

BOROUGH OF NETCONG

MINUTES OF THE MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF NETCONG HELD MAY 11, 2023 AT THE NETCONG MUNICIPAL BUILDING, 23 MAPLE AVENUE, NETCONG, NEW JERSEY COMMENCING AT 7:30 PM.

The meeting was called to order by Mayor Nametko at 7:30 PM.

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 6, 2023.
2. Publishing a notice in the Daily Record, the official newspaper
of the Borough of Netcong on January 11, 2023 and emailing a
copy to the Star Ledger on January 6, 2023.

ROLL CALL

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

APPROVAL OF MINUTES

None presented.

Presentation

Cannabis Dispensary

Ben Dellamo – 123 Ledgewood Ave. Netcong

Kyle Dellamo 40th Mill Rd. Hopatcong. NJ

Maddie Grant – 29 Jake Dr. Tinton Falls NJ

Ariel Mizrahi-founder of Bud 2 Bloom

Mr. Kyle Dellamo introduced his partners and provided brief background information. He then proceeded to thank the Council for their time.

Ms. Mizrahi read her presentation. She has spent the last several months coming to the Council meetings to get to know Netcong. Bud 2 Bloom is a woman run business. She is looking forward to sharing her vision with the Netcong Community. She has dreamed of owning her own business for many years. She has found joy in the service industry. She explained her schooling background. She provided details on what she learned while studying abroad. She explained her business background and current job. She described her medical background as well. The medications she was prescribed caused her adverse side effects. She was told to try natural medicine. She was prescribed medical cannabis.

Mr. Kyle Dellamo then explained his school and business background and his research on the cannabis business.

Ms. Maddie Grant, Compliance Manager and Community Outreach, described her position and details of her previous job on Capitol Hill. She explained why she is interested in working in this industry.

It was noted that biographies of the advisory and compliance team will be distributed to the Council after the presentation. Ms. Mizrahi continued to present the Council with the benefits of having a cannabis dispensary in the borough. She gave details on the financial benefits for the borough.

Ms. Maddie Grant further detailed the benefits and plans for this dispensary.

Ms. Mizrahi gave a recap on their presentation. She then gave a timeline on the next steps to move forward.

Mr. Kyle Dellamo gave details on his history of growing up in Netcong. He has been part of this community for his entire life. He is requesting the Council consider this venture.

The mayor then opened up the floor to the Council for questions.

Councilman Still asked if the whole object of this new law was for people who were selling illegally. He did not realize it was also for those who have money to start these businesses. Maddie and Ariel provided the details of these issues. Maddie explained these dispensaries are limiting the drugs sold on the streets and are safer because they are regulated. He asked if any banks are accepting the money made by the dispensaries. It was noted most do not.

Councilman Hathaway asked about the legal issues. Ariel explained they found that information online. She cited the website. He also asked about the 3 million to be made by the borough over 7 years. She stated there are formulas to estimate this. This would be the maximum amount to be made in the store. There could be more made with delivery services. They did not plan on doing delivery services in the first year.

Councilman Sylvester did not want to act on this tonight as he would like to see further details before a decision is made. A nuts-and-bolts detail would need to be presented before a decision could be made. Ariel stated they would be happy to provide more information.

The mayor said, Ms. Mizrahi stated that she was pre-vetted- what does that mean? She stated she had to provide a 10-year background history on all members of the team and further background checks were completed. The mayor stated this needs to be discussed by the Council. A decision will not be made tonight. Ms. Mizrahi provided the details on some of the people involved in this.

Mr. Bucco stated she had submitted all the paperwork to the state so once a municipality is chosen then final steps can be made.

Ms. Rosemary-Moyeno Matos, attorney for the applicant, stepped forward to explain that Ms. Mizrahi has a conditional license until she is able to submit a complete application. Once a resolution is adopted, she can be approved.

The mayor asked how the licensing works. Ms. Matos explained the state requires a yearly license. He wanted to know how the borough gets paid for the 2%. Ms. Mizrahi gave an explanation on how the state tracks the entire process from growth to sale. There is a point-of-sale system to ensure compliance. The state is aware of every single sale. Ms. Matos stated the town can control most of the operations other than delivery services. Mr. Bucco stated the process that will have to be done will take time. Councilman Hathaway stated we will have to establish a zoning change first. He asked for Mr. Bucco to go through the process of setting this up. He explained our planner would have to do a report on the zoning. A permitting analogy would have to be done. At this time the borough has opted out. They would have to change that first.

The mayor stated the Council will have many more questions on this. A closed session might be in order to allow the Council to discuss all the details of this type of business. Mr. Bucco suggested the Council ask for further information to make an educated decision.

Councilman Hathaway stated if we have our planner to work would an escrow account need to be set up. It was determined yes; escrow would be set up.

Councilman Still asked if they do have the cost being transferred to the state. Mr. Blakeslee has done an unofficial survey; he was asked to share his results. He read the emails he received from several other towns and the dollar amounts collected. There was a brief discussion on this.

Ms. Matos stated at this time there are only medical facilities, not recreational.

Councilman Laureys asked if the state has any procedures once it leaves the store. Is there prevention for resale on the street? Ms. Mizrahi explained the cost of the product is too high, the resale value would not be practical.

Councilman Hathaway asked for guidance regarding the request for an escrow account. Mr. Bucco said it just requires a letter requesting the escrow. Ms. Mizrahi said the purpose of this business is to be immersed in the community. They are willing to work with the borough. Ms. Mizrahi is a lifelong Roxbury resident. She lived away during college. Mr. Bucco stated a motion is not necessary to move forward with coming up with an escrow amount. Ms. Mizrahi thanked the Council for their time.

PUBLIC PORTION OF MEETING

Ms. Michele Ruocco, 39 Main St., had a question for Ariel. She would like to know if they are just a recreational facility. Would they address the medical field in the future? Ariel's attorney stated the state is not accepting medical applications at this time.

A Motion to Close the Meeting to the Public Was made by Councilman Morton and seconded by Councilman Albensi.
Roll Call: 6 Yes

INTRODUCTION OF THE 2023 MUNICIPAL BUDGET

Ordinance Introduction – Ordinance 2023-6- To Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank

A Motion to Introduce Ordinance #2023-6 and Read by Title Only was made by Councilman Still and seconded by Councilman Sylvester.
Roll Call: 5 Yes

A Motion to Pass Ordinance #2023-6 on First Reading was made by Councilman Still and seconded by Councilman Sylvester.
Roll Call: 6 Yes

Councilman Still congratulated the auditor, CFO and administrator for the hard work done on this budget.

Resolution 2023-47– Introduction of the 2023 Municipal Budget

A motion to approve the resolution was made by Councilman Still and seconded by Councilman Sylvester.
Roll Call: 6 Yes

PUBLIC HEARING ON THE 2023 SID BUDGET

A Motion to close the Public Hearing was made by Councilman Hathaway and seconded by Councilman Sylvester.

Roll Call: 5 Yes No: Councilman Laureys

Resolution #2023-48 - A Resolution Authorizing the Adoption of the 2023 Budget of The Netcong Community Partnership Special Improvement District.

Councilman Laureys asked a question

A Motion to approve this resolution was made by Councilman Hathaway and seconded by Councilman Sylvester.

Roll Call: 5 Yes No: Councilman Laureys

ORDINANCE ADOPTIONS

1. Capital Ordinance 2023-5- CAPITAL ORDINANCE OF THE BOROUGH OF NETCONG, IN THE COUNTY OF MORRIS, NEW JERSEY AUTHORIZING THE PURCHASING OF A VEHICLE AND RELATED EQUIPMENT FOR THE NETCONG POLICE DEPARTMENT, APPROPRIATING THEREFOR THE SUM OF \$63,000 FROM THE RESERVE FOR POLICE OUTSIDE DUTY.

A Motion to Read Capital Ordinance 2023-5- by Title Only on Second Reading and a Hearing Held Thereon was made by Councilman Still and seconded by Councilman Albensi.

Roll Call: 6 Yes

A Motion to Close Public Hearing was made by Councilman Still and seconded by Councilman Sylvester.

Roll Call: 6 Yes

A Motion to Adopt Capital Ordinance 2023-5 was made by Councilman Still and seconded by Councilman Sylvester.

Roll Call: 6 Yes

CORRESPONDENCE

None Presented.

BOROUGH ADMINISTRATOR REPORT

PROPERTY MAINTENANCE REPORT

APRIL 2023

INSPECTIONS

8 BROOKSIDE RD

73 ALLEN ST (3 UNITS)

15 MAPLE AVE (3 UNITS)
34 BANK ST-BUILDING 1 (26 UNITS)
34 BANK ST-BUILDING 2 (30 UNITS)
34 BANK ST - BUILDING 3 (35 UNITS)
34 BANK ST-BUILDING 4 (35 UNITS)
39 RAILROAD AVE
23 KOCLAS DR
43 MAPLE AVE
25 RAILROAD AVE
10 CAROLYN WAY
91 ALLEN ST
73 ALLEN ST – REINSPECT UNIT B
14 TOGNO ST

COMMITTEE REPORTS

Finance & Insurance: E. Still J. Sylvester

For the month of April 2023, the Borough had a total income of \$663,742.73 as compared to \$563,543.44 in April 2022.

For the month of April 2023:

Miscellaneous Revenue Not Anticipated (MRNA):

In 2023 the Borough received \$1,370.50 compared to \$2,866.00 in 2022.

Other Licenses/Borough Clerk's Fees:

The Borough received \$31,208.19 in 2023 compared to \$4,269.89 in 2022.

State Aid:

The Borough received \$15,000.00 in state aid in 2023 and nothing in 2022.

Grants Aid:

There were no Grants in Aid received for 2023 and \$79,400.00 in 2022.

Taxes Collected:

The Borough collected \$616,164.04 in 2023 compared to \$477,007.55 in 2022.

Income Total Year to Date:

The Total Income Year to date for 2023 is \$3,641,187.47 as opposed to \$3,253,285.96 in 2022.

Economic Development: R. Hathaway E. Still

Councilman Hathaway met with owners of Kings View today. They want to build another 32 regular market units on their property. They own the property across the street from them so parking would not be an issue. The COAH component was also

discussed and the borough would require more than 10 percent. Their original building does not have COAH units.

They also met with Rock Solid about the Main St. area of rehabilitation. There was discussion on a 15% set aside for COAH. There was discussion with them on the parking situation and the overflow and that further study would be to be done. Also, tandem parking was discussed.

Public Safety:
(Police, Fire, Rescue)

J. Sylvester

T. Laureys

Ambulance Corps

Total Calls: 56

Total Patients: 45

Total Hospital Trips: 20

Miles: 593

Hours Volunteered: 227 hours, 40 minutes

Fire Department

Total Calls: 11

General Alarms: 7

Squad Assists: 0

Mutual Aid: 4

Total Members: 22

Drills: 4

Time Volunteered: 58 Hours & 13 Minutes

Total Members: 32

Time Volunteered: 96 Hours & 30 Minutes

Administrative Details: 7

Total Members: 40

Time Volunteered: 253 Hours & 11 Minutes

TOTAL MEMBERS 46

Total Time Volunteered: 407 Hours & 54 Minutes

Police Department

Selective Enforcement Traffic: 34

Radar: 64

Traffic Enforce/ Stop: 146

Building/ Property Check: 128

Total Calls for Service: 735

Dept. of Public
Works & Utilities:

J. Albensi

R. Hathaway

Road Department: Picked up 10 cy of brush, 24 cy of leaves, and 24 cy of brush....Placed message boards and made Rave notifications for May street sweeping....Installed a new air compressor motor at DPW garage....Installed new stop sign and pedestrian crossing signs on Bank St and Flanders Rd....

Water Department: Performed a large number of markout requests from NJ Natural Gas and State sidewalk and curb installations....Performed the April hydrant flushing program.....

Buildings & Grounds: Peterson Tree Service redirected lights at Arbolino Park away from Koclas Dr... started prepping flower pots for May planting....Started cutting and cleaning Borough properties....

Sewer Department: Cleared a sewer clog on Rt 46 near Don Jose restaurant

Parks and Recreation: DPW placed piles of new infield clay at Arbolino Park and Salmon Bros assisted with spreading and leveling clay....Removed a large fallen tree at Indian Field....Checked security cameras at all Borough Parks....

Recycling Department: Joe Fiorello worked on the Annual Recycling tonnage report....

Other: Joe Fiorello continued his Certified Recycling Coordinator classes....

Recreation:

T. Morton

J. Albensi

Councilman Morton gave his report:

1. Friday is the last day to register for garage sales.
2. Still taking reservations for the Casino bus trip.
3. Mother's Day tea is sold out.
4. Garage sale will be May 20th

Public Services:
(Human Services
Recycling & Solid

T. Laureys

T. Morton

Councilman Laureys noted that there were more miles for the April report.

Days of Service: 16

Miles: 812

Number of Stops: 50

Nutrition for 1 person: 10

Food Shopping: 23

Number of Meals on Wheels: 15 people

Medical Appointments: 33

Other appointments: 16
People Using Services: 40
Cancels: 5
Denials: 0
Units: 140
Hours: 61.75
Additional Notes: 4 days off

The mayor stated a previous resident that used the dial a ride came to visit and she waited for over an hour to see him. She stated Wayne was one of the best things here in Netcong. The Council stated kudos to Wayne.

OLD BUSINESS

Area in Need of Rehabilitation – Planners Report

Mr. Blakeslee gave details on the next steps.

A Motion to refer this to Planning Board to validate this area is in need of rehabilitation was made by Councilman Alensi and seconded by Councilman Hathaway.

Roll Call: 6 Yes

NEW BUSINESS

Billboard Licensing Ordinance

Mr. Blakeslee provided details on this subject. He would like to know if the Council is interested in charging a yearly fee for billboards. Councilman Hathaway asked if beyond the fees is there a good purpose for this fee. Mr. Bucco stated there are things that go along with having a billboard in town. He found no case law or evidence that prohibits charging a fee. Councilman Hathaway's thought is, can inspections and reports be done to ensure the billboards are kept in good condition.

The Council is on board to have Mr. Blakeslee and Mr. Bucco start an ordinance for this

PRIVILEGE OF THE FLOOR TO THE COUNCIL

There were no comments at this time.

MAYOR'S COMMENTS

The mayor had no comment at this time.

RESOLUTIONS

1. **Resolution 2023-49** - Authorizing the Tax Collector to Prepare and Mail Estimated Tax Bills in Accordance with P.L. 1994, c.72
2. **Resolution 2023-50**- Requesting Permission for the Dedication by Rider for Animal Control Fees Required by the Borough of Netcong (No Relevant Statute)
3. **Resolution 2023-51**- Requesting Permission for the Dedication by Rider for Developer's Escrow Fund Required by NJS 40:55D-53.1
4. **Resolution 2023-52** – Requesting Permission for the Dedication by Rider for Unemployment Compensation Insurance Required by the Borough of Netcong (No Relevant Statute)
5. **Resolution 2023-53** – Requesting Permission for the Dedication by Rider for Uniform Fire Safety Act Penalty Moneys Required by NJS 52:25D-192 Et Seq.

A Motion was made by Councilman Hathaway and seconded by Councilman Sylvester to approve the five resolutions.
Roll Call: 5 Yes

ORDINANCE INTRODUCTIONS

Ordinance 2023-7 – 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 Introduce Ordinance #2023-7 and Read by Title Only was made by Councilman Still and seconded by Councilman Sylvester.
Roll Call: 6 Yes

A Motion to Pass Ordinance #2023-7 on First Reading was made by Councilman Still and seconded by Councilman Sylvester.
Roll Call: 6 Yes

Ordinance 2023-8- Creating Article II, Veterans Tax Refunds in Chapter 252, of the Code of Netcong Borough Regarding Disabled Veterans Tax Refunds

A Motion to Table 2023-8 was made by Councilman Hathaway and seconded by Councilman Laureys. The attorney would like to review it first.
Roll Call: 6 Yes

Ordinance 2023-9 – Establishing a New Chapter 80 to Be Entitled "Solid Waste and Recycling Utility" and Amending Chapter 243 "Garbage, Rubbish and Refuse" of the Code of the Borough of Netcong.

A Motion to Introduce Ordinance #2023-9 and Read by Title Only was made by Councilman Hathaway and seconded by Councilman Albensi.
Roll Call: 6 Yes

A Motion to Pass Ordinance #2023-9 on First Reading was made by Councilman Albensi and seconded by Councilman Hathaway.
Roll Call: 6 Yes

REPORTS

A Motion to Incorporate All Reports into the Minutes was made by Councilman Morton 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

Mr. Mullady, regarding 39 Ledgewood Ave., attended a committee meeting several months ago to file a complaint against Mr. Patamia. There is a problem because he is getting blocked by the town. There is an illegal boarding house there. There are several complaints and he is stating Mr. Blakeslee is not giving him the information he wants. Mr. Bucco stated this has been conveyed to the Mayor and Council. Mr. Bucco thanked Mr. Mullady for his time. Mr. Bucco stated if you are not the owner of the property you will generally not be notified. Councilman Laureys asked if we can legally notify a resident if action has been taken. There was further discussion between Mr. Bucco and Mr. Mullady. Councilman Hathaway stated Mr. Patamia was at last month's meeting and agreed to any investigations necessary. Mr. Bucco explained Mr. Mullady needs to be careful of what he says at a public meeting. Mr. Blakeslee stated Mr. Mullady was able to review the documents we had on file and he was given copies. Mr. Mullady will be provided with a copy of the minutes. The mayor stated we can only give the records that we have available. Mr. Bucco stated the administrator will provide the documents we have. The complaint has been accepted and put into the record. Mr. Bucco stated he can also file a personal complaint. He told Mr. Mullady he can go to the Mount Olive Court to file his complaint. The Council thanked Mr. Mullady for his time.

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

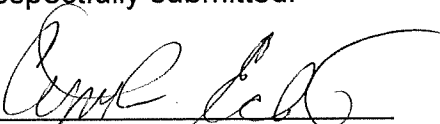
None during this meeting.

ADJOURNMENT

A Motion to Adjourn the Meeting was made by Councilman Still and seconded by Councilman Hathaway at 8:53PM.

Roll Call: 6 Yes

Respectfully submitted:



Cynthia Eckert, Borough Clerk