

**MAYOR AND COUNCIL
REGULAR MEETING
January 28, 2025
6:00 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 8, 2025 and was placed on the Official Bulletin Board in the Municipal Building.

Furthermore, notice of the change in meeting time and location was sent to the New Jersey Herald and the Daily Record on January 17, 2025 and was placed on the official bulletin board in the Municipal Building.

In the event the Mayor and Council have not addressed all items on this Agenda by 10:00 PM and they are of the opinion that they cannot complete the Agenda in a reasonable time period, the Mayor and Council may exercise their option to continue this meeting at an agreed to date, time and place. Please turn off all cell phones for the duration of this Meeting.

ROLL CALL

Council Members:

Councilwoman Kuncken – present
Councilman Riccardi – present
Councilman Romano – present

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

Mayor Wronko – present

CITIZEN'S TO BE HEARD

Mayor Wronko opened the meeting to the public after advising attendees that there is a five (5) minute time limit for each speaker. Mayor Wronko stated that a builder will be making a presentation later in the meeting. However, if anyone had questions or concerns at this time, they were welcome to come forward.

Yacoub Yaghnem, stated he is a member of the Board of Education however, he is here this evening as a resident. Due to his professional experience, and his knowledge of how housing works in New Jersey, he is of the opinion that the governing body will have some tough decisions to make in the future. Mr. Yaghnem suggested that the development be age restrictive, 55 or over, which may benefit the community in different ways. This would prevent the schools from being overburdened. There would be less vehicles. Mr. Yaghnem stated the development is not a choice but rather something being forced upon us and perhaps there are compromises, such as this suggestion, which can be made.

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:

December 10, 2024 Business Meeting

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

CORRESPONDENCE (List Attached)

On motion by Councilman Thornton, seconded by Councilman Romano 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 Fire Department, for the month of December, reported 15 calls, 9 mutual aid calls, 5 drills, 3 meetings, 13 special details for a total of 457.5 volunteer hours.

Councilwoman Kuncken stated the Fire Marshal, for the month of December, reported there were no responses to fires or code complaints. There were 11 regular inspections conducted and there were no violations.

Councilwoman Kuncken stated the Police Department, for the month of December, reported 162 motor vehicle stops and a total of 365 calls.

Councilwoman Kuncken stated the Ambulance Squad, for the month of December, reported 20 calls in Stanhope, 26 calls in Netcong, 1 standby, 1 out of town to Mr. Arlington, 2 out of town in Hopatcong and 2 out of town to Roxbury. The total number of calls was 52. They made 21 trips to the hospital and travelled 641 miles, and they had 163 hours of volunteer time. Councilwoman Kuncken stated she would like to call special attention to the 2024 end of year report which states there were 252 calls in Stanhope, in Netcong there were 328 and 16 standbys. The out-of-town calls were as follows: 4 in Byram, 15 in Hopatcong, 16 in Roxbury, 3 in Mt. Olive, and 2 in Mt. Arlington for a total of 40 out-of-town calls. The overall total number of calls was 636. They treated 408 patients and made 304 trips to the hospital. They travelled 9,228 miles and volunteered 2,548 hours and 49 minutes.

Finance & Administration – Councilman Romano/Councilman Thornton

Councilman Romano stated, for the month of December, the Borough collected \$128,400.58 in property taxes. The year-to-date total is \$13,670,908.32. We have collected 98.43% of all property taxes for the year, which is slightly ahead of last year.

Councilman Romano stated, for the month of November, the water collections totaled \$21,052.80 and the year-to-date amount is \$592,917.10. The total sewer and water collections for the month totaled \$48,187.50 and the total year to date amount totaled \$1,245,743.15.

Community Development – Councilman Wachterhauser/Councilman Simpson

Councilman Wachterhauser stated the Borough is now taking orders for the Hometown Heroes Banners. The goal is to have quite a few banners made in time for the Memorial Day Parade. The cut-off date to have banners made for that timeframe is February 28th. Banners can be purchased for past and current residents of Stanhope who have or are serving our Country. Councilman Wachterhauser stated if anyone is interested in additional information, please reach out to him and order forms are also available.

Municipal Infrastructure – Councilman Thornton/Councilman Romano

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

Councilman Thornton stated he and the Administrator met last Thursday with NJ Natural Gas for an update on the gas line installation schedule. The gas company is currently completing work in the downtown area on Main Street and High Street. This area should be completed by the end of March. Then the gas company will move over to the Sunset Avenue and Ridge Road area where the water project was done. The schedule for paving roads where gas lines have already been completed is still to be determined.

Information Technology – Councilman Riccardi/Councilman Wachterhauser

Councilman Riccardi provided an update on the DeskPro Project. Councilman Riccardi stated he and the Administrator, along with some of the office staff, met with the vendor to preview a demonstration of the software. The next step is to set up a test environment to become familiar with the software. This will take place over the next few weeks.

Boards/Commissions – Councilman Simpson/Councilwoman Kuncken

Councilman Simpson stated he had not report for this evening.

ADMINISTRATOR’S REPORT

Ambulance Squad Request – Administrator McNeilly stated he has received a request from the Ambulance Squad asking if the fees for a construction permit, which has been submitted, can be waived. The permit is related to the gas project.

Mayor Wronko called for a straw poll and asked the Council members if they approve of waiving the construction permit fees for the Ambulance Squad. The results are as follows: Councilwoman Kuncken – yes; Councilman Wachterhauser – yes; Councilman Thornton – yes; Councilman Riccardi – yes; Councilman Simpson – yes; Councilman Romano – yes. The governing body approved the request to waive the permit fees.

COUNCIL DISCUSSION

Mayor Wronko asked the Council members if they had any items to discuss. There were no issues to address.

NEW BUSINESS

RESOLUTIONS

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

Resolution 048-25

RESOLUTION AUTHORIZING THE EXECUTION OF THE COLLECTIVE BARGAINING AGREEMENT WITH PBA LOCAL 138

WHEREAS, the Collective Negotiations Agreement between the Borough of Stanhope (“Borough”) and the Policemen’s Benevolent Association Local No. 138 (“PBA”) expired on December 31, 2028; and

WHEREAS, the Borough and the PBA have been in negotiations for a new collective agreement since that time; and

WHEREAS, representatives of the Borough and the PBA involved in collective negotiations have reached an agreement on terms and conditions for a new collective negotiations agreement and have recommended those terms to the full membership of the PBA and the governing body of the Borough of Stanhope for approval; and

WHEREAS, it has been determined by the Mayor and Council that the terms agreed to by the parties, which are contained in a written memorandum of agreement, for the period from January 1, 2025 through December 31, 2028, will provide a fair and reasonable level of benefits and compensation for Borough employees who are members of the PBA bargaining unit for the next four (4) years; now therefore

IT IS HEREBY RESOLVED this 28th day of January, 2025, that the Mayor and Borough Council hereby approve the terms of the Memorandum of Agreement negotiated between the Borough and the PBA; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and directed to sign any and all contracts, agreements or amendments necessary to effectuate these approved terms and conditions.

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

Mayor Wronko stated he would like to thank everyone who participated with the PBA negotiations. A good agreement was made with the PBA.

Roll Call:

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

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

Resolution 049-25

**RESOLUTION AUTHORIZING CHANGE ORDER NO. 2
FOR KULPEKSA LAND IMPROVEMENTS FOR THE
SUNSET/RIDGE WATER SYSTEM IMPROVEMENTS**

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

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

WHEREAS, on May 14, 2024, the Borough adopted Resolution 106-24, approving Change Order No. 1 for an increase of \$85,208.96, to install a 4-inch temporary bypass system and to add a hydrant on Valley Road; and

WHEREAS, due to a change based upon actual labor and amount of pipe installed, the amount of Change Order No. 1 decreased to \$55,726.19; and

WHEREAS, there were various adjustments to other quantities, which lowered the total overall project by \$38,814.00; and

WHEREAS, the Borough Engineer has provided Change Order No. 2 for an additional increased amount of \$15,637.63, for water main connections to existing six-inch (6”) water mains, allowing the contractor to not have to enter onto Brooklyn Road; and

WHEREAS, the Borough Engineer has reviewed Change Order No. 2 and found it acceptable; and

WHEREAS, the Chief Financial Officer has certified that there are available funds to award Change Order No. 2 to Kulpeksa Land Improvements for an increase of \$15,637.63, for a total contract price of \$789,201.82.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that the Borough authorizes Change Order No. 2 in the amount of \$15,637.63 for water main connections to existing six-inch (6”) water mains, increasing the overall cost to \$789,201.82.

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

Resolution 050-25

**RESOLUTION AUTHORIZING PAY REQUEST #2 TO
RIVERVIEW PAVING, INC. FOR GROVE ROAD & ELM
STREET MILLING AND PAVING**

WHEREAS, a contract was entered into for roadway milling and paving, including asphalt and fuel price adjustments, between the Borough of Stanhope and Riverview Paving, Inc. for an

original contract price of \$104,055.44 that was awarded through the Morris Council Cooperative Pricing Council, via the adoption of Resolution 124-24 on June 25, 2024; and

WHEREAS, the work has been satisfactorily completed and the quantity of milling and HMA 9.5M64 are slightly higher than the Borough Engineer’s estimate, however the fuel and asphalt price adjustments were negative; and

WHEREAS, in coordination with the NJDOT Local Aid Office, there was an agreement to utilize both the Borough’s and Riverview’s pavement core results and the findings of the combined pavement core testing showed a 0.5 penalty on the HMA pavement materials installed and this payment request represents the balance due on the contract; and

WHEREAS, the Borough Engineer has affirmed the within quantities and the overall quantities and has stated that the total amount for this final Payment Request #2 is \$21,022.42; and

WHEREAS, the total amount of the work performed by Riverview, including Payment Request #1, is \$104,541.15, as compared to the established budget of \$104,055.14, which the Borough Engineer finds this Payment Request #2 accurately reflects materials provided and the work completed on this project.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope, that the Borough shall honor Pay Request #2 from Riverview Paving, Inc. for milling and paving, including asphalt and fuel price adjustments, for the Grove Road and Elm Street Local Aid Project in the amount of \$21,022.42.

On motion by Councilwoman Kuncken, 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

Resolution 051-25

**RESOLUTION ADOPTING AN AFFORDABLE
HOUSING OBLIGATION FOR THE FOURTH
ROUND**

WHEREAS, on March 20, 2024, Governor Murphy signed into law an Amendment to the Fair Housing Act (N.J.S.A. 52:27D-301 *et seq.*) (hereinafter “Amended FHA”); and

WHEREAS, the Amended FHA required the Department of Community Affairs (“DCA”) to produce non-binding estimates of fair share obligations on or before October 20, 2024; and

WHEREAS, the DCA issued a report on October 18, 2024 (“DCA Report”) wherein it reported its estimate of the obligation for all municipalities based upon its interpretation of the standards in the Amended FHA; and

WHEREAS, the DCA Report calculates Stanhope Borough’s (“Borough”) Round 4 (2025-2035) obligations as follows: a Present Need or Rehabilitation Obligation of zero (0) units and a Prospective Need or New Construction Obligation of 176 units; and

WHEREAS, the Amended FHA provides that the DCA Report is non-binding, thereby inviting municipalities to demonstrate that the Amended FHA would support lower calculations of Round 4 affordable housing obligations; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.3, a municipality’s average allocation factor is comprised of the equalized nonresidential factor, income capacity factor, and land capacity factor and shall be averaged to yield the municipality’s average allocation factor, and

WHEREAS, the Amended FHA further provides that “[a]ll parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by COAH unless those regulations are contradicted by statute, including P.L. 2024, c.2, or binding court decisions” (N.J.S.A. 52:27D-311(m)); and

WHEREAS, COAH regulations authorize vacant land adjustments as well as durational adjustments; and

WHEREAS, the DCA has released a Geographic Information Systems spatial data representation of the Land Capacity Analysis for P.L. 2024, c.2 containing the Vacant and Developable land information that serves as the basis for calculating the land capacity factor; and

WHEREAS, the Borough has reviewed the lands identified by the DCA for the land capacity factor with respect to the MOD-IV Property Tax List data, construction permit data, land use board approvals, configuration, and accessibility to ascertain whether these identified developable lands may accommodate development; and

WHEREAS, the DCA identified approximately 24.5 acres of vacant land, which the Borough planner has reviewed and has opined that none of the identified land is appropriate to accommodate development, thereby reducing the developable lands that may accommodate development within the Borough to zero (0) acres; and

WHEREAS, based on the foregoing, the Borough relies on the DCA calculations of the Borough's fair share obligations *as modified herein* to account for the Borough's review of the lands identified by the DCA for the land capacity factor with respect to the MOD-IV Property Tax List data, construction permit data, land use board approvals, configuration, and accessibility to ascertain whether these identified developable lands may accommodate development, and the Borough seeks to commit to provide its fair share of 0 units present need and 61 units prospective need, subject to any vacant land and/or durational adjustments it may seek as part of the Housing Plan element and Fair Share Plan element it subsequently submits in accordance with the Amended FHA; and

WHEREAS, the Borough reserves the right to comply with any additional amendments to the FHA that the Legislature may enact; and

WHEREAS, the Borough also reserves the right to adjust its position in the event of any rulings in the *Montvale* case (MER-L-1778-24) or any other such action that alters the deadlines and/or requirements of the Amended FHA; and

WHEREAS, in the event that a third party challenges the calculations provided for in this Resolution, the Borough reserves the right to take such position as it deems appropriate in response thereto, including that its Round 4 Prospective Need Obligation should be lower than described herein; and

WHEREAS, in light of the above, the Borough Council finds that it is in the best interest of the Borough to commit to the modified present need and prospective need Fourth Round affordable housing fair share numbers set forth herein, subject to the reservations set forth herein; and

WHEREAS, in accordance with AOC Directive #14-24 dated December 13, 2024, the Borough Council finds that, as a municipality seeking a certification of compliance with the FHA, it is in the best interests of the Borough to direct the filing of an action in the form of a declaratory judgment complaint within 48 hours after adoption of the within resolution of fair share obligations, or by February 3, 2025, whichever is sooner;

NOW, THEREFORE, BE IT RESOLVED on this 28th day of January, 2025, by the Borough of Stanhope, County of Sussex, State of New Jersey as follows:

1. The Borough hereby commits to the Round 4 Present Need Obligation of 0 units and a Round 4 Prospective Need Obligation of 61 units (modified from DCA's calculation of 176 units), as explained above, and subject to all reservations of rights set forth above
2. The Borough hereby directs the Borough Attorney to file a declaratory judgment complaint in Sussex County within 48 hours after adoption of the within resolution and attaching this resolution as an exhibit.
3. The Borough authorizes its Borough Attorney to submit and/or file the within resolution with the Program or any other such entity as may be determined to be appropriate.
4. This resolution shall take effect immediately, according to law.

On motion by Councilman Thornton, 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

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 052-25

**AUTHORIZE SHARED SERVICES AGREEMENT WITH
SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY
FOR THE PROVISION OF CERTIFIED RECYCLING
PROFESSIONAL SERVICES TO CERTIFY AND SUBMIT
THE 2024 RECYCLING TONNAGE REPORT TO NJDEP**

WHEREAS, New Jersey’s Recycling Enhancement Act (REA) requires that reports or other recycling-related documents be signed/certified by a Certified Recycling Professional (CRP); and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A 40A:65-1, et, seq.) (hereinafter, “the Act”) provides that local units of government may enter into a contract to provide or receive any service that either local unit participating in the Agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating units (N.J.S.A. 40A:65-4); and

WHEREAS, the Borough of Stanhope will prepare the 2024 Recycling Tonnage Report; and

WHEREAS, the Borough of Stanhope has requested the services of the SCMUA in the form of the District Recycling Coordinator as a Certified Recycling Professional to certify and submit the required 2024 Borough of Stanhope Recycling Tonnage Report to NJDEP by April 30, 2025; and

WHEREAS, SCMUA has the qualified staff to certify the Recycling Tonnage Report prepared by the Borough of Stanhope and electronically submit it to NJDEP on behalf of the Borough of Stanhope under the terms and conditions set for in the Shared Services Agreement.

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

1. The Mayor is hereby authorized to sign the Shared Services Agreement with SCMUA, for the provision of a Certified Recycling Professional Services to certify and submit the 2024 Recycling Tonnage Report to NJDEP.

This Resolution shall take effect immediately.

Resolution 053-25

**RESOLUTION AUTHORIZING AWARD OF CONTRACT
TO MILLENNIUM STRATEGIES**

WHEREAS, the Borough of Stanhope is in need of the services of a grant consulting firm with knowledge of all aspects of the availability of applications for state and federal grants that may be available to the Borough of Stanhope on a competitive basis to assist the Borough in identifying and applying for such grants; and

WHEREAS, the services of a grant consultant constitute extraordinary unspecifiable services pursuant to the provisions of N.J.S.A. 40A:11-5(1)(a)(ii); and

WHEREAS, Millennium Strategies, LLC has the necessary experience and qualified staff to provide grant consulting services to the Borough on an ongoing basis; and

WHEREAS, Millennium Strategies, LLC has made a written proposal to the Borough of Stanhope to provide grant consultation services; and

WHEREAS, the proposed agreement between the Borough and Millennium Strategies, LLC provides for a retainer of \$1,550 per month, which amount is not in excess of the Borough's bid threshold; and

WHEREAS, said agreement with Millennium Strategies, LLC is terminable at will by the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the Borough does hereby award a contract for extraordinary unspecifiable services to Millennium Strategies, LLC, a copy of which agreement is attached hereto;

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute said agreement on behalf of the Borough.

Resolution 054-25

EXTENDING THE 2025 BUDGET INTRODUCTION AND ADOPTION DATES

WHEREAS, the Local Finance Board has authorized revisions to the statutory budget deadlines as per Local Finance Notice LFN 2024-20 dated December 18, 2024; and

WHEREAS, the revised dates allow municipalities to extend the statutory budget introduction date from February 10 to March 31 or the date of the next regularly scheduled council meeting, and the budget adoption date from March 20 to April 30 or the date of the next regularly scheduled council meeting, in calendar year 2025; and

WHEREAS, to avail itself of these revised dates, the governing body must adopt a resolution by no later than March 31, 2025;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Stanhope, that the Borough of Stanhope avails itself of the revised budget introduction and adoption dates for the calendar year 2025 budget as follows:

Budget Introduction Date: Extended to the next regularly scheduled council meeting following March 31, 2025 (April 8, 2025)

Budget Adoption Date: Extended to the next regularly scheduled council meeting following April 30, 2025 (May 13, 2025)

BE IT FURTHER RESOLVED, that the temporary budget appropriations are hereby extended as may be necessary to accommodate this extension of the budget introduction and adoption dates.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is directed to submit a certified copy of this resolution to the Director of the Division of Government Services using the Financial Automation Submission Tracking (FAST) system, as required by Local Finance Notice LFN 2024-20.

Resolution 055-25

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

WHEREAS, Stanhope Hose Company No. 1 has indicated a desire to hold a "Bucket Drop" July 11th, July 12th and July 13th, 2025, within the hours of 8:00 am to 8:00 pm, at the intersection of State Rt. 183 and CR 602, on Linden Avenue from State Route 183 to McKinley Street and on Stanhope Sparta Road near the intersection of Brooklyn Road; and

WHEREAS, should the weather be inclement, the following rain dates and times will be utilized instead, at the same locations: July 18th, July 19th and July 20th, 2025 within the hours of 8:00 a.m. to 8:00 p.m.; and

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Stanhope, in the County of Sussex, State of New Jersey hereby approves the Stanhope Hose Company No. 1’s request to hold a “Bucket Drop” on July 11th, July 12th and July 13th, 2025, within the hours of 8:00 am to 8:00 pm, at the intersection of State Rt. 183 and CR 602 and on Linden Avenue from State Route 183 to McKinley Street and on Stanhope Sparta Road near the intersection of Brooklyn Road and rain dates of July 18th, July 19th and July 20th, 2025 within the hours of 8:00 a.m. to 8:00 p.m. at the same locations, per the Traffic Safety Plan and subject to obtaining approval of the Sussex County Board of County Commissioners and a charitable solicitation permit from the New Jersey State Department of Transportation.

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

Roll Call:

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

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

Mayor’s Acceptance of Resignation

Resolution 056-25

MAYOR’S ACCEPTANCE OF THE RESIGNATION OF MIGUEL PARDO 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 Miguel Pardo’s resignation as Police Officer with the Stanhope Police Department, effective February 12, 2025.

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

Mayor’s Appointment

Resolution 057-25

RESOLUTION APPROVING THE MAYOR’S APPOINTMENT OF THE BOROUGH’S REPRESENTATIVE TO THE MUSCONETCONG SEWERAGE AUTHORITY WITH COUNCIL CONCURRENCE

Mayor's appointment of Thomas Romano as the Borough representative to the Musconetcong Sewerage Authority with Council Concurrence.

BE IT RESOLVED by the Council of the Borough of Stanhope that they do hereby concur with the Mayor's appointment of Thomas Romano as the Borough’s representative to the Musconetcong Sewerage Authority for a 5-year term effective February 1, 2030;

BE IT FURTHER RESOLVED that the Clerk be and is hereby directed to send a certified copy of this resolution to the New Jersey Secretary of State.

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

PAYMENT OF BILLS

Resolution 058-25

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 January 28, 2025 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.

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

Mayor Wronko called for a five-minute break to provide the presenter's time to set up their presentation. After the five-minute break, Mayor Wronko called the meeting to order.

PRESENTATION

Mayor Wronko thanked everyone for attending tonight's meeting. There will be a question-and-answer period at the end of the presentation. Mayor Wronko assured the residents that their voices will be heard and are valued. He asked everyone to remain professional. People have a lot of emotions and different feelings, but a good stable environment needs to be maintained. Mayor Wronko invited Ryan Homes to begin their presentation.

Michael Selvaggi, Attorney for Ryan Homes and their joint partnership with Flava, stated they are here this evening to discuss Block 11802, Lot 1 located on Sparta Road which consists of approximately 39.26 acres, and it is currently undeveloped. The property is zoned Planned/Industrial which allows a variety of industrial uses including warehouses. Mr. Selvaggi stated they are introducing a plan for residential development. Importantly, the project will include a 20% set aside to help the municipality address the affordable housing obligation. The proposal includes two hundred and six (206) units, which enable the town to have 41 units set aside for affordable housing. Mr. Selvaggi stated he understands people do not like this and they do not want to deal with it. Unfortunately, it is like the Highlands Act, which Mr. Selvaggi does not like either, but we have been arguing about it for fifty plus years and it is not going to go away. In October, the municipality was assigned, by the Department of Community Affairs (DCA), a number of 176 affordable units. The beauty of this proposal, and what has been done, is that the plan was designed using the Borough's current high residential zone district to create the plan. Quite frankly, this property could yield a much higher density. This plan will provide 41 units for the municipality to report to the DCA showing they are acting in good faith to address the affordable housing obligation, and it takes the property off the market and prevents a much larger project from being built there. For a project to provide the 176 affordable units required, with a 20% set aside, it would take a development of 888 units. Mr. Selvaggi stated he is not saying this many units would fit on this property. However, there are some developers that might try. Importantly, Mr. Selvaggi stated this builder is not looking for the area to be an area of redevelopment and they are not looking for a pilot program. This will be a traditional,

conventional, residential development. Mr. Selvaggi asked Josh to come forward and present the plan and asked the audience to understand this is not a full blown site plan. There is no ordinance in place. They are not going through the expense at this time to design the stormwater plan and some of the other areas. However, enough has been done to suggest that this can be built once an ordinance is in place to allow it. Once Josh concludes, Larry Vecchio will talk briefly about Ryan Homes and what the proposal would be. There are pictures to depict what the project would entail. There have also been conversations with school board officials regarding the capacity of the schools. Mr. Selvaggi stated when the presentation is finished, they will answer any questions the public may have. Due to the fact that all of the engineering has not yet been designed, there may be some questions they will not have answers to, and Mr. Selvaggi asked the audience to keep this in mind if they answer that they do not know the answer to something at this time. They are not trying to hide anything or avoid answering. At this time Mr. Selvaggi asked Josh to make his presentation.

Josh Sewald stated he is a Civil Site Engineer for Dynamic Engineering Consultants, and his job is to analyze property to determine what can be constructed on it. There are a host of regulations to be followed in addition to those required by the Borough. The plan being presented tonight is not just a concept plan that has been thrown together. A great deal of background work has been done to prepare the presentation. This is a large tract of land that is undeveloped, and it has been analyzed from an existing condition standpoint. It is approximately 40 acres with various levels of topography. Mr. Sewald stated the developer's product of 206 units was placed on the site plan rendering, the roadways have been designed with a meandering curve to provide grading and drainage for the property. Due to the different grade changes, there will be retaining walls installed. The roadway curves up the hill and the townhouses and units will be located on various levels based on the grade. The roads have been designed in a safe and efficient manner and the drainage has also been designed. Usually, a design is created with a site-specific ordinance. However, in this case, the plan was designed with the Borough's existing residential ordinance and those bulk standards were used. Bulk standards state where the building should be located, setbacks from the road, setbacks for the sides and back of the property, total development coverage for both impervious and building, and most importantly density. This property has been designed based on the Borough's existing Zoning. The zoning for this property is such that it could be utilized for a much larger industrial use. The amount of development is being kept to a limited area. The HR Zone allows for up to 60% of impervious coverage. The plan being presented has 30% impervious coverage. The current Borough zoning calls for 10 units per acre. This plan is approximately 5.6 units per acre. This plan has been created over several months, and due to the incoming sensitivity, the plan was designed to not overdevelop the property. There is adequate green space to ensure that the development fits well within the community. Everything that is green space will provide for drainage, stormwater management, landscaping, and open space for the shared backyards and playground areas. There is one sole driveway which is located on Sparta Road. This development will not be built all at one time. It will be spaced out over a few years. The average is that 40-50 homes will be built every year. This is assuming that over the next 12-18 months all of the entitlements are in place, which are not only the permits required by the Borough but from the State as well. Then there will be a 6-12-month timeframe for construction of the site and off-site utility extensions. The northern side of the property would be developed first in order to install all of the stormwater facilities first. This is a real engineered plan to scale being presented.

Mr. Sewald stated traffic is studied at three different times. They are in the morning with people going to work, in the evening when they are coming home and on Saturdays. Two hundred units during peak hours would generate approximately 100-120 trips. The NJDOT has a threshold, across the entire state, that 100 trips is the limit of where they begin to care about a project's size. When the plan is presented to the Land Use Board a Robust Traffic Impact Study will be part of the application. Any degradation to the level of service must be mitigated by the applicant/developer, not the community. If there needs to be a right turn into the driveway, a left turn into the driveway, upstream or downstream signal improvements, pedestrian walkways, sidewalks etc. it has to be completed by the developer. With 100 trips, if this were an NJDOT roadway, they would require that a certain level of traffic study be submitted. With the school right next door, there will be sidewalk and pedestrian improvements. The overall traffic will not have a negative effect, it cannot have an impact. Other agencies, besides Stanhope, will see to that.

Mr. Selvaggi asked Mr. Sewald to explain what he needs to do when designing a plan such as this to prevent water from running down and becoming an issue elsewhere. Mr. Sewald stated that stormwater is heavily regulated in the state of New Jersey. All of the stormwater has to be collected and held to be less than what the existing site does today. The existing lot is tree covered and there is not a lot of water that comes out of there. This tells us that all the water will have to be held back, and it will have to be slowly let back into the ground. Stormwater is not only monitored by

Stanhope or their Engineer. It will also have to be approved by the local Soil Conservation District and the NJDEP. This is being done to ensure that there is no negative impact to this property or any of the surrounding properties.

Larry Vecchio, Ryan Homes (the home builder), this is a national home building company and are currently building approximately 20 projects across the state of New Jersey and in other multiple states. This site has quite a bit of topography on it and from a construction standpoint he is here tonight to explain some of the products being proposed. The proposal is for both three-story and two-story townhouses. All of the house types will have a two-car garage and a driveway with space for two cars in order to provide off-street parking. The three-story townhouses will have approximately three bedrooms, two and a half bathrooms and a two-car garage. They will range from approximately 1,700 square feet to 2,300 square feet. A second type of floor plan that will be offered will be a two-story townhouse which would have a two-car garage, three bedrooms and two and a half bathrooms. The square footage would range from 2,000 to 2,300. Ryan Homes is not seeking a tax pilot for the community. Preliminary discussions have been held with the schools to determine if there is enough capacity to bring in any additional school-aged children. The buildings for the 40 affordable housing units will be scattered throughout the site. The units will not be concentrated in one area. The exterior features will be very similar to the other buildings in order for them to blend in. There will be a Homeowner's Association for the entire development. The roads will be private streets, and they will be maintained by the Homeowner's Association. There will be by-laws for the community which will require keeping the exterior clean and maintained. The two-story units will have basements with access and the three-story units will be slab on grade. All of this has been designed due to the challenging topography. Mr. Selvaggi asked Mr. Vecchio if Ryan Homes would have any issues with the Title 39 Enforcement which would enable the Police Department Officers access, even though these are private roads. Mr. Vecchio stated there would be no issues with Title 39.

Mr. Selvaggi asked Mr. Sewald what is proposed with respect to fire protection and prevention. Mr. Sewald stated, as with any new development, the utilities will be extended to the property and there will be a fire main loop that will go around to all the streets and there will be various fire hydrants spread throughout the community based on the fire code standards. The utilities will include water and sewer. Research done by Ryan Homes engineering department has determined that Stanhope has enough capacity. The mains will have to be extended and run up the hill.

Mr. Selvaggi stated hopefully this presentation has been informative for the public and the floor was opened to the public for any questions. Mayor Wronko asked anyone with questions to please come up to the microphone, state their name and keep their time to five minutes or less. Mayor Wronko stated there are other professionals such as the Borough Engineer, representatives from the Fire Department and the schools who were all kind enough to attend this evenings meeting to also help answer any questions.

Gil Moscatello asked if there is any property that goes along with the individual homes, or do they have backyards? Mr. Vecchio stated each unit would have an exterior deck or patio depending on the grading. All of the open space would be owned by the Homeowner's Association. There may be some amenities such as a playground or dog park or whatever the community is looking to do. All 39 acres will not be cleared. Mr. Moscatello asked if there will be any one bedroom units. Mr. Vecchio stated, regarding the market rate units, they would like them to all be three-bedroom units. The affordable housing units would be a combination of one bedroom, two bedrooms and three bedrooms. Mr. Moscatello asked what the fire walls will consist of, and will they go all the way to the roof? Mr. Vecchio stated the building generally follows the 5A construction for fire prevention purposes. There are some new codes which have been introduced which they plan on following. Mr. Moscatello asked if sidewalks will be installed throughout the development. Mr. Vecchio stated connectivity and walkability have been planned for the residents and sidewalks will be installed. Mr. Moscatello asked if sidewalks will be connected to the schools. Mr. Vecchio replied that Ryan Homes met recently with the Board of Education, and they requested multiple connections to the school property which Ryan Homes is happy to oblige. An additional sidewalk along Sparta Road is also anticipated.

Avery Badolato stated she is a member of the Board of Education but is here today just as a citizen. Ms. Badolato stated she has heard the phrase "affordable housing" several times and she believes this is different than Section 8 housing. Ms. Badolato asked for clarification as to what affordable housing means. Mr. Selvaggi replied that affordable housing is not Section 8 housing. Affordable housing, as defined by NJ law, is calculated on a regional basis and there is low-income housing and moderate-income housing. The New Jersey standards would be followed, and this product would not be Federal Section 8 low-income housing. Mr. Vecchio stated they are a national home

builder, and they are not looking for subsidies or tax credits. This affordable housing will be units which are for sale. They will not be rental units. The applicants will have to apply for mortgages and have good credit and a good payment history.

Larry Shaver asked, when the units are constructed, will there be any costs placed on the taxpayers for any capital improvements to the water or sewer system? Mr. Vecchio stated all the costs for the improvements of the water and sewer will be covered by Ryan Homes and the general contractor. The lines will be brought up Sparta Road to the property and there will be connection fees paid to the Borough.

Mitch Ellicott, Stanhope Fire Chief, asked if the development will connect to the Borough's water supply or will the development have its own supply? Mr. Vecchio stated they will be connecting to the Borough's water supply. Chief Ellicott asked if they will install some type of a booster to the system? There are areas of the Borough where water pressure is an issue. There is a train line which is going to be reinstated by AMTRAC. Chief Ellicott stated he is concerned about what would happen in the event of a train accident with there only being one way in and out of the development. There are many access roads back there which are one lane. In the past, there have been brush fires that required evacuating people. Chief Ellicott asked if the developer could work with the Borough to be able to provide the ability to move people out of the area faster. The train line is supposed to be just for passenger trains, but it could be utilized for freight in the future. Mr. Sewald stated the Board of Education is the neighboring property owner, and if they would be in agreement, an alternate access could be provided. There is enough acreage to do so. The front driveway could be widened as well. There are things that can be done to make sure the residents are safe and secure such as making the access a do not block the box area so that it is always a free and clear intersection. As for brush fires, any development will improve that situation. Right now, there is a 90-foot grade change and accessing the area is difficult. This development would provide a 25-foot-wide roadway for access that any of the fire trucks could access. Chief Ellicott stated there is also a bog pit with tires across the street which has occasionally caught on fire. That smoke is toxic, and this is why he is concerned about being able to move people out quickly if need be. Chief Ellicott stated, due to the fact this will be a homeowner's association, they will need to be responsible for shoveling around the hydrants in the winter. Mr. Vecchio stated clearing the hydrants will be part of the bylaws for the HOA as well as clearing driveways. The snow removal company could be made aware to clear the hydrants as well. Chief Ellicott asked to have the information regarding the type of fire walls forwarded to the Fire Department once that information is available. Mr. Vecchio stated all the required building codes will be followed. Mr. Selvaggi stated there are no waivers for building codes. What is being presented to the public and Council tonight is regarding zoning, what could be allowed to be built here. As far as how the structure is built, they must comply with fire codes, and Ryan Homes will comply. There are different levels of fire code ratings and all of that will be shared as they get to that stage. There are no waivers or variances that can be obtained.

Jack Moran, a Byram Township resident, asked how close the property is to the borderline with Byram. Mr. Sewald stated the property is on the municipal boundary line with Byram and Stanhope. Mr. Moran asked if the homeowner's association is in good standing with other properties. Mr. Selvaggi stated they do not own other properties in town. Mr. Moran asked how far the property is located from the super fund site. Mr. Sewald stated it is not located on the property, but it is not terribly far. The developer is under contact for just the property being presented and they cannot speak to other properties. Mr. Moran stated the super fund site is still under remediation and asked if the property in question has been tested for residual soil contamination. Mr. Sewald stated they will not be going through that property. If for some reason they needed to trench through there, there are a lot of rules and regulations which would have to be followed. They are required to do a Phase I Environmental Site Assessment. If there is any contamination on their property, which is not expected due to the fact this is an undeveloped wooded lot, and it is at a higher grade than the super fund site. If the super fund site is spreading any contaminants that would go down gradient, not up. A Phase I inspection has already been completed and came back clean. Ryan Homes, because they are a residential home builder, will go through many check marks and even though Phase I was clean, they are required to do a Phase II inspection. Mr. Moran asked if there is a plan to expand the water system because the homeowners in the neighboring municipality, in the past, were looking for alternate water sources. Mr. Selvaggi stated that is something that those residents would have to take up with the Borough. Selling and sharing municipal utilities over border lines is a complicated issue. Mr. Vecchio stated as developers they verify with the municipality that there is enough capacity and what will be required to bring those utilities to the property. Mr. Moran asked if there is any plan to provide egress by way of the trail which leads to Byram School. Mr. Sewald replied no. The developer is governed by New Jersey RSI standards and this number of units does not require a second access

point. Often times an emergency access point is requested by the Fire Department, which has already been agreed to if the Board of Education is in agreement.

Bill Eaves asked if the HOA will take care of the trash and recycling in the development. Mr. Vecchio confirmed it will be handled privately. Mr. Eaves asked if there is a reason that the COAH units will not have garages? Mr. Vecchio stated these units will have two stories and this allows the first floor to be ADA compatible if necessary. Having a garage makes that process challenging. The streets and sidewalks are all designed to be ADA compliant. Mr. Eaves asked if the parking is only considered for those units due to the fact the other units have garages. Mr. Sewald stated the parking is designed beyond the requirements for RSI. Ryan Homes understands people will have holiday events and visitors. The units with garages also have driveways for parking and on street parallel parking. In addition to that, there are additional parking areas throughout the community. There is no negative impact on people looking for parking. Mr. Vecchio stated each unit with the garages and driveways have four spaces, which is more spaces than required per unit. Mr. Eaves asked how the water supply will be addressed. Mr. Sewald stated the Borough has the water capacity but not enough pressure in the system. When the main water line is upgraded, which will service an 8-to-10-inch line, boosters will be installed along the way. Mr. Eaves asked what the maximum height will be of the units. Mr. Vecchio stated the three-story units will be 40 feet +/- in height. Mr. Sewald stated the Borough's current HR zone has a 45-foot height requirement. Mr. Eaves asked if this will be added to the existing power grid. Mr. Vecchio replied that they have received a letter verifying there is capacity. However, there may need to be upgrades made to the transmission lines and perhaps an onsite transformer. The power company is willing and wants to service the property. Mr. Eaves asked if there were any plans for geothermal or solar on the property. Mr. Vecchio replied no. Mr. Eaves stated the Musconetcong Sewerage Authority (MSA) technology has not been updated in twenty years and the time to do so is approaching. He asked if Ryan Homes is willing to be involved and take responsibility with this due to the amount of sewage which would be added to the system. Mr. Sewald stated the attorney can speak to what is allowed to be done and what is not allowed but from an engineering standpoint there will be improvements made. From everything that has been given to Ryan Homes from the MSA, there is capacity available. However, there is no line that runs to the property. Generally, this is what happens in this type of situation. There are approximately 200 units to be connected. Ryan Homes has to build the whole main extension, and every home gets a connection. For each connection, there is a decent amount of money which is paid to the MSA. This is not a redevelopment project which would allow for impact fees and financial contributions. Ryan Homes is going to do a traditional development. Mr. Eaves asked, in the event the ordinance is not approved, would Ryan Homes pursue builders' remedy? Mr. Selvaggi stated he would be lying if he said it was not an option. However, they are contract purchasers. This would be a tiny issue. The danger is that if Ryan Homes does not do it, somebody else could. The State, so far with affordable housing, is being challenged by various municipalities but so far, the towns have lost twice. It is in the municipalities best interest to take advantage of opportunities like this. Mr. Selvaggi stated he is not saying that is where this is headed, but the property itself does present that potential for somebody.

Rich Barry asked what the timeframe is for the project. Mr. Selvaggi replied the ordinance would have to be introduced and go through the required process. Mr. Sewald stated three hearings would be required which would include the first reading, Planning Board and then adoption. Then the Planning Board process begins along with other outside agencies. The best-case scenario would be to have construction start in the Fall of 2026. The first units would be up for sale in 2027. Mr. Barry asked, due to the fact Stanhope is a walking district for school, will the development's distance from the school be an issue? Mr. Sewald stated, based on the meetings with the Board of Education, as long as a path is provided from the development to the school, they would be in compliance. Mr. Barry stated the path would be to the high school but what about a path to the elementary school? Mr. Sewald stated a sidewalk will be provided along Sparta Road.

Dan Makosky stated the traffic going in and out of the school is tremendous in the morning and in the afternoon and he asked if a traffic light will be installed. Mr. Sewald stated based on the preliminary analysis, they do not believe this area will warrant a traffic signal. Ryan Homes does not get to make that decision and neither does the Borough. The NJDOT requires certain thresholds to warrant a traffic signal. During the TIS review for this project, should a signal be warranted, Ryan Homes would have to install a signal. There could be a warrant to provide a right turn lane or a requirement to widen the road to provide a center lane so that anyone trying to make a left out of the community would have a stacking capability that would not stop the throughway movements. It is anticipated that these items will be required. Mr. Makosky asked if there is any way to access Route 206 from the back of the property. Mr. Sewald stated Ryan Homes does not have control of those properties and from a design engineering standpoint it may not be possible.

Heidi McNerney stated she has concern for the impact of the existing roads in Stanhope. Stanhope-Sparta Road is already overburdened and there have been some serious accidents this past year. Ms. McNerney stated she envisions 200 units with two car garages adding 400 cars. She asked the elected officials to look very closely at the traffic impact. Not only is all the traffic coming onto Sparta Road but there is the bad curve by Smith Street, where the accidents were, and a “T” at the bottom of the hill, which backs up all the way past the high school already. There has been an increase in traffic over the past two years coming down from Sparta and Hopatcong. All of this traffic funnels to Brooklyn Road, which is a very narrow curvy road. Whenever there is a mail truck, delivery truck, garbage or recycling truck on Brooklyn Road people are zig zagging to get through Brooklyn Road. This development would be adding quite a few cars. Ms. McNerney stated in her opinion this will have more than a 100 car impact on the already overburdened roads. Mr. Sewald stated the 100-car impact is just during the peak hours and he stated he agrees that there will be more than 100 cars in the development, which will be spread out through different time frames. As part of the Planning Board application, Ryan Homes will be required to provide a traffic study to Stanhope and to the County. The study will analyze not just their driveway but the intersections up and downstream as well. If the development causes any degradation, Ryan Homes will be required to fix the issue. Ms. McNerney stated her concern is in having just one egress to Sparta Road. She would prefer there to be access to Route 183 or Route 206.

Mike Iannotta stated he does not understand why a road cannot be constructed to go down to Dell Road by Highpoint Condominiums to provide another exit. At the end of Sparta Road to Brooklyn Road it already needs a light in his opinion. Mr. Iannotta suggested negotiating with the property owners to gain access to Dell Road.

Alex Wroblewski stated the property has 40 acres where houses will be built. The developments on Love Lane are not even near completion yet and that will be another 300 to 400 cars. Our town is slowly being bombarded with more and more cars and people, which is evident when travelling to Shop Rite, church, the deli or anywhere in town. Mr. Wroblewski stated he hopes the council knows this is not going to happen right away, but in two or three years there will be too many cars.

Mitch Ellicott, Fire Chief, stated he has been a county resident for his entire life. Several years ago, Don Drake, former County Engineer and former Stanhope Fire Department member, showed him a plan that would connect Sparta Road to Acorn Street and that plan is on file with the County. Administrator McNeilly stated that plan has been removed. That plan had an 18 plus grade, which would make McKinley Street look like nothing, and that road would have been nearly a mile long.

Matt Vilardo stated he is a Board of Education Member, but he is here this evening as a resident, and he asked how many potential children are anticipated to be added to the school? Mr. Sewald stated a community impact statement has not been done as yet. However, there is a guideline done by Rutgers that states the number of children based on the number of units. Ryan Homes anticipates the number of children to be added to be between 30-40 based on the Rutgers study. Mr. Vilardo stated he understands the Borough is basically being strongarmed by the State, but he urged the Council to rethink this development. Mr. Vilardo stated Stanhope residents pay the second highest property taxes in the County, and we do so because they love this area. We love the wooded areas and the way it operates right now. It is important that we keep those values for our township. Mr. Vilardo stated it is his opinion that if anyone spends twenty minutes googling Ryan Homes, they will find they do not have the best track record and there are many lawsuits against them. Mr. Vilardo stated he appreciates how transparent everyone has been throughout the process, but he urged everyone to do their research.

Mayor Wronko asked the Borough Attorney to give an explanation of what a Builder’s Remedy is for the benefit of the public. This was mentioned a few times this evening. Mr. Selvaggi, the developer’s attorney, did a great job of speaking to it but Mayor Wronko wants the residents to hear this from the Borough Attorney. Ursula Leo, Borough Attorney, stated we are now in the Fourth Round of Affordable Housing in the State of New Jersey for 2025 through 2035. What used to be COAH has now been taken over by the DCA (Department of Community Affairs). The DCA gave Stanhope a number of 176 affordable units. We have worked with the Borough’s Planner and tonight there was a resolution (#51-25) on the agenda which states that the Borough is of the opinion that a more realistic number, given the limitations of what we have to work with, of affordable housing units is 61. This does not mean that the Borough needs to build 61 units. This means they need to be planned for and provide a realistic opportunity for those units. If the Borough chose to do nothing, a builder could come to the Borough and propose a development and petition the court stating the Borough does not provide for affordable housing and does not provide for a realistic opportunity and then they propose to build a development with their own

confines. This would include setbacks, density etc., everything would be different than what the Borough now has on the books. For those reasons, the Borough is going to opt-in with the proposed number of 61 and the housing element and fair share plan will be prepared to show if there was a development, how it would be provided. When we talk about affordable housing and how it is different that Section 8, Stanhope is in Region 1. We are in the same region as places like Jersey City. The State provides the Borough with a number which changes every year. Right now, a very low-income family of one person is anyone that makes under \$25,286, low is \$42,144, and moderate is \$67,431. When we talk about families of four members, very low is \$36,124 up to \$96,329 which is considered moderate income. These affordable housing figures are much different than what the connotation is. The Borough is doing what has to be done. We do not have to provide these 61 units, but we do have to provide a realistic opportunity in our zoning ordinances and in the master plan.

Mayor Wronko stated earlier there was a question about the environmental impact as far as the super fund site. Mayor Wronko asked if the Phase I study includes anything regarding wildlife. Mr. Sewald stated when the analysis of the property is done, they have to go through a rigorous list provided by the NJDEP. One of the criteria is wetlands. The property does have a decent slope and there are trees but there is a regulated portion of the site and part of that is the threatened and endangered species associated with that. The wetland portion will have to be studied and delineated and submit those applications to the State of New Jersey and they will put on a protective buffer of that area based on the state regulations. The area has already been mapped, and nothing will be touched in that area. Mayor Wronko asked if the development will be utilizing natural gas for the units. Mr. Vecchio confirmed natural gas will be installed.

Nicole Member stated she is here as a resident this evening but did disclose that she is a member of the Environmental Commission, Open Space Committee and the Ambulance Squad. The units being built in Mt. Olive, which are just on the other side of town, have not been completed yet and we do not know how that will affect traffic or how it will change things. Ms. Member stated she apologizes for arriving late and asked how many units will be low-income housing. Mr. Vecchio stated there are 206 total units. Twenty percent of those will be affordable housing which equates to 41 units. Ms. Member asked how or why is twenty percent the number used. Mr. Selvaggi stated this is a state standard to have twenty percent set aside for sale units. Ms. Member asked what the cost of the units will be. Mr. Selvaggi stated the cost will be determined based on when the units are built. Mr. Vecchio stated the main units will probably sell in the \$500,000 range. The affordable units would be sold based on income qualifications; the mortgage depends on what they can pay for a house. The sale amount can vary. Mr. Selvaggi stated Ryan Homes does not get to dictate the sale price of the affordable housing units. Ms. Member asked if soil samples have been taken due to the fact there is a super fund site nearby. Mr. Vecchio stated no housing will be built on the super fund site. That site is not located on Ryan Home's property. Councilman Wachterhauser stated, as was explained earlier, the affordable housing is going to be interspersed throughout the development. All of the affordable housing units will not be in one area. Mayor Wronko stated an environmental sampling has already been done. Councilman Wachterhauser stated the super fund site is downgrade from the Ryan Home's property and nothing is going to travel uphill from super fund site. Mr. Sewald stated a Phase I and a Phase II site investigation was conducted. Phase II involves the sampling of soil and groundwork to ensure there is no environmental contamination for the property that Ryan Homes is going to purchase. If there was, the level of remediation required would be determined due to the fact residential units are going to be built. The remediation would be the same for any type of housing being constructed. It would not be different for affordable housing. Ms. Member asked where the wetlands are located on the map. Mr. Sewald stated north is on the right side of the page. The school is down on the south side. There is a green patch on the map which is the wetlands buffer. The wetlands are actually located off of the property, but they still had to survey them to determine the width of the buffer. This is located along the northern side of the property. Ms. Member asked if threatened and endangered species have been looked for. The wetlands investigation has included sitting hydrology, hydric soils and vegetation. Depending on what parameters come back, it will trigger what threatened and endangered species may exist.

Mayor Wronko stated earlier this evening that Ryan Homes mentioned the Rutgers Study which relates to the school. Mayor Wronko asked if Mr. Hagemann or a representative from the school would like to speak to how the potential 40 students would impact the Valley Road School.

Steven Hagemann, Superintendent of Valley Road School, stated the pre-school attendance is down from what it was 15 years ago. Mr. Hagemann stated he has been here for 11 years. During his first 7-8 years the enrollment ranged between 295 – 310 students. This year has been the greatest number in attendance, which is currently at 347 students. This includes tuition students

and non-resident students. The policy allows for employees to bring their children to school in Stanhope even if they live outside of the Borough. The class sizes are relatively low. The highest number of students currently in a classroom is 18. Mr. Hagemann stated from a general perspective, four (4) more students per grade level would have zero impact on the school. There is no way to know what number of students would be added per grade level. If ten (10) students were added to one grade level, that could lead to an increased class size. Another section might need to be added to a grade level, or another teacher added, or additional resources might be needed. The unknown expense, which was discussed during the school's meeting with Ryan Homes, is there is no way to know what students are moving into town and this has nothing to do with income. The most expensive student to educate is one with special needs. If the needs are severe, it could lead to an out of district placement. This can happen from any residence within the current demographics of Stanhope. Mr. Hagemann stated 40 students, give or take, should be easily absorbed. The school could absorb more, but the community does like having small class sizes. It is a luxury that we currently have. Many adults probably had class sizes of 25 or more growing up and in the urban areas there would be 30 students. Clearly, from a school perspective, this is not something they are looking to do, but we are far from those numbers.

Bill Eaves asked if 40 students are added to the school, that could mean 40 more cars and he asked how parking would be handled for pick up and drop off. Would the middle school students' hours be different than the elementary school students. Mr. Hagemann stated the parking lot is a two-part issue. There is arrival and dismissal versus the number of parking spaces available. As a parent, it is not fun driving in to drop off students and it is not fun coming to pick them up. This issue has been discussed many times with the Board members. This is true for every elementary school he has ever been a part of, it is chaotic. The way this is currently running is as functional as it can be. We do not have enough parking spaces and that has less to do with the number of students and more to do with the level of service that is provided to the students. Mr. Hagemann stated when he started at Valley Road School 11 years ago, there were 8 para-professional staff members supporting the students. There are now 35 para-professional staff members, and they are taking up parking spaces. There are some options to alleviate this such as staggering arrival and dismissal but this would inconvenience some parents who may have children in the elementary school and the middle school. This could also cause the need for staff to babysit students coming to school early, which would be an added expense to the district. Another option, which has not been discussed as yet, would be to contact an engineer to see if additional parking could be created. There is a very large field at the end of the school property near Sagamore Road. It is not known how that might impact the residents in the area but if it were necessary, there is enough space perhaps to create a staff parking lot and install stairs leading up to the school.

Administrator McNeilly asked Mr. Sewald if the Rutgers study which estimated the number of students was for K-8 or for K-12? Mr. Sewald replied that the study is from K-12. Administrator McNeilly stated the 40 students would be distributed between the elementary school and the high school.

Cindie Shaver stated there are three buildable lots in the area, and she asked if Ryan Homes will be buying the other two lots to develop them. Mr. Sewald replied no. The only site being analyzed is the one being presented this evening. Mr. Selvaggi asked Mr. Vecchio if he is negotiating or under contract for any other property in Stanhope. Mr. Vecchio replied his company is not actively negotiating for any other properties. Ms. Shaver asked if it could happen in the future. Mr. Selvaggi stated anyone could negotiate for those properties in the future. Ms. Shaver stated the traffic is an issue, especially now with Route 80 being closed and when the high school lets out the roads get backed up. Ms. Shaver stated something has to be done about the traffic. Mayor Wronko stated he also sits in the traffic daily. The Borough does not own all of the roads in question. The Borough would have to work with the County and/or the State to have those discussions. Everyone here has experienced the growth of the traffic. Mr. Vecchio stated Ryan Homes is asking the Council to change the zoning for this property and he is not familiar with any previous applications. The ordinance would not include any of the land Ms. Shaver mentioned. Ms. Shaver stated if it is approved for Phase I then it could get approved for Phase II. Mr. Selvaggi stated there is no nefarious dark plan to go beyond what is being shown here tonight. Ms. Shaver stated Roxbury built affordable housing and they built small units. Mayor Wronko stated the Borough is not building. With regard to the land, if there are private owners of property, and builders choose to work with them, they have every right to do so. We do not tell private businesses what to do. Ms. Shaver mentioned what other towns have done with regard to affordable housing. Mayor Wronko stated the Borough has been working with the Borough Planner and our Attorney to find opportunities to provide the affordable housing required by the State. The State is requiring 176 units and we have determined that number is unreasonable. We are trying to find a plan for 61 units, which is still a lot.

Carmen Pico stated he is also a member of the school board, but he is here this evening as a resident. Mr. Pico stated he is a retired bus driver and has experienced traffic delays in the morning by the high school and then trying to get onto Brooklyn Road. School bus drivers need to be on time. Mr. Pico stated he does not know what kind of traffic study will be done but he asked that consideration be made not only for drop-off and pick-up times but for times when there are football games, and other activities at the school.

Councilman Thornton asked, if there is a need to add a parking lot to the school and build stairs to the school, who would bear the cost of that? Mr. Hagemann replied that it would be done by the school district. Councilman Thornton stated then the cost would be on the taxpayers. Mr. Hagemann stated that it is a project which has not even been discussed or given any consideration to. It is very hypothetical. If it was something that had to be done right away, the school's capital reserve fund would be utilized, which is currently pretty healthy.

Bill Eaves stated there was a proposal made a few years ago which was significantly larger than this. Mr. Eaves stated he has lived here a long time and is in favor of the small class sizes. This is the best plan we have seen so far, if we are going to be strong armed into creating affordable housing opportunities. Mr. Eaves asked, if the plan is approved, would the builder be willing to work with the Planning Board with regard to landscaping, fire department issues etc. Mr. Selvaggi stated the plan has been designed to be as comprehensive as possible including mailboxes, signage, etc. because it is a better way to approach a plan. This takes away the surprise element and makes it possible for the developer and the municipality to be on the same page. This makes the process go much easier. This is the goal. The builder would not go in with something that Mr. Keller, the Borough Engineer who has been here for many years, would not find acceptable. That is why we are here this evening. Affordable Housing is a beneficial use, which is not allowed right now in this zone. A developer could come in on a use variance and it could become like the wild west. Mr. Selvaggi stated they have been working on this project and communicating with the Borough professionals to provide a much more reasonable approach for the planning than trying to strong arm the municipality. Ryan Homes tries to be a good neighbor. Mr. Selvaggi stated he has been involved with the project Ryan Homes is doing in Hackettstown and that municipality is delighted with the project. Mr. Vecchio stated tonight's presentation is to provide information for the benefit of the public. If the ordinance is approved, Ryan Homes will have to submit a robust civil engineering plan. The plan will be 40-50 pages long and will include a stormwater report and a traffic report etc. All of which will be reviewed by the planning board and its professionals. There is a large technical phase which will take place and will include landscaping too. Mr. Eaves asked if the developments being built in the surrounding areas will be included in the traffic study. Mr. Sewald confirmed that it will all be part of the study. The town and the surrounding towns are sent OPRA requests and the Land Use Secretary for each of those locations provides Ryan Homes with the approved buildings, even if they are never built. This has to be included in the background of the traffic study, not just for Stanhope but for the County and State level as well. Mr. Eaves asked if there is any potential for adding buses for school. Mr. Hagemann replied, in anticipation of the busing question being asked, he worked with the Business Office to gather some estimates for busing. The cost would be \$1 million dollars per year. The school has a \$7 million dollar budget. The only way that could be funded would be to put the question out to the public to increase the tax levy dramatically. It is unlikely that the school could even find a local bus company that they could contract with. They just are not able to take on new school districts. The facility referendum, which was approved two years ago, thankfully by the residents, was for \$6 million dollars spread over twenty years. Something of this nature would require \$20 million over a 20-year period.

Mayor Wronko stated the conversation is going to Board of Education topics and that is not the focus for this evening.

Tania Novack asked what the traffic studies for the Hackettstown project revealed. That project is built behind the CVS on a very tight roadway coming in and out. Mr. Sewald stated the traffic study was done for that project which consisted of approximately 66 townhouse units for sale and there are also apartments there which were built by a different builder. Mr. Sewald stated he does not recall the figures from that study. The good thing about a traffic study is that it has to be done with a clear model of your community and your roadway network. The impact of 66 units in Hackettstown would be completely different than 200 units would be in Stanhope. Mr. Sewald stated the traffic has to be counted and if there is any degradation, the builder would have to fix those items. Mr. Selvaggi stated in Hackettstown the municipality had to vacate part of the road that ran along the stream and the developer built a new road to connect it around. Every circumstance is a little bit different. There is a methodology for the traffic study. Ms. Novack stated in her opinion this is a good project for Stanhope.

Pete Vergano stated he is on the Lenape Valley Board of Education but is here as a resident. Mr. Vergano asked what the tax impact will be with the addition of these homes. What is the cost exposure to the town? Mayor Wronko stated at this time those figures have not been calculated. Mr. Vecchio stated one of the benefits of this project would be that there will be an HOA for the development. Many times, projects do have a cost impact back to the community for the Department of Public Works, snow removal, keeping up with roads, trash pick up etc. In this case, the HOA will handle all those items. The goal is for the least amount of impact. The intention here is to work with the community and get zoning in place to have a private/public partnership.

Councilwoman Kuncken stated, like Mayor Wronko stated, the Borough does not have hard numbers as far as what the tax revenue would be from a project like this. Councilwoman Kuncken and the other council members have been involved in the Borough for many years. The Borough will benefit from the taxes that will come from a development like this. We are very frugal and conservative spenders, and we stretch our tax dollars as far as possible. We have not cut any services, but we are getting to the point that we need new sources of revenue. One house here paying taxes and one house there is not enough. We need and will benefit from a sizeable increase in the tax revenue which we would get from a new development. We continue to stretch a dollar as far as we can, but just like people are experiencing at home, it is getting tougher and tougher. We do not want to reduce the services that our residents are used to and deserve. The tax revenue figures are important, and they will be looked at as we go forward.

Nicole Member asked if there is a chance that the affordable housing units might remain vacant. Mr. Vecchio stated all of the units will not be built at one time. Approximately 50 homes a year will be built. Buyers are usually lined up ahead of time and they have the opportunity to choose certain aspects of how the homes are built. Ms. Member asked the governing body if the Borough has to provide 171 affordable housing units? Mayor Wronko stated the Borough was given the number of 176 from the State of NJ. As part of that process, there is a resolution which is on the agenda this evening which was approved stating that 61 units is a more reasonable figure which has been determined by the Borough Planner. Ms. Member stated there is not a lot of land left in Stanhope to build on and she asked if more than 20% of affordable housing could be built in this development. Mr. Selvaggi stated 20% is the standard. If you are going to a higher set aside, in order for the developer to offset the cost of that, the density has to be increased. Then you are always chasing that number, and it is being chased by virtue of adding more market rate units. Towns are generally not looking for a higher set aside. Mr. Selvaggi stated, as he had earlier, that if this project is approved and built, it takes this land, which is now a vacant piece of property, and then the next round when dealing with the State, will reveal that the 40 acres which yielded the 206 units has the requisite 20% set aside. Then the State cannot look to the Borough to increase the number of affordable housing units because we really are running out of land. There may in fact be no more land available to yield a project like this. Ms. Member asked what the square footage of the units would be. Mr. Vecchio stated this was explained earlier but the units will be three bedrooms, two and a half baths, two car garages and the square footage will be between 1,700 and 2,500.

Councilman Thornton stated if approximately 50 units are built per year, units will not be built if the demand is not there. Mr. Vecchio confirmed the homes will be built on demand. Buyers generally want to be able to customize the homes. Mr. Selvaggi stated as the units are built, a certain number of affordable housing units will have to be built at that time as well. They will be integrated throughout the construction process.

Mike Iannotta stated most of the concerns this evening seems to be about the traffic. Mr. Iannotta asked if the land behind High Point is owned by someone else and if so, perhaps they should be contacted. If you could find a solution to the traffic, you might get more support.

Administrator McNeilly stated Stanhope School owns property behind the school before you get to High Point. It is not a viable option. Mr. Iannotta stated it is better than nothing. Administrator McNeilly stated it is worse than nothing actually.

Mayor Wronko thanked everyone for attending tonight's meeting and thanked the American Legion for being gracious as always. Mayor Wronko also thanked Ryan Homes for making this presentation tonight.

ADJOURNMENT

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

Approved:

Linda Chirip
Deputy Clerk for
Ellen Horak, RMC
Borough Clerk