

**MAYOR AND COUNCIL
REGULAR MEETING
September 24, 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 Simpson – present (arrived 7:01pm)
Councilman Riccardi – present	Councilman Thornton – present
Councilman Romano – present	Councilman Wachterhauser – present

Mayor Wronko – present

Special Presentation – Mayor Wronko stated he had a special presentation to make this evening in recognition of Officer Christopher Bork's retirement from the Stanhope Borough Police Department. Mayor Wronko thanked Officer Bork for his seventeen (17) years of service to the Borough and presented him with a retirement gift from the Governing Body. Mayor Wronko invited Mitch Ellicott, who asked to speak this evening, to come forward.

Mitch Ellicott stated he worked with Chris at the Sussex County Sheriff's Office when Chris moved there from the Corrections Department. Chris was a good officer, enjoyed his job and is a good person. Mitch stated he was the Sargeant of the Canine Unit and Chris joined his team which also included Warren Slayer. If Chris was asked to go stand on a mountain in the snow and rain, he might grumble, but he would be up on that mountain. Chris and his dog had an incredible canine career. Hundreds of thousands of dollars of drugs were taken off the streets, between Morris County and Sussex County, by Chris and his dog. Chris saved peoples lives. His first call involved finding a man who had taken a lot of drugs and was out in the woods and there was a foot of snow on the ground. Chris found him and saved his life. Chris would go into the mud up to his waist if that was what had to be done. As part of the hazmat team, they travelled to Louisiana where Mitch said he fired and rehired Chris two times. Mitch stated his relationship with Chris was always more than just a supervisor and an officer. Chris is a friend and a part of Mitch's family. When Chris made the decision to leave the team, Mitch supported his decision and kept Chris's dog for the remainder of the dog's career. Mitch stated Chris was one of the best officers he has ever worked with. Mitch congratulated Chris on his well-deserved retirement.

Mayor Wronko called for a ten-minute recess for everyone to congratulate Chris and have some refreshments. The meeting resumed at 7:15pm.

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.

Seeing no one 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:

August 13, 2024	Work Session and Agenda Meeting
August 27, 2024	Business Meeting

On motion by Councilman Romano, seconded by Councilman Riccardi and carried by a majority voice vote, the minutes for August were approved. Councilman Simpson abstained from the August 13th minutes and Councilman Thornton abstained from the August 27th minutes.

CORRESPONDENCE *(List Attached)*

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

Mayor Wronko amended the meeting agenda and moved the following resolution forward which was read by title.

Resolution 162-24

RESOLUTION AUTHORIZING OFFER OF EMPLOYMENT TO ERICA PIEDRAHITA TO THE STANHOPE BOROUGH POLICE DEPARTMENT

WHEREAS, the Borough of Stanhope desires to hire a full-time Police Officer to serve within the Stanhope Borough Police Department; and

WHEREAS, the Chief of Police has recommended the appointment of Erica Piedrahita to the full-time position of Police Officer, effective October 24, 2024;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Stanhope that the Borough Administrator be and the same is hereby authorized to extend an offer of employment to Erica Piedrahita as a Police Officer for the Borough of Stanhope, effective October 24, 2024.

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

OATH OF OFFICE

Erica Piedrahita was sworn in as an Officer of the Stanhope Borough Police Department by Ursula Leo, Borough Attorney. The governing body, and all those present, congratulated Officer Piedrahita.

COUNCIL COMMITTEE REPORTS

On motion by Councilwoman Kuncken, seconded by Councilman Simpson and unanimously carried by voice vote, the Council Committee Reports were waived for this month.

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

Finance & Administration – Councilman Romano/Councilman Thornton

Community Development – Councilman Wachterhauser/Simpson

Municipal Infrastructure – Councilman Thornton/Councilman Romano

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

Information Technology – Councilman Riccardi/Wachterhauser

Boards/Commissions – Simpson/Councilwoman Kuncken

ENGINEER'S REPORT

Mayor Wronko invited Eric Keller, Borough Engineer, forward to give his report. Mr. Keller stated he will report on a few items which are listed in his written report which the governing body received prior to the meeting.

Sunset Avenue/Ridge Road/Overhill Road Water Main Replacement Project – Mr. Keller stated the water main replacement project is close to being completed. It has been tedious but there have not been too many complaints considering the magnitude of the project. A change order for additional construction inspection services was sent to the Administrator today in order to protect the Borough and to make sure we get coverage, and that the contractor is held accountable. The change order will be placed on the agenda for the next meeting. Once this is completed, the neighborhood will then be torn up again for the gas mains. Next year the area will be paved. The trenches were prepared and compacted today, and the asphalt work will be done tomorrow, weather permitting. Administrator McNeilly stated he and Mr. Keller will inspect the site carefully once the contractor has completed their work. This area is going to go from an active water construction site to an active private company site for the gas lines. There are active maintenance and performance bonds for everything that is in the ground. The Borough will work closely with NJ Natural Gas to see that those lines are not damaged. A meeting will be held to provide the location of the lines. Mr. Keller stated he is already working on the punch list due to the fact all of the work in the roadway is complete, except for the paving. There are half a dozen homes where lines must be run from the curb box to the meter. These six homes are the only ones, out of the 30-31 homes, with galvanized services. This work should begin tomorrow. All the temporary water lines have been removed.

Elevated Water Storage Tank – Mr. Keller stated the proposal for the preliminary engineering services related to the proposed new elevated water storage tank, which will be placed on Borough owned property along Brooklyn Road, is being prepared. The initial services will provide guidance on the sizing of the tank, the elevation, updating of the water system model and an evaluation of operating flows and pressures in the tower pressure zone. Three (3) proposals have been requested from geotechnical firms to conduct preliminary investigations to identify any possible concerns and for future use in the foundation design of the water storage tank. Administrator McNeilly stated, unless Mr. Keller determines otherwise, the existing water tank will remain in place. It is paid for and technically it is only ten years old due to the work which was done on it. The pump house and piping will also be looked at to ensure that it is sufficient. The height of the tower will be looked at and everything that goes along with that which needs to be known now, not in March. Mr. Keller stated there will be a cylinder which will hold up a spheroid. The tank in Wharton holds a million gallons. Stanhope's will be in the same design but will not be that large. Administrator McNeilly stated the color and font will be decided by the governing body. Mr. Keller stated right now this is preliminary engineering. In 2010, a model of the water system was done for the tower pressure zone which needs to be updated due to the fact the main line was replaced in Brooklyn Road, from Tower Drive down to Sparta Road. A plan will be set out for the design parameters. There is time before the funding is received. Mayor Wronko asked if it will take a long time to receive the funds. Administrator McNeilly stated he has found the HUD process to run smoother than the other grant. Some of the background work is already in place with the Treasury and the EUI numbers. The Borough has a 20% obligation which totals \$660,000 which will be bonded for in the 2025 water budget. The federal government grant is for \$3.3 million.

Stormwater Management – Councilman Riccardi asked Mr. Keller if the changes have been prepared for the Stormwater Management Ordinance update. Mr. Keller stated he has a draft from Ursula Leo, Borough Attorney. The DEP has provided a model ordinance which can be made more stringent, but it cannot be made less stringent. The ordinance was amended three years ago to include green infrastructure. The new requirements deal with climate resiliency. The year 2100 now has to be studied for rainfall amounts. Previously, three storms had to be studied; two, ten and one hundred, based on current precipitation. Now that has to be done, plus future

precipitation which is about 50% higher and that has to be studied for the two, ten and one-hundred-year storms to make sure all the basins will work. There are a few other technical changes being made to the ordinance, but the big change is studying six storms instead of three.

ADMINISTRATOR'S REPORT

Annual Stormwater Training – Administrator McNeilly stated the annual stormwater training is scheduled for the November 26th Mayor and Council meeting. Ryan from the Musconetcong Watershed will provide the training.

Sussex County MUA – Administrator McNeilly stated the Sussex County MUA is holding a free electronic recycling day on October 5th from 9:00am to 2:00pm. Residents will be notified by a Nixle message, the website and social media post.

Borough Hall – Administrator McNeilly stated an HVAC system cleaning is going to be scheduled. This was last done six (6) years ago. Once the HVAC cleaning is completed, the carpet cleaning will be scheduled. Councilman Thornton asked if funding has been budgeted for this. Administrator McNeilly stated the Buildings and Grounds budget has \$14,000 and can cover the costs.

2023 Tax Sale – Administrator McNeilly stated the 2023 tax sale will take place online again this year. The sale will conclude on October 30th. Currently, there are 50-line items in the sale which is lower than last year. If all the items are sold, then the 2023 tax and utility accounts will be at one hundred percent.

2024 NJ Best Practice Checklist – Administrator McNeilly stated he and the CFO are currently working on the best practice checklist. This will be distributed to the Mayor and Council before the October 8th meeting for review and it will be discussed at the council meeting prior to the CFO, Clerk and the Administrator signing off and submitting the checklist to the NJDCA. With the first pass of the checklist, the Borough has enough points for zero loss.

Walk To School Day – Administrator McNeilly stated Walk To School Day will be held on Wednesday, October 2nd. The information has been placed on the website and a Nixle message will be sent out.

Hydrant Flushing – Administrator McNeilly stated the hydrant flushing has been completed.

Brush Pickup – Administrator McNeilly stated the brush pickup has been completed.

Leaf Pickup – Administrator McNeilly stated leaf pickup for Zone 1 will begin on October 15th.

Budget 2025 Timeline – Administrator McNeilly stated the 2025 budget and capital memos have been distributed. These requests are due to be presented to the governing body on November 1st. The proposed 2025 budget discussion is scheduled for the November 12th work session meeting. The Tax Assessor and the Borough Auditor will give their presentations on December 10th.

Resident Request to Vacate Street – Mayor Wronko stated a resident has made a request to vacate Hude Street and asked what is involved in this process. Attorney Leo stated the Borough has to determine if the area is actually a paper street and if the road is to be vacated, there will be paperwork required. If it is a paper street, the property would be divided 50/50. Councilman Wachterhauser stated in looking at the map there appears to be an odd sized lot adjacent to the street. Administrator McNeilly stated Hude Street is located between Lloyd Avenue and Lawrence Avenue. If the road can be vacated the adjacent property owners would be notified so they can comment.

Planet Networks – Councilman Thornton stated Planet Networks has made an arrangement with the Lakeland Little League to set up their equipment and he asked if Planet Networks has provided a date to the Borough when their services will be available to the public. Administrator McNeilly stated he will ask for a status update.

COUNCIL DISCUSSION

Affordable Housing Trust Fund (Planner William Hamilton) – Mr. Keller stated that the Borough Planner will not be attending this evening's meeting. Councilman Thornton asked what the

deadline is for making a decision regarding the affordable housing trust fund. Administrator McNeilly stated this is a work in progress. There is not a specific deadline. Mr. Keller stated productive conversations have been held with the Borough Attorney. Attorney Leo stated the plan is to spend the funds by the end of the year. Councilman Thornton stated he is of the opinion the governing body needs to know the options ahead of time. Being presented with the options and told that a decision has to be made at the same time is not acceptable.

HSA Request for Nixle Messages – Councilman Wachterhauser stated the HSA President has requested that two Nixle messages be sent out on the next two Fridays regarding the October 5th Stanhope Fall Festival. Administrator McNeilly asked that an email be sent to him with the message the HSA would like sent. The Nixle message is limited to 170 characters. A copy of the flyer would also be beneficial. The email text can be as long as they want. Councilman Wachterhauser stated he will send the information and flyer to the Administrator.

Community Communication Software – Councilman Riccardi provided a handout with pricing and services provided for the community communication software. Mayor Wronko stated a demonstration can be scheduled for a future date. This topic will be reviewed by the Technology Committee first, along with the Mayor, Administrator and perhaps someone from the office. After that time, a presentation will be made to the Council. Mayor Wronko suggested that the governing body members go online and look at the website on their own in the meantime. Councilman Riccardi stated there are how-to videos which show how the program works and the costs are very reasonable. There are several municipalities in New Jersey using the program, the largest town is Princeton. Councilwoman Kuncken stated she appreciates Councilman Riccardi's efforts with this matter. Councilman Thornton stated he was originally asked by the Mayor to be part of the committee and he would like to attend as well.

OLD BUSINESS

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

Ordinance for Public Hearing and Final Adoption

Ordinance 2024-13

AN ORDINANCE OF THE BOROUGH OF STANHOPE AMENDING THE CODE OF THE BOROUGH OF STANHOPE BY DELETING CHAPTER 44 “RECREATION COMMISSIONERS, BOARD OF” IN ITS ENTIRETY AND REPLACING IT WITH NEW CHAPTER 44 ENTITLED “RECREATION ADVISORY COMMITTEE” AND ADDING A NEW CHAPTER 45, “CRIMINAL HISTORY BACKGROUND CHECKS”

WHEREAS, the Mayor and Council of the Borough of Stanhope have determined that a recreation advisory committee is more desirable than a recreation commission within the Borough; and

WHEREAS, the Mayor and Council of the Borough of Stanhope desire to clarify required background checks for all Borough employees and volunteers involved with minors and all youth program participants using Borough property; and

WHEREAS, the Mayor and Council of the Borough of Stanhope have determined that Chapter 44 of the Borough Code entitled “Recreation Commissioners, Board of” should be repealed in its entirety and replaced with a new Chapter 44 entitled “Recreation Advisory Committee” and a new Chapter 45, “Criminal History Background Checks” should be adopted.

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

SECTION 1.

Chapter 44 entitled “Recreation Commissioners, Board of” of the Code of the Borough of Stanhope, is hereby repealed in its entirety and replaced by a new Chapter 44 entitled “Recreation Advisory Committee” to read as follows:

Chapter 44. Recreation Advisory Committee

§ 44-1 Establishment

There is hereby established in the Borough a Recreation Advisory Committee, which shall have the duties and powers hereinafter set forth, the members of which shall be appointed by the Mayor in accordance with the provisions of this section with the advice and consent of the Borough Council.

§ 44-2 Membership Terms

Recreation Advisory Committee shall be composed of citizens of the Borough and shall be appointed annually by the Mayor. The Mayor shall also appoint one member to serve as the Chairperson of this Advisory Committee. Vacancies, which occur during the year, shall be filled for the unexpired term only. The members shall receive no compensation for their services. The number of members of this advisory committee shall be determined by the Mayor. Two members of the Borough Council shall be appointed annually by the Mayor to serve as representatives of the Governing Body to the Recreation Advisory Committee but shall have no vote, unless such person also is formally appointed as a member of the Recreation Advisory Committee.

§ 44-3 Relation to the Borough

- A. The Mayor and Council shall cooperate with the Recreation Advisory Committee to coordinate recreational activities in the Borough in order to plan a balanced recreational program for the citizens of the Borough and in order to provide the maximum use of recreational facilities in the Borough.
- B. The Mayor and Council may, by resolution, place public places, playgrounds and recreational places under the jurisdiction of the Recreation Advisory Committee for scheduling activities, use or for such purposes as may be specified in any such resolution. The Borough shall continue to be responsible for the care, custody, policing, equipping and maintenance of any such public places, playgrounds and recreational places, which may be placed under the jurisdiction of such Recreation Advisory Committee unless such responsibilities, or any of them, shall be specifically assigned in any such resolution.
- C. The Recreation Advisory Committee herein established shall not be, and shall not be deemed to be, a recreation commission pursuant to N.J.S.A. 40:12-1 et seq., but such Recreation Committee shall have only those powers and duties as may be set forth herein, or as may be more particularly provided by resolution of the Mayor and Council; provided, however, that in no event shall the Recreation Advisory Committee have, or be given, any powers or duties which would not be permitted to a recreation commission established under N.J.S.A. 40:12-1 et seq.
- D. There shall be no appropriation of public funds made to the Recreation Advisory Committee, or for the use of the Recreation Advisory Committee, except that public funds may be appropriated and used by the Mayor and Council for the following purposes connected with such Recreation Advisory Committee.
 1. For the care, custody, policing, equipping and maintenance of public places, playgrounds and recreational places as provided in Subsection B above.
 2. For the establishment and enactment of programs to be sponsored by the Recreation Advisory Committee. Such programs shall have received the approval and authorization of the Mayor and Council. Any programs which require funding by the Borough, shall be submitted in writing to the Mayor and Council, with an estimated budget request amount. No programs shall be considered authorized by the Mayor and Council without the provision of the funding of such programs in the Borough's annual budget.
 3. The Borough shall obtain liability insurance coverage, covering the approved activities of the Recreation Advisory Committee, and protecting the Borough, the Recreation Advisory Committee, and the individual members of the Recreation Committee, in the same manner and to the same extent as would be done were a recreation commission created pursuant to N.J.S.A. 40:12-1 et seq.

4. The Borough may provide and pay for surety bonds covering the members of the Recreation Advisory Committee in the handling of such funds as the Committee may receive from fees, gifts, donations or other sources. The Recreation Advisory Committee members responsible for the collection of such money shall be required by Statute to turn such funds over to the Borough Chief Financial Officer within 48 hours of receipt.
- E. Neither the Recreation Advisory Committee nor any member or members thereof shall have any power or right, express or implied, to bind or obligate the Borough or the Mayor and Council, directly or indirectly.

§44-4 Recreation Advisory Committee Funds.

- A. The Recreation Committee shall incur no financial obligations and shall expend no monies without the authorization of the Mayor and Council by duly adopted resolution.
- B. All requests for purchases must be approved and signed by the Chairperson of the Recreation Advisory Committee and/or the Recreation Advisory Subcommittee Chair and received the certification of the Borough's Chief Financial Officer and/or Treasurer prior to the Mayor and Council incurring such debt.
- C. The Recreation Advisory Committee shall collect no fees from the public for participation in activities without the authorization of the Mayor and Council by duly adopted resolution.

§44-5 Organization of Recreation Advisory Committee.

- A. The Recreation Advisory Committee shall establish programs and projects for the year and submit same to the Mayor and Council for approval.
- B. The Recreation Advisory Committee shall submit an annual request for a budget amount to the Borough's Finance Committee upon the request of the Borough's Chief Financial Officer. Such requests shall outline the programs anticipated and the projected cost of each program.

SECTION 2.

A new Chapter 45, Criminal History Background Checks should be adopted as follows:

Chapter 45. Criminal History Background Checks

§45-1 Authority to Request Background Check; Cost.

- A. The Borough Administrator, Borough Clerk and Chief of Police are hereby authorized to request a criminal history background check of any person, in accordance with N.J.S.A. 40:48-1.4, for any official governmental purpose, including, but not limited to, employment, licensing, volunteers involved with minors, volunteer fire and rescue applicants and the procurement of services. The person submitting to a criminal history record background check shall submit to being fingerprinted in accordance with applicable state and federal law, rules and regulations. The Borough Administrator, Borough Clerk and Chief of Police are authorized to exchange fingerprint data with and receive criminal history record information from the State Bureau of Identification in the Division of State Police and the Federal Bureau of Investigation. Any person who has submitted to a criminal background check, upon request, shall be able to receive the results of the check.
- B. The municipality, in its discretion, may charge any person submitting to a criminal background check the actual cost paid to outside agencies for obtaining the criminal history.

§45-2 Disqualification from service for certain crimes and offenses.

- A. A person may be disqualified from serving as an employee or volunteer of a Borough-sponsored program involving minors or any Borough organization if that person's

criminal history background check reveals a record of conviction for any of the following crimes and offenses:

1. In New Jersey, any crime or disorderly person's offense:
 - a. Involving danger to the person, meaning those crimes and disorderly persons offenses set forth in N.J.S.A. 2C:11-1 et seq., N.J.S.A. 2C:12-1 et seq., N.J.S.A. 2C:13-1 et seq., N.J.S.A. 2C:14-1 et seq. and N.J.S.A. 2C:15-1 et seq.
 - b. Against the family, children or incompetents, meaning those crimes and disorderly persons offenses set forth in N.J.S.A. 2C:33-1 et seq.
 - c. Involving theft as set forth in Chapter 20 of Title 2C of the New Jersey Statutes.
 - d. Involving any controlled dangerous substance or controlled substance analog as set forth in Chapter 35 of Title 2C of the New Jersey Statutes except paragraph (A) of subsection a. of N.J.S.A. 2C:35-10.
 2. In any other state or jurisdiction, conduct which, if committed in New Jersey, would constitute any of the crimes or disorderly person offense described.
- B. If this criminal history background check may disqualify an employee or volunteer for any purpose, such person shall be provided an opportunity to challenge the accuracy of the information contained. The person shall be afforded a reasonable period of time to correct this record and provide an accurate record. Failure to do so within a reasonable period shall result in disqualification.
- C. Appeal process. The Business Administrator shall be designated as the person for any appeal that is brought forth by any applicant for employment or volunteer position. The person shall have thirty (30) days from the receipt of the notice of disqualification to petition the Administrator for a review.
- D. No person shall be disqualified from serving as an employee or volunteer on a basis of conviction disclosed in a criminal history background check if the person has affirmatively demonstrated to the Administrator clear and convincing evidence of the person's rehabilitation. The Administrator can consider the following factors:
1. The nature and responsibility of the position which the convicted person would hold;
 2. The nature and seriousness of the offense;
 3. The circumstances under which the offense occurred;
 4. The date of the offense;
 5. The age of the person when the offense was committed;
 6. Whether the offense was an isolated or repeated incident;
 7. Any social conditions which may have contributed to the offense; and
 8. Including, but not limited to, any evidence of rehabilitation, including good conduct, counseling or psychiatric treatment received
- E. Prior to any youth club or organization receiving a permit to use a Borough owned property, the club or organization must complete an affidavit on a form approved by the Borough Attorney certifying that all coaches, assistant coaches and adults who are in positions of authority or control of youth participants under the age of 18 have completed and passed a background check within the last four years, meaning that the individual has not been convicted of any of the disqualifying offenses set forth in N.J.S.A. 15A:3A-3. The affidavit shall also state that the affiant is not aware of any relevant convictions subsequent to the background check.

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 Councilwoman Kuncken, seconded by Councilman Riccardi 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.

Rosemarie Maio asked why this is an advisory committee instead of just a Recreation Committee? The members are not advising, they are doing. Administrator McNeilly stated this is the legal wording, but it will be the Recreation Committee. Mayor Wronko stated the ordinance outlines the responsibilities and it is more than advising. Administrator McNeilly stated this will also indicate that their actions are a direct interaction between the committee and the governing body. This delineates it from being a freestanding commission. Ms. Maio stated there is a difference between a commission and a committee and once this is changed, their responsibilities and authority change.

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

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

NEW BUSINESS

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

Ordinance for Introduction and First Reading {Public Hearing on September 10, 2024}

Ordinance 2024-14

AN ORDINANCE OF THE BOROUGH OF STANHOPE, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY TO ADD A NEW SECTION 10-11 “JOINT MUNICIPAL COURT COMMITTEE” TO THE BOROUGH CODE

WHEREAS, in 2023, the Borough of Stanhope entered into an Agreement with Andover Township to become members of the Joint Municipal Court with the Township of Hampton, the Township of Byram, the Township of Fredon, Andover Borough and the Borough of Hopatcong; and

WHEREAS, in order to properly manage all aspects of the Joint Municipal Court, it has been agreed amongst the seven (7) municipalities that a Joint Municipal Court Committee shall be established.

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

SECTION 1. A new section 10-11 “Joint Municipal Court Committee” will be added to Chapter 10 “Joint Municipal Court”, to read as follows

§ 10-11 Joint Municipal Court Committee.

A Joint Municipal Court Committee shall be formed for the Andover Joint Municipal Court (Andover, Hampton, Fredon and Byram Townships and Andover, Hopatcong and Stanhope Boroughs), consisting of the Administrators of each member municipality, the Joint Municipal Court Liaison for each member municipality and the Court Administrator. In those municipalities that do not have an Administrator, the Clerk shall serve as the Committee member.

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 Thornton, 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.

Ordinance 2024-15 **AN ORDINANCE OF THE BOROUGH OF STANHOPE, SUSSEX COUNTY, NEW JERSEY AMENDING CHAPTER 133-7 “PARKING PROHIBITED DURING CERTAIN HOURS” OF THE CODE OF THE BOROUGH OF STANHOPE**

WHEREAS, the Borough Council determined that Chapter 133-7, “Parking Prohibited During Certain Hours”, needs to be amended to reflect the change in time prohibiting parking on the streets, avenues and public highways in the Borough of Stanhope.

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

SECTION 1

Section 133-7 “Parking Prohibited During Certain Hours”, Subsection “A” of Chapter 133, “Vehicles and Traffic” shall be deleted and replaced with the following:

§ 133-7 Parking Prohibited During Certain Hours.

A. No person shall park or store a vehicle on any of the streets, avenues or public highways within the Borough between the hours of 12:00 a.m. to 6:00 a.m. from November 1 to April 1.

All other provisions of Section 133 of the Code of the Borough of Stanhope shall remain in full force and effect.

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 Romano, seconded by Councilman Thornton and carried by a majority of the following roll call vote, the foregoing ordinance was introduced.

Mayor Wronko stated the main change with this ordinance is changing the hours from 4:00am to 6:00am. The new hours are 12:00am to 6:00am to allow the DPW to have more time to clear the roads during a storm.

Roll Call:

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

On motion by Councilman Romano, seconded by Councilman Simpson, 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 163-24 RESOLUTION APPROVING EMERGENCY SEWER PUMP REPAIRS

WHEREAS, the Borough of Stanhope became aware of a failure of pump #2 and the need for an emergency repair; and

WHEREAS, North Jersey Pump & Controls, LLC, the Borough’s usual vendor, was directed to make the emergency repair to the pump; and

WHEREAS, it was necessary to have this repair done immediately as it is the primary pump & the secondary pump is the only functioning pump at this time; and

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

WHEREAS, emergency repairs to Sewer Pump #2 totaling \$15,842.00 in work performed by North Jersey Pump & Controls, LLC is \$9,242.00 above the \$6,600 quote threshold;

WHEREAS, the emergent condition of the pump 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

North Jersey Pump & Controls, LLC for emergency repairs to Sewer Pump #2 in the amount of \$15,842.00.

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 Riccardi – yes
Councilman Romano – yes

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

Resolution 164-24

RESOLUTION APPROVING EMERGENCY WELL REPAIRS

WHEREAS, the Borough of Stanhope became aware of a failure of Well #2 and the need for an emergency repair; and

WHEREAS, DPS Pump Service LLC, the Borough’s usual vendor, was directed to make the emergency repair to the well; and

WHEREAS, it was necessary to have this repair done immediately; and

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

WHEREAS, emergency repairs to Well #2 totaling \$10,067.00 in work performed by DPS Pump Service LLC is \$3,467.00 above the \$6,600 quote threshold;

WHEREAS, the emergent condition of the well 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 DPS Pump Service LLC for emergency repairs to Well #2 in the amount of \$10,067.00.

On motion by Councilman Thornton, 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

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 165-24

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 \$197,477.63 UNDER THE 2025 SAFE AND SECURE COMMUNITIES PROGRAM, SUBAWARD GRANT NUMBER 25-1919

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. 25-1919, with a Match-Local Salary & Wages of \$93,494.00 and Match-Fringe Benefits of \$81,408.63, for a total project cost of \$197,477.63.

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, 2025 to January 15, 2026.

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 166-24

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF STANHOPE APPROVING SOCIAL AFFAIR
PERMIT**

WHEREAS, Lakeland Little League has filed an application for a Social Affair Permit for an event to be held on October 5, 2024, with a rain date of October 6, 2024; and

WHEREAS, the submitted application form is complete in all respects, fees have been paid and the application has been properly reviewed and approved by the Chief of Police;

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Stanhope do hereby approve the Social Affair Permit for the Lakeland Little League for their event to be held on October 5, 2024, with a rain date of October 6, 2024.

Resolution 167-24

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF STANHOPE APPROVING SOCIAL AFFAIR
PERMIT**

WHEREAS, Musconetcong Post #278 American Legion has filed an application for a Social Affair Permit for an event to be held on October 5, 2024; and

WHEREAS, the submitted application form is complete in all respects, fees have been paid and the application has been properly reviewed and approved by the Chief of Police;

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Stanhope do hereby approve the Social Affair Permit for the Musconetcong Post #278 American Legion for their event to be held on October 5, 2024.

Resolution 168-24

**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. 2023-009 representing 2022 property taxes and/or utility charges on Block 11008, Lot 2 known as 12 Maple Terr, assessed to Stanhope Shiva Realty, LLC, and;

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

To Lienholder: NJSL 301, LLC
650 E. Palisades Ave
#2258
Englewood Cliffs, NJ 07632

Redemption Amount:	Tax Title Lien #2023-009 and	
	Interest to Date of Meeting	\$ 1,911.51
	Premium Paid by Lienholder	<u>300.00</u>
Total From Current Fund:		\$ 1,911.51
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.

**Resolution 169-24 RESOLUTION APPROVING CONSTRUCTION
DEPARTMENT SPECIAL PROJECT EXTRA HOURS**

WHEREAS, there exists a need for extra hours to be worked for a special project regarding administrative application processing within the Construction Department of the Borough; and

WHEREAS, the pay rate for such special project work will be \$25.00 per hour, up to three (3) hours per week; and

WHEREAS, the Borough Administrator shall supervise the special project extra hours, which are approved for a period of one (1) year; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose in the 2024 budget.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the Borough approves the administrative application processing special project extra hours for the Construction Department.

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

Councilman Wachterhauser abstained from Resolution 166-24.

Roll Call:

Councilwoman Kuncken – yes	Councilman Simpson – yes
Councilman Riccardi – yes	Councilman Thornton – yes
Councilman Romano – yes	Councilman Wachterhauser – yes (abstained #166-24)

Mayor’s Acceptance of Resignation

**Resolution 170-24 MAYOR’S ACCEPTANCE OF RESIGNATION OF ANN
MARIE THERRIEN FROM HER EMPLOYMENT WITH
THE BOROUGH OF STANHOPE WITH COUNCIL
CONCURRENCE**

THEREFORE, BE IT RESOLVED by the Council of the Borough of Stanhope they do hereby concur with the Mayor’s acceptance of AnnMarie Therrien’s resignation from the position of Construction Secretary, effective September 19, 2024.

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

PAYMENT OF BILLS

**Resolution 171-24 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 September 24, 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 Thornton and unanimously carried by the following roll call vote, the foregoing resolution was duly adopted.

Roll Call:

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

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

ATTORNEY REPORT

Attorney Ursula Leo stated she had no report this evening.

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.

George Graham stated he is here this evening to speak about the JCP&L electric program. Mr. Graham stated he has never been a fan of having governing bodies taking that step into what he calls the free market. Mr. Graham asked if this was done through a bid process or was it offered, and the Borough just went with it? Administrator McNeilly stated the Borough has been involved in the program since 2013 with the Sussex-Warren Energy Co-op. The vendor did the reverse auction and that is where the award came from. Mr. Graham stated he received the letter from JCP&L and his concern is that the letter did not explain what this was or what was going to change. All it said was look at the website. The website only had a chart that was not informative. Mr. Graham stated the governing body has been very good at informing the public and this has been a major improvement. Councilwoman Kuncken stated many conversations were held in past meetings regarding what the governing body felt an acceptable rate would be. Administrator McNeilly stated when the program first began the rate was very good. The agreement was that if the savings equated to one month's savings we would participate and that was the case. The second agreement was based on accepting the plan as long as the rate was lower than JCP&L. There was a year where JCP&L's basic generation received a credit which put their rate below the co-op rate, and we were locked in. Since that time the savings is just not there. The average savings at this point is approximately \$4.00. There were a few years where the co-op determined the rate was not acceptable and the program was not available at that time. The last time the Borough residents would have received a JCP&L bill with the co-op pricing was May of 2021.

Mr. Graham stated the letter the residents received should have listed the costs. Councilman Wachterhauser stated there were two letters the residents received. There was a letter in July which stated the JCP&L rate, the auction rate and the option to opt-in to a green energy program. The first letter had the co-op information included in it. Administrator McNeilly stated the letter residents just received from JCP&L is the anti-slamming letter that they are required to send by law. Councilman Wachterhauser stated the co-op, along with many others in the state, is just an attempt to save money on the generation portion of the electric bill due to the deregulation of the energy company back in the 1990's. Administrator McNeilly stated the only way the program works is with an opt-in approach, which is not ideal. Councilman Thornton stated if the savings are not what they used to be, then perhaps the Borough needs to reevaluate whether or not to participate in the future. Administrator McNeilly stated this current agreement is for 18 months. The governing body can inform the co-op that Stanhope Borough will no longer participate if that is the decision. Mayor Wronko stated he has already been discussing this issue with the Administrator for that reason. It may not be worth the angst that it is causing in the community.

Councilman Wachterhauser stated he has seen comments on social media and residents thought JCP&L was no longer their energy company. Mr. Graham stated to add to the confusion there are two IDT's. Administrator McNeilly stated there was the added problem that Mr. Graham's neighborhood was slammed with a deal too good to be true a few years ago. Administrator McNeilly stated the amount of effort that happens in the front office with calls to the Clerk, Deputy Clerk and his office is very time consuming. Mr. Graham thanked the governing body, and the governing body thanked Mr. Graham for taking the time to attend this evening's meeting.

Brian Lattari stated he has lived in the Borough for the past 12 years and there was an issue with a sewer line at his home recently. In speaking with various people, it was suggested that he attend the Mayor and Council meeting to let them know what transpired. Mr. Lattari stated the Borough's Department of Public Works team is awesome. Mr. Lattari stated his sewer line was mismarked and it was crushed by NJ Natural Gas. This occurred on a Friday night and unfortunately, he did not know that he could call the Police Department who could then contact someone to let them know there was an emergency. All weekend he battled the unknown reason for the sewage backup occurring at his home. The sewage was coming up in the shower and through the bottom of the toilet. This destroyed his bathroom. He had thought the problem had stopped because he could not see it but that was not the case. Damage also occurred to part of his office, the hallway and the laundry room. The insurance adjuster who came out to the property has determined the damage to be in the area of \$8,500 to \$9,000. This is not to fix it; it is just what is damaged. Mr. Lattari stated unfortunately his homeowner's insurance only covers up to \$5,000 for a sewage backup. Mr. Lattari has filed a Tort Claim with the Borough which was submitted yesterday. Mr. Lattari stated he does not know how this process works and he wants to make sure that he has done all he can do. He is currently in a very unfortunate situation. Mayor Wronko and the governing body stated how sorry they are that Mr. Lattari has had this happen. Attorney Leo stated once the Tort Claim is filed it is then forwarded to the insurance company. Administrator McNeilly stated the claim has already been forwarded. The insurance company will make the determination on the claim and it is out of the Borough's hands. Once the insurance company evaluates the claim, they will contact Mr. Lattari. Mr. Lattari thanked the governing body for their time.

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

ADJOURNMENT

On motion by Councilman Romano, seconded by Councilwoman Kuncken and unanimously carried by voice vote the meeting was adjourned at 8:02 P.M.

Approved:

Linda Chirip
Deputy Clerk