

BOROUGH OF NETCONG

MINUTES OF THE MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF NETCONG HELD MAY 1, 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 was Mr. Blakeslee, Borough Administrator and Mrs. Eckert, Borough Clerk.

APPROVAL OF MINUTES

- Agenda Meeting of April 3, 2014
- Regular Meeting of April 10, 2014

A Motion to Approve April 3, 2014 Minutes was made by Councilman Hathaway and seconded by Councilman Still.

Roll Call: 6 Yes

A Motion to Approve April 10, 2014 Minutes with Mr. Laurey's Report Attached was made by Councilman Sylvester and seconded by Councilman Still.

Roll Call: 6 Yes

PUBLIC PORTION OF MEETING

1. Leigh Ann Von Hagen, 8 Main St. and Stephen Fredericks, 7 Ledgewood Ave. both Trustees for the Netcong Community Partnership - Mr. Fredericks read a written letter from the Trustee Board:

*Mayor Nametko, and Members of the Town Council,
Because of the questions before you this evening my fellow NCP trustee, Leigh Ann Von Hagen and I are here this evening to both share with you our efforts since this past January and request your consideration on the action to follow tonight's meeting. In addition to our regular business meetings, the Board of the Netcong Community Partnership has met twice in an effort to establish a strategic plan that will positively affect both change in the manner of effectiveness in which we conduct our organization and as importantly in how we can best serve our community.*

That we are in the process of refocusing our efforts to:

To develop methods in which we can better communicate with our members and the community as a whole.

That we create more opportunities for members to participate in the committee structure and effectiveness of our organization.

Assist in the recruitment of new businesses into Netcong while establishing methods in which we can assist in the retention of current ones.

Develop ways in which the NCP can serve as an active advocate for the businesses through landlord capital improvements that benefit the community as a whole.

That we look to ways that we can establish a co-op program in areas of food supplies, advertising and insurance.

That we re-focus Netcong Day so that it is not only a community event but that it highlights and showcases Netcong businesses.

That we find creative and productive ways in which we can support and advance existing programs that benefit our community.

These are just some of the goals that our board has identified to date and the process is continuing. It is important for the council to be aware that in our discussions we are very aware of the frail level of confidence the organization has at this point. Whether fair or not, we have established an aggressive timetable for action on these goals from the immediate which is one month, to long-term, which we categorize as taking action within 7 to 12 months. This is in addition to ongoing efforts to improve the appearance of our downtown area, and our most recent action to hire a local business, Fat Rabbit, to plan, design and develop a marketing-smart and user-friendly social media package.

Mr. Fredericks explained that the board has just started to make changes to the SID- they request a chance to prove to the Mayor and Council that this organization can move forward and be beneficial to the businesses.

Ms. VonHagen noted she is a planner and has worked on many strategic planning processes, some successful and others that have failed. She feels the SID can be beneficial. She read the following statement:

The NCP has the potential to improve the economic capacity of each and every business. By providing a clean, safe, attractive business district that meets the needs of residents, customers, owners, and employees, the NCP promotes Netcong as a desirable location to visit or invest.

We are working on our vision to attract, retain, and promote businesses that add to the quality of life of residents and surrounding communities. As a planner, I've worked on many Strategic Planning processes, some have been great and others have fallen apart. For the NCP Strategic Plan there is momentum, vision and talent within the NCP Board that has proven to me this is not going to be a wasted effort.

We've been told that during the last council meeting, the Council wants to ask the question to the SID membership asking if the SID should be disbanded. We would appreciate the Council's consideration in delaying the distribution of the proposed question so that we can craft it together, in the spirit of the legislation that established the NCP in the first place.

In addition, we would like to propose not asking one question, but to create a series of questions that will benefit both the NCP and the municipality. We would like to conduct a proper, informative and useful survey that can be used as an effective tool for all interested parties and one that respects the serious impact it can have on both our businesses and taxpayers. For example, we would like to survey the membership about the value of the SID, its importance to revitalizing the downtown, and what services are missing or could help increase businesses.

A few more points that should be considered before a letter goes out:

- 1. Before moving forward, we must ensure that we have an accurate list of all businesses to guarantee that everyone is being fairly represented and that we have the proper amount of time to see that it is being done properly.*
- 2. Since the NCP is currently working on goals and an action plan, businesses should be allowed the opportunity to review and comment on NCPs action plan before a question is presented. It is only when members see the plans for the future that they can make an accurate assessment of the need for a SID.*

In short, we would rather see a collaborative process that would help both our efforts and one that is completed in a well-thought out fashion over an ad-hoc question presented without more background information.

Thank you.

- 2. Ben Dellamo – 30 Church St. – Was pleased to report that people are paying attention now. In the past he felt the SID should be dissolved but now feels it has a chance.*

A Motion to close the meeting to the public was made by Councilman Hathaway and seconded by Councilman Still.

Roll Call: 6 Yes

PUBLIC HEARING ON THE SID BUDGET

Councilman Hathaway noted that there would not be a quorum at the May 8th meeting. The Mayor recommended the public hearing and the resolution be carried to the June 12th meeting.

A Motion to table the Public Hearing on the SID Budget to the June 12th, 2014 meeting was made by Councilman Hathaway and seconded by Councilman Still.

Roll Call: 5 Yes Abstain: Councilman Koster

Resolution #2014-57 - Authorizing the Adoption of the 2014 Budget of the Netcong Community Partnership Special Improvement District.

A Motion to table the Resolution Adopting the SID Budget to the June 12, 2014 meeting was made by Councilman Hathaway and seconded by Councilman Still.

Roll Call: 5 Yes Abstain: Councilman Koster

ORDINANCE ADOPTIONS

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.

The ordinance was carried to the May 8th Meeting.

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.

This ordinance was carried to the May 8th Meeting.

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.

This ordinance was carried to the May 8th Meeting.

CORRESPONDENCE

No correspondence was presented at this meeting.

OLD BUSINESS

1. Fire Department Application – Matthew Jasiiecki

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

Roll Call: 5 Yes Abstain: Councilman Koster

NEW BUSINESS

1. Fire Department Application – Adam Soccio

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

Roll Call: 5 Yes Abstain: Councilman Koster

2. Social Affair Permit for St. Cesario Society – Fireworks

A motion was made by Councilman Still and seconded by Councilman Koster to approve the permit.

Roll Call: 5 Yes Abstain: Councilman Sylvester

PRIVILEGE OF THE FLOOR TO THE COUNCIL

- President Sylvester – Will Fire Co. #2 be able to hook up to the newly installed gas line on College Rd?

Mr. Blakeslee responded that this is not in the budget for this year. He has discussed options with Mr. Koster. Mr. Koster recommended waiting until the first of next year to do the job properly or a temporary set up could be done this year but it is less desirable. Mr. Blakeslee will contact CFO to discuss financial choices.

- Mr. Hathaway – The Daily Record has an article in today's edition on the Lake Musconetcong Community Association letter writing campaign.

Mr. Hathaway also read the following statement regarding the activity by Councilman Laureys regarding the SID:

Just prior to our last regular council meeting it came to my attention that Mr. Laureys was conducting an opinion poll on our S.I.D. I was surprised as this is my committee and save one appearance at a S.I.D. meeting I have not known Mr. Laureys to have any experience with S.I.D. He has not consulted me on the topic. That said..... from many statements he has made it is clear at that time he had not read either our S.I.D. Bylaws or the State Statute which created the S.I.D. Knowing this I find it fantastic that he would go out into our community and solicit opinion on a topic that he could not possibly understand. It has been stated by many in the community

whom he has contacted that he has offered explanation of the S.I.D. functions and record to those unfamiliar. These explanations couldn't possibly address any questions as without having researched the aforementioned documents or attended significant S.I.D. meetings, his knowledge would be limited to opinion. In the recent past Mr. Laureys has offered a significant record of abstention votes stating that he did not have enough knowledge or experience with the topic to even cast a vote. However in this circumstance not only will he cast votes he will offer focused council to others. This unfortunate set of circumstances has been frustrated by his recent testimony at our last regular council meeting. He has stated that his contacts included (79) S.I.D. member's and an additional (12) whom he was unable to contact. This would suggest a membership of (91) plus the town non-profits which Mr. Laureys did not solicit as "they don't pay tax to the S.I.D." Interestingly, Mr. Laureys' count of membership is in grotesque error as it clearly exceeds (140). Also, only the property owners pay the assessment therefore his "pay tax" analysis displays a childish misunderstanding of the implementation and beneficiary of the assessment. Now this Council is faced with the aftermath of Mr. Laureys misrepresentation to the business community. Mr. Laureys, through this action, has compelled this Council to reexamine how or if our S.I.D will function. Consider that Netcong Day, Downtown beautification flowers, holiday decor, flags, and banners etc., have been traditionally funded by the S.I.D. The current failed assumption of Mr. Laureys is that the recapture of the boroughs \$5,000.00 S.I.D. contributions will be enough to finance these and other endeavors typically undertaken by the S.I.D. In fact, in our last meeting he stated that this will come at some savings. The unfortunate fact is that the cost of these endeavors significantly exceeds \$5,000.00 on an annual basis. I suspect we can all agree that these aforementioned programs are noticed, appreciated and expected by our residents. Therefore, Mr. Laureys' actions are geared to shift the financial burden of these programs from the businesses to the residents. How unfortunate. I have distributed to you all a communication which Mr. Laureys has given to all of his contacts on this matter. Take note that Mr. Laureys has spoken for us all in that he states that if a majority of members respond adversely to this questionnaire that his council will repeal the S.I.D. ordinance. I have reviewed both my personal memory and the minutes of this meeting and I know that no such vote or language was discussed or agreed upon by myself or anyone else on this council. We agreed to send out a document to the business owners to determine whether or not they are in favor of the S.I.D continuing in future years. I do not appreciate Mr. Laureys suggestion that my opinion on this matter is in anyway decided or assured. And I object to this communication on principal. Mr. Laureys sent an additional communication which I have distributed. This one suggests that we will vote tonight on a timeline for this S.I.D. business letters distribution. I have no knowledge of this vote. It is not on our agenda and as this is my committee I would expect advance notice of any business affecting my committee prior to this Council entertaining such. I object to Mr. Laureys conduct outside of our committee structure without any conversation with myself or the current S.I.D. leadership. I further object to Mr. Laureys misrepresentation of the general facts surrounding notices affected by the Borough and the S.I.D. and the composition of the S.I.D.

membership. I respectfully ask you all to consider an official motion of censure of Mr. Laureys on this topic. Specifically, his misrepresentation of factual matters of membership and notices, given to S.I.D. members as well as his misrepresentation to his contacts of discussions and votes undertaken by this Council. And finally, I object to his continued undermining of our assigned committee structure. Consider all the time being wasted on this topic at the behest of Mr. Laureys. And if you don't consider the time of this Council and the S.I.D. members' substantive discussions on this topic wasteful then consider the \$1,000.00 plus that we are about spend to mail out this notice to indulge Mr. Laureys farce. This is surely wasteful as the businesses of Netcong are represented by and function through the S.I.D. in procedure prescribed by Borough Ordinance and State Law. We however at least as I understand it are tasked to represent the residents of Netcong. Once again I implore you all to consider taking official disciplinary action on Mr. Laureys conduct in these matters.

Councilman Still agreed that Mr. Laureys is stepping on committees. Councilman Still directly told Mr. Laureys that he cannot take it upon himself to go around committees. Councilman Still and Councilman Hathaway chuckled when Councilman Still recalled reprimanding Councilman Hathaway for "going around" the finance committee shortly after being elected to the Council.

The Mayor addressed Mr. Laureys and noted the actions that were not appropriate for a Council Member. He was irritated that Councilman Laureys took this action when a strong statement regarding steps forward and time frames for the SID were openly discussed at the February meeting.

Councilman Laureys discussed an interpretation of his report. Councilman Sylvester and Councilman Hathaway challenged Councilman Laureys and reminded him what he said via their review of the meeting's recording.

The Council discussed the letter that was to go out to the SID. Councilman Hathaway felt the public was jaded by Councilman Laureys' communication to the community. He was concerned that Councilman Laureys' individual communications and documents out to the public were considered "official." The Mayor discussed the fall out issues he heard from the public due to Councilman Laureys action.

The Council discussed how the plans for the letter to go out to the SID could be facilitated without bias in light of Councilman Laureys individual actions. The Mayor added that Councilman Laureys was taking too much of the Council's time. He needed to discuss the Councilman's actions with the Borough attorney. He included that the Councilman was "out of line."

Mr. Sylvester made a motion to direct Mr. Blakeslee, Borough Administrator to work with the SID Trustee Board to create a non-bias objective document to be sent to all SID members. Mr. Hathaway seconded the motion.

Roll Call: 5 Yes Abstain: Councilman Koster

MAYORS COMMENTS

The Mayor stated that in the essence of time, he would table his comments to the next meeting.

RESOLUTIONS

1. **Resolution #2014- 58** – 2014 Salary Resolution
2. **Resolution #2014- 59** - Recognition of Municipal Clerk’s Week (May 4th-10th)
3. **Resolution #2014- 60** - Resolution in Support of Fibrodysplasia Ossificans Progressive Research and Awareness

The three resolutions were voted as a block. Councilman Sylvester made a motion to approve the three resolutions and Councilman Koster seconded the motion.
Roll Call: 5 Yes No: Councilman Laureys

ORDINANCE INTRODUCTIONS

1. **Ordinance 2014-9** – An Ordinance to Amend Chapter 54, Police Department, Article IV, Fees, Section 54-16, Fees, Paragraph F, Contracted Police Services, Subparagraph (3) of the Code of the Borough of Netcong, Morris County, New Jersey

This ordinance was carried to the May 8th meeting.

CLOSED SESSION

There was no closed session at this meeting.

ADJOURNMENT

A Motion to Adjourn the Meeting was made by Councilman Still and seconded by Councilman Hathaway at 8:29PM.
Roll Call: 6 Yes

Respectfully Submitted,



Cynthia Eckert, Borough Clerk