

**MAYOR AND COUNCIL
REGULAR MEETING
December 10, 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
Councilman Riccardi – present	Councilman Thornton – present
Councilman Romano – present	Councilman Wachterhauser – present

Mayor Wronko – present

PRESENTATION

Raymond Sarinelli, Borough Auditor – Raymond Sarinelli, Borough Auditor, stated the Governor has pulled \$150 million from the State budget for State Aid to the municipalities. For Stanhope this means there is a \$22,000 revenue that is going to be pulled from the revenue side of the budget in the form of State Aid. This is not a huge overwhelming number that cannot be overcome, however, the revenue is going to have to be made up somewhere else. Many municipalities, including Stanhope, are seeing the levy cap and the appropriation caps, any banks that the Borough had are starting to dwindle down and a big reason for that is the inflation over the past several years. It is hard to bring in a budget at 2% when expenses are going up 8%. A lot of the caps were eaten up over the last couple years trying to deal with inflation to make sure there is an adequate budget to run the programs the Borough wants to have. This has hurt not only the appropriation cap but the levy cap as well. The levy cap we can deal with. There are some exceptions. The appropriation cap is a hard cap and it may be a little more difficult to meet within that cap. The good thing is that the governing body has made a lot of good conservative decisions over the past several years to try and make sure there was a good budget and planned for the future. Some municipalities are going to have tough decisions to make. Stanhope, however, has a nice balanced budget so while there may be some difficult decisions to make, Mr. Sarinelli does not foresee an issue with being able to prepare a balanced budget for 2025. The good decisions that the governing body has made over the years to have a long term plan have helped and will help in 2025. Mr. Sarinelli stated another item always discussed is the long term debt of bonds and notes. There is a big water utility project coming up, so the right decisions need to be made in order to pay down debt in this budget to make sure there will be room for that note or bond that is going to come on to help pay for that project. The Federal Government is covering a great deal of the costs but Stanhope has to pay a share too. There are some good things happening. The yield curve was inverted for a period of time and it has reversed itself. This has put pressure on interest rates to stabilize and come down a little bit towards the end of the year. Hopefully, this will be maintained through 2025 and the Borough will have a good balanced budget and be able to continue to pay down debt and interest. As we get into January and February, the AFS will be completed along with the financials and then we will know more and see where things stand. Another update will be provided prior to the budget. Mr. Sarinelli urged the governing body, as we

enter 2025, to continue the good long term plan of seeing the years down the road and planning appropriately.

Mayor Wronko asked Mr. Sarinelli if he knew why the Governor removed the funding for the municipalities. Mr. Sarinelli stated he is not aware of any concrete reasons but he guesses that a lot of the ARP funding which was flowing through the State government was being passed through to the municipalities. Now that those funds are gone, the Governor may be pulling back on it. Mr. Sarinelli stated he has helped design other budgets to not rely on that funding because he predicted that the State would pull those funds. However, he does not know the actual reason. Mr. Sarinelli stated there are a few legislators trying to pass legislation to get that funding returned back into the budget. But, the fact that it is not in the budget to start does not bode well for the municipalities. Councilman Riccardi stated over the past six years the governing body has been increasing the amount to pay down the debt. Councilman Riccardi asked Mr. Sarinelli if what they are doing is still appropriate or do they need to change course. Mr. Sarinelli stated that a lot of the steps taken were very good. A course change is not needed as yet. As the water utility project begins, we will have to see what needs to be done. A decision may not have to be made until 2026. Mr. Sarinelli stated really good decisions have been made in the past five to seven years, which is called "The Stanhope Plan" in his office, of paying down the notes and then getting into a long term bond. Good decisions were made to stay within that ten year payback period. There is nothing that needs to change at this time. There may be a little pressure due to interest rates. But so far things look good. Administrator McNeilly stated last year the budget took a big jump. Mr. Sarinelli stated the jump may have been big for Stanhope but if was about average in comparison to the other municipalities.

Jason Laliker, Borough Tax Assessor – Jason Laliker, Borough Tax Assessor, stated this is his tenth year providing this report to the governing body. Mr. Laliker provided copies of his report. Over the past couple of years the Borough's ratio has been beginning to drop and when it drops too far that is when the County Tax Board will require a revaluation. On December 18th, the Board is going to order that a revaluation be done in Stanhope in 2025 or 2026. From 2024 to 2025 it was a typical year in Stanhope where everything was stable. The ratable base is not going to move too much. The big difference is the ratio of assessed value to market value, which was 69.22% for 2024, is extremely low. The only reason the Borough got down to 69% is due to COVID. The Tax Board saw what was happening with the market and they got nervous about starting to order revals because they thought the market was going to tank and now we are four years out and it does not show signs of tanking. For 2025, the Borough will be at 63%. In 2024 there were 76 total sales and 44 usable sales, which is pretty typical. There are 33 categories that the State uses to determine a sale is not usable for purposes of studying the ratio. Some of the obvious ones are selling to a family member, estate sales or foreclosures. There may be sales where someone renovated the house and those renovations are not being assessed. Mr. Laliker stated he then has the ability to correct the property record card for some of those items. Those are typically very low sales, which affect the ratio, so he is vigilant about correcting the values and pulling those sales out. If every sale was not being looked at, the ratio would be even lower. This year was pretty good. In 2022, there were a few more sales but the number of usable sales was much less.

Mr. Laliker stated there were two appeals this year. One was affirmed with no reductions and the other had stipulated reductions due to fire damage. Next year the appeals should be about the same. However, with rates this low there is concern for commercial properties. They are being bombarded by attorneys trying to have them file appeals. There were 25 added assessments this year. The ratable base was increased by approximately \$700,000, which is fairly typical. Some assessments do get lost during the year as well due to things like fire damage or removing a pool. The Borough does not net a \$700,000 increase every year. There are not a lot of added assessments in Stanhope. Getting ratables is important. The possible development on Sparta Road would be a great addition. This would allow the ratable base to increase which is beneficial for everyone. With 206 units, 40 COAH units, and assuming a market value of \$500,000 for the market units and \$350,000 for the COAH units, this is potentially \$85 to \$90 million dollars in sales figures. This would equate to \$2 million dollars in taxes. For Stanhope, this is a huge number and it would be fantastic.

Mr. Laliker stated the second page of his report outlines the revaluation information. People get nervous when they hear about a revaluation but it is very different than it was in the past. The last full reval in Stanhope took place in 2006. In 2012, the Assessor at that time did a reassessment, which is a paired down version of a reval. The process has changed

significantly since 2006 especially with transparency. The reval companies try to put everything out there. Previously, homeowners received an introduction letter and then someone was knocking on your door. The homeowners would then receive a simple letter stating the value and there was no tax information provided. Then in July they would get a tax bill with an increase and they have missed the opportunity to appeal. There are properties that receive a decrease in their taxes. Now there is more information available which will be placed on the Borough website. The reval company will have information on their website. They will provide a presentation on their website explaining the process. On December 18th the County Tax Board will be officially ordering the Borough to conduct a reval. Administrator McNeilly asked Mr. Laliker his opinion on whether the Borough should proceed with the reval process or should a hold be requested. Mr. Laliker stated no one wants to do this but he is of the opinion that the Borough should proceed. In his opinion, the biggest area for a problem in the residential category are with the condominiums which seem to be assessed differently than the other single family residences. The condos are lower but their value has skyrocketed. The ratio was 69.22 for this year. Mr. Laliker stated last week he entered three condos and they were 39%, 41% and 44%. The sale prices are very high. Administrator McNeilly stated as a result of this the condos are upside down and if the market were to drop, they will be the ones to crash fast. Mr. Laliker stated there are ways to handle that concern. Some towns are doing annual reassessments and one of the benefits of doing that is that it gives the ability for the next year to change assessments based on what has happened in the market. This can be talked about at a later date.

Mr. Laliker stated a reval is needed for Stanhope. The commercial properties were last valued in 2006. In 2012, they were addressed but it was a paired down version. Some commercial properties may be under assessed and if they should be assessed higher, that will shift the tax to commercials to a degree which is beneficial. Councilwoman Kuncken asked if it would be beneficial to wait for the development to be built which will bring in more taxes. Mr. Laliker stated waiting is not recommended. It may be several years before the development is built and the units will be added in a few at a time. Mr. Laliker stated he will be attending the County Tax Board meeting on December 18th. After the order is received, bid specs will be compiled and Mr. Laliker will work with the Borough Attorney to prepare these. The reality is there is only one company that is going to place a bid. There is one company that does revals in North Jersey and one that services South Jersey. Fortunately, the prices have not gone through the roof. Revals are priced by the number of line items. Mr. Laliker estimates the cost to be somewhere in the range of \$150,000 to \$175,000 for this project. High end would be \$100 per line item and low end would be \$75 per line item. Administrator McNeilly stated this does not get budgeted for. This will be an emergency appropriation which gets paid for over a ten year period. Councilwoman Kuncken stated the reval would take place in 2025 but the impact will occur in 2026. Once the bids are received, the contract has to be approved by the State which could happen in March. After that approval is received, letters will be sent to the property owners and information will be placed on the Borough website. Inspections would begin in April and May which would be done quickly. The proposed values for 2026 would be sent out in November. Informal homeowner meetings would be held here in the Borough with the revaluation company in December. Homeowners can view their record card and know what is on it. The assessment company will post all of the assessments on their website along with all of the sales used for the assessments. There will be a tax impact calculator. With no exceptions, the book would be filed on January 10, 2026. Sometimes with lots of hearings or delays, the need may arise to ask for an extension from the County Tax Board for a month or so. This is just a general timeline.

Councilman Riccardi asked how the actual assessment is carried out. Mr. Laliker stated the homeowners will receive the initial letter. The inspectors will come unannounced. The company will have a picture of the inspectors, name, car type and license plate. The Police Department will also be given the inspectors information and the Police will be provided with the portion of town where the work is being conducted. The inspectors will go door to door and if no one is home they will leave a card stating they need to make an interior inspection of the property on a specific date and time. If that does not work for the property owner, they can call to reschedule. The inspector will then measure the exterior of the house including pools, decks, sheds, etc. If the person is home, the inspection takes a five to ten minute walk through and it is done. They are looking for things such as condition, number of bathrooms, finished basements, finished attics, central air conditioning, and fireplaces. If the inspector does not get into the house because someone refuses access or for whatever reason, a blue card will be left at the property with an estimate. If the estimate is not correct,

the property owner needs to contact the company. The estimate is going to be high. It is in the property owners best interest to call. If there are health concerns and someone cannot let the inspector into their home, a virtual appointment can be arranged. Much discussion took place regarding changes people may have made to their homes or condominiums over the years. Councilman Thornton asked if Mr. Laliker is confident once the bid is received that the reval would take place in 2025. Mr. Laliker stated sometimes tax maps can delay a reval but he does not see that being an issue in Stanhope. A revaluation and a reassessment is essentially the same thing however, with a reassessment the tax maps do not have to be sent to the State to be approved. Councilman Thornton asked if all the information will be provide to the property owners through the reval company and not Borough Hall. Mr. Laliker stated he will receive a great deal of questions that he will be able to answer and explain. The company will be responsible for all the scheduling and inspections. Mr. Laliker stated if the governing body members receive questions from the public they should advise those people to contact him directly and he will see that their questions are answered.

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.

Brian Lattari stated he attended the September 24th meeting and made the governing body aware of his unfortunate circumstance with regard to the damage done to his sewer line by NJ Natural Gas. The sewer line was not marked out properly. The actual location was 75 to 80 feet away from the markout. As a result, the gas line was laid on top of the sewer line and crushed the sewer line. Over the next two to three days, it slowly flooded the first floor of his home until he noticed it but it was too far gone by then. Mr. Lattari stated he was informed by the municipal office that he needed to file a tort claim through the municipal office. In order to do that, there were some primary steps such as contacting his homeowners insurance company to have them do an assessment. The insurance company had to compensate him for whatever damages they could based on his policy. The insurance company paid a portion but there are still costs not covered by his insurance. This balance was included on the tort claim and submitted. The tort claim is being handled by Athena Smith the Property and Liability Claims Administrator for the Morris County Municipal Joint Insurance Fund. Mr. Lattari stated he filed the paperwork on September 30th but after three weeks he still had not heard anything so he reached out and Ms. Smith contacted him on October 17th apologizing for the delay in the response claiming there were technical issues. Ms. Smith has stated she has forwarded the information to Stanhope Borough's Risk Manager and the DPW Superintendent. Mr. Lattari stated he was told by Ms. Smith that this was being done to determine where the fault lies and whether or not the gas company contacted One Call before digging. Mr. Lattari stated he explained to Ms. Smith that the running of the gas lines is a townwide initiative and he did not request to have gas lines to his home and he is not having gas lines installed. All of this was done without his control and he had nothing to do with it. Mr. Lattari stated Ms. Smith's communication has not been great and she in turn is blaming the Risk Manager and the Borough. Mr. Lattari stated it has now been three months since this happened. His first floor is still destroyed and down to the studs. He does not have \$20,000 to make these repairs. Mr. Lattari stated he would really like this taken care of before the new year. It is cold out now and the walls are exposed. The bathroom, laundry room and hallway had to be gutted.

Administrator McNeilly stated, unfortunately the claim did get spun off into different areas and he was hoping to have a better answer for Mr. Lattari this evening. Administrator McNeilly stated he is tracking it closely. Even if Call Before You Dig is contacted and the area is mismarked, there is a point of exposure for the person putting the shovel in the ground. Administrator McNeilly stated he will follow up with Ms. Smith and he will email Mr. Lattari with an update either way to get this sorted out. Administrator McNeilly apologized that the road was not taken care of as yet, he thought it had been. When the lane repair is done, typically half the width of the road would be paved. However, due to the width of this road, the entire road may be repaved. Mr. Lattari stated the DPW has been fantastic. Every time he has encountered and interacted with the DPW they have been phenomenal. The line was broken and they had to dig back into the road to repair the line. There were two, eight to ten foot trenches, which were two and a half to three feet wide that were left not paved. Mr. Lattari stated it has been three months and he did not notify anyone because he figured someone would be back to take care of this. However, one day after a rain storm he was outside and slipped and fell due to the mud. He was not injured but worried it could happen to someone else. Mr. Lattari sent an email to Administrator McNeilly and Jason Titsworth, DPW Superintendent and within 72 hours the work was done. Mayor Wronko asked Administrator McNeilly to a follow up with the JIF representative and to provide her with whatever information she needs from the Borough.

Administrator McNeilly stated she has received everything required from the Borough but he will contact her tomorrow to follow up and he will email Mr. Lattari even if he does not hear back from her. Mr. Lattari extended his thanks to the governing body and the Administrator.

Nancy Hoyt asked if the Borough is participating in the electric co-op now. Administrator McNeilly confirmed the Borough is in the co-op. Mrs. Hoyt stated her bill and she has heard from others in the community that their bills have also increased. Administrator McNeilly stated he is not an expert on electric bills. There are two things that drive the change in costs, the usage and the rate. The co-op rate and the JCP&L basic service rate have both increased. The co-op rate is less than the JCP&L rate. The exact difference is just pennies. Last time the co-op ended in May of 2022 and it was not renewed due to the fact the basic service rate was lower than what the co-op rate would have been. The wording in the co-op agreement states the auction is good if the rate is lower than JCP&L's. This is something the governing body will need to discuss moving forward. Mayor Wronko stated the benefits of the program are not as appealing as they once were. Councilman Thornton stated that JCP&L has installed smart meters and many people are complaining and feel that the meters are not calibrated properly. Councilman Thornton asked how long the contract with the co-op will be in place. Administrator McNeilly stated the difference in the basic service rate is 11.78 cents per kilowatt. The winning bid was 11.19 cents per kilowatt. This calculates to approximately a \$4.00 savings per month for the average home. When the program was first envisioned, the savings had to be equivalent to a one month savings. There was another requirement that stated if JCP&L's rate went lower then the co-op plan would end. That stipulation has also been removed from the contract. Councilman Thornton stated the residents do have the option to opt-out of the program at any time. Administrator McNeilly confirmed this.

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

MINUTES FOR APPROVAL

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

November 12, 2024 Work Session and Agenda Meeting & Closed Session
November 26, 2024 Business Meeting

On motion by Councilman Romano, seconded by Councilwoman Kuncken and unanimously carried by voice vote, the minutes were approved.

CORRESPONDENCE *(List Attached)*

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

COUNCIL COMMITTEE REPORTS

Public Safety – Councilwoman Kuncken/Councilman Riccardi

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

Councilwoman Kuncken stated the number of reports is less than usual due to the fact the reports are usually given during the second meeting of the month.

Councilwoman Kuncken stated the County Fire Marshal received and responded to one fire code complaint received from Stanhope's Fire Department. The complaint involved fire alarms and storage at the Black Forest Inn apartments. The Fire Marshal found no violations. All the other inspections submitted prior to this report in November passed.

Councilwoman Kuncken stated the Police Department reported 96 motor vehicle stops and a total of 272 calls.

Finance & Administration – Councilman Romano/Councilman Thornton

Councilman Romano stated the tax collections for November totaled \$2,752,130.43. The year to date total is \$13,542,507.74. The overall tax collection percentage currently is 97.75% and the prior year delinquent collected is 100%. The collections are in good shape.

Community Development – Councilman Wachterhauser/Councilman Simpson

Councilman Wachterhauser stated that the Community Development Committee would like to have Hometown Hero banners to display on the Borough street light poles. Administrator McNeilly stated there are approximately 50 decorative street lights. Councilwoman Kuncken stated this was an idea that was seen at the NJ League of Municipalities Conference. The cost of the banners would be covered by the family of the veteran requesting a banner. If for some reason someone is unable to cover the cost, some type of fund raising or donations could be done to cover some of the costs. Councilwoman Kuncken stated the committee discussed what would happen if more requests are made than there are light poles and it was suggested that the banners displayed for Memorial Day would be for those who died in combat and Veteran's Day would be for the other veterans. Mayor Wronko stated it would have to be a first come first served basis. Administrator McNeilly stated changing the banners is a labor intensive and dangerous job. The request forms must have an expiration date. The banners may only last two seasons and this cannot be a forever program. Councilwoman Kuncken stated the banner company stated the banners have to be hung tightly to prevent the wind from beating them up. Taking them down will preserve the life of the banners by keeping them out of the hot sun constantly. Councilman Wachterhauser stated the photos provided by the family can be photoshopped by the banner company and the background can be changed if necessary. Administrator McNeilly stated with 50 poles there is room for 100 flags. Councilman Riccardi asked if there is any type of guarantee on how long the banners should last. Councilman Wachterhauser stated a guarantee was not discussed. The banner size is 24" x 48" at a cost of \$105.00. The minimum order is six (6) banners. Mayor Wronko stated the Stanhope Foundation may be able to cover some of the costs if necessary. Councilwoman Kuncken stated if the governing body approves going forward with this project, the committee will contact the American Legion to see if they have interest in the program. Councilman Wachterhauser stated there is another size option of 18" x 36" which cost \$85.00 each. Administrator McNeilly stated the size needed for the existing fixtures is 18" x 36". The governing body members were all in favor of moving forward with the banner project.

Municipal Infrastructure – Councilman Thornton/Councilman Romano

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

Councilman Thornton stated the DPW has taken care of the hole in the road on Maple Terrace. Leaf pickup is nearing the end. Zone two will be completed this week and the final pickup will take place next week. As of next Friday, leaf pickup will be done for the season.

Mayor Wronko stated he is receiving complaints from residents stating the police officers on special duty are telling people they cannot pass through the road closure. Administrator McNeilly stated he reminds them constantly, but this is an ongoing struggle. Mayor Wronko stated the problem is we are telling the public one thing and then they are being told something different.

Councilman Riccardi asked if Brooklyn Road is still on the list for leaf pickup. Administrator McNeilly confirmed this. Now that pickup has been on schedule, on Friday's the zones are certified as being complete. This avoids anyone being able to say their leaves have been missed. Administrator McNeilly stated leaf pickup on Brooklyn Road requires all hands on deck for safety issues. Councilman Thornton asked Administrator McNeilly to send out a Nixle message when the zones are completed telling residents they can no longer put leaves out in that zone. Administrator McNeilly stated he will send the Nixle message.

Information Technology – Councilman Riccardi/Councilman Wachterhauser

Councilman Riccardi stated he had no report this evening.

Boards/Commissions – Councilman Simpson/Councilwoman Kuncken

Councilman Simpson stated the Recreation Committee held pictures with Santa at the Municipal Building this past Saturday along with the Christmas Tree Lighting. There was a party afterwards which was held at the Presbyterian Church. The Recreation Committee did a great job with this event. Councilman Simpson stated Recreation has done a great job all year with the various events and he extended his thanks to the Committee for all they have done.

Councilman Simpson stated he attended the Shade Tree Commission meeting on December 3rd and he met the new Forester. The Forester made a presentation called Home Grown National Park which deals with planting native species. The goal is to have residents remove invasive species from their properties and replace them with native New Jersey plants in their place.

Councilman Simpson stated the Open Space Committee met with the Hopatcong State Park Superintendent, Jacob Hamilton, last month. They discussed a project the State Park is planning which will take place near the Plaster Mill. Councilman Simpson will update the governing body when more information is available.

Councilwoman Kuncken stated a couple members of the Recreation Committee have resigned. The members do a really great job with all the events that take place throughout the year. If anyone is interested in joining the committee, please reach out. Councilman Simpson stated he knows of two people interested in joining. He will ask them to fill out and submit the volunteer form.

ENGINEER'S REPORT

Eric Keller, Borough Engineer, came forward to present his report.

Sunset Avenue, Ridge Road Water Main Project – Mr. Keller stated he reported at the last meeting that he had met with the contractor to discuss some issues. The contractor has now agreed with Mr. Keller that one of the change orders was inappropriate and not consistent. In January, there will be one change order for the water tie-in which is valid and justifiable. There will be two more payouts but the change order payout cannot be made until the change order is approved. Mayor Wronko asked if there will be any delay in having NJ Natural Gas begin work in this area. Administrator McNeilly stated this will not cause a delay. This is the end of the project and residents have been given enough time to inform us if anything needed to be repaired. The entire job has been videoed to document the area. The gas company will finish their work on this side of town first before moving over to the Sunset area. Mr. Keller stated he and the DPW Superintendent met with the contractor. A complaint was received from 15 Ridge Road regarding their sidewalk. Mr. Keller stated the sidewalk is stable and does not have a tripping hazard. The homeowner on the corner of Sunset and Ridge made a complaint. The contractor was smart in that he made a video of everything. Mr. Keller reviewed the video and there is no damage.

Councilman Romano asked if the letter from William Hamilton, Borough Planner, should be discussed now while Mr. Keller is present. Councilman Thornton stated the letter was just received and he would prefer having time to review the letter in order to participate in the conversation. Administrator McNeilly stated a resolution can be placed on the January 14th meeting but essentially the Borough has no choice. The State has prepared the number. The governing body can say they like the number and accept it or not. Councilman Romano agreed that receiving the letter just prior to tonight's meeting is not ideal. The governing body only has until January 30th to object. If this is not approved until the January 14th meeting, will Mr. Hamilton have time to prepare.

Mr. Keller stated he and Mr. Hamilton have talked and Mr. Keller has represented the Borough for a very long time. This has been difficult. The State did not give enough time. Decisions need to be made as to whether the Borough objects with this or do we want to do this process. Mr. Keller stated they have brought in other internal groups who do this type of work to help with the process. This has a fair amount of information and is not a small undertaking. Mr. Keller stated he understands the council's concerns and the timing is not great. A great deal of information is being navigated trying to get the information the governing body needs. Mayor Wronko asked Mr. Keller how long it will take Mr. Hamilton to perform the analysis. Mr. Keller stated it could take a couple of weeks. If approval is not granted until January 14th, there will not be enough time to prepare this by January 30th and there will not be an opportunity to discuss this with the governing body.

Councilman Wachterhauser asked if January 30th is the absolute deadline for the report. Ursula Leo, Borough Attorney, stated the governing body either needs to accept the number provided or provide a new number which needs to be supported or the Borough needs to say they are not playing. The law as it is written says by January 31st a resolution has to be adopted if you want to have immunity from the builders remedy. If this is not done by January 31st, Fair Share or a developer can come in and do a builders remedy. They have a one month period if a resolution is adopted to challenge that number. Mayor Wronko asked what currently exists in the Borough

that a builder could go after for builders remedy. Administrator McNeilly stated Sparta Road, Compac, and Stanhope Mountain. Councilman Wachterhauser stated a developer has already presented a plan for Sparta Road. Mr. Keller stated if they were to do a builders remedy the court would dictate the number.

Councilman Romano stated as much as he does not want to do this tonight, it has to be done in order for the people who need to get us the information to move forward. Councilman Wachterhauser stated the cost is \$34,500 and during budget discussions \$100.00 printer ink was being questioned. Mayor Wronko asked if they move forward and come up with a new number, can a builder still come in with a builders remedy? Attorney Leo stated at the end of January a resolution has to be adopted by taking the number DCA has given the Borough or a new number that has to be at least internally supported. There is a month to challenge that number. Anyone can challenge it which is usually done by Fair Share Housing or a developer. They can challenge this even after we adopt the number. The Borough has until June, which will be Mr. Hamilton's heavy lift, to create a housing element fair share. That is when Mr. Hamilton will say the 278 number is 270, 250 or 150, whatever it is. That Housing Element Fair Share Plan says zoning here, affordable housing zone here, overlay here, durational adjustment, lack of sewer facilities, that is how we are going to meet it. So really, we are only anticipating five (5) units to be developed because of these 50 reasons, but there is a 200 page document to get there. The Housing Element Fair Share Plan is actually what does this. Then take another month we can appeal again which takes you to September to adopt an ordinance to make it work and then it is done.

Mayor Wronko asked what risk is involved. Attorney Leo stated the risk is that the difference is that when someone comes in for a builders remedy versus what is already in our mind, the density and buffers are gone and whatever is proposed will be much more and the Borough will lose local control because the court could say for example that 10 units per acre looks fine to them. That is the risk with any open property or redevelopment or second stories. Councilman Wachterhauser asked if it is an option to join with the other municipalities that are suing the State. Attorney Leo stated there are issues with this. The NJ Institute of Local Insurers presented information at the NJLM Conference. The proposal is super complicated. The Borough's number is based on land capacity, economics and there is a third component which exists which Attorney Leo and Mr. Hamilton are working to understand. Separately what the NJ Local Government Attorney's is saying is to instead take the last ten years of Certificate of Occupancies and make that our number. Attorney Leo stated she can have a resolution to support this prepared for the next meeting if the governing body chooses to do so. No one has jumped behind this as yet. They are trying to gain support, but this is never going to be the reality because it is too low. But, if everyone jumps on this to say these numbers are more realistic, that is an option. Mayor Wronko asked Attorney Leo if she would recommend moving forward with Mr. Hamilton's proposal at the cost of \$34,500. Attorney Leo stated she has not read the proposal and asked if it includes the Housing Fair Share Plan. Mayor Wronko stated the proposal is to prepare a vacant land analysis. Attorney Leo stated if the Borough is going to have a number, other than what has been proposed by the DCA, the governing body would have to have something like this in place. Attorney Leo stated she has not spoken with Mr. Hamilton about this but her understanding is that a vacant land analysis can be done as part of the Housing Element Fair Share Plan. This is a good idea but Attorney Leo is unsure as to whether or not this can be done now to get to the number needed or if it has to be done with the Housing Element Fair Share Plan.

Mr. Keller stated the analysis is the basis for the new number and explained how all open land such as highway medians were used by the courts to determine their numbers. Councilman Thornton stated if someone sues the Borough that would be the time when our attorney can argue the case for us. Attorney Leo stated the Borough has a constitutional obligation to provide a realistic opportunity for low and moderate income housing. If someone were to come in they would be saying that Stanhope is not providing an opportunity for affordable housing and therefore, the developer is going to do that for you. The court would not be considering whether that was done because the Borough did not play the game. Mr. Keller stated we know there is a site that is developable, approvable, has utilities and meets the requirements. Discussion took place regarding different scenarios. Mr. Keller stated this plan will be in place for ten years, from 2025 until 2035. Developers will look for towns that do not buy in. Land is currently at a premium in New Jersey. There is not much land left. Mr. Keller stated, as the Borough Engineer, and as someone who works on both sides of this issue, this can become expensive for both sides. The analysis will provide the prospective number for this fourth round. If the Borough does what the State requires, the Borough will have immunity for ten years. Discussion took place regarding areas in other towns where large developments are being built and the amount of land available in the Borough. Administrator McNeilly stated he consulted with the CFO about the

availability of funds. Administrator McNeilly asked Attorney Leo if the COAH Trust can be utilized. Attorney Leo stated she will have to look into this. The funds cannot be used to challenge the numbers. They can only be used for administrative costs. Administrator McNeilly stated if the COAH Trust can be used, then we can use 20% of what we have which is \$14,000 and there is \$10,000 budgeted every year for COAH. A budget transfer is not an option but this can be added to the temporary budget for 2025.

Much discussion took place regarding the funding for the Habitat for Humanity project and funding for the vacant land analysis. Attorney Leo stated if the Affordable Housing Trust Fund has \$70,000, then 20% of that can be used for administrative costs which would total \$14,000. That \$14,000 could be used toward covering the cost of the vacant land analysis. Mayor Wronko asked where the funds would come from if using the trust fund is not an option. Administrator McNeilly stated the CFO may reserve \$10,000 from the 2024 budget and place \$24,500 on the temporary budget. Mayor Wronko stated either way the funds will be available. Mr. Keller stated this would not affect the funds for the Habitability resolution on the agenda.

Councilwoman Kuncken stated the governing body does value and use the knowledge of the Borough's professionals and this has been a very healthy discussion this evening. Ultimately, it the governing body that has to say yay or nay. There is nothing wrong with asking questions and bouncing ideas off of each other. That is what democracy is and that is what has been done this evening. Mayor Wronko stated the additional context was to help frame the financials. Attorney Leo stated she is of the opinion that the cost does not include the Housing Element Fair Share Plan, which may cost close to the same amount. Administrator McNeilly confirmed there will be an additional cost in May. Mr. Keller stated this analysis will establish the land available. The housing plan will be prepared once this is established. Discussion took place regarding how the law is written and how the different percentages for affordable housing are determined in other towns.

Mayor Wronko called for a vote. Attorney Leo stated the following vote is to authorize William Hamilton of Bowman Consulting to complete the Vacant Land Analysis.

On motion by Councilman Romano and seconded by Councilman Riccardi and carried by a majority of the following roll call vote, approval was granted for William Hamilton to prepare the Vacant Land Analysis.

Councilman Riccardi asked if there should be a not to exceed sentence. Mr. Keller stated this is a fixed cost.

Roll Call:

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

Councilman Simpson – yes
Councilman Thornton – yes
Councilman Wachterhauser – no

ADMINISTRATOR'S REPORT

Sparta Road Accident – Administrator McNeilly stated early Saturday morning a vehicle failed to negotiate the curve in front of the Little League Field. The utility pole, street light and the hydrant were all damaged along with two mailboxes. The insurance claim will be generated and parts will be ordered to fix and replace the broken items. There is no timeline available at this time. Two light fixtures will be ordered so that a spare fixture will be available in the future.

Cannabis – Administrator McNeilly stated now that the election is over, a discussion should be scheduled to discuss the cannabis ordinance. The result of the question on the ballot was approximately 60 % in favor with 40% against. Councilman Wachterhauser asked if additional cannabis companies have been contacting the Borough to inquire about opening a business here. Administrator McNeilly confirmed he is being contacted on a daily basis. Mayor Wronko asked to have the discussion placed on the work session meeting for February.

Joint Court – Administrator McNeilly stated he attended a joint meeting at the Andover Municipal Court last Monday. Discussions included the announcement that Fredon Township is leaving the joint court and they are moving to Newton. This will not affect the cost charged to other members. The Court Security upgrades and current operations were also discussed at that meeting. The shared service agreement with Andover is in force until December 31, 2028. The next scheduled Joint Court Meeting will be in July 2025. Discussions took place at that meeting

regarding customer satisfaction and upgrades needed for the court room. The transition has gone very smoothly.

Municipal Alliance Funding – Administrator McNeilly stated he has spoken with the Administrator from Byram Township, Joe Sabatini and Byram is authorizing their Mayor to sign the agreement to accept the additional \$7,500.00 from Sussex County for the Municipal Alliance. This is supplemental money the County received. The funds are from the opioid settlement funding. Stanhope needs to put something in place as well to accept the funding for the Alliance.

Attorney Leo dictated the following resolution.

**Resolution 197-24 RESOLUTION ACCEPTING FUNDING OF \$7,500.00
FROM SUSSEX COUNTY TO THE LENAPE VALLEY
MUNICIPAL ALLIANCE**

WHEREAS, the Lenape Valley Municipal Alliance (the “Alliance”) has an opportunity to receive additional funding from the County of Sussex in the amount of \$7,500.00; and

WHEREAS, in order for the Alliance to accept the additional funds, a Letter of Interest must be signed by the Mayors of the participating municipalities; and

WHEREAS, Stanhope Borough is a participant in the Alliance; and

WHEREAS, the Borough Council finds it appropriate to accept the additional \$7,500.00 funding from the County of Sussex;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Stanhope, County of Sussex, State of New Jersey, hereby authorize the Mayor and Clerk to execute such documents necessary for the Alliance to accept the additional funding from the County of Sussex.

On motion by Councilman Riccardi, 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 Simpson – yes
Councilman Riccardi – yes	Councilman Thornton – yes
Councilman Romano – yes	Councilman Wachterhauser – yes

Electric Co-op Agreement – Administrator McNeilly stated, in response to Councilman Thornton’s earlier question, the Electric agreement is for 15 months. The award took place on May 29th. The start date was September 1, 2024, which will take us through December of 2025. If the governing body chooses to no longer participate, the co-op should be notified by Labor Day.

COUNCIL DISCUSSION

2025 Reorganization Meeting – Borough Clerk, Ellen Horak, asked if there are any changes required. The governing body thanked Ms. Horak for her good work, as always. No changes were requested.

Lenape Valley Municipal Alliance - The Municipal Alliance was discussed during the Administrator’s Report. No additional discussion was needed.

Letter from Resident – Councilman Wachterhauser stated a letter was received from a resident complaining about the speeding on Route 183 and the number of wildlife animals crossing. There is a deer carcass on the road near Shakey Jakes. Administrator McNeilly stated the deer will be removed by the State DPW. Councilman Riccardi stated the governing body met with representatives from the State last year at the American Legion with regard to the speed limit of Route 183. Administrator McNeilly stated the crosswalk issue began back in 2013. The State moves slowly. Mayor Wronko asked who made the presentation at that time. He would like to use that information to contact the state legislature. Councilman Thornton stated during that meeting the representative stated if the speed was reduced in the commercial area it should then be raised again past Sal’s Pizza which makes no sense. Administrator McNeilly stated the meeting with the NJDOT took place on November 28, 2023.

Email Notification System – Councilman Thornton asked for an update on the email notification system. Councilman Riccardi stated he is still working with the vendor. Councilman Riccardi stated he, Administrator McNeilly and the office staff will schedule a full walk through of the software with the vendor. After that occurs, a full presentation will be made to the governing body. Councilman Thornton stated he will also participate in the walk through and asked when it will take place. Councilman Riccardi stated a date has not been set as yet.

NEW BUSINESS

RESOLUTIONS

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

Resolution 191-24 RESOLUTION AUTHORIZING BUDGET TRANSFERS BETWEEN 2024 APPROPRIATION ACCOUNTS

WHEREAS, certain transfers of funds for various 2024 budget appropriations are necessary to cover anticipated expenditures; and

WHEREAS, N.J.S.A. 40A:4-58 provides for transfer of appropriations with an excess over and above the amount deemed necessary to fulfill their purposes to those appropriations deemed to be insufficient; and

WHEREAS, the appropriations subject to fund transfers hereby are not within those restricted by N.J.S.A. 40A: 4-58 for transfer purposes.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stanhope that the Chief Financial Officer shall and is hereby authorized to make transfers between appropriation accounts of the 2024 Municipal Budget as follows:

CURRENT FUND		
FROM		
Legal Services: Other Expenses	\$1,327.00	
TO		
Land Use Board: Other Expenses		\$1,327.00
TOTAL	\$1,327.00	\$1,327.00

SEWER UTILITY		
FROM		
Other Expenses	\$3,300.00	
TO		
Salaries & Wages		\$3,300.00
TOTAL	\$3,000.00	\$3,000.00

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

Roll Call:

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

Resolution 192-24 RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING AGREEMENT BETWEEN THE BOROUGH OF STANHOPE AND SUSSEX COUNTY HABITAT FOR HUMANITY FOR THE DEVELOPMENT OF AFFORDABLE HOUSING

WHEREAS, the Borough of Stanhope would like to enter into a Affordable Housing Agreement (hereinafter “Agreement”) with Sussex County Habitat for Humanity (hereinafter

“Habitat”) to assist in its development of affordable housing as part of Stanhope Borough’s Fair Share Housing Element and Fair Share Plan on two plots of land located within Stanhope Borough; and

WHEREAS, as an existing affordable housing provider in the area, Habitat has agreed to team with the Borough in determining an appropriate site for the construction of 100% for-sale affordable housing to assist the Borough in meeting its 4th Round (2025 to 2035) obligation for affordable housing; and

WHEREAS, the Borough will commit up to \$40,000.00 of the existing municipal housing trust fund balance to Habitat to assist in securing and constructing this 100% affordable housing project; and

WHEREAS, Habitat shall be responsible for the design, construction and management of the affordable housing to be constructed in the Borough; and

WHEREAS, Habitat will ensure that the affordable housing meets the criteria for affordable housing per the relevant guidelines, including relevant deed restrictions, in accordance with current law, as may be amended.

WHEREAS, Habitat shall ensure that the project shall qualify for affordable housing credits for the Borough and the Borough shall have no obligations related to the development of affordable housing and no liabilities related to the housing constructed.

WHEREAS, this Agreement will be in effect for a period of one (1) year from the date of this Agreement; however, both parties will make their best effort to identify a property by March 2025 and this Agreement may be extended for an additional one (1) year period.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Committee of the Borough of Stanhope, County of Sussex, State of New Jersey, that the Borough is hereby authorized to enter into an Affordable Housing Agreement with Sussex County Habitat for Humanity to determine an appropriate site for the construction of 100% for-sale affordable housing to assist the Borough in meeting its 4th Round (2025 to 2035) obligation for affordable housing.

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

Roll Call:

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

Resolution 193-24 RESOLUTION AUTHORIZING BUDGET TRANSFERS BETWEEN 2024 APPROPRIATION ACCOUNTS

WHEREAS, certain transfers of funds for various 2024 budget appropriations are necessary to cover anticipated expenditures; and

WHEREAS, N.J.S.A. 40A:4-58 provides for transfer of appropriations with an excess over and above the amount deemed necessary to fulfill their purposes to those appropriations deemed to be insufficient; and

WHEREAS, the appropriations subject to fund transfers hereby are not within those restricted by N.J.S.A. 40A: 4-58 for transfer purposes.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stanhope that the Chief Financial Officer shall and is hereby authorized to make transfers between appropriation accounts of the 2024 Municipal Budget as follows:

CURRENT FUND		
FROM		
Legal Services: Other Expenses	\$2,000.00	
TO		
Land Use Board: Other Expenses		\$2,000.00

TOTAL	\$2,000.00	\$2,000.00
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SEWER UTILITY		
FROM		
Other Expenses	\$3,300.00	
TO		
Salaries & Wages		\$3,300.00
TOTAL	\$3,000.00	\$3,000.00

On motion by Councilman Romano, 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

Mayor’s Acceptance of Resignation

Resolution 194-24 MAYOR’S ACCEPTANCE OF THE RESIGNATION OF THOMAS YOWE FROM THE STANHOPE RECREATION ADVISORY COMMITTEE WITH COUNCIL CONCURRENCE

BE IT RESOLVED by the Council of the Borough of Stanhope that they do hereby concur with the Mayor’s acceptance of Thomas Yowe’s resignation as an appointed member on the Recreation Advisory Committee, effective January 1, 2025.

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

PAYMENT OF BILLS

Resolution 195-24 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 December 10, 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 Simpson – yes
Councilman Riccardi – yes	Councilman Thornton – yes
Councilman Romano – yes	Councilman Wachterhauser – yes

RESOLUTIONS

Resolution 196-24

RESOLUTION AUTHORIZING 100% DISABLED VETERAN EXEMPT STATUS TO OWNER OF BLOCK 11008 LOT 9 FOR TAX YEAR 2024 AND THE CANCELLATION OF TAXES FOR FIRST HALF OF 2025 AND REFUND OF TAXES PAID FOR 4th QUARTER IN 2024

WHEREAS, Derek Leslie, Jr., is the lawful owner of Block 11008, Lot 9, also known as 3 Hill Road, and has been deemed 100% disabled by the Department of Veteran’s Affairs; and

WHEREAS, Derek Leslie, Jr., has applied to the Stanhope Borough Tax Assessor for a 100% Disabled Veteran exemption in accordance with 54:4-3:30, which will be granted for the year 2024; and

WHEREAS, the Tax Assessor has recommended that this exemption be retroactive to December 4, 2024; and

WHEREAS, the Tax Collector has determined that the property taxes are paid through the 4th quarter 2024. Therefore, a refund is due in the amount of \$806.57 which represents a pro-rated amount of 4th quarter 2024; and

WHEREAS, the Tax Collector is to cancel a pro-rated amount for 4th quarter totaling \$806.57 and the first half preliminary 2025 taxes in the amount of \$5,197.87.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that the property be classified as 100% exempt effective December 4, 2024, and the Tax Collector be authorized to issue a refund in the amount of \$806.57 to Derek Leslie, Jr., 3 Hill Road, Stanhope, NJ 07874, and cancel a portion of 4th quarter 2024 in the amount of \$806.57 and the first half preliminary 2025 taxes in the amount of \$5,197.87.

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

Roll Call:

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

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

ATTORNEY REPORT

Attorney Leo stated she will provide an update to the governing body with regard to the affordable trust funding and a resolution will be provided.

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.

ADJOURNMENT

On motion by Councilman Romano, seconded by Councilman Riccardi and unanimously carried by voice vote the meeting was adjourned at 9:10 P.M.

Approved:

Linda Chirip
Deputy Clerk for
Ellen Horak, RMC
Borough Clerk