loved the Stanhope House, told him it was for sale. In 2010, against his families wishes and against a structural inspection, he bought it. At that time, the building had been closed and dark for two years. Maureen had sold it to Innsbrook, which had two partners that had a falling out and so they put it up for sale. Mr. Klein stated that is when he purchased it. In the first two or three years, he put approximately \$300,000 into the business, and had an \$800,000 operating loss which has accumulated up to now with a mortgage of about \$1,200,000. After thinking it would be a cake walk and by putting in 100 hours per week, things went well until 2019. He already had reports from a couple of structural engineering firms because he knew it was structurally deficient. A company came in and redid all of the supports under the floor in the Stanhope House. Work was done under the dance floor, where the bar is, and the corner where the fireplaces are. They put in columns, struts and cross members which cost a dollar or two. It had to be done. Through the years there have been other things done too. Now it needs a \$60,000 roof. An onion skin has been put on it to stop the rain. One of the estimates was \$170,000 for structural repairs and that would only cover some of the repairs and this was in 2015. In 2017 another estimate of over \$300,000 in structural repairs was received. Mr. Klein stated they just continued on and finally began to break even in 2019. Ren has been with the Stanhope House for twenty-five years and Jon started playing there thirty years ago. Covid hit in 2019 and on March 20, 2020 they went out of business. The Governor set the six-foot distance to keep people separated and as such that meant they could only have 76 people in a building which was costing \$45,000 per month to operate. They could not pay the bills. Mr. Klein stated he went from five employees in the beginning to twenty-six at the height to basically closed and then he and Ren reopened with just the two of them. Ren does the booking and gets the bar ready on Friday and Saturday. They were so heartbroken that it was closed that they were trying to do something to get it back open. Mr. Klein stated he comes in for four or five hours on Thursday and Ren does the booking and runs the place on Friday and Saturday. They also order the liquor and the food. At this point, Councilwoman Kuncken stated Mr. Klein had reached his time limit but she granted additional time because it is important for the people to hear from him. Mr. Klein stated in 2019 they knew they had to do something to try and keep the Stanhope House from going dark and it was going to get so structurally deficient that it was going to cave in. They had already been told this by the man who came in to fix the sewerage/wastewater issue. The building was so unsteady that part of the wastewater was emptying into the building where the pipes were cracked which cost approximately \$20,000 to repair. Mr. Klein stated Spina told him, from working in there, he saw that on the left side of the building, near the apartments, the foundation stone was powdering. Ultimately, if not taken care, the building will collapse. Mr. Klein stated he was told the building would have to be jacked up, pour new footings and new concrete. This was five or six years ago.

Mr. Klein stated five years ago, the property was advertised for sale. No takers. He advertised for partners. No takers. Then he had someone who worked at the club with them come to them and make what is called a vulture business deal. Mr. Klein stated they were willing to look at it and they did, but he disapproved. Then he tried to get grant money. A CPA and a professional bookkeeper were hired which cost a lot of money. They were looking to get \$400,000 or \$500,000 or \$600,000 because that is what was being pulled in back in the day. They received a grant for \$8,000 after all the work on that. Then they created a Go-Fund-Me hoping all their friends, all the people in the Blues Society's and the 3,000 signatures would contribute. The Go-Fund-Me yielded \$8,000. Then another approach was tried by forming a not for profit called the Skylands Arts Conservancy. Mr. Klein stated his friend, Dr. Gene Foley, big time artist development player, became the CEO. He wrote a wonderful intro for the business and the attempt was going to be to create tutorials for the schools, colleges, etc. They sent out a ton of the ads to generate interest and

they did not get one single player. The plan was to be able to go to a school do a two-hour symposium, along with a slide show and explain the blues from the cotton fields all the way to George Gershwin, to Duke Ellington, to Count Basie. No takers. At that point, Mr. Klein was ready to shut down, let it go and walk away. Then his friend Pete, from real estate, came to him and said it was obvious things were going nowhere as a club and Pete said maybe there was some other zone that could be utilized here and he offered to work on it and he came up with redevelopment. Pete came up with a small sketch which was brought in and there seemed to be interest and then more interest until finally it was presented to a realtor who found a buyer within two months. Mr. Klein stated he went under contract last February and it could close in the next six or seven months, if in fact, a project which is under investigation now, due diligence or whatever you want to call it is approved.

Mr. Klein stated the main thing is that there seems to be a misunderstanding. It is very simple. He does not want to close the Stanhope House. The building has to come down because it is structurally unsound. It would take millions of dollars to renovate it. What he wants to do is take the great old Stanhope House; the spirit, the heart, the sentimentality, the nostalgia, all the wonderful things, the booking lists, everything that makes it the Stanhope House and move it somewhere else in Stanhope and he will need someone younger to take over the management of the new Stanhope House. They need a partner and are ready to put up the liquor license which Mr. Klein has maintained along with the bars, the pictures, and all the memorabilia. Mr. Klein stated if anyone wants to step up and step forward to start something new in this town, come and see him. Councilwoman Kuncken thanked Mr. Klein.

David Loughmiller, asked that the due diligence be done to make sure that the infrastructure and the parking can handle whatever the proposal is for. If there is a proposed variance and it sounds like this five-story building is a variance to the current zoning, Village Business, which is where he lives, make sure that everyone that lives here can be able to park and move around. Keep in mind how the values of the neighboring homes may be affected. Maybe those who are losing their view with a towering building should be compensated in some way.

Paul Viggiano, stated he works for Jon and respects him a lot. There is a lot of emotion here and there is a compromise with the Mayor and Council and with what Jon Klein wants. He does have a right to exercise his property but there is a moral exercise to keep that place in place. Mr. Viggiano stated there are so many people supporting this, just like he has for years. There is a way to find a compromise. Mr. Viggiano has done development like this before with the Public House in Chester and in Bernardsville. Mr. Klein would be able to maintain the Stanhope House. Give him the opportunity and the town the opportunity to have both. One is not mutually exclusive of the other. There is enough space here to apply some variances with the parking and it will all work out. Work with the Fire Department across the street. Underground parking is the way to go. With just condos, this will be a colorless town. There is a compromise where everyone wins.

Greg Jones, stated people are getting up and saying the owner can do whatever he wants with his property. But he is not going to demolish the building because it is the asset of the property. If you go to the Stanhope House, there is a beautiful 1,200-word history on the place and everyone has played there. The owner can develop it but not like this five-story apartment building with parking underneath it. Mr. Jones stated he submitted an OPRA to obtain a copy of what is being proposed and he does not believe most people have seen this as it is not on the website. In his opinion it is a huge building and looks like Newark. Mr. Jones stated he does not want to criticize what is going on. It is open two days a week and if you look on New Jersey Musicians and on Yelp it does not have a good reputation. It is not bringing people in like the Public House or Muddy Waters Gastro Pub. There are a lot of places that are booming. Salt Gastro Pub just sold. Mr. Jones stated in his opinion this is spot zoning, not a redevelopment plan, because it is only for one lot. The members of the governing body stated this is not true. Mr. Jones disagreed and stated there are seven people representing the town, and he stated he is sure they are all right minded. Mr. Jones stated it is most likely none of the governing body were elected with this as an issue. Now there are only five people and it could boil down to only three. Three people making this monumental decision for the biggest decision in the history of Stanhope. Mr. Jones stated to make this fair there should be a referendum. There's no gun at your head in terms of getting this done. And if you don't, only 185 signatures are needed to get a referendum. Mr. Jones stated 156 Stanhope residents have already signed the petition and with 185 a referendum can be done for November. If that is not the buyer Mr. Klein wants, maybe a buyer will emerge. Mr. Jones stated he has talked to all of the industry and no one knew the Stanhope House was for sale. It was not on the MLS. Mr. Jones stated the Borough has to worry about precedence. Someone could come in and buy a piece and it gets rundown. The reason for the redevelopment approval was that it is dilapidated. There are eight

things needed for redevelopment according to what he read and one of them is being dilapidated. Why was it dilapidated? It needs a new roof. It needed a new roof in 1820, in 1850, 1890 and 1920 etc. The steward of the property has to keep it up and if they don't for financial reasons that's fine. But what is going to happen when the next person on Main Street comes in and says my place is falling down and I want to put in a trash transfer station or a Wawa? Mr. Jones stated he has been through this on the planning board in his town and the lawyers will say it was done for these other people. It will set a precedent. Mr. Jones stated a referendum should be done. If the town thinks that is what the downtown should be, let them vote on it.

Darryl Vetro, stated he thinks everyone here understands this is private property and the owner can do what he wants with his property. Mr. Vetro stated this is how he feels but the Stanhope House is definitely iconic. Mr. Vetro stated he lives nearby and in his opinion the apartment building will be an eyesore. He asked who is going to pay for the sewerage because he believes a much larger sewer line will be needed than what exists now. Administrator McNeilly stated that is not true. Councilwoman Kuncken stated the Borough has enough sewerage capacity. Administrator McNeilly stated the Board's professional engineer is sitting here at the table and he can speak to all asset utilizations and he has. The Engineer has indicated earlier this evening that sewer, water, electric, and gas are available.

William Miller, stated he understands the building and the property are owned by Jon Klein and his name is on the deed. But when it comes to a place that supports the performing arts and has a fan base, the place belongs to the fans. Without the fans he has no income to keep the place alive. On Friday, Mr. Miller stated he is going to New England to the Knickerbocker Café which was built in the late twenties or early thirties. It is a beautiful building which is home to many New England blues bands. The Knickerbocker Café was closed during the 80's and 90's. Mr. Miller stated he believes it is now a non-profit. There is also a strong swing dance community who follow the bands. There are some swing dancers in New Jersey that he knows and if they would come to the Stanhope House that would be regular support. They could have one night a week to teach swing dancing there or sometimes these groups will do teaching for an hour before a scheduled performance. Mr. Miller stated there are ways to preserve the Stanhope House. He understands it is a big building and it has been around for 297 years. It deserves to be around a lot longer. Mr. Miller asked that no offense be taken but this is a sleepy little community. There is not much that goes on here other than the Stanhope House when it was really busy. He hopes something can be worked out and asked why the Stanhope House was not put on the National Historical Registry 13 years ago? There are so many grants available once that is done and one of the requirements is that it cannot be torn down. There would be grants for roofs and other things.

Seeing no one further from the public wishing to speak, Councilwoman Kuncken closed the public portion of the meeting. Councilwoman Kuncken congratulated everyone for how they conducted themselves this evening. There is a lot of emotion involved in this and because everyone, for lack of a better word, behaved themselves, it gave everyone the opportunity to be able to speak. Everyone's cooperation and interest are greatly appreciated. Councilwoman Kuncken stated there is a lot of nostalgia and emotion with this topic and she thanked everyone. At this time, the meeting was turned back over to Mayor Wronko. Mayor Wronko and Councilman Thornton returned to the dais.

RESOLUTION

Mayor Wronko offered the following resolution which was read by title. This resolution was tabled at the February 13, 2024 meeting.

Resolution 060-24

RESOLUTION APPROVING EMERGENCY TRUCK REPAIRS

WHEREAS, the Borough of Stanhope became aware of an engine failure in the leaf vacuum machine and needed an emergency repair; and

WHEREAS, Hoover Truck and Bus Centers, one of the Borough's usual vendors, was directed to make the emergency repairs to the machine; and

WHEREAS, it was necessary to have this repair done immediately due to the need of the machine during the annual fall leaf collection,

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 the leaf vacuum machine totaling \$22,668.81 in work performed by Hoover Truck and Bus Centers is \$16,068.81 above the \$6,600 quote threshold and 5,168.81 above the \$17,500 pay-to-play threshold;

WHEREAS, the emergent condition of the machine 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 Hoover Truck and Bus Centers for emergency repairs to the leaf vacuum machine in the amount of \$22,668.81.

On motion by Councilwoman Kuncken, seconded by Councilman Wachterhauser and carried by a majority of the following roll call vote, the foregoing resolution was duly adopted.

Roll Call:

Councilwoman Kuncken – yes	Councilman Simpson – yes
Councilman Riccardi – yes	Councilman Thornton– no
Councilman Romano – yes	Councilman Wachterhauser – no

Councilman Thornton stated he wants to reiterate his concerns from the last meeting again. The leaf equipment needed a starter and a flywheel and now to have a bill of this magnitude is quite shocking. Councilman Thornton stated he checked prices of parts on the internet and based on his findings, the Borough is being billed 25% to 30% over the cost of the parts if we had ordered them ourselves and the delivery would have been between 3-7 days. Councilman Thornton is frustrated with the lack of communication on this. In looking at the bill, it was not just a starter and a flywheel. At some point, this should have been brought to the council's attention. Councilman Wachterhauser agreed with Councilman Thornton's statement and stated the \$23,000 is approximately a quarter of the cost for a new machine. Administrator McNeilly stated the new machine cost is \$139,000. Councilman Wachterhauser stated if the governing body had known the cost earlier perhaps a different decision would have been made.

Administrator McNeilly stated the leaf season began in the beginning of October with the eighteen-year-old leaf machine. The machine experienced a failure. Neither the operator nor the Superintendent are mechanics. It was first reported that the clutch disintegrated. Subsequent to that, and while it was laid out in the Borough garage, which is not a mechanic repair shop, although the DPW does do a lot of repairs and we are lucky to have some employees who can do some of these things, it became obvious, with this being the beginning of the season, the machine needed to be in operation. We felt it best to send it to the company that does all the repairs on our trucks. Councilman Wachterhauser asked for confirmation that it was known in-house that there was a failure in that a part had gone through the housing. At this point the council only knew about the starter. Administrator McNeilly stated it was determined it was a bigger job than could be repaired in-house. It was discussed and told up front that the problem was the clutch. Then the starter, flywheel and shaft were detected. Councilman Wachterhauser stated the governing body was only told about the starter. Administrator McNeilly stated information was relayed to him from the DPW Superintendent who was informed by the mechanic and then Administrator McNeilly relayed the information to the governing body. Essentially the information being relayed was done like a bad game of telephone. The machine broke in the second week of leaf collection. Knowing the repair could not be made in house, it was sent to the mechanic that works on the Borough's trucks. There is a lot of hindsight that goes with this. Was this a good decision or a bad decision? Administrator McNeilly stated he would say it was a bad decision based on the fact this conversation is now being held. But it happened none the less. Once it got to the mechanic shop it went in to the abyss. It was worked on and waited for parts. Once the parts were all delivered and installed, other problems were determined further down in the system which took us past the starter and the flywheel. Administrator McNeilly stated this is as technical as he can get at this time, as he is not a mechanic.

Administrator McNeilly stated once the bill for the repair was received, which is a sizable bill, the failure starts to show as more than just the parts which were discussed. Even with ear protection on the machine it is very loud and it is not just the diesel engine at the front. There is the coupler and the machine in the back that makes sucking up the leaves possible. We went back through and looked further and the prevailing feeling is, based on the final report, that some type of solid or dense matter must have gotten ingested by the machine. This caused the damage to the shaft which is where the bar and the clutch come in. This may have caused the shaft to go slightly out of round and took out the clutch and the starter. Then upon reassembling, it was noticed there was damage to the flywheel. That is the two-stage failure that caused the delay. Administrator McNeilly stated with all of those things together and with the final report, he contacted the Risk Manager. There is a portion of the Borough's insurance policy that covers incidents such as this. An insurance claim has been started. A determination will not be available right away but all the information regarding the repair has been provided to the Joint Insurance Fund. An investigator will look at it to see what is possible. If it is covered, the loss on this would be the deductible of \$1,250. Councilman Wachterhauser asked if the claims adjuster makes the determination and if so, do they have a certain amount of money that would be paid toward this or would they just pay the bill? Administrator McNeilly stated if it exceeds the adjuster's ability to produce a regular check, it will then get transferred to the Claims Review Committee at the Joint Insurance Fund. Administrator McNeilly stated jumping back to the situation, as was stated earlier, maybe a different determination would have been made but the urgency of leaf pickup, only called to bring it to a repair shop. If this had happened in the last two weeks of leaf pickup, it would have been handled completely different. The hope was that the machine would have only been out of commission for one or two weeks. Hindsight is a wonderful thing. Councilman Thornton stated this needs to be a learning experience. There were many delivery dates missed by the vendor and then being charged 25% to 30% over the prevailing amounts, as listed on the internet, and being charged \$22,000 is not acceptable. Councilman Thornton stated if there are charges for significant labor time, he begs to differ with that. Councilman Thornton stated he would like the insurance issue to run its course but he still does not feel that being charged 25% to 30% more is acceptable regardless of whether or not the Borough pays for it or the insurance company pays it. Councilman Thornton stated he would like to table this until there is a resolution to the insurance claim.

Administrator McNeilly stated the issue here is how does this never happen again. The answer is there is a new machine on order and the existing machine has been repaired and will be able to be used as a backup. Timberman, who we are purchasing the new machine from out of Whitehouse Station, is now an approved John Deere repair shop. And from this point on, we will only go to Timberman for repairs. Councilman Thornton stated he agrees with this going forward but he does not agree with making this an essential service. Councilman Thornton stated in his opinion this was an incredible stream of miscommunication from the source, the administrator and the council which he does not want to see ever happen again. Administrator McNeilly agreed he does not want this to happen again and that is why he has put everything in place. Councilman Thornton stated we should have gone to a more experienced dealer. Administrator McNeilly agreed a dealer more experienced with this type of aspect should have been utilized. Mayor Wronko stated it is his understanding that this bill has already been paid. Administrator McNeilly confirmed the bill was on the bills list two Tuesday's ago and it has been paid. This resolution is for an emergency appropriation. Mayor Wronko stated therefore it does not make sense to table it at this point. Councilman Thornton agreed but, in the future, he would appreciate it if the governing body is kept up to date by the Administrator or the Mayor. Councilman Wachterhauser stated if this happens again, more clarity will be needed. There is a big difference between the housing being destroyed and having a bad starter.

Administrator McNeilly stated he has been here for twelve and a half years and he is of the opinion he has a pretty good track record with how he handles the Borough's assets and funds and he has already said this lands on his doorstep. He is the one that catches the arrows on this, not the DPW Superintendent. If there is a ding on his file then so be it. Attorney Leo stated discussing performance cannot be done at this time. Administrator McNeilly stated he has offered corrective action and has provided all the information that has been provided to him and he will continue to do so relative to the claim going forward. Councilwoman Kuncken stated we all agree and we all know this year's leaf collection was a debacle. Councilwoman Kuncken stated she has been on this governing body for twenty-five years. This thing is rare and she is of the opinion this has been beat up as much as possible and it is time to move on. We will see what comes of the insurance claim. Councilwoman Kuncken stated she has worked with four Administrator's in the Borough and Administrator McNeilly has stayed on top of everything. We used to say he knows where all the pipes in the ground are located and he keeps an eye on everything. So, did this get messed up and not turn out to be what we hoped the progress was, yes. But, we need to move on and stop

talking about this. Mayor Wronko stated Administrator McNeilly has provided a go forward option. This is a positive perspective for moving forward and one we can learn from. Mayor Wronko asked to move forward if there were no further objections. There were none.

NEW BUSINESS

Ordinance for Introduction and First Reading [Public Hearing on March 12, 2024]

Mayor Wronko offered the following ordinances for Introduction and First Reading which were read by title.

Ordinance 2024-02 **AN ORDINANCE OF THE BOROUGH OF STANHOPE, SUSSEX COUNTY, NEW JERSEY AMENDING BOROUGH CODE SECTION 82-2.J(1) “SEWER RATESS” AND SECTION 82-2.P(1) “WATER RATES” REGARDING WATER AND SEWER CONNECTION FEES**

WHEREAS, Stanhope Borough Code Section 82-2 sets forth the Borough water and sewer rates; and

WHEREAS, the County and Municipal Water Supply Act, N.J.S.A. 40A:31-1, et seq. and the Municipal and County Sewerage Act, N.J.S.A. 40A:26A-10, et seq. sets forth the requirements that the rate structure for water and sewer shall be uniform and equitable, based upon factors in accordance with statutory law; and

WHEREAS, the Borough Auditor, Ray Sarinelli, CPA, RMA, PSA, reviewed the water and sewer connection rates and recommended an increase in fees through 2027; and

WHEREAS, the Mayor and Council reviewed the recommendations and given increased costs, desires to revise the Borough Code with updated water and sewer rates through 2027.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Stanhope, Sussex County, New Jersey, that the Stanhope Borough Code Section 82-2.J, Sewers and Section 82-2.P, Water, shall be revised as follows:

SECTION 1.

Section 82-2.J of the Code of the Borough of Stanhope shall be and is hereby deleted in its entirety and replaced as follows:

(1)	<u>Sewer rates</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027 & on</u>
	(a) Base Rate	\$123.00	\$132.00	\$142.00	\$152.00
	(b) Commercial Consumption (per 1,000 gals)	\$ 4.95	\$ 5.32	\$ 5.72	\$ 6.15
	(c) Residential Consumption (per 1,000 gals)	\$ 2.15	\$ 2.31	\$ 2.48	\$ 2.67
	(d) Unmetered/Flat Rate (Per Quarter)	\$192.50	\$207.00	\$222.50	\$239.00
	(e) Unimproved Lot/Flat Rate (Per Quarter)	\$ 63.25	\$ 68.00	\$ 73.10	\$ 78.58

SECTION 2

Section 82-2.P of the Code of the Borough of Stanhope shall be and is hereby deleted in its entirety and replaced as follows:

(1)	<u>Water rates</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027 & on</u>
	(a) Base Rate	\$96.00	\$98.00	\$100.00	\$102.00
	(b) Commercial Consumption (per 1,000 gals)	\$ 3.48	\$ 3.55	\$ 3.62	\$ 3.69
	(c) Residential Consumption (per 1,000 gals)	\$ 1.54	\$ 1.57	\$ 1.60	\$ 1.63

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

Roll Call:

Councilwoman Kuncken – yes	Councilman Simpson – yes
Councilman Riccardi – yes	Councilman Thornton – yes
Councilman Romano – yes	Councilman Wachterhauser - 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.

Ordinance 2024-03 **AN ORDINANCE OF THE BOROUGH OF STANHOPE, COUNTY OF SUSSEX, NEW JERSEY AMENDING ORDINANCE 2023-02 FIXING THE SALARY AND WAGES FOR BOROUGH EMPLOYEES AND OFFICIALS**

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

SECTION 1. The annual salary, wage and compensation to be paid to Borough Employees and Officials as contained in Section 1 of Ordinance 2023-02 is hereby amended to modify the compensation for the Registrar from \$5,000 to \$5,500 as follows:

Registrar	\$5,500.00
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SECTION 2 – 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 3 - 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 4: EFFECTIVE DATE

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

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

Roll Call:

Councilwoman Kuncken – yes	Councilman Simpson – yes
Councilman Riccardi – yes	Councilman Thornton – yes
Councilman Romano – yes	Councilman Wachterhauser - yes

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

RESOLUTIONS

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

Resolution 071-24 **RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH AN APPROVED STATE CONTRACT VENDOR PURSUANT TO N.J.S.A. 40A:11-12(a)**

WHEREAS, the Borough of Stanhope, pursuant to N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.29(c) may, by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contract entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough has the need to purchase a new police vehicle; and

WHEREAS, the Borough has determined the new vehicle is best obtained utilizing a State contract; and

WHEREAS, the Mayor and Council wish to enter into a four (4) year lease agreement with Tax Exempt Leasing Corp. for a new 2023 Ford Utility Interceptor Base Vehicle, with equipment installed, from Winner Ford, State Contract No. 20-FLEET-01189, in the total amount of \$59,244.33, payable in four (4) equal annual installments of \$16,344.19, which includes \$6,132.43 in interest, as per the quote dated February 12, 2024; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for the first lease installment to enter into the lease.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope that the Chief of Police be and the same is hereby authorized to execute the required documents to lease a new 2023 Ford Utility Interceptor Base Vehicle as stated above.

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

Councilman Thornton – yes

Councilman Wachterhauser – yes

Resolution 072-24

AWARD OF CONTRACT TO BOWMAN CONSULTING GROUP FOR ENGINEERING SERVICES FOR MILLING, RESURFACING, SIDEWALK/CURB REPAIRS AND ADA RAMPS AT ELM STREET AND GROVE ROAD

WHEREAS, the Borough of Stanhope is seeking to perform milling, resurfacing, sidewalk/curb repairs and ADA Ramps to Elm Street and Grove Road through a NJDOT Local Aid Grant; and

WHEREAS, Bowman Consulting Group has submitted a Proposal dated February 19, 2024, to develop construction documents and provide construction administration and construction observation services for this project; and

WHEREAS, the Borough desires to retain Bowman Consulting Group for said services, as set forth in the February 19, 2024 proposal: surveying services for a fee of \$3,350.00; construction documents for a fee of \$17,450.00; construction administration for a fee of \$6,650.00; and construction observation at the standard hourly basis, for approximately \$22,000.00.

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

1. That the Borough Administrator is hereby authorized to execute a contract on the Borough's behalf with Bowman Consulting Group, 6 Campus Drive, Parsippany, NJ for the milling, resurfacing, sidewalk/curb repairs and ADA ramps to Elm Street and Grove Road, as set forth in the February 19, 2024 proposal, and to follow NJDOT approvals and procedures.
2. This contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law.
3. Award of this contract is contingent upon the certification as to the availability of funds by the Chief Financial Officer.

4. The term of service shall be from the date of acceptance of the Professional Services Agreement until its completion, in full accord with the terms and conditions thereof. The total fee for this service shall not exceed \$49,450.00
5. Notice of this action shall be published in the *New Jersey Herald* within ten (10) days of the passage thereof.

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 Simpson – yes
Councilman Riccardi – yes	Councilman Thornton– yes
Councilman Romano – yes	Councilman Wachterhauser – yes

Resolution 073-24

RESOLUTION AUTHORIZING SUBMISSION AND EXECUTION FOR THE 2023 NEW JERSEY URBAN AND COMMUNITY FORESTRY PROGRAM (NJUCF) STEWARDSHIP GRANT AWARD IN THE AMOUNT OF \$9,000.00

WHEREAS, the Mayor and Council of the Borough of Stanhope desire to further the public interest by obtaining a grant from the NJDEP in the amount of \$9,000.00 to fund the project entitled 2023NJUCF Stewardship Grant- Canopy Resiliency, Grant Identifier UCF-2023-024.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Administrator is authorized to (a) make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in the amount not less than \$0.00 and not more than \$9,000.00, and (c) to execute any amendments thereto; and

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, authorizes and hereby agrees to match twenty (20%) of the Total Project Amount, in compliance with the match requirements of the Grant agreement. The availability of the match for such purposes, whether cash, services or property is hereby certified. Up to one hundred (100%) percent of the match will be made up on in-kind services (if allowed by grant program requirements and the agreement); and

BE IT FURTHER RESOLVED that the Borough agrees to comply with all applicable Federal, State and municipal laws, rules and regulations in its performance pursuant to the agreement.

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

Councilman Riccardi asked if this grant is for the Shade Tree Commission. Administrator McNeilly confirmed the grant is for the hazardous tree inventory.

Roll Call:

Councilwoman Kuncken – yes	Councilman Simpson – yes
Councilman Riccardi – yes	Councilman Thornton– yes
Councilman Romano – yes	Councilman Wachterhauser – 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 074-24

RESOLUTION AUTHORIZING STANHOPE BOROUGH TO ACCEPT A GRANT FROM THE STATE OF NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY, OFFICE OF THE ATTORNEY GENERAL, IN THE AMOUNT OF \$138,471.48 UNDER THE 2024 SAFE AND SECURE COMMUNITIES PROGRAM, SUBAWARD GRANT NUMBER 24-1919

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

1. The Borough of Stanhope is authorized to accept a subaward grant from the State of New Jersey, Department of Law and Safety, Office of the Attorney General, in the amount of \$22,575.00, under the Safe and Secure Communities Program, Grant No. 24-1919, with a Match-Fringe Benefits of \$115,896.48, for a total project cost of \$138,471.48.

2. Mayor Eugene Wronko and Chief Steve Pittigher are authorized to execute and the Borough Clerk to attest to a Subgrant Award in connection with this grant, and any and all documents in connection with this grant.

3. The Borough of Stanhope is accepting this grant of funds for the purpose described in the application.

4. Subaward Period: January 16, 2024 to January 15, 2025.

5. A certified copy of this resolution shall be provided by the Office of the Borough Clerk to each of the following:

- a) Mayor Eugene Wronko
- b) Borough Council
- c) Brian McNeilly, Borough Administrator
- d) Ursula H. Leo, Esq., Borough Attorney
- e) Angelica Sabatini, CFO
- f) Police Department: Chief Steve Pittigher
- g) State of New Jersey, Office of Attorney General

Resolution 075-24

**RESOLUTION OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF STANHOPE GRANTING
APPROVAL TO THE AMERICAN LEGION,
MUSCONETCONG POST 278 TO CONDUCT A
PARADE ON MEMORIAL DAY, MONDAY, MAY
27, 2024**

WHEREAS, the Borough of Stanhope received a request from the American Legion, Musconetcong Post 278 to conduct their annual Memorial Day Parade through the Borough of Stanhope; and

WHEREAS, said parade is scheduled for Monday, May 27, 2024 to begin at the College Road School in Netcong and end at the American Legion, Musconetcong Post 278 on Route 183 in Stanhope.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, hereby grants approval to the American Legion, Musconetcong Post 278 to hold a parade on Memorial Day, Monday, May 27, 2024 to begin at the College Road School in Netcong and end at the American Legion, Musconetcong Post 278 on Route 183 in Stanhope.

Resolution 076-24

**RESOLUTION AUTHORIZING REFUND OF
REDEMPTION MONIES TO OUTSIDE LIEN HOLDER**

WHEREAS, the Tax Collector has received payment for the redemption of Tax Title Lien No. 2023-020 representing 2022 property taxes and/or utility charges on Block 11501, Lot 2 Qual C0258 known as 14258 Dell Pl, assessed to Birch, Douglas II, 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:	Pro Cap 8 PO Box 774 Fort Washington, PA 19034
Redemption Amount:	Tax Title Lien #2023-004 and Interest to Date of Meeting \$ 1,001.33 Premium Paid by Lienholder <u>400.00</u>
Total From Current Fund:	\$ 1,001.33
Total From Tax Premium Account	400.00

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

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

Resolution 077-24

RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER

WHEREAS, the Tax Collector has received payment for the redemption of Tax Title Lien No. 2023-004 representing 2022 property taxes and/or utility charges on Block 10405, Lot 5 known as 27 LaRence Ave, assessed to Detombeur, Keith & Beth, 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:	Pro Cap 8 PO Box 774 Fort Washington, PA 19034
Redemption Amount:	Tax Title Lien #2023-004 and Interest to Date of Meeting \$ 2,389.38 Premium Paid by Lienholder <u>300.00</u>
Total From Current Fund:	\$ 2,389.38
Total From Tax Premium Account	300.00

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 Councilman Thornton, seconded by Councilman Riccardi and unanimously carried by the following roll call vote, the foregoing resolutions were duly adopted.

Roll Call:

Councilwoman Kuncken – yes	Councilman Simpson – yes
Councilman Riccardi – yes	Councilman Thornton – yes
Councilman Romano – yes	Councilman Wachterhauser – yes

Mayor's Appointment

Resolution 078-24

MAYOR'S APPOINTMENT OF RICK JACOB TO THE BOROUGH OF STANHOPE ENVIRONMENTAL COMMISSION

Mayor's appointment to the Environmental Commission as follows:

Rick Jacob as a member of the Environmental Commission to fill an unexpired 3-year term, said term to expire December 31, 2026

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

PAYMENT OF BILLS

Resolution 079-24

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 February 27, 2024 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 Simpson 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 Simpson – yes
Councilman Thornton – yes
Councilman Wachterhauser – yes

ATTORNEY REPORT

Attorney Leo stated she had no report.

COUNCIL DISCUSSION

Easter Egg Hunt Road Closure Request – Administrator McNeilly stated the Recreation Commission will be having the Easter Egg Hunt on Saturday, March 23rd, at Musconetcong Park. It is customary for the road to be closed from Maple Terrace to Towpath Lane during the event. Mayor Wronko called for a straw poll asking for approval to close Musconetcong Avenue from Maple Terrace to Towpath Lane on March 23rd during the Easter Egg Hunt. The results are as follows: Councilwoman Kuncken – yes, Councilman Wachterhauser – yes, Councilman Thornton – yes, Councilman Riccardi – yes, Councilman Simpson – yes, Councilman Romano – yes.

Memorial Day Parade – Councilwoman Kuncken stated a resolution was on this evening’s agenda for approval for the Memorial Day Parade to pass through the Borough, which is sponsored by the American Legion. Councilwoman Kuncken stated the flatbed trailer will need to be moved into place the Friday before and she asked Administrator McNeilly to please take care of that in coordination with the DPW Superintendent. Administrator McNeilly stated he will see to it.

CITIZEN’S TO BE HEARD

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

Stephen Krakowski, asked what it means with the vote for the resolution regarding the emergency funds for the leaf machine. Did it pass or did it not pass? Mayor Wronko stated the resolution passed by majority vote.

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

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 general nature of the subject matter(s) to be discussed is as follows:

1 – Real Property

2. 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.
3. This resolution shall take effect immediately.

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

The Mayor and Council went into Closed Session at 9:08 P.M.

RETURN TO OPEN SESSION

At the conclusion of the Closed Session, the Mayor and Council reconvened the public meeting at 9:28 P.M. with all present, except for Councilman Wachterhauser.

ADJOURNMENT

On motion by Councilwoman Kuncken, seconded by Councilman Romano and unanimously carried by voice vote the meeting was adjourned at 9:28 P.M.

Approved:

Linda Chirip
Deputy Clerk for
Ellen Horak, RMC
Borough Clerk