

**BOROUGH OF NETCONG
MAYOR AND COUNCIL MEETING
July 6, 2023**

MINUTES OF THE MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF NETCONG HELD JULY 6, 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 Sylvester and Mayor Nametko. Also present was Mr. Blakeslee, Borough Administrator and Mrs. Eckert, Borough Clerk

PUBLIC PORTION OF MEETING

Seeing no one stepping forward, a Motion to close the meeting to the public was made by Councilman Morton and seconded by Councilman Still.

Roll Call: 6 Yes

AGENDA ITEMS FOR DISCUSSION

The following items are for discussion purposes only. Any action on these items will take place at the meeting of July 13, 2023.

1. **Minutes** - None presented.

2. Ordinance Adoption- Bond Ordinance 2023-10-BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF NETCONG, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,175,200 TO PAY THE COST THEREOF, TO APPROPRIATE VARIOUS GRANTS, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

To be carried to the July 13th meeting.

3. Ordinance Adoption- Bond Ordinance 2023-11-BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE WATER UTILITY OF THE BOROUGH OF NETCONG, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,038,755 TO PAY THE COST THEREOF, TO APPROPRIATE A FEDERAL GRANT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

To be carried to the July 13th meeting.

4. Ordinance-Adoption- Bond Ordinance 2023-12- BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF TELEVISION INSPECTION OF VARIOUS SANITARY SEWER LINES IN CONNECTION WITH FUTURE IMPROVEMENTS IN, BY AND FOR THE SEWER UTILITY OF THE BOROUGH OF NETCONG, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$145,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

To be carried to the July 13th meeting.

5. Correspondence – None presented

6. Old Business –Cannabis Retail Operation

Mr. Blakeslee stated the economic development committee met with the borough attorney to discuss the steps to be taken to allow this business. He detailed the steps to move forward. During this meeting it was determined this is something the borough should consider.

Councilman Hathaway stated Mr. Philips provided details at that meeting regarding how it can be set up to allow only the current business interested in bringing their business here to be allowed into the community. The mayor asked if there were any questions for the Council. Councilman Sylvester stated his only concern was the number to be allowed in town. Mr. Bucco stated there will be three ordinances required. One would be a Change in the ordinance to allow zoning for this type of business. He stated Paul Phillips,

our planner, would be the person to do this. The second would be a licensing ordinance – there are different types that other towns have done. Mr. Bucco stated he would get some samples of ordinances from other towns so the committee can decide what they want in their ordinance. The third would be an ordinance on the collection of the taxes. Traffic and parking need to be taken into consideration. The mayor asked what the procedure is to opt into this. Mr. Bucco stated adopting the ordinance would accomplish that. The mayor asked about the residential units that are in the building that will house this dispensary. Mr. Bucco said that would all be part of the license ordinance. The mayor asked if the owner of the potential business (who was sitting in the audience) would be able to control the odors that may come from this business. Ariel, the potential owner, stated they will be installing special HVAC systems to make sure this is not an issue. Councilman Sylvester stated most of the concerns of the Council can be put into the licensing ordinance. Councilman Hathaway stated the ordinance for the zoning would include details on how all these things will be handled. He also stated an environmental impact study could be done and included in the licensing ordinance. There was discussion among the Council regarding issues due to increased traffic and parking. There was also discussion regarding various scenarios such as should a liquor store and cannabis dispensary exist within the same building. The mayor stated he would like to move forward with this. Discussion continued among the Council.

A Motion to authorize the legal and planning professionals to begin work on these ordinances was made by Councilman Hathaway and seconded by Councilman Morton.
Roll Call: 5 Yes Abstain: Councilman Laureys

7. New Business- Social Affair Permit – Assumption Society

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

8. New Business- Social Affair Permit – St. Cesario Society

A Motion was made to approve the permit by Councilman Still and seconded by Councilman Albensi.
Roll Call: 5 Yes Abstain: Councilman Sylvester

The Council discussed both Social Affairs' events briefly.

9. New Business – Amendment to SID Ordinance – Apartment Building

Mr. Blakeslee stated this is a project Councilman Hathaway has been working on with the SID to add the apartment complexes to the SID. Councilman Hathaway stated Landmark Properties has no objection to this. Councilman Hathaway gave some details on this issue and why they would like the change. He stated this was an idea that has come from the business owners in the SID. Mr. Blakeslee stated there is a glitch in this because 34 Bank St. is not a 4C property. He added some potential solutions for the glitch.

Councilman Sylvester responded with: why not just include both 4C and 15F properties in the new ordinance.

Councilman Hathaway provided additional details regarding the issues and questions that arose from the SID members on this subject. One was regarding fairness in assessments on single lots versus multiple lots. Councilman Sylvester asked if we can just add a tier for these new properties. Mr. Bucco responded that this ordinance will need to be rewritten. It was noted that this will be an ordinance that will begin next year. There was further discussion on this subject.

10. Resolutions

Resolutions – Resolution 2023-67- RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF NETCONG, IN THE COUNTY OF MORRIS, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF NETCONG AND AUTHORIZING THE MAYOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING \$2,113,185 OF NOTES, CONSISTING OF \$1,634,685 GENERAL BOND ANTICIPATION NOTES AND \$478,500 WATER UTILITY BOND ANTICIPATION NOTES, BOTH ISSUES DATED JULY 6, 2023 AND PAYABLE JULY 3, 2024, AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED

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

Roll Call: 6 Yes

Resolution 2023-68-Authorize Cancellation and Refund of Taxes for 100% Disabled Veteran

A Motion to table this resolution until the July 8th meeting was made by Councilman Still and seconded by Councilman Hathaway.

Roll Call: 6 Yes

Resolution 2023-69-Authorizing the Award of a Professional Legal Services Contract to Wilentz, Goldman and Spitzer, P.A.

Mr. Bucco gave details on the reason for this resolution. He explained how this chemical never goes away and contaminates water supplies. Right now Netcong is under the measure. However, the DEP will be changing the allowable measure which will cause Netcong to be out of compliance, which will cause the borough to have to treat the water supply which will be very costly. This is a class action suit against the producers of this chemical to aid municipalities. There will be no cost to the borough and will be advantageous for the borough.

A Motion was made by Councilman Still and seconded by Councilman Hathaway to approve this resolution.
Roll Call: 6 Yes

ORDINANCE INTRODUCTIONS

None presented.

PRIVILEGE OF THE FLOOR TO THE COUNCIL

The Council President had no comment at this time.

MAYORS COMMENTS

The Mayor had no comment at this time.

PROCLAMATION

None presented.

PUBLIC PORTION OF MEETING

Mr. Rashibdaigi, 5 Britton St, the road they live on is terrible. He is told this is a private road. He stated he has heard it is a private road. But according to the tax map, it is not a private road. Mr. Bucco stated a tax map does not determine what is or is not a private road. There are only 3 ways a road can be established as a public road: one is by deed, the other by planning board process that is approved by the town. If they are not formally accepted, they are a private road. Mr. Rashibdaigi asked how one would know it is a private road. Mr. Bucco explained the town keeps records of these private roads in an ordinance. He went on to explain public services are still provided on this road. He also stated the owners living on that road would be responsible for the upkeep of that road. Mr. Rashibdaigi stated that in the town his parents live in, the public and private roads are displayed differently on the town map. Mr. Blakeslee stated Harding Township is large and may have many private roads and may have chosen to list them on their tax map. Mr. Rashibdaigi asked if he could pave it and put up a gate. Mr. Bucco gave him details regarding the legality of these actions.

Mr. Parks, 26- 27 Hilts Lane, interjected from the back of the room. Councilman Hathaway reminded the Council that Mr. Parks was at a meeting several months back. The Council was concerned about some of the problems on this street.

Mr. Rashibdaigi stated the water issues on this road are also a problem. He pays \$12,000.00 per year and would think a nice road to one's home would be appreciated.

Mr. Parks stated that he would like to know if the drainage issue can be addressed. There was a river running down the road during the last storm. Also, Family Ford is

doing work in the street. Councilman Sylvester stated this is coming from NJ Transit. Mr. Bucco noted that the Council has been extremely fair to those residents who live on the private roads in town. This is not something that can be resolved here tonight. Mr. Blakeslee asked if the owners of the street can post that this is a private street. Councilman Sylvester suggested the post office be noticed on this issue of their patrons parking on this street. There was further discussion on this and Mr. Bucco stated he will need to research some of these issues. Councilman Still suggested they come down and give Mr. Blakeslee a list of their concerns.

A Motion to Close the Meeting to the Public was made by Councilman Sylvester and seconded by Councilman Hathaway.
Roll Call: 6 Yes


CLOSED SESSION

A closed session was not held during this meeting.

ADJOURNMENT

A Motion to Adjourn the Meeting was made by Councilman Still and seconded by Councilman Hathaway at 8:19PM.
Roll Call: 6 Yes

Respectfully submitted:


Cynthia Eckert, Borough Clerk