

MINUTES OF THE MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF NETCONG HELD SEPTEMBER 11, 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 Laureys, Councilman Still, Councilman Sylvester and Mayor Nametko. Also present were Mr. Blakeslee, Borough Administrator and Mrs. Eckert, Borough Clerk.

APPROVAL OF MINUTES

No meeting minutes were presented at this meeting.

PUBLIC PORTION OF MEETING

- Charles Cedro – 6 Allen St. – Mr. Cedro requested an update on the drainage situation. Mayor Nametko explained that there is a meeting tentatively scheduled for September 17. He is hoping all of the appropriate parties will be in attendance. Mr. Cedro mentioned that he was not pleased with the lack of response from Debbie Hurt of the DOT. He also wanted to know what would be done if the appropriate parties could not attend and the meeting did not take place. Mr. Bucco responded. He wrote a letter to Ms. Hurt but has not yet received a formal response as to whether the DEP will be attending this meeting. Mr. Bucco stated that if the DEP cannot attend, the meeting will not take place and he will contact the DEP personally.

- Ben Dellamo- 30 Church St. – Mr. Dellamo was told his issue with the DOT was mentioned at the August meeting. He wants to know when they will come to fix the drainage pipe on his property. He needs to pave his driveway before the weather turns too cold. The Council members recalled that Mr. Dellamo’s requirements were noted in previous meetings. Mr. Blakeslee will need to contact the Borough Engineer and have him send a letter to the DOT with a copy to the Borough Attorney.
- Frank Koval – 140 Allen St. – He wishes to speak on the SID survey outcome. He was not yet aware of the results. If the SID goes by the wayside, he would be willing to make a monetary donation for Christmas decorations and flower pots. It is 9 months into 2014 and he still has not seen any benefit to the businesses from the SID. He also thinks there needs to be some kind of business registration so the town can keep track of the businesses in town. The Mayor responded. The Council does not want to impose registration on the businesses.
- Rudy Miller – 6A Allen St. – He would like to reaffirm what was just said by Mr. Koval. He sees no benefit from the SID. He would also be willing to donate towards holiday decorations and allow the businesses to control things.
- Jim Arbolino – 23 Allen St. – He was on the Borough Council when the SID was first introduced. It was originally supposed to be a 5-8 year plan which would allow businesses to upgrade their buildings. It was never meant to be permanent and he feels it has run its course. There was no planned increase in the assessments.
- Barrie Palumbo – 13 Maple Ave. – Ms. Palumbo was interested in the results of the survey. The Mayor advised that is further down on this evening’s agenda. After a brief discussion it was decided the Council will have another public session later in the meeting. She would like to know now so others in the audience would have a chance to comment. She is concerned because it is so late in the year, this ordinance will not be repealed and the businesses will be forced to pay again in 2015. She wishes to see the ordinance repealed and then wait to see what happens with the Transit Village before revisiting the SID.

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

Roll Call: 5 Yes

ORDINANCE ADOPTIONS

1. **Ordinance 2014-11** – An Ordinance Revising the General Ordinance of the Borough of Netcong and Providing for Clean Up Cost Recovery

A Motion to Read Ordinance 2014-11 by Title Only on Second Reading and a Hearing Held Thereon was made by Councilman Sylvester and seconded by Councilman Hathaway.

Roll Call: 4 Yes No: Councilman Laureys

The Mayor opened the meeting to the public regarding this ordinance. No one stepped forward.

A motion to close the public hearing was made By Councilman Still and seconded by Councilman Hathaway.

Roll Call: 5 Yes.

A Motion to Adopt Ordinance #2014-11 was made by Councilman Still and seconded by Councilwoman Butler.

Roll Call: 4 Yes No: Councilman Laureys

CORRESPONDENCE

No correspondence was presented at this meeting.

BOROUGH ADMINISTRATOR REPORT

Mr. Blakeslee provided discussion on DOT State Aid Grants. He noted that based upon consensus at the meetings the Borough file again. Mike Canfield provided his opinion regarding the situation. After discussion, the Council decided the Borough should submit applications for Stoll St. Phase II and Carolyn Way, Oak St. and lower Wiltop Rd.

COMMITTEE REPORTS

Finance & Insurance: E. Still J. Sylvester

In the month of August the Borough had total income in the amount of \$1,654,276.89 as compared to the previous year of \$1,312,502.09.

For the month of August:

Miscellaneous Revenue Not Anticipated (MRNA)

\$4,814.80 in 2014 vs. \$3,706.43 in 2013

The Borough experienced an increase of \$1,531.89 in Planning Board fees in August.

Other Licenses/Borough Clerks Fees:

\$6,281.09 in 2014 vs \$9,514.92 in 2013

In 2013 the Borough received approximately \$3,000 in auction fees in the month of August. This would account for the decrease this year in this category.

State Aid

\$176,357.70 in 2014 vs. \$176,357.50 in 2013

The Borough received its Energy Tax Receipts from the state.

Grants in Aid

\$3,200.00 in 2014 vs. \$969.15 in 2013

The Borough Police Department received a \$3,200 to conduct a "Click It or Ticket" enforcement program.

Taxes Collected

\$1,463,563.30 collected in 2014 vs. \$1,121,809.09 collected in 2013

Income Total Year to Date:

\$6,390,695.04 in 2014 vs. \$6,107,865.82 in 2013.

Economic Development: R. Hathaway E. Still

Councilman Hathaway reported record participation for an excellent Netcong Day. All was very successful. He is hoping for some forward movement and voting on the Transit Village project. There are currently applications from developers at the Planning Board. The Pocketbook Factory is also meeting with the Planning Board this month. Quick Chek has made some significant renovations to the property.

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

For the month of August, the Ambulance Squad answered a total of 37 calls, one which was out of town. They treated a total of 20 patients and made 20 trips to area hospitals. Mileage for the month was 511 miles. Total hours volunteered was 147 hours and 21 minutes.

For the month of August the Netcong Fire Department had a total of 8 general alarms, 11 drills and 4 meetings. There were 5 special details. 51 firefighters volunteered a total of 597 hours for the month.

For the month of August, the Netcong Police Department answered a total of 454 calls. They wrote a total of 119 motor vehicle summonses and 11 local violations. You municipal court collected a total of \$43,900.02 through July.

Councilman Sylvester read a letter from the Chief of Police to the audience. It was a thank you letter for the staff of Netcong regarding Netcong Day. Councilman Sylvester reiterated his praise for the day.

Dept. of Public

Works & Utilities:

E. Koster

R. Hathaway

Water Department: Read water meters-Repaired 2 bent water boxes along with various water shut off requests for meter install contractor-total coliform water sampling-Water break repair at 16 Amendola Dr.-Handled all markout requests as needed

Road Department: Patched pot holes, began line painting of Main St, Maple Ave, Church St, Borough Hall parking spaces and all crosswalk areas

Sewer Department: Cleaned sewer main due to a clog at 5 McMullen St --

Parks & Recreation: Cleaned bathrooms and gazebo area for weekly concerts in the park

Buildings & Grounds: Performed sheetrock repair where new exit sign was installed at Borough Hall-Installed Netcong Day banners and signs throughout town-Watered and fed flower pots then removed at the end of the month- Installed temporary downspout drain at #1 Firehouse---Cut grass at all Borough properties weekly-Property maintenance at 25 Flanders Rd-Poured new concrete pad for air conditioners at #1 Firehouse-Sprayed brick pavers on Main St and Maple Ave

Recycling: Picked up 8 loads of grass from residents--Picked up 5 loads of brush

Training: (Canfield, Mendel, Hess, Fiorello) Watched 3 confined space training videos-Mike Canfield worked on the process of preparing purchase requests, bill signing, and monthly reports

Other: Installed stability jacks on stage trailer

Comments: .Prepared by Mike Canfield on behalf of Bob Olivo and read by Councilman Hathaway in Councilman Koster's absence.

Councilman Hathaway praised the DPW staff.

Recreation: P. Butler T. Laureys

Councilwoman Butler reported that on October 22 there will be a Halloween Decorating Contest. October 25 will be Trunk or Treat along with the Holiday Parade for Netcong residents only. November 6 is a Great Wolf Lodge trip. November 8 is scheduled for Broadway show visit. Tickets are still available. December 7 is the Holiday Parade and Tree Lighting. December 13 is the Holiday Bus Trip to New York. December 21 is the Christmas House Decorating Contest.

Councilwoman Butler praised Sharon Still and Terry Vervaeet for all their efforts for this committee.

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

Councilman Laureys reported the following Dial A Ride Report for the month of August:

Days of service: 19
Miles: 979
Number of stops: 74
Nutrition for 7 people: 57
Food shopping 24 people: 59
Number of Meals on Wheels: 17
Medical Appointments: 14
Other Appointments: 49
People Using Services: 47
Cancels: 25
Denials: 3
Units: 356
Hours: 93.25
Additional Notes: none

OLD BUSINESS

1. NCP Survey Results

Mr. Blakeslee began by thanking Mrs. Eckert and the staff for all their efforts. Mr. Blakeslee provided the results of the survey. The Mayor asked Mr. Blakeslee to post the results on the Borough website. Mayor Nametko also felt it was interesting that only 31% of the business owners replied.

NEW BUSINESS

No new business was presented at this meeting.

PRIVILEGE OF THE FLOOR TO THE COUNCIL

The Council President had nothing to report at this time.

Councilman Laureys: highlighted that the survey noted two to one that there was no need for the SID. Councilman Hathaway stated he did not feel the results of the survey were as clear-cut as Councilman Laureys presented. However he did see the need for a change in this ordinance. Councilman Sylvester was concerned about the aftermath if the SID was completely closed down. The Council continued lengthy discussion on this topic.

Councilman Hathaway expressed major concern regarding a property maintenance issue at the Netcong School. Councilman Hathaway provided pictures to the Mayor and Council to illustrate the situation. He noted a huge wall of poison ivy growing on a fence that abuts the school property. He felt this was a hazard for all the children playing on the school grounds. He was also very concerned about a dead tree which could fall or lose limbs at any time. Councilman Hathaway said this tree would be removed if it was anywhere near his property. The Council decided that Mr. Blakeslee should write a letter to the Board of Education requesting that they take care of these issues immediately.

Mr. Hathaway also requested that the attendees take a moment to remember the 9-11 tragedy.

The Mayor asked for a moment of silence to remember 9-11.

MAYOR'S COMMENTS

The Mayor thanked everyone including DPW, Police Dept., OEM, Ambulance Squad, Lenape Valley Band and Cheerleaders for another successful Netcong Day.

RESOLUTIONS

1. **Resolution #2014- 89** – Authorizing the Award of a Contract to TC Landscape Construction Group, Inc. for the Construction of the Transit Area Pedestrian and Business Improvements in the Borough of Netcong, Morris County, New Jersey

A motion was made By Councilman Still and seconded by Councilman Sylvester.
Roll Call: 4 Yes Abstain: Councilman Hathaway

2. Resolution #2014- 90 – Refund for Tax Overpayment for Block 3 Lot 18.

A motion was made By Councilman Still and seconded by Councilman Sylvester.
Roll Call: 5 Yes

3. Resolution #2014- 91 – Approving the Conditional Designation of CrownPoint Group, LLC for the Redevelopment of the Station Area Excluding Sites Owned by New Jersey Transit

Mr. Bucco had some questions with the language on this resolution. The Council agreed with Mr. Bucco’s suggestions.

A motion was made to move as amended by Councilman Hathaway and Seconded by Councilman Still.
Roll Call: 5 Yes

4. Resolution #2014- 92 - Authorizing the Execution of Municipal Alliance Letter of Agreement for Supplemental Funding

A motion was made by Councilman Still and seconded by Councilman Sylvester.
Roll Call: 5 Yes

PROCLAMATIONS

Breast Cancer Awareness Month

National Ovarian Cancer Awareness Month

Mayor Nametko read both proclamations for the benefit of the audience.

ORDINANCE INTRODUCTIONS

1. Ordinance 2014-12 – An Ordinance Amending Chapter 194, Land Development Procedures of the Code of the Borough of Netcong and Amending the Regulation of Fences

A Motion to Introduce Ordinance #2014-12 and Read by Title Only was made by Councilman Hathaway and seconded by Councilman Sylvester.
Roll Call: 5 Yes

Councilman Laureys expressed his concern with limiting the height of the backyard fence. The Mayor explained the reasoning behind this restriction and how variances can be presented to the Planning Board. Mayor Nametko could not ever recall when a 6 foot fence was denied by the Planning Board. Councilwoman Butler provided additional detail how the Planning Board and Board of Adjustment work for

Councilman Laureys. Both the Mayor and the Councilwoman pointed out how this protects the citizens.

A Motion to Pass Ordinance #2014-12 on First Reading was made by Councilman Sylvester and seconded by Councilman Hathaway.
Roll Call: 5 Yes

REPORTS

A motion to incorporate all the reports into the minutes was made by Councilwoman Butler and seconded by Councilman Still.
Roll Call: 5 Yes

BILLS

A motion to pay all the bills when the funds become available was made by Councilman Still and seconded by Councilman Sylvester.
Roll Call: 5 Yes

Public Portion of Meeting

- Dave Weippert – 46 Main St. – Mr. Weippert memorialized 911 and provided his opinion of the SID services.
- Mr. Koval – 140 Allen St. – Implored the Council to repeal the SID ordinance

A Motion to Close the Meeting to the Public Was Made by Councilman Still and seconded by Councilman Hathaway.
Roll Call: 5 Yes

CLOSED SESSION

A motion to go into closed session was made by Councilman Still and seconded by Councilwoman Butler.
Roll Call: 5 Yes

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: SID**
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 come out of closed session was made by Councilman Sylvester and Seconded by Councilman Still at 10:07 PM.

Roll Call: 5 Yes

A motion to suspend the SID for a year was made by Councilwoman Butler and seconded by Councilman Still.

Roll Call: 5 Yes

ADJOURNMENT

A Motion to Adjourn the Meeting was made by Councilman Still and seconded by Councilman Hathaway at 10:08 PM.

Roll Call: 5 Yes

Respectfully Submitted,

Cynthia Eckert, Borough Clerk