

BOROUGH OF NETCONG

MINUTES OF THE MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF NETCONG HELD NOVEMBER 1, 2018 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 12, 2018.
2. Publishing a notice in the Daily Record, the official newspaper of the Borough of Netcong on January 17, 2018 and mailing a copy to The Star Ledger on January 12, 2018.

ROLL CALL

Those in attendance this evening were Councilman Albensi, Councilman Hathaway, Councilman Koster, Councilman Laureys, Councilman Still, Councilman Sylvester and Mayor Nametko. Also present were Mr. Blakeslee, Borough Administrator and Mrs. Eckert, Borough Clerk.

PUBLIC PORTION OF MEETING

Mr. Johnathan Reilly: 3 McMullen St. - Asked if there was any new information about the parking at Polo's Grill. The Mayor explained we will be discussing permit parking later at this meeting. He explained the police have been over there for more visibility and have spoken to the owner of the bar. The Chief of Police also provided details of activity there. Mr. Reilly thanked the Council for their time.

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

Roll Call: 6 Yes

AGENDA ITEMS FOR DISCUSSION

Councilman Sylvester asked if #16 could be discussed first since the public is present for this issue. The Council agreed.

The following items are for discussion purposes only. Any action on these items will take place at the meeting of November 8, 2018.

1. Review of Minutes to be Approved – 10/4/18 – Elected officials to offer comments or corrections to minutes.

Councilman Hathaway requested to add dialogue to page 4, item 2. He wanted the addition of information regarding the vehicle added to the minutes.

It was noted that the October 11 minutes would be reviewed at the next meeting

2. Peter Pfaffenroth Water & Sewer Request

A Motion to deny this request was made by Councilman Sylvester and seconded by Councilman Albensi.

Roll Call: 6 Yes

3. USDA Goose Management Report

Councilman Still thinks we should continue this process since it is working. Councilman Hathaway suggested we ask for funds from the other towns that surround the lake since they are benefiting from the lake. The towns were Stanhope & Roxbury. The Mayor asked if we could do this as a shared service. The Council continued to discuss the lake issues. Councilman Still said we should have Mr. Blakeslee send a letter to the towns.

4. Best Practices Checklist

Mr. Blakeslee noted that this is a nightmare. He will have more next week. This will be added to the November 8th meeting.

5. Social Affair Permit – St. Cesario Beefsteak Dinner

This will be carried to the next meeting.

6. Sewer Transmission Agreement, Quick Chek Corporation

Mr. Blakeslee explained the details from the report for this subject. He explained we did get price quotes to scope the pipe underneath the railroad. Quick Chek has verbally agreed to pay \$1,000.00 toward this. There are two outside entities that wish to be added on. There is discussion among the Council. Councilman Hathaway said we need to have a 'fact set' in place if we are going to reject the hookup to anyone. Even with that we may still end up in court because it will be cheaper for them to pay an attorney than put in a new septic system. There was lengthy discussion on the subject of having more users to offset the costs. There was also lengthy discussion on the future projects that could affect this issue. Councilman Still said Roxbury has their own system which these entities could hook into. Mr. Blakeslee said we need to have due diligence on our part to have this pipe tested. It would be prudent to make a motion or direct Mr. Blakeslee to hire someone to test the pipe. Councilman Sylvester asked if we can contact the entities who want to tie into offer fees to offset the cost. Mr. Blakeslee would like to have Mr. Bucco give us the wording for the letters. We need to complete this agreement with Quick Chek. The Mayor agreed the church can be included. There is discussion about the gas station. It is agreed they will have to pay if

they want to be in. The Mayor asked what the rest of the Council thought. This is not a guarantee that they will be included and that this is preliminary for information only. The Council agreed to add the fees to Woodmont as well.

7. MUA Recycling Contract – Ralph Blakeslee explained details of the meeting that took place with the MUA this week to discuss the contract that will expire at the end of this year. The costs will increase by 2% per year. There would also be a \$10,000 upfront cost. His recommendation is to go back to MUA and ask for a 2-year contract, so the next time we go out to bid for garbage services we can also bid for recycle. The Council discussed the additional costs for recycling this year due to a fall in the market. The Mayor and Council agreed with this recommendation.
8. Contract with Suburban Consulting Engineers, Municipal Building ADA Front Entrance Project-Mr. Blakeslee explained this is finally ready to go. He is looking for authorization from the Council to have the attorney do a resolution for this project. The Council authorized the composition of the resolution.
9. Resolution - Change Order for Railroad Ave. & Marc Ct. Improvements

The Mayor asked that Bob Guerin come to explain why this was so high. Mr. Blakeslee gave the details on the changes that were for the water infrastructure project. The Council would like Mr. Guerin to be here at the next meeting to explain the expenses (\$42,000). Councilman Hathaway said some of it may have been due to the weather. Councilman Albensi said sometimes you cannot forecast defective valves until they are used. Councilman Koster agreed. Councilman Still said these bids should be done more accurately to avoid these changes. There was discussion regarding other related issues in town. Mr. Blakeslee will pull up the notes on this separate issue.

This will be added to next week's agenda for approval.

10. Resolution - Change Order for Water Infrastructure Project.

This was discussed under the previous resolution. This resolution was carried to the November 8th meeting.

This will be added to next week's agenda for approval.

11. Resolution - Fire Department FEMA Grant.

Councilman Sylvester said several other towns in Morris County have received this grant with the help of Congressman Lance. The Council agreed that they need to keep in contact with him to be sure we are well represented.

This will be added to next week's agenda for approval.

12. Resolution - Sanitary Sewer and Water Allocations to FJZ Properties, LLC for Block 8, Lot 28.

Mr. Blakeslee reported that this is all taken care of now. There has been a pre-construction meeting. Councilman Hathaway asked if the subject property is in compliance. Mr. Blakeslee responded 'yes,' the subject property is in compliance at this time. Other adjacent properties may not be in compliance. Councilman Hathaway asked if the encroachment has been taken care of. Mr. Blakeslee said it has. Councilman Hathaway is concerned that once we go ahead with this project, we may have issues. The Mayor asked if both of the brothers agreed. Mr. Blakeslee said it was Joe. There will be four individual water connections for this property with separate meters. There was further discussion. The Mayor asked if we could start charging for the service once the connection is made even if there is no construction taking place. It was agreed this action would be to the Borough's advantage. Councilman Koster asked if we can put a timeline on this. The response was 'yes.' Councilman Still said we can charge the hookup fee but he is not sure we can charge them for something they don't have yet. There is a sideline discussion on the Pocketbook Factory project that will be coming back to the planning board for an amendment.

This will be added to next week's agenda for approval.

13. Resolution – Note Sale - Water Utility Noted Related to NJEITF

It was explained that these were Standard bonds (one year notes) for the water work. The Borough is borrowing less than what was authorized.

This will be continued at the November 8th meeting.

14. Resolution-Award of Contract to Dennis Enright of NW Financial Group, LLC to Provide Redevelopment Consulting Services for Crown Point Redevelopment Project

Councilman Hathaway provided a short synopsis of the state of the project.

This will be continued at the November 8th meeting.

15. Resolution-2019 Holiday Schedule.

This will be continued at the November 8th meeting.

16. Ordinance 2018 -13 – To Amend and supplement Chapter 268 "Vehicles and Traffic" of the Code of the Borough of Netcong Providing for Resident Permit Parking Along McMullen and Chestnut Streets.

The Chief of Police explained what has been happening since the last meeting. He said nothing has really changed. He said there are no issues inside the bar however, the parking issue outside is escalating. There are no complaints in other businesses that are in residential areas. He feels there has to be some sort of cooperation between the residents and the bar owner. The Police Chief is there on his time off trying to fix the problem. He noted that the Council has to give the residents some sort of relief. Councilman Laureys asked where the valet parking would be. The bar had already made an agreement with Mr. Stroud to use his parking lot for the valet parking but they have not started doing it. The

Police Chief said we must do something about this as soon as possible. There is lengthy discussion about the parking issue. Councilman Hathaway said if we start doing permit parking it will be requested in other areas of town where there are businesses in residential areas. He feels we have not done enough to help this situation. He suggested putting parking lines on the roads in the area or make it 1 hour parking. He suggested we might need to try some other solutions before devising a parking permit ordinance.

Councilman Sylvester suggested the new housing developments would have to solve their parking problems as they arise. There is further discussion on this subject. Councilman Sylvester said the bar owner should be educating their clients on where they can park. Councilman Hathaway suggested a meeting with the residents and the bar owner and Borough representatives together so everyone can say their peace and come to a resolution.

Councilman Laureys asked if Polo's has put any signs up to let their patrons know they cannot park on McMullen or Chestnut.

Councilman Albensi felt valet parking would resolve this issue.

Councilman Hathaway said the employees are parking on the street which should not be happening.

The Mayor suggested Stroud's lot should be the primary lot. Mr. Blakeslee said the number of cars does not constitute the number of people in the bar. He spoke to Rose Polo and she said Stroud agreed to let them use his lot for valet parking if they would pave it. The Borough cannot compel them to make a private arrangement at a public meeting. There was lengthy discussion about the Planning Board decision on this property and that it may not have been done properly.

Councilman Laureys said it is not really our problem to solve, it is Polo's problem to solve. He is not a fan of charging the residents for a parking permit when it is the restaurant's problem.

Councilman Still said the Council cannot change the Planning Board decision. Maybe they should be called to come back to the Planning Board for different approval.

Councilman Albensi explained about the Stroud gate and how this issue was discussed at the Planning Board. Mr. Blakeslee said that Polo's have the first right of refusal to purchase Mr. Stroud's property.

Councilman Hathaway said the Planning Board attorney was the one who wanted the gate removed and plants placed to keep the area from being used as a pass through. He suggested they should come back to the board for the pass through between the Polo and Stroud.

Councilman Sylvester said we can pass the ordinance but that doesn't mean Polo's will comply. It is suggested we tell Polo's first before the introduction of the ordinance to see if they can get them to comply. Councilman Sylvester says we have restrictions on other licenses, can we do restrictions on this license as well. There is also discussion on the trash issues as well.

Councilman Laureys stated Polo's is responsible and this will eventually affect their business. Mr. Blakeslee said all of these things have already been said to Polo's but they are not changing. The Mayor said at this time we do not have any rules to make them comply. The Police Chief explained they are enforcing the motor vehicle laws.

Councilman Sylvester said the missing link is the retailer who is not here. They either don't care or don't want to deal with it. The Chief will set up a meeting with the Chief of Police, Councilman Hathaway, Council President Still and Mr.

Blakeslee as well as the residents and Polo's to try to come up with a solution. They say Monday night will work. Mr. Blakeslee asked if we should keep it on the agenda for introduction. The Council agreed by voice vote.

Privilege of the Floor

Council President Still: He wanted to add his concern about the safety design in the engineering. There is a dangerous hole in sidewalk on Prospect St. is dangerous and not being looked at.

Councilman Sylvester: He had questions about Planning Board. He was concerned about the Pocketbook Factory Site Plan Amendment. He was agitated about what was being built. Are they going up or out? He is concerned about the height of the building. He is also concerned about Ben Dellamo's project. He is concerned about the height of these future buildings. He is concerned they will just become another Netcong Heights. Councilman Albensi said it is 3 feet more than the maximum. Councilman Laureys said everyone in town has an interest in these things. He is interested in maintaining our small-town charm just like Councilman Sylvester. Councilman Albensi said the Crown Point building will look very much like Kings View. Councilman Albensi said you could tell by the public portion that they had spoken to the current owner and agreed with him regarding this project. Councilman Albensi went on to explain the reasons for the 3-story height. There was lengthy discussion on this subject. Councilman Sylvester was concerned that the Planning Board is not doing it's job. Councilman Albensi said there are rules that need to be followed and there must be consistency. Councilman Still said you can't stop someone from building something on their property. They can go to court and the Borough would probably lose.

Councilman Albensi asked about his budget request. Mr. Blakeslee will set up a meeting with him.

The Council asked about the new field guidelines. A request was made to set up an email for Mr. Bauer. Mr. Blakeslee replied he would take care of that.

Councilman Hathaway wanted to know if there will be rules in this agreement about an entity repairing any damage to the property and trash clean up. Councilman Still suggested a security deposit. Councilman Hathaway suggested we require them to clean and maintain it. If they do not comply in a specific time, Netcong will take care of it and they will not play on that field again.

The Mayor stated that we won't be replacing appliances. The Council discussed concerns about garbage.

Chairman Albensi asked who will make the call to close the field due to inclement weather. It was determined that Mike Canfield should do that since he is buildings and grounds. The Council discussed security deposits.

Councilman Sylvester wanted to add that on item #5, there should be no alcohol except by special permit.

MAYORS COMMENTS

The Mayor's pet peeve with the Borough: we give water to outside of the municipality and we have 2 units that owe over \$16,000.00. We could not do anything because he was in bankruptcy. Can the water be paid off? It was determined that the Borough can turn the water off. Councilman Sylvester suggested we send a letter and say if not paid within 10 days we will shut off the water. It is agreed by the Council the water should be shut off. Mr. Blakeslee will compose a letter.

PROCLAMATION

There were no proclamations.

PUBLIC PORTION OF MEETING

A Motion to Close the Meeting to the Public was made by Councilman Hathaway and seconded by Councilman Sylvester.

Roll Call: 6 Yes

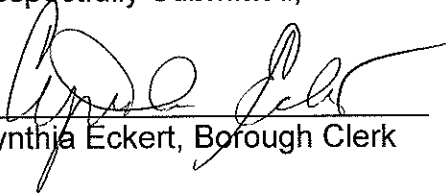
CLOSED SESSION

There was no closed session.

ADJOURNMENT

A Motion to Adjourn the Meeting was made by Councilman Still and seconded by Councilman Hathaway at 9:29 pm.

Respectfully Submitted,



Cynthia Eckert, Borough Clerk