

MINUTES OF THE MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF NETCONG HELD APRIL 11, 2013 AT THE NETCONG MUNICIPAL BUILDING, 23 MAPLE AVENUE, NETCONG, NEW JERSEY COMMENCING AT 7:30 P.M.

Mayor Nametko presiding.

PLEDGE OF ALLEGIANCE

CALL TO ORDER – STATEMENT OF OPEN PUBLIC MEETINGS ACT:

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

The Borough Clerk read the following statement of compliance with the Open Public Meetings Act:

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 Netcong Borough Hall on January 4, 2013.
2. Publishing a notice in The Daily Record, the official newspaper of the Borough of Netcong on January 9, 2013 and mailing a copy to The Star Ledger on January 4, 2013.

ROLL CALL

Members of the Borough Council present at roll call were: Laureys, Hathaway, Sylvester, Still, Butler, Koster and Mayor Nametko. Cindy Eckert, Borough Clerk was also present.

APPROVAL OF MINUTES

No minutes were presented at this meeting.

PUBLIC PORTION OF MEETING

The Mayor opened up the meeting to the public. Seeing no one stepping forward, the Mayor asked for a motion to close.

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

Roll Call: 6 Yes

PRESENTATION OF COUNTY BUDGET – Morris County Freeholders

Freeholder John Krickus stepped forward to provide a presentation complete with visual aids. Mr. Krickus noted that he was the former mayor of Washington. He identified who was on the budget committee and that the budget committee works year-round. He provided details about the budget, including some minor reductions made to the open space fund. He noted a net cut of 1.7%. He also provided trending information and grant status information. There was no property tax increase. He attributed some of the cuts and lack of increase to the state legislature and the governor of New Jersey. Mr. Krickus provided a pie chart that designated where the funds were going .

The Mayor asked where the fee for the solar energy was going. Mr. Krickus responded that it is going to the college.

Mr. Krickus provided an overview of County services, including emergency services. The budget in chart format was also presented. It was noted that the surplus balance is 47 million, up from 41 million. Debt management was reviewed. Mr. Krickus noted the counties AAA rating on bonds. The status of the county distribution center was discussed. Mr. Krickus noted a request that more funds be allocated to roadwork in the County. He explained that this is being scrutinized and \$1 million was reallocated towards this.

Councilman Hathaway asked if there were any notable increases to the budget. He noted a large cut to the open space budget and wanted to know if there was an increase offsetting this elsewhere in the budget. Mr. Krickus responded that if there were any open space projects that Netcong wanted to initiate, they should bring them to him.

Mr. Krickus asked if there were any questions from the audience. There were none.

Mr. Krickus thanked the Council and the audience for their time.

BOROUGH AUDITOR TO ADDRESS THE MAYOR AND COUNCIL

Ms. Valerie Dolan from Nisivoccia provided an audit report. Ms. Dolan provided the highlights of the audit, which she noted was a very good and clean audit. The revenue came in, exactly as expected. The fund balance is down. The change is mostly due to school taxes. This will be corrected via school budgeting changes. The tax collection rate went from 97% to 96%. Ms. Dolan reviewed the trust reserves and debt position. Overall, Ms. Dolan felt the borough was in excellent condition. There were no questions from the Council regarding this report.

PUBLIC HEARING ON THE SID ASSESSMENTS

The Mayor opened the meeting to the public regarding the hearing on the SID assessments. Seeing no one stepping forward, the Mayor asked for a motion to close.

Councilman Hathaway made a motion to close the public session and was seconded by Councilman Sylvester.

Roll call: 5 Yes. Abstain: Councilman Koster

1. **Resolution #2013-43** - Resolution to Approve the 2013 Property Assessments for the Netcong Community Partnership Special Improvement District of the Borough of Netcong.

A motion was made by Councilman Hathaway to approve this resolution. The motion was seconded by Councilman Still.

Roll call: 5 Yes. Abstain: Councilman Koster

2. **Resolution 2013-44** - Resolution Approving the Introduction of the 2013 Budget of the Netcong Community Partnership Special Improvement District and Authorizing a Public Hearing to be Held Thereon.

A motion was made by Councilman Hathaway and seconded by Councilwoman Butler.

Roll call: 5 Yes. Abstain: Councilman Koster

ORDINANCE ADOPTIONS

Ordinance 2013-4 - 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 14TH, JUNE 15TH 2013 AND ON SEPTEMBER 6TH AND SEPTEMBER 7TH, 2013 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 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

The Mayor requested comments or questions from the public. No one stepped forward.

A motion to close the public hearing was made by Councilman Sylvester and seconded by Councilwoman Butler.

Roll call: 6 Yes

A motion to adopt ordinance number 2013 – 4 was made by Councilman Sylvester and seconded by Councilman Koster.
Roll call: 6 Yes

Ordinance 2013-5 – ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND ESTABLISH A CAP BANK.

A Motion to Read by Title Only on Second Reading and a Hearing Held Thereon was made by Councilman Still and seconded by Councilman Hathaway.
Roll call: 6 Yes

The Mayor requested comments or questions from the public.

A Motion to Close Public Hearing was made by Councilman Still and seconded by Councilwoman Butler.
Roll call: 6 Yes

A Motion to Adopt Ordinance #2013-5 Was Made by Councilman Still and seconded by Councilman Sylvester.
Roll call: 6 Yes

Ordinance 2013-6 – AN ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF NETCONG, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY.

A Motion to Read by Title Only on Second Reading and a Hearing Held Thereon was made by Councilman Still and seconded by Councilman Koster.
Roll call: 6 Yes

A Motion to Close Public Hearing was made by Councilman still and seconded by Councilman Koster, once the Mayor was assured there were no questions from the audience.
Roll call: 6 Yes

A Motion to Adopt Ordinance #2013-6 Was Made by Councilman Still and seconded by Councilman Sylvester.
Roll call: 6 Yes

CORRESPONDENCE

1. **Letter from Stanhope Borough** – Recognizing Wayne Anthony Emergency Management Coordinator

Mayor Nametko read the letter from Stanhope and acknowledged Mr. Anthony's importance to the borough of Netcong.

BOROUGH ADMINISTRATOR REPORT

The Mayor asked if everyone had a chance to review the report. He noted that Mr. Blakeslee was currently attending to an emergency. A copy of the report is provided below:

1. **Finance. 2013 Budget.** The public hearing is set for April 11th. Once the budget is adopted I will begin to work on the capital program for 2013.

Bond Attorney. The Finance Committee met Tuesday, March 19th with the Borough Auditor, CFO and myself. Part of the discussion included a review of the 2012 audit and the bond attorney proposals. After some continued post-meeting discussion the Committee recommends that the governing body appoint Steven Rogut, Esq. of Rogut McCarthy LLC as bond attorney.

State Aid Impact Calculation. At the request of the Mayor, Cindy had previously emailed you a spreadsheet which depicted the gap between what the Borough should have received in State Aid and the actual amount received. Unless there is some objection I would like to place this information on the Borough website and include it in this year's tax bills.

2. **2012 Audit.** The audit has been distributed to you for your review. Valerie Dolan of Nisivoccia LLP will be present at the April 11th meeting to answer any of your questions.

3. **CDBG.** I will be attending the Community Development Revenue Sharing (CDRS) committee Meeting on April 18, 2013 at the Freeholder's Public Hearing Room. The meeting will include a public hearing on this year's applications, including the Borough's application for an elevator and new exterior stairs at the Netcong Firehouse. At the conclusion of the meeting, the approved applications will be sent to the Freeholders for approval on April 24th.

After the meeting on the 18th I will be able to work with the architect on the firehouse on a renovation schedule for the firehouse.

4. **Railroad Avenue Paving.** As you may recall the issue of Railroad Avenue's condition has been discussed over the last several years. Unfortunately the Borough's chances of receiving funding from the NJDOT's local aid program for repaving the street are reduced due to the road being a dead end. The street is in need of significant repairs and I have been contacted by a resident who has expressed concern regarding its condition. I asked the Borough Engineer if he could provide me with a rough cost for milling and repaving the road. Based on

Morris County Cooperative pricing at \$68.88 a ton the cost to mill and repave the road is \$36,850.80. It would be necessary to replace stormwater basins, manholes and install water valve risers. Bob Guerin estimates a total figure of \$50,000.00. The Borough may also wish to contact some neighboring communities that have their own roads to determine if they can provide a competitive price through a shared service agreement. This project may be a good candidate project for next year's CDBG funding.

5. Hydrant Flow Testing. Bob Olivo has raised the issue of flow test the new fire hydrants installed at the Route 46 project. The Borough has been advised that hydrostatic pressure testing and leakage testing is a standard NJDOT specification for water systems, but not flow testing. Bob and I are going to review engineering companies that may be able to provide the Borough with flow testing and will have a recommendation at the May meeting.

6. Safety Committee Meeting. On March 26th the first of four Safety Committee meetings were held. Please see the attached meeting notes for more details. Please also see The two graphs from The Vozza Agency which show the Borough's worker's compensation claim cost by year and by cause.

7. Residential Rental Inspection Program. As of April eighty six inspections have been conducted with a total of \$3,010.00 in fees collected. This is an increase in compliance over last year with several new residential rental properties being identified and brought into compliance. Inspections will continue through May. Rentals owned by Progressive Properties (Railroad Avenue) will commence in June and continue through to July. Inspections of the Netcong Heights apartments will start in September.

8. FEMA/Super Storm Sandy. On March 28th Bob Olivo and I met with the Borough's FEMA representative to review DPW expenses related to Super Storm Sandy. The FEMA rep also passed on request from other Borough Departments which I will pass on, specifically PD and FD.

9. Pocketbook Factory Redevelopment Unfortunately Paul Phillips, the Borough Planner, is not available on April 22nd, the date I was attempting to organize a joint meeting of the Planning Board and Borough Council to hear proposed redevelopment plans for the Pocketbook Factory. As it turns out, Tuesday, April 23rd is the best day for both our Planner and Redevelopment Attorney Robert Goldsmith. Please check your schedules for availability on that date I will push forward.

10. Elected Official's Training. Please note the attached information regarding elected official's training offered by the MEL and the Morris County Joint Insurance Fund. You now have an additional option to participate in a live training event, which is scheduled to take place on May 8, 2013 at 6:00 PM

in the Hanover Township Municipal Building. As I have reported before you can also take the training online. Information on both training opportunities is attached to this report. Please provide me with a copy of your training certificate for the Borough files.

11. **DPW Generator.** A notice to proceed, along with zoning and building permits have been issued for the project. Bob Olivo reports that the electrical conduit has been installed and is awaiting inspection.

COMMITTEE REPORTS

Finance & Insurance:

E. Still

J. Sylvester

Councilman Still, stated that this month's report will be on file due to the long agenda in tonight's meeting.

In the month of **March** the Borough had total income in the amount of \$53117.84 as compared to the previous year of \$77,282.86.

Year to Date:

Miscellaneous Revenue Not Anticipated CJvf AI
\$9,794.24 in 2012 VS. \$17,233.49 in 2013

An increase of \$7,439.25. Prior Year Refunds of and the payment from Byram Township under the Construction Code shared service agreement contributed to the increase.

Other Licenses:

\$46,735.96 collected in 2012 vs. \$37,794.91 in 2013.

Municipal court fees collected in March increased by \$1,786.65. The Borough collected less Rental Registration fees in March, due to timing of mailing out the registration forms and inspection schedules.

State Aid

\$0/\$0

State aid has not been set for 2013.

Grants in Aid

\$8,237.89 in 2012 vs. \$7,324.52 in 2013 (unchanged from last month's report)

The Borough received \$3,183.75 for its Dial-A-Ride program from the Cow1ty and \$4,140.79 for the Safe Corridor Highway Safety program.

Taxes Collected

\$1,898,916.37 in 2012 vs. \$1,925,591.74 in 2013.

Lien redemptions of\$2,618.78 contributed to the increase over last year.

Income Total Year to Date:

\$1,963,969.46 in 2012 VS. \$1,988,139.66 in 2013.

An increase of \$24,170.20 of total income over last year.

Economic Development: R. Hathaway E. Still

Councilman Hathaway provided a brief report which included some information on the website. He noted there was a favorable article in the Netcong news. The Roses Place Sign grant is still in progress.

Councilman Hathaway provided a brief update on Quick Chek in the absence of Mr. Blakeslee. He noted that the store is looking for a new location as they are claiming they are not making enough money at this location.

The pocketbook factory is still being worked on. They're trying to coordinate the various required meetings to move this forward.

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

For the month of March, the Ambulance Corps reported total calls of 45. Total trips to the hospital were 22 for 22 patients. Total miles travelled were 680. Total hours volunteered was 149 hours and 5 minutes.

The Netcong Police Department answered a total of 416 calls in March. They reported 123 motor vehicle summons and 25 local ordinances. 9.25 hours were spent on foot patrol. There was 46.5 hours of radar patrol. Funds were received for properties forfeited during arrests. These funds will be used for equipment and related items.

For the Month of March, the Fire Company had 6 general alarms, 6 drills and 6 meetings. There was one wake. 55 firefighters volunteered 241.9 hours. Councilman Still noted that there was an issue regarding membership for those who moved beyond the five-mile radius of Netcong. He consulted with the Township attorney and learned that the ordinance could be modified to retain the long-term firefighters in good standing. The Council continued discussion regarding this issue with the board attorney. During this discussion, the fire chief was asked to come forward and comment. Councilman Sylvester offered to sit with the senior officers to gather more information regarding this topic.

**Dept. of Public
Works & Utilities:**

E. Koster

R. Hathaway

Councilman Koster noted that there was no report for this evening as Mr. Olivo mother was ill. He did however want to bring up an important issue. It involves one of the water mains that is planned to be cut off in order to put a wall up for the construction project. Mr. Olivo provided details regarding his concerns of moving forward with this. He included detailed data that he received from the borough engineer as well as tests that were included with this report. Mr. Olivo quoted some of the actual report. The Council discussed their concerns with this project with regard to potential detriments with fire safety. The Council also discussed the matter with the fire chief who was present at the meeting. All were in agreement that a time frame commitment was needed for the work that was being done. Since the work was thought to commence on Tuesday, the Council requested that Bob Guerin and Mr. Blakeslee contact the appropriate parties on Monday.

Recreation:

P. Butler

C. Laureys

Councilwoman Butler stated that the report would be on file.

**Public Services:
Recycling & Solid
Waste Disposal)**

C. Laureys

P. Butler

Councilwoman Laureys reported the following for February:

Days of Service: 17
Miles: 1871
of Stops: 79
Nutrition: 32 (7 people)
Food Shopping: 40 (18 people)
Meals on Wheels: 17
Medical Appointments: 14
Other Appointments: 46
People Using Services: 47
Cancels: 37
Denials: 4
Units: 283
Hours: 104.75
Notes: one new senior

OLD BUSINESS

1. Update on Staff Workload Assessment

This was moved to the May meeting.

NEW BUSINESS

1. State Aid Impact Calculation Worksheet

Councilman Still reported that the impact to the borough of Netcong was about \$600,000.

Jason Gabloff, CFO provided the history and background of how the borough got this state aid. Back in 1970 certain taxes collected by the County was shifted to collection by the state. Cost-of-living adjustments were supposed to be added to this package. Through changes in the service the County is now receiving the amount received back in 1997. Based on the calculations completed by Mr. Gabloff and Councilman Still, the borough would have had approximately \$2 million more than they do now. It was noted that the League of Municipalities is working on this.

2. Don Jose Restaurant – Division of ABC Special Permit to Extend Licensed Premises.

A motion was made by Councilman Koster to approve the extension of the special permit and seconded by Councilman Sylvester.

Roll call: 5 Yes Abstain: Councilman Sylvester

PRIVILEGE OF THE FLOOR TO THE COUNCIL

The Council President reminded the Council of the importance of the budget vote tonight.

Councilman Hathaway attended the Lake Musconetcong Community Association Meeting last night. They are requesting to put ice safety boxes at lake locations. Mr. Bucco provided recommendations regarding how to move forward with this properly.

MAYORS COMMENTS

The Mayor had no comments for this evening.

RESOLUTIONS

- 1. Resolution #2013- 45** – A Resolution Authorizing the Award of a Contract to Mark Paving Co., Inc. for the Prospect Street Improvements, Phase II in the Borough of Netcong, Morris County, New Jersey.

A motion was made by Councilman Koster and seconded by Councilman Hathaway to approve this resolution.

Roll call: 5 Yes Abstain: Councilman Still

2. Resolution #2013-47 – Certification of the Annual Audit.

A motion was made by Councilman Still and seconded by Councilman Sylvester to approve this resolution.

Roll call: 6 Yes

3. Resolution #2013-48 – To Approve 2012 Corrective Action Plan

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

Roll call: 6 Yes

ORDINANCE INTRODUCTIONS

No ordinances were introduced in this meeting.

ADOPTION OF THE 2013 BUDGET

PUBLIC HEARING ON THE 2013 BUDGET

The Mayor opened the meeting to the public to provide an avenue for any questions or comments regarding the 2013 budget. No one from the public step forward.

A Motion to Close the Public Hearing was made by Councilman still and seconded by Councilman Hathaway.

Roll call: 6 Yes

1. Resolution #2013-42 Self-Examination of Budget Resolution.

A motion was made by Councilman still and seconded by Councilman Sylvester to approve the self-examination of the budget.

Roll call: 6 Yes

2. Resolution #2013-46 To Read Budget by Title Only.

The Mayor solicited questions or comments from the Council.

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

Roll call: 6 Yes

3. Resolution #2013-50 To Adopt the 2013 Budget.

The Mayor thanked all who were involved in producing this budget.

A motion was made by Councilman Still and seconded by Councilman Sylvester to adopt the 2013 budget.

Roll call: 6 Yes

REPORTS

A Motion to incorporate all reports into the minutes was made by Councilwoman Butler and seconded by Councilman Koster.

Roll call: 6 Yes

BILLS

A Motion to pay all bills when funds are available was made by Councilman still and seconded by Councilwoman Butler.

Roll call: 6 Yes

CLOSED SESSION

There was no closed session at this meeting.

ADJOURNMENT

A Motion to adjourn the meeting was made at 9:13 PM by Councilman Still and was passed by unanimous voice vote.

Respectfully Submitted,

Cynthia Eckert, Borough Clerk