

**BOROUGH OF NETCONG
MAYOR AND COUNCIL MEETING
AUGUST 1, 2024**

MINUTES OF THE MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF NETCONG HELD AUGUST 1, 2024 AT THE NETCONG MUNICIPAL BUILDING, 23 MAPLE AVENUE, NETCONG, NEW JERSEY COMMENCING AT 7:30 PM.

The meeting was called to order by Mayor Still 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 5, 2024.
2. Publishing a notice in the Daily Record, the official newspaper
of the Borough of Netcong on January 10, 2024 and emailing a
copy to the Star Ledger on January 5, 2024.

ROLL CALL

Those in attendance this evening were Councilman Albensi, Councilman Hathaway, Councilman Laureys, Councilman Morton, Councilman Nametko, Councilman Sylvester (via conference call) and Mayor Still. Also present was Mrs. Eckert, Borough Clerk and Mr. Blakeslee, Borough Administrator.

PUBLIC PORTION OF MEETING

Mr. Wayne Anthony, 24 Dell Ave., has questions on where we stand with the Village Place project. Mr. Blakeslee stated he is behind in paying escrow so no inspections will take place until he pays. Mr. Blakeslee will contact the borough attorney about this situation. Mr. Anthony had several comments on things that have been done illegally. His biggest concern is the drainage issue. A pipe that is now attached to his building runs into the lake. Mr. Blakeslee will contact the borough engineer on this matter. Mr. Anthony gave greater detail about his concerns. Councilman Nametko asked if we can send our engineers to do some enforcement on this property. Mr. Blakeslee provided possible solutions. There was brief discussion among the Council on this matter. Councilman Hathaway presented his opinion about this subject. He asked if any of the Council is concerned about sending our professionals to view the problems at this project. Councilman Laureys asked if we should ask our attorney about this. Mr. Anthony asked

if the dirt dumped on the property months ago was clean. Mr. Anthony thanked the Council for their time.

Mr. Matthew Eddy, 25 Flanders Rd., reported that the manhole in front of his house is very noisy. He wants to know if the DPW can put asphalt around it. He also asked if the Administrator could check out the trees on the borough property near his property which are dying.

Mr. Michael Zaremba, 35 Railroad Ave., is here regarding the St. Cesario and Assumption Feasts. He proceeded to read a disparaging statement. He has issues with the salute shots that go on during the day. Mr. Blakeslee explained Mr. Zaremba has threatened to file a lawsuit. He added that the borough attorney has recommended the Council make no comment to Mr. Zaremba. Mr. Zaremba continued with his statement. The mayor asked that Mr. Zaremba leave the building. Mr. Zaremba left and made a rude gesture toward the Council.

Mr. Blakeslee countered some of Mr. Zaremba's comments with facts and demonstrated everything was done in accordance with the current laws and procedures

Councilman Sylvester asked if we could have a letter from the Netcong Fire Prevention Bureau be read to the public and put into the minutes. The Borough Administrator read the response letter to complaint #24-015.:

The Netcong Fire Prevention Bureau received a complaint on July 22, 2024 of alleged unsafe conditions in relation to the St. Cesario fireworks display that occurred on July 20, 2024. The same day, flyers were hand delivered to several Borough homes. This flier was titled "Join the fight against the all-day salute shots (mortars)" I am writing to respond to several false accusations made towards me within the complaint, in the flier that was hand delivered, and a Social Media post online. The below items were included in this flier.

- 1. "No proper permits have been posted/presented to residents"*
- 2. "No fire marshal/safety team present"*
- 3. "Mortars/Debris are hitting residential properties"*
- 4. "Mortars are being shot off too close to residencies"*

After the complaint was received an internal review was performed. The St. Cesario Society and Garden State Fireworks Inc. did obtain proper fire safety permits issued by Fire Inspector Boylan of the Netcong Fire Prevention Bureau on July 20, 2024, further enabled by municipal resolution as per the NJ Uniform Fire Code. In order to issue this permit, Fire Inspector Boylan was on site for the duration of the activities. The fireworks display and shooting site was inspected thoroughly prior to live firework activities. A staffed fire engine from the Netcong Fire Department was on site as well during the entirety of the fireworks display. This engine company was required to be on site by the Fire Prevention Bureau. During the event, there were no 9-1-1 calls or other recorded complaints or occurrences of any unsafe debris in connection with any adjoining properties to the display site. Fire Inspector Boylan and Garden State Fireworks Inc. adhere to the NJ Uniform Fire

Code which indicates the distance that is required from the location of a fireworks display to nearby buildings. The State requirements were properly met.

The complainant also alleged that I acted malicious by employing selective code enforcement in regards to this specific fireworks display. The complainant claims that there is a conflict of interest with me approving the fireworks because of my family's involvement in the Feast of St. Cesario. Since being appointed to the position of Fire Official, I have recused myself from approving and inspecting the permit in question to avoid any potential claims or appearances of personal conflict. In order to abide by this practice, I have given the other certified Fire Inspector the responsibility of approving, inspecting and enforcing the NJ Uniform Fire Code where applicable to the permit in question. By way of background, when I was first appointed as the Fire Official of Netcong Borough in 2022, I referred this matter to the NJ State Division of Fire Safety. I had met with State representatives on several occasions in 2022 to discuss this. In conjunction with the NJ State Division of Fire Safety, the Netcong Fire Prevention Bureau imposed stricter requirements on the St. Cesario Society and the Assumption Society than what was previously allowed by my predecessor. I required a staffed fire engine to be on site for the duration of the firework activities and allowable shell size went from four-inch to three-inch firework shells in all the displays. Following receiving this complaint on July 22, 2024, I again referred this matter to the NJ State Division of Fire Safety. Today, July 30, 2024, the NJ State Division of Fire Safety sent a representative to review and approve the location of the fireworks display.

The mission of the Netcong Fire Prevention Bureau is to maintain a level of safety throughout the Borough of Netcong for both the Business Community and the Public; furthermore, we strive to maintain a level of safety for the firefighters who may one day respond within our community for an emergency. Our duty is to mitigate and prevent the tragedies associated with the risk of fire within the Borough, and to make our community stronger and safer. At no point does the staff of the Netcong Fire Prevention Bureau stray away from these goals and standards that we set year after year in keeping our community safe.

Respectfully Submitted,
Mark Sylvester
Netcong Borough Fire Official
netcongfpb@netcong.org

A Motion to close the meeting to the public was made by Councilman Hathaway and seconded by Councilman Morton.
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 August 8, 2024.

1. **Minutes** – July 11, 2024

A Motion was made by Councilman Hathaway and seconded by Councilman Albensi to approve the minutes.

Roll Call: 5 Yes Absent: Councilman Morton

2. **Ordinance Adoptions** – Ordinance 2024-19- AN ORDINANCE TO AMENDING CHAPTER 217, "PARKS", SECTION 9 "ACTS PROHIBITED" AND SECTION 10, "HOURS OF OPERATION" OF THE CODE OF THE BOROUGH OF NETCONG, TO PROHIBIT DOGS IN THE BOROUGH PARKS AND REVISE THE HOURS OF OPERATION.

After this ordinance was introduced last month, a concern arose about not allowing dogs on the trail by Arbolino Park. He would like to contact our attorney to allow dogs on the path but not on the ball field or activity areas

Councilman Hathaway provided the details on this. There was discussion among the Council on this subject.

A Motion to table this ordinance was made by Councilman Hathaway and seconded by Councilman Albensi.

Roll Call: 6 Yes

For the record Councilman Sylvester left the meeting at 7:57pm

3. **Ordinance Adoptions** – Ordinance 2024-20-AN ORDINANCE AUTHORIZING THE EXECUTION OF A TAX EXEMPTION AGREEMENT WITH ROCK SOLID BUILT LLC FOR THE MIXED USE RESIDENTIAL AND COMMERCIAL DEVELOPMENT PURSUANT TO THE FIVE-YEAR EXEMPTION AND ABATEMENT LAW, N.J.S.A. 40A:21-1 ET SEQ.

To be carried to the August 8th meeting.

4. **Correspondence** – None presented,

5. **Old Business** -Park Regulation Ordinance- Dogs- Already discussed

6. **New Business** – None Presented.

7. **Resolution 2024-93-** Authorizing The Purchase of a Mini-Excavator from Jesco Through the Educational Services Commission of New Jersey

Councilman Hathaway stated this will increase productivity for our DPW. Training will be included. He feels this is a good decision. Councilman Laureys asked about the cost. There was brief discussion among the Council on this. Councilman Laureys asked the expected life span of the machine. Councilman Hathaway gave his opinion regarding this subject. There was further discussion on this subject.

A Motion to approve the above-mentioned resolution was made by Councilman Albensi and seconded by Councilman Hathaway.

Roll Call: 5 Yes

8. **Ordinance Introduction** – None presented.

PRIVILEGE OF THE FLOOR TO THE COUNCIL

Councilman Laureys thanked the mayor for stopping the rude resident but he does want to make sure residents are getting their allotted time.

Councilman Morton wanted to invite everyone to the 2nd annual night out next Tuesday. There has been a lot of behind-the-scenes planning. He thanked Wayne Anthony for securing the fly over.

Councilman Hathaway also wanted to thank the mayor for stopping the rude resident. He was not pleased with the manner at which he spoke to the Council. He feels this rude dialogue is demeaning and not good for the residents of this town.

Councilman Nametko thought a sign showing the names of our businesses could be displayed on the bridge at the entrance of town. The Council thought this was a good idea. The NCP is on board with this.

MAYORS COMMENTS

He will not tolerate rude residents. He respects the residents in town and everyone has the right to give their opinion but rudeness will not be tolerated.

PROCLAMATION

None presented.

PUBLIC PORTION OF MEETING

Mrs. Maria Jones, 50 Allen St., found some of the comments of the rude resident very inappropriate, especially the comment on slavery. She also wants to invite the Council to the dunk tank at First Night Out.

Mr. Wayne Anthony, 24 Dell Ave., wanted to know if there will be new signs about dogs in the park. There was discussion on this subject.

Mrs. Kim Albensi, 42 College Rd., would like to invite the Council to see Alice in Wonderland at the Elementary School on Sept. 6 and Sept 8th.

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

Roll Call: 5 Yes

CLOSED SESSION

There was no closed session this evening.

ADJOURNMENT

A Motion to Adjourn the Meeting was made by Councilman Hathaway and seconded by Councilman Albensi at 8:11PM.

Roll Call: 6 Yes

Respectfully Submitted,

Cynthia Eckert, Borough Clerk

A RESOLUTION AUTHORIZING THE PURCHASE OF A MINI-EXCAVATOR FROM JESCO THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY

WHEREAS, the Borough of Netcong identified a need to purchase a new compact excavator for the Public Works Department; and

WHEREAS, JESCO Equipment Inc., 118 St. Nicholas Ave, South Plainfield, NJ 07080 has been awarded contract #ESCNJ Contract 22/23-12, CO-OP #65 MCESSCCPS through Educational Services Commission of New Jersey Cooperative System (ESCNJ); and


WHEREAS, the purchase will be financed using American Rescue Plan (ARP) funds; and

WHEREAS, the Borough's Chief Financial Officer has certified that funds are available for this purpose.

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 contract to purchase new John Deere, 35 P-Tier compact excavator is hereby awarded to JESCO Equipment Inc., 118 St. Nicholas Ave, South Plainfield, NJ 07080, not to exceed \$69,540 and in accordance with the terms and conditions of the quote dated July 15, 2024 and on file in the Office of the Borough Clerk.
2. The Borough Administrator is hereby authorized and directed to execute said contract on behalf of the Borough.
3. This Resolution shall take effect immediately.

BOROUGH OF NETCONG


By: 

Mayor Elmer Still,

Dated:

CERTIFICATION

I, Cynthia Eckert, Clerk of the Borough of Netcong, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Borough at a meeting held on August 1, 2024.



Cynthia Eckert, Borough Clerk