

BOROUGH OF NETCONG

MINUTES OF THE MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF NETCONG HELD OCTOBER 8, 2020 AT THE NETCONG MUNICIPAL BUILDING, 23 MAPLE AVENUE, NETCONG, NEW JERSEY COMMENCING AT 7:30 PM.

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

PLEDGE OF ALLEGIANCE

STATEMENT OF 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 Borough Hall on January 3, 2020.
2. Publishing a notice in the Daily Record, the official newspaper of the Borough of Netcong on January 15, 2020 and sending a copy to the Star Ledger on January 3, 2020.

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.

APPROVAL OF MINUTES

No minutes presented.

PUBLIC PORTION OF MEETING

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

Roll Call: 6 Yes

The public portion of the meeting was reopened due to technical difficulties.

Mrs. Melanie Knowling, 78 Koclas Dr., noted the property located across the street from her home. She has lived in town since 2006. She has sent photos from Google earth showing the property and what was previously there. She listed the items that were on this property. She has never had issue in the past with the shed that is there or that she parks there. She gave details on this subject. She received a letter this year that the shed was a violation to the town ordinance. She maintains the property on a regular ba-

sis. The adjacent property is not well maintained which she is now being told is property of the town. She wants to know why she is receiving this letter now. Her neighbors have told her this has never been a problem before. She needs to use this property for parking as she has no other area to park. She would like to know why this cannot continue to be used as a non-conforming use. The Mayor asked when we found out the property next to her belongs to the borough. Our engineer suggested this property belongs to Arbolino Park. He stated it has been very frustrating to work with the state in terms of maintenance of the shore line. Her neighbor at 76 Koclas Dr. said they were paying the state to maintain their section of the property by the lake. Mr. Blakeslee stated we may have to pay for a survey to determine the ownership. Ms. Knowling stated the property that she is using has been used by the previous owners for years and she has not done anything other than improve it and feels this falls under the non-conforming use in our ordinance. She can understand if she wasn't maintaining this property but she would hope the borough would work with her to allow her to use the property. She continued to press the Council on why she cannot continue to use the property. Councilman Hathaway explained how this had come to the Council's attention and stated the Borough would probably be willing to accommodate so she has a place to park. Councilman Laureys asked if there could be some arrangement made to determine if the borough owns this parcel. Mr. Bucco stated the first step should be to have the area surveyed to determine if this property does belong to the borough. If it appears it does not belong to the borough, title work would need to be done to find out what happened to that small piece. He noted that the survey could have been performed incorrectly. He also pointed out the non-conforming use she cited would not apply to this situation because this would have to exist on her property. You cannot have a non-conforming use on a property you do not own. Mr. Bucco feels this property would not be hers because the road separates it from her property. Mr. Bucco stated the deed would have to reference that property. He stated the easements he saw were water/sewer easements which he assumes are not for that small piece of land. Councilman Hathaway stated there will not be a quick resolution on this. What should happen while the ownership is being determined? Mr. Bucco state no improvements should be added to this property and no trespassing signs should be hung there until ownership is determined. Ms. Knowling stated she was not intentionally trying to violate any codes. She was just replacing what already existed. She continued to explain another incident that occurred when a tree fell on this property and the state determined it was their responsibility to remove it. Another incident was the neighbor ran into the existing fence at no time during these incidences did anyone tell her she should not be doing anything to this land. Now she is being lambasted for the improvements she made to this property. She had an issue with a leaky oil tank and no one ever said a word to her about this land at that time. Mr. Bucco asked what exists on the property now. She explained there is a shed and she parks in the gravel section. She reiterated that she has never had an issue before this.

Councilman Sylvester stated we will not solve this tonight. She can continue to use it for now until after the ownership has been determined. Ralph will keep her in the loop. She thanked the Council for her time.

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

Roll Call: 6 Yes

Councilman Laureys asked what the next step would be. Mr. Bucco explained a survey will be done and our engineer will compare it to the deed we have for Arbolino Park. Mr. Bucco explained the shoreline of a lake is usually the ownership of the state. There was further discussion on the subject.

ORDINANCE ADOPTIONS

No ordinances were presented.

CORRESPONDENCE

No correspondence was presented.

BOROUGH ADMINISTRATOR REPORT

Mr. Blakeslee asked the Council to pay particular attention to the instructions for the elected official's online training which is required to provide a discount for insurance. Councilman Still asked why we need to take it twice. Councilman Hathaway asked we get the names of those who already took the training.

The parking lot will be paved tomorrow.

September 2020- PROPERTY MAINTENANCE REPORT

NOTICES FOR GRASS CUTTING

85 Stoll St
33 Koclas
31 Koclas
35 Center
33 Railroad Ave
10 Hillside

RENTAL INSPECTIONS/RESALE CERTIFICATE

102A Allen St
102B Allen St
25A Maple Ave
25B Maple Ave
39 Main St
107 Main St
TEL 973-347-0252

RENTAL INSPECTIONS/RESALE CERTIFICATE -CONTINUED

105 Stoll St
29 Allen St

25 Carolyn Way
111 Allen St.
35 Center St.

POSSIBLE CONSTRUCTION PERMIT VIOLATIONS

46 Wiltop
33 Koclas
31 Koclas
33 Center St

(Byram Township Construction official was called on all of these addresses. He was going to investigate

COMMITTEE REPORTS

FINANCE & INSURANCE: E. STILL J. SYLVESTER

Councilman Still read the finance report.

For the month of September 2020, the Borough had a total income in the amount of \$131,517.18 as compared to September 2019 of \$384,880.71.

For the month of September 2020:

Miscellaneous Revenue Not Anticipated (MRNA):

In 2020 the Borough received \$4,641.00 compared to \$1,077.48 in 2019

Other Licenses/Borough Clerks Fees:

The Borough received \$6,197.28 compared to \$19,711.15 in 2019.

This large difference can be attributed to COVID-19 since the courts were closed as well as lower interest rates.

State Aid:

We did not receive any state aid in 2020 while we received \$117,571.80 in 2019. *The large differences are due to lack of receipt of state aid amounts.*

Grants in Aid:

There was a Grant in Aid of \$6,214.40 in 2020 and \$134,280.88 received in 2019.

Taxes Collected:

The Borough collected \$114,464.50 in 2020 compared to \$112,239.40 in 2019.

Income Total Year to Date:

The Total Income Year to date for 2020 is \$7,694,939.71 as opposed to \$7,648,606.64 in 2019.

ECONOMIC DEVELOPMENT: R. HATHAWAY E. STILL

Councilman Hathaway stated that there is a lot going on.

- Call from principal of Crown Walk – Councilman Albensi and Councilman Hathaway met with their engineer on the sidewalk issue. DOT rejected the application and now the onus is on us to tell them what we want for this sidewalk. Mr. Hathaway gave details on this subject and what needs to be done to accomplish this as the sidewalk would be beneficial for the residents. The Mayor stated he felt our engineer made it very clear what they should ask for. There was further discussion on this subject. Councilman Hathaway stated we should tell them what the borough wants for the sidewalk and they can build it according to our engineer's specs. The Mayor doesn't want to see them go to the planning board with this issue. Councilman Albensi will be able to notify the planning board members about this issue and the wishes of the Council. The Mayor mentioned the Crown Walk escrow money could be used for this. The goal is to be sure the sidewalk is safe for our residents to use. Because they want to start building, they will hopefully agree to this.
- Crown Point- They have suggested they will help to find resolution to the sidewalk along Jenny Lind St. Mr. Blakeslee will follow up with that. Fair housing applications will begin soon and rentals should begin shortly. The Mayor asked if we can see the finished building before it is rented.

A brief break was taken and the public meeting revisited due to technical difficulties.

Councilman Hathaway continued with his report:

- The Shop Rite project will be a discussion in closed session this evening. Councilman Hathaway provided some details and noted that he can hold his comments until after the closed session discussion.
- Mr. Bucco provided instruction to the Council regarding how to handle this discussion
- Councilman Hathaway also had some discussions with Woodmont about the Iso-latek property. Mr. Blakeslee reported that they are still in negotiations for the building on Main St.

PUBLIC SAFETY: J. SYLVESTER E. KOSTER

(POLICE, FIRE, RESCUE)

Councilman Sylvester read his reports.

Police

Total Calls: 398

Local Summons: 5

Councilman Sylvester stated last week he had mentioned the police secretary position and the possibility of having a full-time secretary. He suggested we make this position

full time. It will allow the sergeants and chief to be out of the office. If you add the cost of the part time employees it is an additional \$18,000.00 including pension and benefits.

A Motion to make the police secretary position full time was made by Councilman Sylvester and seconded by Councilman Hathaway.

Roll Call: 6 Yes

Also, there will be new blinking 4 way stop signs at Prospect and College. There was brief discussion on where these signs should go. There will be no cost to the Borough the money will come out of DWI fund. They will be solar.

Ambulance Corps

TOTAL CALLS: 42

PATIENTS: 25

HOSPITAL TRIPS: 19

TOTAL MILES: 656

TOTAL HOURS: 103 hours 02 minutes volunteered

Fire Department

INCIDENTS 22

DRILLS 26

ADMIN. / EQUIPMENT / SPECIAL DETAILS 33

MONTHLY 39 Members Volunteered

TOTAL: 206 Hours & 35 Minutes

DEPARTMENT OF PUBLIC WORKS E. KOSTER R. HATHAWAY

Councilman Koster read his report and the report pertaining to the water pumped from the wells. It was noted that this Month/Year reading was much lower than last year.

D.P.W. Monthly Report October 2020

Road Department: Picked up 32 cy of grass and 68 cy of brush....Removed and replaced damaged asphalt along the entirety of the Isolatek parking lot on Flanders Rd....Installed No Parking Anytime signs in the new cul-de-sac at the end of R.R. Ave....

Water Department: Provided follow up on all 3rd qtr meter reading issues....Installed a new meter at 9 Flanders Netcong Rd....Made water line repair at 6 Ikes Lane....

Sewer Department: Inspected the new sewer line tie in for the Don Jose addition....

Buildings & Grounds: A.S. Barlin found and repaired the sprinkler line that was leaking air and causing the compressor to constantly run, during this repair, a damaged electrical wire was found in the attic and repaired by Wires Electric...Mobility Elevator was called in for a bad switch repair to the elevator....Filled flower pots twice for the month....

Parks & Recreation: Had multiple meetings to go over protocol and signage for proper usage of the courts at Arbolino Park....Cut Parks and all Borough properties...Regraded and seeded the area around the new shed at DiRenzo Park...

Snow: Started prep work of plow equipment for upcoming winter....

Other: Mike Canfield attended the 3rd Qtr safety meeting via teleconference....Tom Mendel attended a Recycling Webinar....Serviced 15 mark out requests in September, have received 33 request already for October....

RECREATION:

J. ALBENSI

T. LAUREYS

1. Alliance reached out to Rec for thoughts of a Movie Night in lieu of the Trunk or Treat. Still working on logistics. Not sure we have time to make this happen, but trying.
2. Rec has decided to include a "People's Choice Award" for our annual Halloween and Christmas House decorating contests. Community will be able to vote for their favorite home by signing an entry form and submitting via our email.
3. Holiday Parade – we WILL be hosting our annual Holiday Parade and Tree Lighting which will be held Sunday December 6th. We will have participant plaques as well as prizes for various categories. Once tree lighting is over, event is over. There will be not photos with Santa or cookies and hot chocolate this year. Prizes will be mailed to winners.
4. Shed – we are still working on the memorial to be added to front/side of shed.
5. John Bauer has been working on painting the bathrooms.
6. JW – you can bring up the idea of upgrading Indians Field- share a committee is in the works but looking to add a play area, update stand, and clubhouse. Hoping to see if there are any grants out there. Let group know Kimmie will be the committee chair, and I am more than happy to be the Rec liaison

Councilman Still had a question about Halloween. The Mayor stated the Governor is allowing Halloween with COVID-19 guidelines. Councilman Laureys stated the schools will be handing out guidelines. There was brief discussion on this subject.

PUBLIC SERVICES:

T. LAUREYS

J. ALBENSI

**(Human Services
Recycling & Solid
Waste Disposal**

No report available.

OLD BUSINESS

None presented.

NEW BUSINESS

1. Best Practices Worksheet- Ralph gave a brief explanation on our score. He gave a brief description of the questions asked. Our score was 23.5 a score of 16 was needed.

2. Police Secretary Position- previously discussed
3. Shop Rite Redevelopers Agreement/PILOT- to be discussed in closed session
4. TAP Grant – Main Streetscape Improvement District- Mr. Blakeslee gave a brief explanation of this process, details and the approximate timeline. There is a resolution on the agenda tonight for this. It is a million-dollar grant. These need to be sizable grants.
5. TAP Grant - Regional Trail- Councilman Hathaway state the pre-app meeting has been scheduled for Oct. 16th. By Tuesday the paperwork should be ready for review by the Council. Mr. Blakeslee explained he will be out for this meeting so Cindy will sit in He gave Mr. Furey the paperwork for our grant applications. Councilman Hathaway will be the presenter for Netcong at this point. Mr. Furey will provide the engineering presentation.

PRIVILEGE OF THE FLOOR TO THE COUNCIL

Council President: Regarding Speed Tables; other towns that he drives through are a minimum of 6 inches. He wants to know if the guidelines our engineer looked at were guidelines or mandates. There was discussion as to possible law suits. Councilman Sylvester stated he drove over all of them and they do nothing to slow vehicles. Councilman Hathaway asked if they were built to spec Mr. Blakeslee stated they are a bit low. There was further discussion on the particulars of this. Mr. Bucco stated the DOT has guidelines for these tables. He stated this is an engineering issue. There was discussion on the particulars of this subject among the Council. The Mayor stated the slope on the drawings for these is much greater than the actual tables installed. It was asked if the engineer was present when these were being installed. Councilman Still stated this needs to be fixed. There was lengthy discussion among the Council. Mr. Blakeslee stated the engineer is aware of this situation. Mr. Blakeslee will convey the Council's concerns to our engineer.

Councilman Still: noticed a family of 5 people trying to cross Route 183 by Maple Ave. It is very dark at this crosswalk. That area needs additional lighting before someone gets hurt. There was discussion on a possible blinking crosswalk light, but DO was not willing to install it. There was discussion among the Council on this subject. Part of the safe routes to school grant could include this. Councilman Still suggested we find out if we are still paying for the street light that is not there anymore. Mr. Blakeslee will call JCP&L to find out if a light can be installed by that crosswalk.

Councilman Hathaway: spoke to engineer about bridge (grant application). A six-foot-wide bridge will not be wide enough for ADA compliance. It was suggested by our engineer an 8-foot bridge would be adequate. It may cost more but we should do it right. There was discussion on this among the Council. The Mayor suggested we pay for some of this out of the capital budget to do a 10' bridge. Mr. Blakeslee will follow up on this. It is agreed by the Council it should be done right.

MAYOR'S COMMENTS

The Mayor has been getting less than good service for our cleaning shared service He approached our previous cleaning lady to come clean for us part time. He would like to end the shared service with the school and no longer cut their grass. We would continue with the snow plowing. The resolution will be on the November agenda.

RESOLUTIONS

1. Resolution 2020-99- Authorizing the Sale of Municipal Surplus Property
2. Resolution 2020- 100 -Authorizing Submission of a Transportation Alternative Program Grant – Main Street Improvements

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

Roll Call: 6 Yes

ORDINANCE INTRODUCTIONS

1. Introduction – Ordinance –2020-19 To Amend Chapter 268 “Vehicles and Traffic” Article IX “Stop Intersections” Section 26 “Stop Intersections Designated” of the Code of the Borough of Netcong Revising Designated Stop Intersections.

Motion to Introduce Ordinance #2020- 19 and Read by Title Only was made by Councilman Still and seconded by Councilman Hathaway.

Roll Call: 6 Yes

A Motion to Pass Ordinance #2020-19 on First Reading was made by Councilman Sylvester and seconded by Councilman Still.

Roll Call: 6 Yes

2. Introduction – Ordinance –2020-20- An Ordinance Amending the Revised General Ordinances of the Borough of Netcong and Establishing a New Chapter 264, “Tree Conservation”.

A Motion to Table Ordinance # 2020-20 was made by Councilman Hathaway and seconded by Councilman Still.

Roll Call: 6 Yes

3. Introduction – Ordinance 2020-21 – To Amend and Supplement Chapter 194 “Land Development Procedures, Article VI “Site Plan Review” and Article VII “Sub-division of Land” of the Code of the Borough of Netcong Providing Requirement of Sidewalks as a Design Standard

Mr. Bucco wanted to be sure all sidewalks are required and the correct ordinance is being introduced.

Motion to Introduce Ordinance #2020-21 and Read by Title Only was made by Councilman Hathaway and seconded by Councilman Still.

Roll Call: 6 Yes

A Motion to Pass Ordinance #2020-21 on First Reading was made by Councilman Hathaway and seconded by Councilman Still.

Roll Call: 6 Yes

4. Introduction – Ordinance 2020-22 – Amending Chapter 140, Construction Code, Uniform, Section 140-2, Fees of the Code of the Borough of Netcong, Morris County, New Jersey

A Motion to Introduce Ordinance #2020-22 and Read by Title Only was made by Councilman Sylvester and seconded by Councilman Hathaway.

Roll Call: 5 Yes No: Councilman Laureys

A Motion to Pass Ordinance #2020-22 on First Reading was made by Councilman Sylvester and seconded by Councilman Hathaway.

Roll Call: 5 Yes No: Councilman Laureys

5. Introduction – Ordinance 2020-23 – Amendment to Shop Rite Redevelopment Plan

(This Ordinance was tabled until after the Closed Session was held.)

A Motion to Introduce Ordinance #2020-23 and Read by Title Only was made by Councilman Hathaway and seconded by Councilman Still.

Roll Call: 6 Yes

A Motion to Pass Ordinance #2020-23 on First Reading was made by Councilman Hathaway 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 Councilman Hathaway.

Roll Call: 6 Yes

BILLS

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

Roll Call: 6 Yes

PUBLIC PORTION OF MEETING

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

Roll Call: 6 Yes

CLOSED SESSION

RESOLUTION

Whereas, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting under 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, in the County of Morris and State of New Jersey as follows:

1. The public shall be excluded from the remaining portion of this meeting.
2. The general nature of the subject matter to be discussed is as follows:
 - Contract Negotiations- Shop Rite Redevelopment Agreement
 - Possible Litigation
 - Attorney Client Privilege
 - Personnel
3. As nearly as can now be ascertained, the matter or matters to be discussed at this time will be disclosed to the public when such matters are resolved.

BOROUGH OF NETCONG

By 
Joseph A. Nametko, Mayor

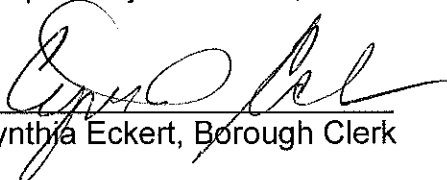
Dated: 10/13/2020

(The vote on Ordinance 2020-23 was taken at this time)

ADJOURNMENT

A Motion to Adjourn the Meeting was made by Councilman Still and seconded by Councilman Hathaway at 9:54PM

Respectfully Submitted,



Cynthia Eckert, Borough Clerk