

**MINUTES OF THE MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF NETCONG HELD APRIL 10, 2014 AT THE NETCONG MUNICIPAL BUILDING, 23 MAPLE AVENUE, NETCONG, NEW JERSEY COMMENCING AT 7:30 P.M.**

Mayor Nametko called the meeting to order at 7:30 P.M.

**PLEDGE OF ALLEGIANCE**

**STATEMENT OF OPEN PUBLIC MEETINGS ACT**

The Borough Clerk read the following statement:

Adequate notice of this meeting as defined by the Open Public Meetings Act has been provided by:

1. Posting a notice of said meeting in the space provided for such announcements at the Borough Hall on January 10, 2014.
2. Publishing a notice in the Daily Record, the official newspaper of the Borough of Netcong on January 15, 2014 and mailing a copy to The Star Ledger on January 10, 2014.

**ROLL CALL**

Those in attendance were Councilwoman Butler, Councilman Hathaway, Councilman Koster, Councilman Laureys, Councilman Still, Councilman Sylvester and Mayor Nametko. Also present were Mr. Blakeslee, Borough Administrator, Mrs. Eckert, Borough Clerk and Mr. Bucco, Borough Attorney.

**APPROVAL OF MINUTES**

No minutes were presented at this meeting.

**PRESENTATION OF COUNTY BUDGET** – Morris County Freeholders

Since the freeholder had not arrived, the meeting moved forward to the Auditor Address.

**BOROUGH AUDITOR TO ADDRESS THE MAYOR AND COUNCIL**

Ms. Valerie Dolan, Partner from Nissovocchia & Co. provided financial highlights regarding the audit. With no questions from the Council the following resolutions were presented:

- **Resolution #2014-47** – Certification of Annual Audit

A motion was made by Councilman Still and seconded by Councilman Sylvester.  
Roll Call: 6 Yes

- **Resolution #2014-48** – To Approve 2012 Corrective Action Plan

A motion was made by Councilman Still and seconded by Councilman Hathaway.  
Roll Call: 6 Yes

Ms. Dolan and Mr. Jason Gabloff, CFO presented the 2014 Budget.

Ms. Dolan provided an explanation of the Cap Bank Ordinance and gave highlights of the budget.

The following Ordinance and Resolutions were presented:

1. **Ordinance #2014-3**-An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank

Motion to Read Ordinance 2014-3 by Title Only on Second Reading and a Hearing Held Thereon: A motion was made by Councilman Still and seconded by Councilman Koster.  
Roll Call: 6 Yes

Motion to Close Public Hearing: A motion was made by Councilman Sylvester and seconded by Councilman Hathaway.  
Roll Call: 6 Yes

Motion to Adopt Ordinance #2014-3: A motion was made by Councilman Still and seconded by Councilman Sylvester.  
Roll Call: 6 Yes

### **PUBLIC HEARING ON 2014 BUDGET**

Mrs. Dolan provided a brief explanation of the impact of the budget to the average Netcong resident.

As no one from the public stepped forward to address the budget, the Mayor requested a motion to close the meeting to the public.

Motion to close public hearing on budget: A motion was made by Councilman Koster and seconded by Councilman Still.  
Roll Call: 6 Yes

- **Resolution #2014-51** -To Read Budget by Title Only

A motion to read the budget by title only was made by Councilman Still and seconded by Councilman Sylvester.

Roll Call: 6 Yes

- **Resolution #2014-52** -To Adopt the 2014 Budget.

A motion to adopt the 2014 budget was made by Councilman Still and seconded by Councilman Koster.

Roll Call: 6 Yes

The Mayor expressed his gratitude to all who participated in the delivery of the 2014 budget.

### **PUBLIC PORTION OF MEETING**

- Charles Cedro – 6 Allen St. – requested an update from Mr. Bucco on progress with water issues. Mr. Bucco replied there is good news and bad. DOT is working on it but is not ready yet. He noted that there is a change in key personnel within DOT. Mr. Cedro was not happy with this and actually stated he was embarrassed about the lack of progress. Mr. Bucco replied that there was a promise to get this work completed.
- Frank Koval – 140 Allen St. – He is opposed to the SID increase. He is not happy that the Director's salary is almost ½ of the budget. He requested that the Council consider abolishing the SID next year.
- Karen Pruden – 69 Love Lane – She asked the Council if they can tell her what the SID is doing for her in the Industrial area. She is against the SID- it is costing her \$1800.00 more per year on top of the large amount of tax she already pays. The Mayor noted that he could list advantages of the SID in general but not specifically to her business.
- David Angel – 5 Koclas Dr. – On behalf of the Cub Scouts he is asking if the scouts could have some of the trees that were donated from the Division of Forestry to Netcong. They feel this would be a great community service project for the scouts. They will plant them on public property and approach homeowners who may wish to have them planted on their property. The Mayor and Council stated they were in favor of this project. He recommended that the scouts seek guidance from the DPW and the Lake Board.
- Dave Weippert – 46 Main St. – Mr. Weippert sits on the SID Board. He has two questions:
  1. Is everyone on the Council able to vote for or against the SID?

Mr. Bucco explained that Councilman Koster is the only Council member unable to vote for the SID because he is a business owner and contributes to the SID.

2. When proxy was sent out by the SID for voting of new Board Members, there was supposed to be a question as to whether each member wished for the SID to continue but this question was not on the proxy.

Mr. Bucco explains because the SID is established by the Council by ordinance, it would need to be repealed by the Council not the SID members which is mandated by State statute.

Seeing no more questions from the public, the Mayor asked for a motion to close the public session.

Motion to Close the Meeting to the Public: A motion was made by Councilman Sylvester and seconded by Councilman Still.

Roll Call: 6 Yes

#### **PRESENTATION OF COUNTY BUDGET** – Morris County Freeholders

Freeholder Hank Lyon arrived at approximately 8:00PM to present 2014 County Budget. He handed out documents to the public along with his phone number. He noted that the budget had a 0% increase with no detriment to the major programs in the county. He provided details on the reductions in the open space fund and answered various questions from the Council. He also provided details regarding the roads and bridges budget. He described the measures taken to reduce strategically.

The Mayor requested for an update on the solar bond initiative. He noted the decline in value of "Srec's." He noted there is some litigation even though the bonds still need to be paid back.

The Mayor was impressed that the freeholders have not received any increases in years and no longer receives health benefits.

#### **PUBLIC HEARING ON THE SID ASSESSMENTS**

- Rudy Miller – 6A Allen St. asked how businesses benefit from SID. Flower pots and banners are nice but they are not helping in critical areas like the water problem. He feels a voluntary business association would be better.
- Frank Koval – 140 Allen St. – did not want to repeat himself but did ask the Mayor and Council to consider what the business members are saying.

- Todd Portsmore – 16 Dell Ave. – as a resident he finds it insulting that the businesses don't want to pay for the Sid assessment. He added that residents have to pay taxes without question.
- Michael Downing – 49 Main St. – maintained that the SID has value and worth. He was part of the Businessman's Association which did not work and dissolved. The structure of the SID is better. He would rather not have to pay taxes but has no problem with the SID assessment.

Motion to close the public hearing: A motion to close the hearing was made by Councilman Laureys and seconded by Councilman Hathaway.

Roll Call: 5 Yes Abstain: Councilman Koster

Councilman Laureys offered that he completed an unofficial survey of the business owners and has a report on his findings. Councilman Laureys read his report. He provided some background information he received which included that the SID was originally expected to exist for 5 years. It was not to go on forever. He stated that many of the owners experienced a hardship paying the SID tax. The owners felt the SID was counterproductive and hurt their bottom line. 15% of the owners he polled thought the SID was OK. He reported that the actual tangibles from the SID were not of value and the rest of the budget was for SID Administrative Costs. The owners also added that the flower pots and signs could be done without the SID. There were also objections to the percentage of the budget (approximately 50%) that was for salary. The owners presented reasons why they could not attend the meetings which included their children and tight schedules. One person polled stated that he had not received one communication from the SID the three years he was a member. Councilman Laureys proposed that the SID be dissolved as all functions provided could be done without the SID and actually provide a cost savings. There was lengthy discussion among the Council on the subject. Mr. Bucco, Borough Attorney explains the ramifications of not passing the assessments and budget for the SID this year. He strongly urged the Council to pass it for this year then consider dissolving the SID next year.

Councilwoman Butler stated she was displeased with the budget and felt the administrative costs were too high. She offered the idea of finding out if all the members of the SID were interested in its continuance.

The Council continued discussion regarding this topic.

- **Resolution #2014-53**-Resolution to Approve the 2014 Property Assessments for the Netcong Community Partnership Special Improvement District of the Borough of Netcong.

A motion was made by Councilman Hathaway and seconded by Councilman Sylvester to approve the resolution.

Roll Call: 3 Yes No: Councilwoman Butler and Councilman Laureys

Abstain: Councilman Koster

Mr. Bucco, Borough Attorney interjected that because Mr. Koster is ineligible to vote on this subject, only 5 seats are counted therefore this resolution passes 3 to 2.

- **Resolution #2014-54**-Resolution Approving the Introduction of the 2014 Budget of the Netcong Community Partnership Special Improvement District and Authorizing a Public Hearing to be Held Thereon.

Mr. Bucco advised the Council regarding the vote on this resolution and noted a Yes vote of four would be required.

Councilman Hathaway made a motion to approve the resolution and Councilman Sylvester seconded the motion.

Roll Call: 4 Yes No: Councilman Laureys Abstain: Councilman Koster

A Motion to empower the Borough Administrator and Borough Attorney to create a document to be delivered to all members of the SID (property and business owners) via certified mail with return receipt was made by Councilman Sylvester and seconded by Councilman Hathaway. The purpose was to determine whether or not the members are in favor of the SID continuing in future years.

Roll Call: 5 Yes Abstain: Councilman Koster

### **ORDINANCE ADOPTIONS**

1. **Ordinance #2014-4**-An Ordinance Authorizing The Police Chief To Execute an Application for a Charitable Solicitation Permit for American Legion Ambulance Corp of Stanhope/Netcong's "Coin Drop" on June 13th, June 14th 2014 and on September 5th and September 7th, 2014 at The Intersections of Allen Street and Ledgewood Avenue and Main Street and Route 46 in The Borough of Netcong, County of Morris, State of New Jersey.

A Motion to Read Ordinance 2014-4 by Title Only on Second Reading and a Hearing Held Thereon was made by Councilman Koster and seconded by Councilwoman Butler.

Roll Call: 6 Yes

A Motion to Close Public Hearing was made by Councilman Hathaway and second by Councilman Koster.

Roll Call: 6 Yes

A Motion to Adopt Ordinance #2014-4 was made by Councilman Koster and seconded by Councilwoman Butler.

Roll Call: 6 Yes

**2. Ordinance 2014-5** – An Ordinance Amending Chapter 26 of the Code of the Borough of Netcong and Revising the Policy Concerning Retiree Health Benefits

A Motion to Read Ordinance 2014-5 by Title Only on Second Reading and a Hearing Held Thereon was made by Councilman Sylvester and seconded by Councilman Koster.

Roll Call: 6 Yes

A Motion to Close Public Hearing was made by Councilman Koster and seconded by Councilman Sylvester.

Roll Call: 6 Yes

A Motion to Adopt Ordinance #2014-5 was made by Councilman Sylvester and seconded by Councilman Koster.

Roll Call: 6 Yes

**CORRESPONDENCE**

No correspondence was presented at this meeting.

**BOROUGH ADMINISTRATOR REPORT**

The Council acknowledged review of the report.

**COMMITTEE REPORTS**

*All reports were put on file to expedite the meeting.*

Finance & Insurance:                      E. Still                      J. Sylvester

In the month of March the Borough had total income in the amount of \$142,354.66 as compared to the previous year of \$ 53,117.84

Year to Date

Miscellaneous Revenue Not Anticipated (MRNA)

\$1,313.22 in 2014 vs. \$8,370.72 in 2013

*In March of 2013 the Borough experienced \$7,183.13 in prior year refunds, which accounts for the difference between 2014 and 2013.*

Other Licenses:

\$9,601.80 in 2014 vs. \$9,363.30 in 2013.

State Aid

\$0/\$0

Grants in Aid

\$6,208.80 in 2014 vs. \$0.00 in 2013

*In March the Borough received \$6,208.80 in State of NJ Fire Safety grant funds.*

Taxes Collected

\$125,040.39 collected in 2014 vs. \$35,383.82 collected in 2013.

*The increase over last year's amount are due to \$16,381.56 in Lien Redemption and \$45,880.91 from delinquent taxes as well as an increase in current year taxes collected in the month of March.*

Income Total Year to Date:

\$2,065,902.07 in 2014 vs. \$1,985,089.66 in 2013.

Economic Development:            R. Hathaway            E. Still

Councilman Hathaway mentioned that Mr. Wilensky will be putting in application this month with the Planning Board for the Pocketbook Factory project.

Public Safety:                        J. Sylvester            E. Koster  
(Police, Fire, Rescue)

For the month of March, the Ambulance Corps had 55 calls of which 1 were out of town. They treated a total of 25 patients and made 25 trips to the hospital. The miles traveled were 643 and the hours volunteered were 135 and 48 minutes. There were 3 assists provided by the Stanhope Fire Department.

The Netcong Fire Department had 13 general alarms, 13 mutual aid calls, 5 out of town. There were 7 meetings and 1 drill.

The Borough Police answered a total of 352 calls. They wrote a total of 130 motor vehicle summonses.

Dept. of Public  
Works & Utilities:                    E. Koster                    R. Hathaway

Awaiting report to put on file.

Recreation:                            P. Butler                    T. Laureys

Sharon Still put in her resignation for the Tri-Town Recreation Committee



A Motion to accept the resignation was made by Councilman Koster and seconded by Councilman Sylvester.

Roll Call: 6 yes

Public Services: T. Laureys P. Butler  
(Human Services  
Recycling & Solid  
Waste Disposal

Days of service: 15  
Miles: 939  
Number of stops: 80  
Nutrition for 6 people: 31  
Food shopping 17 people: 25  
Number of Meals on Wheels: 16  
Medical Appointments: 18  
Other Appointments: 53  
People Using Services: 47  
Cancels: 11  
Denials: 5  
Units: 273  
Hours: 83  
Additional Notes: 1 new senior

### **OLD BUSINESS**

No old business to report.

### **NEW BUSINESS**

1. Fire Department Application – Matthew Jasiocki

This was carried to the May meeting.

### **PRIVILEGE OF THE FLOOR TO THE COUNCIL**

There were no comments from the Council at this time.

### **MAYOR'S COMMENTS**

There were no comments from the Mayor at this time.

### **RESOLUTIONS**

1. **Resolution #2014-43** – Tax Identification Statement

2. **Resolution #2014- 44** –Tonnage Grant Application
3. **Resolution #2014-45** - Authorizing the Tax Collector to Prepare and Mail Estimated Tax Bills
4. **Resolution #2014-46** – To Redeem Tax Sale Certificate 13-00007- 14 Center St.
5. **Resolution #2014-49** – NJDOT – No Passing Zone
6. **Resolution #2014-50** – A Resolution Authorizing the Execution of a Shared Services Agreement with the Board of Trustees of the Mount Olive Public Library for Library Services Pursuant to N.J.S.A. 40A:65-1, ET Seq.
7. **Resolution #2014-55** – To Redeem Tax Sale Certificate 13-00006- 3 Center St.
8. **Resolution #2014-56** – To Authorize GAK to Install Insulation, Ceiling Tiles, HVAC Diffusers and Florescent Light Cover Lenses at the Netcong Fire Company #1

**All Resolutions (1 – 8) were voted in a block as follows:**

A motion was made by Councilman Hathaway and seconded by Councilman Sylvester.

Roll Call: 6 Yes

NOTE: in Resolution #2014-56, Councilman Koster abstained.

**ORDINANCE INTRODUCTIONS**

1. **Bond Ordinance 2014-6** - Bond Ordinance To Authorize The Making of Various Public Improvements And The Acquisition of New Additional or Replacement Equipment And Machinery In, By And For The Borough Of Netcong, In The County Of Morris, State Of New Jersey, To Appropriate The Sum Of \$35,800 To Pay The Cost Thereof, To Make A Down Payment, To Authorize The Issuance of Bonds To Finance Such Appropriation And To Provide For The Issuance of Bond Anticipation Notes In Anticipation of The Issuance of Such Bonds.

A Motion to Introduce Bond Ordinance #2014-6 and Read by Title Only was made by Councilman Still and seconded by Councilwoman Butler.

Roll Call: 6 Yes

A Motion to Pass Bond Ordinance #2014-6 on First Reading was made by Councilman Still and seconded by Councilman Koster.

Roll Call: 6 Yes

2. **Bond Ordinance 2014-7** - Bond Ordinance To Authorize The Making Of Various Public Improvements In, By And For The Water Utility Of The Borough Of Netcong, In The County Of Morris, State Of New Jersey, To Appropriate The Sum Of \$273,000 To Pay The Cost Thereof, To Authorize The Issuance Of Bonds To Finance Such Appropriation And To Provide For The Issuance Of Bond Anticipation Notes In Anticipation Of The Issuance Of Such Bonds.

A Motion to Introduce Bond Ordinance #2014-7 and Read by Title Only was made by Councilman Still and seconded by Councilman Koster.

Roll Call: 6 Yes

A Motion to Pass Bond Ordinance #2014-7 on First Reading was made by Councilman Still and seconded by Councilman Koster.

Roll Call: 6 Yes

3. **Bond Ordinance 2014-8** - Bond Ordinance To Authorize The Acquisition of a Mason Dump Truck, Including Original Apparatus and Equipment, In, By and For The Sewer Utility of The Borough of Netcong, In The County of Morris, State of New Jersey, To Appropriate The Sum of \$70,000 To Pay The Cost Thereof, To Appropriate Moneys From The Sewer Utility Capital Improvement Fund, To Authorize The Issuance of Bonds To Finance Such Appropriation and To Provide For The Issuance of Bond Anticipation Notes In Anticipation of The Issuance of Such Bonds

A Motion to Introduce Bond Ordinance #2014-8 and Read by Title Only was made by Councilman Sylvester and seconded by Councilman Koster.

Roll Call: 6 Yes

A Motion to Pass Bond Ordinance #2014-8 on First Reading was made by Councilman Koster and seconded by Councilman Still.

Roll Call: 6 Yes

### **REPORTS**

A Motion to Incorporate All Reports into the Minutes was made by Councilman Sylvester and seconded by Councilwoman Butler.

Roll Call: 6 Yes

### **BILLS**

A Motion to Pay All Bills When Funds are Available was made by Councilman Still and seconded by Councilman Hathaway.

Roll Call: 6 Yes

### **CLOSED SESSION**

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231 P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist.

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Netcong, County of Morris, State of New Jersey, as follows:

1. The public shall be excluded from discussion of an action upon the specified subject matter.

2. The general nature of the subject matter to be discussed is as follows:

▪ **Attorney-Client Privilege – Terrace Street Retaining Wall**

3. It is anticipated that the minutes on the subject matters of the closed session will be made public upon conclusion, dismissal or settlement of litigation; or final resolution of agreements on personnel matters; and in any event, when appropriate pursuant to N.J.S.A. 10:4-7 and 4-13.

4. The Council will come back into open session and may take further action.

A Motion to go into Closed Session was made at 9:45PM by Councilman Sylvester and seconded by Councilman Koster.

Roll Call: 6 Yes

A Motion to come out of Closed Session was made by Councilman Hathaway and seconded by Councilman Sylvester.


Roll Call: 6 Yes

The Mayor noted that no action was taken during the closed session.

**ADJOURNMENT**

A Motion to Adjourn the Meeting was made by Councilman Still at 9:55 PM and was carried by unanimous voice vote.

Respectfully Submitted,

  
\_\_\_\_\_  
Cynthia Eckert, Borough Clerk