

**MINUTES
OF THE MAYOR AND COUNCIL MEETING,
BOROUGH OF HOPATCONG,
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD
HOPATCONG, NEW JERSEY
OCTOBER 19, 2011
OPEN PUBLIC MEETING 7:30 PM**

CALL TO ORDER: Announce Quorum

OPEN PUBLIC MEETINGS ACT STATEMENT: Meyer Petillo stated "This meeting is held in accordance with the 1975 Open Public Meetings Act, NJSA 10:4-6 et seq., annual notice having been forwarded to the New Jersey Herald/New Jersey Sunday Herald, the Daily Record, The Star Ledger, and posted on the bulletin board maintained in the Municipal Building for public announcements." (Mayor noted fire exits)

ROLL CALL: The Deputy Clerk called the roll and the following members were present: Councilman Bunce, Councilman Baker, Councilman Francis, Councilwoman Galate, Councilwoman McManus, Councilman Young and Mayor Petillo

MOMENT OF SILENT REFLECTION AND PLEDGE OF ALLEGIANCE: Mayor Petillo invited all present to salute the flag and to remain standing for a moment of silence.

PRESENTATIONS: At this time the Mayor read the following proclamation:

Resolution #2011-353 - Community Planning Month Proclamation

WHEREAS, New Jersey municipalities, counties, and regional planning entities continually face changes in their communities and natural environment, and

WHEREAS, community planning and plans can help manage this change in a way that provides better choices for how people work and live; and

WHEREAS, community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and

WHEREAS, the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

WHEREAS, the American Planning Association has designated the month of October as National Community Planning Month throughout the United States of America and its territories to highlight the contributions of sound planning and plan implementation, and

WHEREAS, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning and zoning boards and other citizen volunteers who have contributed their time and expertise to the improvement of the Borough of Hopatcong, Sussex County, New Jersey; and

WHEREAS, we recognize the many valuable contributions made by professional planners in the Borough of Hopatcong, Sussex County, New Jersey and extend our heartfelt thanks for the continued commitment to public service by these professionals;

NOW, THEREFORE, BE IT RESOLVED, that the month of October 2011 is hereby designated as **Community Planning Month** in the Borough of Hopatcong, Sussex County, New Jersey in conjunction with the celebration of National Community Planning Month.

COMMITTEE REPORTS: Mayor Petillo allowed each member of the Council, to present their respective committee reports.

Councilwoman Galate once again stated that Chief Swanson has offered to have any of the Council members go on a ride-along. They would just need to let him know when they are available. She stated that the Police Committee is working with the Chief for the Honor Guard, which is something new for 2012. She stated that Councilman Bunce will talk about the Real Estate Committee. She also reported that the Senior Halloween gathering will be at the Arlington next Friday and that the municipal bus will be running from the Senior Center. The Seniors wanted her to thank the Borough for providing that service again this year. They also have their Atlantic City trip planned for December. They have cut back on some events this year and that has paid off for them in the long run. The Senior Advisory Committee has accepted the resignation of Mary Takas who was the secretary. Councilwoman Galate thanked her for her service and stated that she is sad to see her go. She stated that she is a wonderful person and lovely to work with. She also stated that the Mayor appointed a new member, Loretta Rankin, to take the place of Sally Scarola who passed away this year.

Councilman Francis stated that he did not have a comprehensive report for this meeting, as did Councilman Young and Councilwoman McManus.

Councilman Bunce reported that he has spoken to the attorney about the properties that are available and that hopefully they will work out.

Councilman Baker stated that the Board of Health has not had a meeting since the last time the Governing Body met. He stated that he attended a meeting of SWAC and that SCMUA had obtained a report about closing the landfill and what their options would be moving forward. It is currently being reviewed. He stated that SCMUA is now recycling mixed-rigid plastics (pails, drums, lawn furniture etc...) that previously could not be put out with the recycling. He stated that the Borough needs to look to see if our recycling program will pick up that type of plastics. It can be taken up to SCMUA in the meantime. He also reported that on November 5th there will be a Household Hazardous Waste collection at the SCMUA facility from 7am to 2pm. All of this information is on SCMUA's website.

PUBLIC COMMENT: Mayor Petillo opened the meeting to the public for any questions or comments concerning items on the agenda for which no public discussion is provided. (Comments limited to 5 minutes).

Ms. Mara Modes, 3 Ithenall Road, asked for more detail on Number 5 on the agenda, the resolution authorizing the contract award for the work being done on Elba Point.

Mayor Petillo stated that this item was being removed from the agenda for this evening but that it awards the contract for the generators that are being put in the well houses.

Councilman Bunce made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilman Francis. All were in favor.

APPROVAL OF MINUTES: Councilman Bunce made a motion to approve the meeting minutes of the Regular Meeting and Executive Session held on October 5, 2011. Seconded by Councilman Francis. All were in favor.

ADMINISTRATOR'S REPORT: At this time Robert Elia, Borough Administrator, presented his report for the meeting of October 19, 2011. Mr. Elia reported that he and the Police Chief met with representatives from FEMA. The Borough compiled all of the expenses for damages that occurred as the result of Hurricane Irene and that they were submitted to FEMA. We can get a maximum of 75% reimbursement for the costs incurred. They were very helpful.

Mr. Elia also reported that the Borough did get assistance earlier this month from the Sheriff's Department. They helped clean out some of our streams. They provided a crew and it was very helpful. Hopefully we can get them out to help us again in the future. When we asked for their help they responded the very next day. He thanked them for their help and cooperation.

Mr. Elia also stated that on the agenda this evening is a resolution to award a contract to a consultant for help with our Small Cities Grant. The DCA recommended that the grant for the Senior Center in the amount of \$146,000 be administered by a consultant. He stated that he interviewed a couple of consultants and that the lowest bidder has administered these types of grants in different towns in Sussex County. He stated that he is very confident that she is very responsible and capable and that he recommends hiring her for \$12,000.

CONSENT AGENDA: Mayor Petillo requested that all persons present review the consent agenda. If any member of the Council or public wishes an item on the consent agenda to be discussed and considered separately, a motion to this effect shall so be made at this time.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

September 7, 2011 Minutes of the Musconetcong Sewerage Authority.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

Zoning Quarterly Report for July 1, 2011 – September 30, 2011.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

Resolution #2011-344 – Refund of Overpayment

After all persons have had an opportunity to review the consent agenda and offer requests for changes, Mayor Petillo requested a motion to approve the consent agenda.

Councilman Bunce made a motion to approve the consent agenda for the meeting of October 19, 2011. Seconded by Councilwoman Galate. All were in favor

INTRODUCTION OF ORDINANCES:

Introduction Ordinance #30-2011 – Replace Portions of Chapter 43, Salaries

Councilman Francis made a motion to introduce an ordinance entitled “AN ORDINANCE OF THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO REPLACE PORTIONS OF CHAPTER 43 TO SET 2011 SALARIES”. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Baker, Bunce, Francis, Galate, McManus, Young

Nays: None Absent: None Abstentions: None

FINAL READING: NOVEMBER 2, 2011

ADOPTION OF ORDINANCES:

RESOLUTIONS:

Resolution #2011-348 – Snowplowing Stipends

Councilman Young made a motion to adopt a resolution authorizing stipends for work outside of normal working hours for snowplowing emergencies. Seconded by Councilman Bunce.

Upon roll call vote:

Ayes: Baker, Bunce, Francis, Galate, McManus, Young

Nays: None Absent: None Abstentions: None

Resolution #2011-349 – Replacement Hire of Full Time Clerk/Typist

Councilman Baker made a motion to adopt a resolution authorizing the replacement hire of a full time clerk/typist for Administration. Seconded by Councilwoman Galate.

Councilwoman McManus stated that she spoke to the Administrator about this and that she stated that she stressed her concern to him that the Borough is hiring someone who doesn't live in Hopatcong. She stated that we should always make a major effort to hire someone local. She stated that we do want the best person for the job but can't believe that for this particular job we couldn't find anyone from Hopatcong.

Mr. Elia stated that we received about forty resumes and that he interviewed seven people. He stated that he was looking for the most qualified and believes that he chose the one who was most qualified.

Mayor Petillo stated that this person is going to have to work for five different people and that they needed a lot of different skills.

Councilwoman McManus stated that she understands.

Councilman Francis stated that he understands her concerns but that we need to hire the person who is most qualified for the job regardless of where they live.

Upon roll call vote:

Ayes: Baker, Bunce, Francis, Galate, McManus, Young

Nays: None Absent: None Abstentions: None

Resolution #2011-350 – Bill List

Councilman Bunce made a motion to adopt a resolution authorizing the payment of bills, pulling checks 30251 and 30256, for the meeting held on October 19, 2011. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Baker, Bunce, Francis, Galate, McManus, Young

Nays: None Absent: None Abstentions: None

Councilman Bunce made a motion to approve payment of checks 30251 and 30256. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Baker, Bunce, Francis, Galate, McManus, Young

Nays: None Absent: None Abstentions: None

Resolution #2011-351 - Small Cities Grant Consultant

Councilwoman Galate made a motion to adopt a resolution hiring North Jersey Planning Consultants to administer the Small Cities Grant that was obtained to renovate the Senior Center. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Baker, Bunce, Francis, Galate, McManus, Young

Nays: None Absent: None Abstentions: None

Resolution #2011-352 – Award Contract for Elba Point Infrastructure Improvements

The motion to adopt a resolution awarding a contract for the Elba Point Infrastructure Improvements, Electrical Improvements and Emergency Back-up Sources to Manor II Electric for a cost not to exceed \$250,969.00 and contingent on EPA approval was tabled until after the second reading of the Bond Ordinance was tabled until the next meeting. The ordinance that was adopted certifying that the money is available will not be in effect until the next meeting.

OLD BUSINESS:

NEW BUSINESS:

Discussion – Highlands Planning Process

At this time a discussion took place regarding the letter from the Planning Board regarding the Highlands planning process.

Mayor Petillo stated that the Borough talked about the Highland's planning process, went through a few modules but then did not continue the process. She stated that the Planning Board invited Eileen Swan, who is the Director of the Highland Council, to give a presentation about the Highlands and its effect on Hopatcong. She spoke about the different modules and what the process would look like moving forward if we decided to continue the process. She also spoke about all of the issues that are unique to Hopatcong in relation to the Highlands. Mayor Petillo stated that it is important, as we move forward, to see what the Highland's process will look like in Hopatcong. She stated that Ms. Swan gave a wonderful presentation and as a result the Planning Board has sent a letter to the Governing Body recommending that we move forward with the process. This would allow the Borough to get all of the information that would be needed to make an informed decision as to whether or not to join the Highlands.

Councilman Francis recommended that we have a public hearing on the issue and invite the Highland's Council representatives. That way we could ask particular questions as to how this is going to affect our town. We need to do what is best for the Borough. As the Governing Body we would have to decide if this is what is best. Planned conformance has a lot that goes along with it. He stated that it is important that we take our time and make a careful and informed decision. We need to invite the people here who can answer any of the questions that we may have. We are in a position where we are going to have to make decisions that will affect our town for decades to come. We cannot sit and do nothing on this issue. Many towns have done this and have conformed to the Regional Master Plan. There is a lot involved not the least of which is designating a "Town Center". That brings a lot of different benefits that he thinks that the Council should really pursue and ask questions about. There are a lot of opportunities available now that were not available in the past. The climate has changed. It is time that we took a good, hard, long look at the process. We asked the Planning Board to plan and we, as the Council, need to follow up on their recommendations.

Councilman Bunce stated that the Planning Board recommended it because it does have an "escape" provision. He stated that he agrees with Councilman Francis but also thinks that we need to make sure that if the political climate changes in Trenton, that the climate does not change with regards to the Highland's process. We need to be very careful about that.

Councilman Francis stated that if we do choose to conform and then we decide it isn't for us then we have the option of "opting" out.

Mayor Petillo stated that the Council should have a special meeting and invite Eileen Swan to come down to give a presentation which would allow the Governing Body and the public to address any concerns or issues that they may have regarding the process and the impact that it will have on the Borough and its residents.

Mr. Ursin stated that perhaps it should be noticed as a joint meeting between the Governing Body, the Planning Board, and the Zoning Board.

PUBLIC COMMENT:

Mayor Petillo opened the meeting to the public for any questions or comments concerning the good and welfare of the Borough. (Comments limited to 5 minutes).

Ms. Mara Modes asked why the bill list is no longer being provided to the public.

Mayor Petillo stated that the CFO was on vacation and the bill list was given late to the Council.

After giving all persons present an opportunity to address the Governing Body, Councilman Bunce made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilwoman Galate. All were in favor.

COUNCIL COMMENTS:

Councilwoman Galate reminded everyone that the Halloween Parade is this Sunday at 12:00 at Hudson Maxim. It then heads to Modick Park where there will be rides and other events. She also stated that the Senior Spaghetti Luncheon will be held on Sunday, October 30th at 1:00 pm at St. Jude's. That will be held in unison with the Mayor and Council and the Knights of Columbus. This is the 21st year that it is being held. It is open to any senior citizen in Hopatcong and it is free.

Councilman Francis thanked everyone for coming. He stated that he and the Mayor attended a meeting down in Trenton regarding the new strategic plan that is going to be released by the Governor in the next week or so. The attitude that there were problems in the State is clear and being recognized by the Governor and our representatives in Trenton and there will be some changes in the way that the planning process is done with the DCA. He stated that it will be good for the Borough and the State as a whole.

Councilman Young thanked everyone for coming and stated that he hopes to see everyone at the Halloween Parade. He told everyone that one of the Hopatcong residents, Joe Martinek, who plays on the Rutgers football team, is having a very good year. He has worked very hard.

Councilman Francis stated that another dead deer has been found that didn't get hit by a car. He asked that if any one sees a dead deer to please let him or the Police Chief,

know so that he can keep a separate log. If the disease hits the herd then we won't have to worry about a deer management plan. Hopefully that is not the case.

Councilwoman McManus thanked everyone for coming.

Councilman Bunce reminded everyone again about the Senior Luncheon and also asked everyone to remember to take care on Halloween while driving.

Councilman Baker thanked everyone for coming and stated that he attended that he attended the debate for the candidates who are running for office. It was held in Ogdensburg and the candidates for NJ Senate, Assembly, County Freeholder, County Clerk and Ogdensburg Council were the participants. The event was very informative and he recommended that everyone try to attend next year. Councilman Baker also reported that he saw four bears outside of his office in Landing. A mother bear with cubs is very dangerous and people need to be aware.

Mayor Petillo stated that the Musconetcong Watershed Association has organized a second emergency water testing program. She said that it will cost \$35 to go for another test if your first test came back positive for cloriform. The Mayor also offered her condolences to Officer Rich Sedowski, whose father passed away over the weekend. She also stated that the passing of the Mt. Arlington police officer was such a tragedy. She stated that she spoke to the Mayor and that they are expecting thousands of police officers from all over to attend the services to pay their respects. It was a senseless loss of life. She also congratulated the firemen on their firemen's dedication. It was a great day and they did a wonderful job. She and Ron Jobeless were very grateful for the honor that they gave them. It was not expected. The Mayor also commended Mary Takacs and thanked her for her work on the Senior Advisory Committee. She has done such a good job and we all wish her the best.

Councilwoman McManus stated that at the Firemen's dedication there was a young man there named Tyler Ukleya who is the captain of the cadets. She stated that he was in her class in fifth grade. She said that she hadn't seen him in so many years and that he came up and embraced her. She stated that she was thrilled because she played a part in his life and he played a part in his. He will be a valuable member of the Fire Department.

Mayor Petillo stated that the Chief did a great job in organizing the dedication. She stated that she was given old minutes from fire department meetings and that she is in the process of reading them. Estelle also gave her old records that she needs to go through.

Mr. Ursin stated that Hudson Farm is having their charity hike on this Saturday. He stated that the Appalachian Trail was conceived here in Hopatcong on Hudson Farm and it is the 90th anniversary of that. They are using the Byram hike to celebrate that event. Anyone from any town is welcome to participate in the hike.

ADJOURNMENT: Councilman Bunce made a motion to adjourn the meeting of October 19, 2011. Seconded by Councilwoman Galate. All were in favor.

Sylvia Petillo, Mayor

Catherine Gleason, RMC