

**MAYOR AND COUNCIL
WORK SESSION AND
AGENDA MEETING MINUTES
May 14, 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.

Furthermore, notice of the change in meeting location was sent to the New Jersey Herald and Daily Record on May 1, 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 Simpson – present
Councilman Riccardi – present	Councilman Thornton – present
Councilman Romano – present	Councilman Wachterhauser – present
Mayor Wronko – present	

ADMINISTRATOR'S REPORT

Administrator McNeilly stated he had no report this evening.

WORK SESSION

Mayor Wronko stated there were no work session topics for discussion this evening.

OLD BUSINESS

Mayor Wronko and Councilman Thornton recused themselves from the meeting at this time.

Ordinances for Public Hearing and Final Adoption

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

<u>Ordinance 2024-05</u>	AN ORDINANCE OF THE BOROUGH OF STANHOPE, SUSSEX COUNTY, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 11207, LOT 8 (45 MAIN STREET)
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WHEREAS, redevelopment plans must be adopted by ordinance, pursuant to N.J.S.A. 40A:12A-7; and

WHEREAS, on April 25, 2023, the Governing Body of the Borough of Stanhope (the “Borough”), by Resolution 095-23 commissioned a report to determine if the land known as 45 Main Street, Block 11207, Lot 8, to strengthen the existing retail areas along Main Street, qualified as an “area in need of redevelopment” under the Local Redevelopment and Housing Law (“LRHL”); and

WHEREAS, by report dated October 3, 2023 and updated December 1, 2023, the Borough adopted the findings in the Redevelopment Assessment Report and declared that the area known as 45 Main Street, Block 11207, Lot 8, constitutes an area in need of redevelopment (“Redevelopment Area”) as defined pursuant to the LRHL, specifically N.J.S.A. 40A:12A-3 and N.J.S.A. 40A:12A-6; and

WHEREAS, the Borough Land Use Board held a meeting on January 8, 2024 and considered the Redevelopment Plan and recommended minor revisions to the Redevelopment Plan for 45 Main Street, Block 11207, Lot 8, dated December 1, 2023; and

WHEREAS, the Borough Planner revised the December 1, 2023 Redevelopment Plan, including in accordance with the recommendations of the Land Use Board in a Redevelopment Plan for 45 Main Street, Block 11207, Lot 8, dated April 4, 2024; and

WHEREAS, the Borough now wishes to adopt the Redevelopment Plan for 45 Main Street, Block 11207, Lot 8, dated April 4, 2024, which is attached hereto and incorporated herein as Exhibit A.

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

SECTION 1.

The Redevelopment Plan for 45 Main Street, Block 11207, Lot 8, dated April 4, 2024 attached hereto and made part hereof as Exhibit A, is hereby approved and adopted, pursuant to N.J.S.A. 40A:12A-1 et seq.

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.

Motion was made by Councilman Romano and seconded by Councilman Riccardi.

Councilwoman Kuncken opened the meeting to the public for questions or comments on this ordinance only. Councilwoman Kuncken stated anyone wishing to speak should raise their hand and they will be asked to come forward to the podium. Each speaker will be given five minutes to speak and a one-minute warning will be given before the end of the allotted time and a bell will signify when the five minutes is over. This is an issue which comes with some emotion for people. Councilwoman Kuncken stated it is her responsibility to conduct the meeting in an orderly fashion and she asked that the audience members please do the same. Everyone should remain polite and civil and she and the governing body will do the same.

Chris Palaszewski stated he lives nearby and has some concerns and questions the first of which is with regard to parking. The second issue is regarding the dumpster which is located in the back of the building and how that will be handled if an apartment building is built which could block the access. The property line is located three feet from his living room window. Parking is always an issue and Mr. Palaszewski asked if parking permits will have to be issued and paid for. Councilwoman Kuncken stated if the ordinance is passed this evening, an application would then

be submitted to the Land Use Board and all those issues would be addressed at that time. Mr. Palaszewski asked if a plan has been finalized for what will be built. Councilwoman Kuncken stated all of that information is public and can be reviewed at Borough Hall. Attorney Leo stated the redevelopment plan dated April 4th outlines what is permitted and details what will be permitted within the site plan which would go before the Land Use Board.

Marc Ivins stated he moved to this town a few years ago because the schools are good and the neighborhood is safe. His wife is a teacher and has witnessed first-hand the impact that large scale apartment complexes can have on a school district. His wife's school has tried to get additional funding. There are children with English as a second language barriers, children with autism and special needs children who can no longer get the assistance they need. Teachers were laid off. Mr. Ivins stated these issues need to be looked at closely by the governing body as to increases in crime rates in areas where large apartments have been built. More police officers will have to be hired and that will cause the taxes to increase. Mr. Ivins stated he does not want this apartment building built and he is of the opinion there are many other people in town who feel the same way. Mr. Ivins stated he has been told there are more students at the school now than in previous years and he asked where the additional 40-80 students would go now that the Linden Avenue School has been sold. More people are moving here because the schools are good and it is a safe community. Mr. Ivins stated in his opinion a property improvement district should be looked into in order to do something that will benefit the town and revitalize the Main Street district. Businesses need to be attracted to the town and stay in town. Mr. Ivins stated he is not saying what anyone should do with their building. If someone wants to sell, they have the right to do that. But, at the same point in time, this will affect the whole town and the neighborhood. Mr. Ivins stated if something happens to him or his family, that will be due to negligence.

Avery Badolato stated, from following the Board of Education Meetings, she is aware that the school has a plan in place which will need to be implemented if one more non-English speaking student enrolls. Based on the number of students currently enrolled, the school can handle additional students.

Adrienne Yourey stated she moved to the area two years ago and she is concerned about the number of cars and where they will park. The location is on a blind curve in the road. Attorney Leo stated according to the redevelopment plan, which is part of the ordinance, the applicant would have to meet the requirements of the Residential Site Improvement Standard to provide for parking on the site. Ms. Yourey asked where the parking will be located for the retail space. Attorney Leo stated retail space would be on the first floor and when the applicant is before the Land Use Board with the site plan, the Board will have to take that into consideration. The number of the apartments and the square footage of the retail space is used to calculate the parking requirement. Ms. Yourey stated it is great to have development but this is a small area and the traffic and parking need to be taken into consideration.

Scott Stevens stated he is a history buff but he understands the need for a small town to have redevelopment. The Stanhope House was built in 1790 and it has also been an Inn and a Carriage House. Thousands of people have visited the Stanhope House and many famous musicians have performed there. People all over the country have been there or heard of the Stanhope House. History is important to preserve. Mr. Stevens asked the governing body to consider what a loss it would be to lose this.

Miguel Coulter stated he is speaking on behalf of his mother Virginia who lives nearby. Mr. Coulter stated they feel the redevelopment is disproportionate in the size of the building and the character of the neighborhood. It is much too large and would actually block the sun from coming into their backyard. This would be a direct impact to their property. They also have concerns regarding parking. When the Stanhope House was busy, all of Linden Avenue would be full of cars. Fire trucks then have trouble getting down the street which is a safety issue. Stormwater is another issue. Mr. Coulter stated his mother opposes the current plan.

Doreen White-Hatke stated the downtown area is small and quaint and she is concerned about putting in a big, huge, overwhelming building. Ms. White-Hatke is of the opinion that the building which was approved and built next to the municipal building is awful, ugly and no one is in it. The Borough has retail space that is already empty. Bringing in more retail and more congestion to this tiny town is irresponsible. The council needs to look not just at the ratables but what is being done to the town. What does Stanhope gain if this monstrosity is brought into our town. "There are two people who have to recuse themselves from voting. You can't tell me that

they did not have some kind of impact on bringing this to where it is today.” Right now, we are looking at the Stanhope House being lost. But changing the zoning to allow, in this one spot, to totally deteriorate the culture of our town is wrong. Ms. White-Hatke asked why the voters of the town are not being allowed to vote on this through a referendum. Having just four out of six council members voting on this is not the way to make a decision. A referendum would give everyone the opportunity to speak. If the Stanhope House needs to be knocked down to build retail space and apartments, fine, but it should not be a big ugly square monstrosity that does not fit or look right. This will not enhance anything. Ms. White-Hatke asked what type of tax breaks will the development receive and how long will it be before the town sees some kind of income. The council members are elected to represent not just the tax base, but to keep the look of the town.

Amy Jones stated the townspeople she has spoken with have stated they do not want this. Ms. Jones stated she is a descendent of the Salmon Brothers of Stanhope who used to own the Whistling Swan and Bell’s Mansion. It is sad for her to see that the Stanhope House could be torn down and she is surprised to hear there is \$300,000 in repairs that need to be made. Ms. Jones stated she would like to see the proof of that. It has been said the building is dilapidated but it has not been condemned and it is still being used. In her opinion someone should take a look at it and she hopes these things will be taken into consideration.

Sharon Anderson stated the downtown is a mishmash of buildings with different finishes, there is no consistency and honestly it is not very pretty. This area does not depict the beauty of this town. Ms. Anderson stated there is retail space which has remained empty and she questioned why more retail space would be built. Adding more retail space just adds to the number of various types of buildings with different finishes, with different upkeep and signs that are hand painted. The parking issue is important for the people who live in this area. Ms. Anderson stated she has lived in town for twenty-four years and the downtown has completely lost its luster. This issue should go to a referendum because this does not represent the beauty of Stanhope with the way that the downtown is being maintained.

Christy Benvenuti stated she is a founding member of the NJ Blues Society which is a 501c3 non-profit with the mission of preserving and promoting blues music in northern New Jersey. Ms. Benvenuti is of the opinion that many people in the community are worried about the possibility of losing this historic landmark which has been in the town for over 200 years. Historic landmarks give a town character. They create community. To allow a historic structure to be demolished is wrong. Preserving historic landmarks in New Jersey is crucial as it preserves the states unique cultural and town heritage. This is not a subject to be taken lightly. Preserving the 230-year-old last American Roadhouse known as the Stanhope House is definitely a priority for the Blues Society along with 3,500 people who signed a petition. These people are located in six countries and 46 states. It is a priority for listeners of WDHA, WRNJ, the readers of the Herald Newspaper and for the Preservation of New Jersey which is a non-profit organization which reached out to Ms. Benvenuti today to offer alternative solutions. It is also a priority for everyone at tonight’s meeting, especially the Stanhope residents. The Village Business District does not want to see this approved. This historic place needs to be protected so that future generations can appreciate and learn from this valuable piece of history. Ms. Benvenuti asked that this issue be put forth as a referendum for the town’s people to vote.

Daniel Smith, who lives adjacent to the Stanhope House, stated he understands the town is not tearing down the Stanhope House. The owner of the Stanhope House is attempting to sell the property to a developer, who will tear down the Stanhope House and build his development. Mr. Smith stated this in order to make sure everyone is talking about the same issue. Mr. Smith stated he has specific questions related to the Redevelopment Plan which has been made public. There are some things that feel contradictory to him and he would like to hear from the Council how these have been addressed. On page 2, Item 1 states “Its relationship to definitive local objectives as to appropriate land uses, density of population and improved traffic” Mr. Smith asked how a large apartment building constitutes appropriate density of population and how it improves traffic?

Mr. Smith stated he is in favor of redevelopment for the property. There is an obvious need for that. In Section C. Property Information describes the current state of the property as a “2-1/2 story structure” and he asked what the justification is for variances and modifications which would allow for a building twice that height? In Section 7 Architectural Design Standards, bullet two states “Structures shall take into consideration the relationship to other existing buildings along Main Street in the Village Business Zone, in terms of light, air, usable open space, height”

and Mr. Smith stated a four story or five story building is not taking into consideration the existing buildings in the Village Business Zone. Mr. Smith stated he would like clarification from the board on how that decision is in keeping with the Redevelopment Plan. Mr. Smith stated under the heading of County of Sussex Master Plan, bullet number three states "Protection of private property rights" and he is curious as to how the developer who owns and operates rental units in Sussex County is protecting private property rights. Mr. Smith stated under the heading Borough of Stanhope Master Plan, bullet number two states "To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods" and bullet point number one mentions safety. Mr. Smith asked how adding 40-50 residents on one block will impact the fire, police and EMS services? Mr. Smith stated these are the questions he has and he encouraged the Council to answer them as these are issues directly related to the Redevelopment Plan and the inconsistencies with the property. Mr. Smith stated he is not familiar with how a referendum works but he reminded the Board that they are elected representatives of Stanhope and should represent the interests of the town and not to be the support for a five-story apartment building. Mr. Smith asked how the nearby property values will be affected, including those on High Street which are mostly rental units. If there is a drop in property values, tort claims could be filed against the town for damages. Mr. Smith was informed at this time that his five-minute time allowance was up.

Darryl Vetro stated he purchased a home nearby that was in disheveled condition and has worked to bring it back in keeping with the neighborhood. The driveway had to be redone and he had to go to the Zoning Board and submit plans to make sure that the driveway would stay exactly the same as it had existed. He was not allowed to change it at all. Mr. Vetro asked why can't the town follow with what exists where the Stanhope House is? If it needs to be redeveloped that is fine but do so on a smaller scale and make it look like the rest of the neighborhood. The town does not need an eyesore which is five stories high which will drive the real estate prices down. The sign on Route 183 lists all types of businesses that no longer exist in town. Mr. Vetro stated he does not want to see the town turned into a hole.

Councilman Wachterhauser stated he has some answers for Mr. Smith's questions. The height of 55 feet is the maximum for the town. Currently, the building to the right of the Stanhope House, the Kula Yoga Studio, is 43 ½ feet to the peak. The apartment building to the left is 37 ½ feet. The building to the right of town hall has two retail spaces and both spaces are occupied with a gym and a martial arts studio.

Scott Dunn stated he used to work at the Stanhope House and he also plays the bass. The 230-year-old building is historic and many famous people have played there. Mr. Dunn stated he understands the Stanhope House has fallen on hard times and this is not the easiest business to be in and they have the right to sell it. This is a nice town and to see the Stanhope House gone would be a shame. The Stanhope House promotes business in town, though right now it is not doing so as much as it did in the past. When Stanhope is mentioned, the Stanhope House comes to mind. It has been here before there were cars and telephones. The building has seen and gone through a lot. Mr. Dunn stated he hopes the Stanhope House does stay but he understands if it does not. However, he would hate to see a monstrosity of a building in its place. This is a nice small town and it should be kept that way.

Councilwoman Kuncken stated she does not disagree with some of the sentiment which people have brought forward. This is a wonderful town where she has lived for fifty years. Councilwoman Kuncken stated she and her husband raised their children here and they were educated here at the Valley Road School and Lenape Valley High School. They went on to college and have successful careers and they were raised to give back and they do. Councilwoman Kuncken stated she has a son on the ambulance squad and a son on the fire department in the town where he lives. She shares in the sentiment and everyone on the governing body loves this town and they have donated a lot of their time and their hearts to make it and keep it the wonderful town that it is. Councilwoman Kuncken asked the audience to please understand that the property is privately owned. The owner wishes or needs to sell the property and has a potential buyer. The owner brought this to us. The governing body did not seek this and have had nothing to do with the owner putting his property up for sale.

Greg Jones stated he does not live here. He lives in Califon. He became involved in this issue during the first meetings. Mr. Jones stated he has chaired planning boards in Morris County over the years and fought development and fought for preservation. Ratables are important especially in a Borough. People will move into these apartments with children because the schools here are

very good. Mr. Jones stated he heard this will pop the \$220,000 ratable and it will affect the municipal budget, of which two-thirds is for the schools. He sent the governing body a study done by Rutgers that indicates how many children are generated when apartment buildings are added, which in this case could be ten or it could be triple that. The cost per student is \$20,000 per year, after State aid. The \$220,000 could turn out to be \$550,000 - \$600,000 every year going forward. Mr. Jones stated, with regard to the Stanhope House, the current owner purchased the property in 2011 for \$500,000. Five years later it was put on the market for \$1.7 million. Mr. Jones stated he knows at least three people who approached the owner wanting to buy the property and run it as it has always been for the past 230 years. Now the owner has said the building is in bad condition.

Mr. Jones stated a poll was taken asking people where they stand on this issue and the results were against this by 69 to 3. Mr. Jones said he is an outsider and the owner of the Stanhope House is also an outsider, he lives in Sommerville. The developer also lives out of town. This decision should be made by the residents of Stanhope by a referendum which could be placed on the November ballot. The Stanhope House is still taking bookings through the end of the year.

Councilwoman Kuncken stated some of the comments made by Mr. Jones and by some of the other speakers with regard to finances and how the business at the Stanhope House was run or not run, is not within the purview of the governing body to get involved in. How Mr. Klein runs his business is up to him. It is not the business of the people who serve on this governing body.

Sarah Haslach stated she and her husband purchased a home here to raise their two small children because they were drawn to the small-town charm and quiet streets. They were also pleased to have a music venue within walking distance. While they love the Stanhope House, they fully support the desire and the right of the owner to sell the venue. However, it is not only irrational but also unethical for our local government to support the interests of one man in such a way that our town would be permanently altered. Ms. Haslach stated she does not support the rezoning of the property which the Stanhope House is located on. The only one to benefit from this spot zone change is the property owner. A man with no ties to our community. Ms. Haslach is of the opinion that Jon Klein does not care about the future of our town, nor is he obligated to. However, it is the duty of the town council to act in the best interest of this town. The rezoning of this property would be an abuse of capability of this council as it prioritizes the desire of one man at the expense of the community as a whole. This type of spot zoning is a vicious practice that has become a cancerous growth in the state of New Jersey.

Councilwoman Kuncken stated she appreciates Ms. Haslach's comments and she has the right to say those comments. However, Councilwoman Kuncken stated she personally, and she is of the opinion the rest of the governing body will agree, that they take exception to the use of the word unethical. This governing body is not unethical and she takes great exception to the use of that word.

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

Councilwoman Kuncken asked the governing body members if they would like to comment.

Councilman Riccardi stated with regard to some of the audience members asking for answers from this board at this moment, this is not a Q&A session. This is a public hearing where the audience members can make their statements to the governing body.

Councilman Wachterhauser thanked everyone who did speak this evening. Councilman Wachterhauser stated that he did receive Virginia Coulter's letter and thanked her for that. Councilman Wachterhauser reiterated what Councilwoman Kuncken stated earlier. The governing body members are all part of this community and this issue affects them as well. The vote this evening, regardless of the outcome, is being done with what we believe is best for you and what we were elected to do for you. Councilman Wachterhauser thanked everyone for coming out tonight and sharing their information with the council.

Councilwoman Kuncken stated she has lived here for 50 years and she has been a member of this governing body for 25 years and attends every event and donates her time. Councilwoman Kuncken stated she loves this town and she always hoped that something would come along to rejuvenate the downtown so that it could be a place to walk and stop to have coffee and a pastry. The deli which used to be here is missed. We understand that things come and go. But that is not

what this is about. Councilwoman Kuncken stated she is going to vote no but she firmly believes that we need something different in downtown Stanhope. Maybe this will be a catalyst for something that will come that will meet the needs, wants and desires of the community. This governing body put a lot of time and thought into the plan that was presented to us and we did not just rubber stamp what was given to us. We asked for considerations and revisions and we got some of them. We received revisions on the property. We asked that rules from the State of New Jersey be followed and they complied. The original plan had turrets at the top and they were asked to remove them. We requested changes to the façade of the building and they complied. If this vote had passed, the developer would then have to go before the Land Use Board and a lot of the questions, such as those raised by Mr. Smith, would be answered at the Land Use Board. As Councilman Riccardi stated this is a public hearing for statements and comments to be made and not the time for going back and forth with particular aspects of the plan. Councilwoman Kuncken stated she is reluctantly voting no because she does have a dream that some day downtown Stanhope can be rejuvenated.

By a majority of the following roll call vote, the ordinance was not adopted.

Roll Call:

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

Councilman Wachterhauser stated that he hopes that the individuals who spoke this evening who are not from town do not leave. He wants them to understand that this vote was not done for them but he hopes that they will participate in what happens and that they were not just here to interject, though it seems like that is what was done, and now they will decide to move on. This is important for everyone who lives here that this survives because if it doesn't, then we are back to where we were before.

At this time Mayor Wronko and Councilman Thornton returned to the dais.

Administrator McNeilly suggested a motion be made to table Ordinances 2024-06, 2024-07, 2024-08 and 2024-09 to the meeting of May 18, 2024.

On motion by Councilwoman Kuncken, seconded by Councilman Romano, and unanimously carried by voice vote, Ordinances 2024-06, 2024-07, 2024-08 and 2024-09 will be carried without further notice to the next meeting.

(Tabled) Ordinance 2024-06

BOND ORDINANCE APPROPRIATING \$343,500, AND AUTHORIZING THE ISSUANCE OF \$132,170 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by The Borough of Stanhope, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums, except as described in said Section 3, being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$343,500 including the aggregate sum of \$9,500 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes and including also in the case of the improvement or purpose described in paragraph (a) of said Section 3, the sum of \$201,830 received or expected to be received by the Borough from the New Jersey Department of Transportation as a grant-in-aid of financing said improvements.

Section 2. For the financing of said improvements or purposes, including for the purpose of applicable United States Treasury regulations, the reimbursement of expenditures heretofore or hereafter made therefor, and to meet the part of said \$343,500 appropriations not provided for by application hereunder of said down payments and grant, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$132,170 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$132,170 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Improvement of Elm Street and Grove Road in and by the Borough by the construction or reconstruction therein of roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as such term is used or referred to in Section 40A:2-22 of said Local Bond Law) together with all structures, appurtenances, milling, curb and sidewalk reconstruction, drainage improvements, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved, the \$300,000 hereby appropriated therefor being inclusive of the sum of \$201,830 received or expected to be received by the Borough from the New Jersey Department of Transportation as a grant-in-aid of financing said improvements	\$300,000	\$93,170
(b) Acquisition by purchase of new and additional vehicular equipment, including one (1) mason dump truck for use by the Department of Public Works of the Borough, together with all equipment, appurtenances and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved, the \$43,500 hereby appropriated therefor being exclusive of the sum of \$87,000 appropriated therefor on the date hereof by a water utility bond ordinance and a sewer utility ordinance of the Borough	<u>43,500</u>	<u>39,000</u>
Totals	\$343,500	\$132,170

Except as otherwise stated in paragraph (a) above with respect to the said \$201,830 grant-in-aid of financing the purpose described in said paragraph, the excess of the appropriation made for the improvement or purpose aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$132,170, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$35,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 5. The funds from time to time received by the Borough on account of the grant referred to in Section 1 of this bond ordinance shall be used for financing the improvement or purpose described in Section 3(a) of this bond ordinance by application thereof either to direct payment of the costs of said improvement or purpose, or to payment or reduction of the authorization of the obligations of the Borough authorized by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale at not less than par and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 8. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

(Tabled) Ordinance 2024-07

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW AND ADDITIONAL VEHICULAR EQUIPMENT FOR USE BY THE WATER UTILITY OF THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$43,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$38,500 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by The Borough of Stanhope, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$43,500, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$5,000 down payment for said improvement or required by law now available as the purpose thereof by virtue of provision in a previously adopted budgets of the Borough for down payment or for capital improvement purposes, and exclusive of the sum of \$87,000 appropriated therefor on the date hereof by virtue of a sewer utility bond ordinance and a general capital bond ordinance of the Borough.

Section 2. For the financing of said improvement or purpose, including for the purpose of applicable United States Treasury regulations, the reimbursement of expenditures heretofore or hereafter made therefor, and to meet said \$43,500 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$38,500 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$38,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the acquisition by purchase of new and additional vehicular equipment for use by the water utility of the Borough, including one (1) mason dump truck, together with all equipment, appurtenances and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose pursuant to this bond ordinance is \$38,500.

(c) The estimated cost of said purpose is \$130,500, the excess thereof over the appropriation hereby made therefor being the amount of \$87,000 appropriated on the date hereof by virtue of a sewer utility bond ordinance and a general capital bond ordinance of the Borough.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that, while the net debt of the Borough determined as provided in said Local Bond Law is not increased by this bond ordinance, the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$38,500, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$4,500 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in paragraph (h) of section 40A:2-7 of said Local Bond Law, and the said obligations authorized by this bond ordinance are to issued for a purpose which is self-liquidating within the meaning and limitations of section 40A:2-45 of said Local Bond Law and are deductible, pursuant to paragraph of (c) of section 40A:2-44 of said Local Bond Law, from the gross debt of the Borough.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and, unless paid from revenues of the water supply and distribution system of the Borough, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

(Tabled) Ordinance 2024-08

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW AND ADDITIONAL VEHICULAR EQUIPMENT FOR USE BY THE SEWER UTILITY OF THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$43,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$32,500

**BONDS OR NOTES OF THE BOROUGH FOR
FINANCING SUCH APPROPRIATION.**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF
STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two thirds of
all the members thereof affirmatively concurring), AS FOLLOWS:**

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by The Borough of Stanhope, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$43,500, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$11,000 down payment for said improvement or required by law now available as the purpose thereof by virtue of provision in a previously adopted budgets of the Borough for down payment or for capital improvement purposes, and exclusive of the sum of \$87,000 appropriated therefor on the date hereof by virtue of a water utility bond ordinance and a general capital bond ordinance of the Borough.

Section 2. For the financing of said improvement or purpose, including for the purpose of applicable United States Treasury regulations, the reimbursement of expenditures heretofore or hereafter made therefor, and to meet said \$43,500 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$32,500 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$32,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the acquisition by purchase of new and additional vehicular equipment for use by the sewer utility of the Borough, including one (1) mason dump truck, together with all equipment, appurtenances and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose pursuant to this bond ordinance is \$32,500.

(c) The estimated cost of said purpose is \$130,500, the excess thereof over the appropriation hereby made therefor being the amount of \$87,000 appropriated on the date hereof by virtue of a water utility bond ordinance and a general capital bond ordinance of the Borough.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that, while the net debt of the Borough determined as provided in said Local Bond Law is not increased by this bond ordinance, the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$32,500, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$4,500 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in paragraph (h) of section 40A:2-7 of said Local Bond Law, and the said obligations authorized by this bond ordinance are to issued for a purpose which is self-liquidating within the meaning and limitations of section 40A:2-45 of said Local Bond Law and are deductible, pursuant to paragraph of (c) of section 40A:2-44 of said Local Bond Law, from the gross debt of the Borough.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and, unless paid from revenues of the sanitary sewerage system of the Borough, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

(Tabled) Ordinance 2024-09

ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW AND ADDITIONAL EQUIPMENT BY THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND APPROPRIATING \$133,750 THEREFOR FROM VARIOUS FUNDS OF THE BOROUGH

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

Section 1. The improvement or purpose described in Section 2 of this ordinance is hereby authorized a general improvement to be made or acquired by The Borough of Stanhope, New Jersey, and there is hereby appropriated therefor the sum of \$133,750, to the extent of \$46,965.76, from moneys available in the Capital Improvement Fund of the Borough, to the extent of \$27,750, from moneys available in the Capital Fund Balance of the Borough, and, to the extent of \$59,034.24, from the proceeds of a grant received from the American Rescue Plan Act of 2021.

Section 2. The improvement hereby authorized and the purpose for the financing of which the appropriation is made as provided in Section 1 of this ordinance is the acquisition of new and additional equipment, including video equipment and portables for use by the Police Department of the Borough, and air bottles and a hose line for use by the Fire Department of the Borough together with all equipment, accessories, apparatus and appurtenances necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

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

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

NEW BUSINESS

ORDINANCE

Ordinances for Introduction and First Reading [Public Hearing on May 28, 2024]

Mayor Wronko offered the following ordinances for introduction and first reading which were read by title.

Ordinance 2024-10

ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS IN AND BY THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND APPROPRIATING \$564,250 THEREFOR FROM VARIOUS FUNDS OF THE BOROUGH

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

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized general improvements to be made or acquired by The Borough of Stanhope, New Jersey, and there is hereby appropriated therefor the sum of \$564,250, to the extent of \$17,282.67, from moneys available in the Capital Improvement Fund of the Borough, to the extent of \$201,830, from the proceeds of a grant received from the New Jersey Department of Transportation, and, to the extent of \$345,137.33, from the proceeds of a grant received from the American Rescue Plan Act of 2021.

Section 2. The improvements hereby authorized and the several purposes for the financing of which the appropriation is made as provided in Section 1 of this ordinance are as follow: the engineering, acquisition of new and additional equipment, including video equipment and portables for use by the Police Department of the Borough, air bottles and a hose line for use by the Fire Department of the Borough, and one (1) mason dump truck for use by the Department of Public Works of the Borough; and the improvement of Elm Street and Grove Road in and by the Borough by the upgrade thereof, together with all paving, milling, equipment, accessories, apparatus, appurtenances, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

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

Section 4. The \$286,103.89 balance remaining under ordinance of the Borough adopted on May 9, 2023 (#2023-09) and entitled: "Ordinance providing for the improvement of various roads in and by the Borough of Stanhope, in the County of Sussex, New Jersey, appropriating \$287,000 therefor constituting proceeds of a grant from the American Rescue Plan Act of 2021" is hereby cancelled. Any additional moneys expended and obligations incurred pursuant to appropriation made by said ordinance shall be accounted and deemed to have been expended or incurred pursuant to this ordinance.

Section 5. This ordinance shall take effect after publication after final passage as provided by law.

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

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

Ordinance 2024-11

BOND ORDINANCE MAKING A SUPPLEMENTAL APPROPRIATION OF \$86,000 FOR THE IMPROVEMENT OF THE WATER SUPPLY AND DISTRIBUTION SYSTEM IN AND BY THE BOROUGH HERETOFORE AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$76,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH SUPPLEMENTAL APPROPRIATION

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance has heretofore been and is hereby authorized as a general improvement to be made or acquired by The Borough of Stanhope, New Jersey, by the bond ordinances (the “Prior Ordinances”) of the Borough adopted on May 10, 2022 and May 9, 2023 and respectively, entitled: “Bond ordinance providing for the improvement of the water supply and distribution system in and by the Borough of Stanhope, in the County of Sussex, New Jersey, appropriating \$687,540 therefor and authorizing the issuance of \$10,540 bonds or notes of the Borough for financing such appropriation” and “Bond ordinance making a supplemental appropriation of \$160,000 for the improvement of the water supply and distribution system in and by the Borough heretofore authorized to be undertaken by the Borough of Stanhope, in the County of Sussex, New Jersey, and authorizing the issuance of \$152,000 bonds or notes of the Borough for financing such supplemental appropriation”. The cost of the improvement described in Section 3(a) of this bond ordinance, estimated in May, 2023, at \$847,540 is now estimated at \$933,540. By the Prior Ordinances there has been appropriated to payment of the cost of said improvement the sum of \$847,540. It is now necessary for the Borough to raise the additional sum of \$86,000 to meet the remainder of said \$933,540 estimated cost of said improvement (including for purposes of applicable United States Treasury regulations reimbursing expenditures hereafter made for said improvement or purpose) not provided by the appropriation therefor made by the Prior Ordinance.

Section 2. For the said improvement or purpose stated in Section 3(a) of this bond ordinance, and in addition to the sum of \$847,540 heretofore appropriated therefor by the Prior Ordinances, there is hereby appropriated the further sum of \$86,000 including the sum of \$10,000 as a down payment for said improvement or purpose required by law and now available therefor. Said additional appropriation of \$86,000 shall be financed and met from the said down payment and the proceeds of negotiable bonds of the Borough which are hereby authorized to be issued in the principal amount of \$76,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$76,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement authorized by Section 3(a) of the Prior Ordinances and by this bond ordinance and purpose for the financing of which said obligations are to be issued is the improvement of the water supply and distribution system in and by the Borough, including by the installation and rehabilitation of water mains in and along various roads, including also the pavement reclamation of Sunset Avenue, together with all the aforesaid all paving, site work, structures, appurtenances, engineering, surveys, equipment, work and materials necessary therefore or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and heretofore and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$238,540 inclusive of the \$162,540 principal amount of bonds or notes of the Borough heretofore authorized for said improvement or purpose pursuant to the Prior Ordinances.

(c) The estimated cost of said purpose is \$933,540 inclusive of the sum of \$847,540 heretofore appropriated for said improvement by the Prior Ordinances.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is forty (40) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that, while the net debt of the Borough determined as provided in said Local Bond Law is not increased by this bond ordinance, the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$86,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$10,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the additional cost of said improvement and has been included in the foregoing \$86,000 additional estimated cost thereof.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in paragraph (h) of section 40A:2-7 of said Local Bond Law, and the said obligations authorized by this bond ordinance are to be issued for a purpose which is self-liquidating within the meaning and limitations of section 40A:2-45 of said Local Bond Law and are deductible, pursuant to paragraph (c) of section 40A:2-44 of said Local Bond Law, from the gross debt of the Borough.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, acting chief financial officer or treasurer of the Borough (the "Chief Financial Officer"), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale at not less than par and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and, unless paid from revenues of the water supply and distribution system of the Borough, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

On motion by Councilman Romano, 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 102-24

RESOLUTION ATTESTING THAT THE STANHOPE GOVERNING BODY HAS COMPLIED WITH THE PROMULGATION OF THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY RELATIVE TO THE 2023 ANNUAL REPORT OF AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2023 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations,” as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Stanhope, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

Roll Call:

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

Resolution 103-24

**RESOLUTION APPROVING SUBMISSION OF THE
CORRECTIVE ACTION PLAN FOR THE YEAR ENDING
DECEMBER 31, 2023 TO THE STATE OF NEW JERSEY,
DIVISION OF LOCAL GOVERNMENT SERVICES**

WHEREAS, all municipalities operating under the Local Fiscal Affairs Law must prepare and submit a Corrective Action Plan as part of their annual audit process, and

WHEREAS, the Borough of Stanhope has by Resolution accepted the 2023 audit as prepared and presented by the Borough Auditors, and

WHEREAS, Angelica Sabatini, the Chief Financial Officer for the Borough of Stanhope has prepared a Corrective Action Plan to address the findings and recommendations for the 2023 audit and presented copies of same to the Mayor, Council, and Administrator;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope, in the County of Sussex, that the Corrective Action Plan, attached hereto and made a part hereof, be approved for submission to the Division of Local Government Services.

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

Roll Call:

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

Resolution 104-24

**RESOLUTION TO ENTER INTO AN AGREEMENT WITH
THE COUNTY OF SUSSEX FOR COUNTYWIDE MUTUAL
AID AND ASSISTANCE BETWEEN PARTICIPATING
UNITS**

WHEREAS, the New Jersey Fire Service Resource Emergency Deployment Act, N.J.S.A. 52:14E-11, et seq. and Fire Service Resource Emergency Deployment Regulations, N.J.A.C. 5:75A-2.2, require municipalities to adopt local fire mutual aid plans; and

WHEREAS, the Borough of Stanhope desires to enter into a Countywide Mutual Aid and Assistance Agreement (“Agreement”) with Sussex County and other participating Sussex County municipalities to provide coordination of mutual aid and fire assistance; and

WHEREAS, the Borough of Stanhope desires to enter into this Agreement, effective January 1, 2024 through December 31, 2028, regarding mutual aid and fire assistance.

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 Mayor and Administrator are hereby authorized to execute this Agreement between the County of Sussex and all Participating Units.
2. This Resolution shall take effect immediately.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to Sussex County.

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

Roll Call:

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

Resolution 105-24

**A RESOLUTION BY THE BOROUGH OF STANHOPE
AUTHORIZING THE CONDITIONAL OFFER OF
EMPLOYMENT IN THE STANHOPE BOROUGH POLICE
DEPARTMENT FOR JORDAN ANDERSON**

WHEREAS, upon recommendation of the Borough Police Chief, the Borough is seeking to issue a conditional offer of employment for a new Police Officer; and

WHEREAS, one candidate, Jordan Anderson, will be presented with a Conditional Offer of Employment; and

WHEREAS, Ms. Anderson has been found to meet the minimum initial requirements for the position of Police Officer, but must meet other additional requirements before the offer becomes final; and

WHEREAS, medical and psychological evaluations, interviews, continued background cooperation and drug tests are a few of the additional requirements that need to be completed for Ms. Anderson; and

WHEREAS, Ms. Anderson must adhere to all of the conditions of the Conditional Offer of Employment, including obtaining certificates in the timeframe designated and satisfactorily completing the one-year probation period.

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

Jordan Anderson is hereby conditionally offered a position of Police Officer effective May 15, 2024.

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

Councilman Wachterhauser wished Jordan Anderson good luck and he hopes that this works out well going forward.

Roll Call:

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

Resolution 106-24

**RESOLUTION AUTHORIZING CHANGE ORDER NO. 1
FOR KULPEKSA LAND IMPROVEMENTS FOR THE
SUNSET/RIDGE WATER SYSTEM IMPROVEMENTS**

WHEREAS, the Borough of Stanhope was in need of replacement of the existing 4-inch water mains with 8-inch water mains, the replacement of water services from the new main into the houses, new fire hydrants, and associated pavement/landscape restoration on Sunset Avenue and Ridge Road, and a water main extension along West Street; and

WHEREAS, via Borough Resolution 057-24, the Sunset/Ridge water system improvements described above was awarded to Kulpeksa Land Improvements for a total amount of \$756,652.00 on February 13, 2024; and

WHEREAS, Kulpeksa Land Improvements has now submitted Change Order No. 1, dated April 23, 2024, for an increased amount of \$85,208.96, to install a 4-inch temporary bypass system and to add a hydrant on Valley Road; and

WHEREAS, the Borough engineer has reviewed Change Order No. 1 and found it acceptable; and

WHEREAS, the Chief Financial Officer has certified that there are available funds to award Change Order No. 1 to Kulpeksa Land Improvements for \$85,208.96;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that the Borough authorizes Change Order No. 1 in the amount of \$85,208.96 for the expansion of the temporary bypass system and to add a hydrant on Valley Road, increasing the overall cost to \$841,860.96.

On motion by Councilman Thornton, 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

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 107-24

**RESOLUTION AUTHORIZING STANHOPE HOSE CO. #1
TO CONDUCT A BUCKET DROP**

WHEREAS, Stanhope Hose Company No. 1 has indicated a desire to hold a “Bucket Drop” July 12th, July 13th and July 14th, 2024, within the hours of 8:00 am to 8:00 pm, at the intersection of State Rt. 183 and CR 602 in the Borough of Stanhope and on Linden Avenue from State Route 183 to McKinley Street and on Stanhope Sparta Road near the intersection of Brooklyn Road; and

WHEREAS, should the weather be inclement, the following rain dates and times will be utilized instead, at the same locations: July 19th, July 20th and July 21st, 2024 within the hours of 8:00 a.m. to 8:00 p.m.; and

WHEREAS, Fire Department personnel are to be stationed at the above-mentioned location and all collections shall be done in a manner as to not impede the flow of traffic at any time, pursuant to the Traffic Safety Plan; and

WHEREAS, the Borough directs the Chief of Police to sign the NJDOT application for a charitable solicitation permit and to monitor compliance of the Traffic Safety Plan as necessary; and

WHEREAS, Fire Department members shall wear safety vests and traffic safety setup shall conform with the “Manual on Uniform Traffic Control”; and

WHEREAS, N.J.A.C. 16:40-3.1 et seq. requires charitable organizations to obtain approval of the Commissioner of Transportation before soliciting contributions within State highways and County Commissioners approval for county highways.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Stanhope, in the County of Sussex, State of New Jersey hereby approves the Stanhope Hose Company No. 1's request to hold a "Bucket Drop" on July 12th, July 13th and July 14th, 2024, within the hours of 8:00 am to 8:00 pm, at the intersection of State Rt. 183 and CR 602 in the Borough of Stanhope and on Linden Avenue from State Route 183 to McKinley Street and on Stanhope Sparta Road near the intersection of Brooklyn Road and rain dates of July 19th, July 20th and July 21st, 2024 within the hours of 8:00 a.m. to 8:00 p.m. at the same locations, per the Traffic Safety Plan and subject to obtaining approval of the Sussex County Board of County Commissioners and a charitable solicitation permit from the New Jersey State Department of Transportation.

Resolution 108-24

A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER AND BOROUGH ADMINISTRATOR TO WAIVE LATE FEES FOR BOTH WATER AND SEWER UTILITIES IN CERTAIN CIRCUMSTANCES, UP TO \$15.00

WHEREAS, pursuant to the Borough Code, the Borough charges utility customers late fees; and

WHEREAS, occasionally, upon review of the circumstances, and upon the request of the account holder, the Borough determines that it is appropriate to waive the late fees; and

WHEREAS, the Mayor and Council desire to enable the determination and waiver of late fees in certain circumstances to be applied when appropriate by the Chief Financial Officer and Administrator.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that the Chief Financial Officer and Borough Administrator are authorized to evaluate requests for waiver of utility late fees and make a determination that waiver is appropriate, up to the amount of \$15.00, with the Chief Financial Officer and Borough Administrator providing a monthly report to the Mayor and Council of all late fees waived each month.

This Resolution shall take effect immediately.

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

Roll Call:

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

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

PAYMENT OF BILLS

Resolution 109-24

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 May 14, 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

AGENDA ITEMS

All items listed on the Agenda for May 28, 2024 were approved.

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.

Marian Murdock stated there are many ash trees along Brooklyn Road in the right of way that should be removed. Hurricane season is approaching and several years ago Hopatcong was without power for 14 days. Councilwoman Kuncken stated Stanhope was out of power for 12 days during that time. Mrs. Murdock asked if there are any plans in place to remove the trees. Administrator McNeilly stated the trees are a problem everywhere. The ash trees are consuming the Borough's tree removal budget which has been doubling every year. The area of Overhill Road, Sunset Avenue and Ridge Road has been devastated. Mrs. Murdock stated in her opinion it is more cost effective to remove the trees prior to them falling down and causing damage. Administrator McNeilly stated he understands what Mrs. Murdock is saying, however, Brooklyn Road is a Sussex County Road and is under their jurisdiction. The municipal trees which are problems are removed and when trees on private property are found which need to be removed, this is handled by the Code Enforcement Officer.

Scott Stevens stated he spoke at the last months Mayor and Council meeting regarding a sub-division which has not been approved as yet. Mr. Stevens stated he also attended last month's Land Use Board meeting regarding concern for his parent's property. The sub-division property is located behind his parent's home and there is a deed restriction for the sub-division property which prevents certain types of development in order to protect his parent's property from erosion and water runoff. Mr. Stevens was unable to attend last night's Land Use Board Meeting so he wanted to speak this evening to the Mayor and Council. Mr. Stevens read the deed restriction and he questions why a sub-division would be permitted due to the fact 11.4% of the existing property has already been developed. Allowing a sub-division would change all of the deed restriction calculations. Mr. Stevens stated he should not have been the one to have to bring the deed restriction to the attention of the Land Use Board. Mr. Stevens stated he understands this is not a Mayor and Council issue but he wanted to bring this to their attention because they do oversee the Land Use Board. Administrator McNeilly stated this is a Land Use Board issue and the Mayor and Council cannot answer any questions regarding this issue. Mayor Wronko assured Mr. Stevens his issue has been heard and it will be looked into further. Councilman Riccardi stated he is a representative on the Land Use Board and he asked Mr. Stevens to email the documents to him and Mayor Wronko.

Sharon Anderson asked if the Mayor and Council have made a decision regarding her request for a procedure for a formal correspondence acknowledgement. Ms. Anderson stated she made this request at last month's meeting after she sent an email to the governing body and the administrator and she did not receive a response. Councilwoman Kuncken stated the issue has not been discussed as yet but it will be brought up for discussion in the future.

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

ADJOURNMENT

On motion by Councilman Thornton, seconded by Councilman Wachterhauser and unanimously carried by voice vote the meeting was adjourned at 8:15 P.M.

Approved:

Linda Chirip
Deputy Clerk for
Ellen Horak, RMC
Borough Clerk