

MINUTES - REORGANIZATION/REGULAR MEETING MAYOR & COUNCIL - 1/3/07

P1

1. The January 3, 2007 reorganization meeting was called to order at 6:04 p.m. by Mayor Hodson in the Municipal Building, 111 River Styx Road, Hopatcong, NJ.

Mayor Hodson announced this meeting is held in accordance with the Open Public Meetings Act, NJSA 10:4-1 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.

In accordance with NJUFC, please note there are exits to the left of the dais and right rear of the room that should be utilized in case of emergency or fire.

Councilperson Bunce moved Resolution for Closed Session to be held in the Municipal Building at 6:05 p.m., seconded by Petillo. The vote was unanimous. Councilman Bunce reported matters to be discussed pertained to personnel, litigation, and attorney/client.

Continue open session at 7:30 p.m.

2. Invocation by – Father George Gothie.
3. Pledge of allegiance to the flag of the USA & Singing of God Bless America.
4. County Clerk Erma Gormley read the Statement of Determination of the Board of County Canvassers.
5. County Clerk Erma Gormley administered the Oath of Office to Councilmembers Richard Bunce & Marie Ryder-Galate.
6. Roll Call. Councilmembers present: John Armeno, Richard Bunce, Marie Ryder-Galate, Estelle Klein, Madeline McManus & Sylvia Petillo. Others present: Administrator Steven Ward & Clerk Lorraine E. Stark.

7. Remarks by Councilmembers: Councilwoman Ryder-Galate thanked residents, guests and Erma Gormley for performing the Oath of Office. She ran for this position a number of times, thanking family, friends, and employees. She said that she wants to keep Hopatcong affordable and would keep the best interest in everyone in mind during her tenure. Councilmember Ryder-Galate noted the passing of former Councilmember Paul Burke last week; Paul will be greatly missed. Regarding a State Grant Mrs. Ryder-Galate reported that the Borough of Hopatcong was a candidate for application to the Brownfield Reserve Grant Program; municipalities qualify if they have a closed landfill, and could receive a 75% grant; might be as much as \$750,000 or more. The monies could be used for recreation fields at the landfill, and permit the closing of other fields such as Jefferson & Squire. She wished all a happy and healthy New Year, and asked to keep our troops in your heart and prayers.

Councilman Bunce thanked everyone for coming tonight to witness the transfer of power, congratulated Marie and welcomed her. He thanked the voters for their support and vote of confidence; thanked his wife Debbie for her support, and dignitaries in attendance. He said that he

MINUTES - REORGANIZATION/REGULAR MEETING MAYOR & COUNCIL - 1/3/07

P2

would work to bring business into town, control sewer costs, and the preservation of land for future generations; he will continue to work hard and serve the interest of the residents.

8. Introduction of Dignitaries in Attendance. Mayor Hodson thanked the following individuals for attending this meeting: Honorable Guy Gregg, Freeholders Wirths, Oroho & Zellman, County Clerk Erma Gormley, Mount Arlington Mayor Art Ondish, former Councilmembers Vito Castoro, James O'Brien, Sussex County Republican Chairman Rich Zeoli, and various department heads and employees. Mr. Wirths said that it was a pleasure being here, and encouraged the governing body to apply for County Open Space Tax money for future projects. County Clerk Erma Gormley thanked Marie Ryder-Galate for inviting her to administrator the Oath of Office.

9. Appointments: (Council Approval)

A. #1-07 Tax Collector – Regina Thomas reappointment 4 yr. Term. Councilwoman Klein moved A., B. & C., seconded by Petillo. Roll Call Vote: **YES** – Klein, Petillo, Armeno, Bunce, Ryder-Galate, McManus

B. #2-07 Fire Inspectors:

- a. Richard Cook – Fire Marshall
- b. Frank Steinberg – Deputy Fire Marshall

C. #3-07 Fire Officers:

- a. Fire Chief – James Byron
- b. 1st Assistant Chief – Christopher Steinmetz
- c. 2nd Assistant Chief – James Wintermute
- d. Department Engineer – Robert Gomez
- e. Department Secretary – James Poland
- f. Department Treasurer – James Franco

10. Boards and Commissions: (Council Approval)

A. #4-07 Zoning Board of Adjustment: 4- Years M. Rahill & Judith Kracht, terms expire (2010), 1- Year Alternate R. Rehe (2007), moved by Klein, seconded by Petillo. Roll Call Vote: **YES** – Klein, Petillo, Armeno, Bunce, McManus. **NO** – Ryder-Galate #5-07 Appoint M. Francis member Board of Adjustment, term expires 12/31/10, moved by Petillo, seconded by Klein. **YES** – Klein, Petillo, Bunce, Ryder-Galate & McManus. **NO** – Armeno.

B. #6-07 Board of Health: 3 – Years (Mayor's nominee) M. Gianni, term expires 12/31/09, moved by Klein, seconded by Bunce. The vote was unanimous.

C. Recreation/Open Space Committee:

- a. Zoning/Planning – hold until Board selects representative
- b. Environmental – hold until Board selects representative

D. #7-07 Lake Hopatcong Commission – Commissioner D. McCarthy III, term expires (12/31/08). Motioned by Armeno, seconded by Klein. Roll Call Vote: **YES** - Armeno, Klein, Bunce, Ryder-Galate, McManus, Petillo. #8-07 Lake Hopatcong Alternate – Joel Servoss (expires 12/31/07). Motioned by Armeno,

MINUTES - REORGANIZATION/REGULAR MEETING MAYOR & COUNCIL - 1/3/07

P3

seconded by Klein. Roll Call Vote: **YES** - Armeno, Klein, Bunce, Ryder-Galate, McManus, Petillo.

11. #9-07 Borough Professionals (1 Year) Professional Services: *(where applicable, only those in compliance with Pay-to-Play Non-Fair & Open regulations can be appointed at this time).

1. #10-07 *Prosecutor - A. Arbore, Esq. Motioned by Bunce, seconded by Petillo. Roll Call Vote: **YES** - Bunce, Petillo, Klein, McManus. **ABSTAIN** – Armeno, Ryder-Galate.
2. #11-07 *Borough Attorney – Appoint J. Ursin for 45 days, moved by Klein, seconded by Petillo. Councilman Armeno said that he would be voting no because it was not a collective decision made by this Council. Councilwoman McManus stated that this was a closed discussion, not everyone participated, and qualifications were not solicited. Roll Call Vote: **YES** – Klein, Petillo, Bunce. **NO** – Armeno & McManus. **ABSTAIN** – Ryder-Galate.
3. #12-07 *Special Attorney Sewers – Richard A. Stein (Laddey, Clark & Ryan) – Motioned by Bunce, seconded by Armeno. Roll Call Vote: **YES** –Bunce, Armeno, Ryder-Galate, Klein, McManus, Petillo.
4. #13-07 *Auditors – D. Evans (Nisivoccia & Company). Motioned by Bunce, seconded by Armeno. Roll Call Vote: **YES** –Bunce, Armeno, Ryder-Galate, Klein, McManus, Petillo.
5. #14-07 *Surveyor - Edward Secco. Motioned by Bunce, seconded by Armeno. Roll Call Vote: **YES** –Bunce, Armeno, Klein, McManus, Petillo. **ABSTAIN** – Ryder-Galate.
6. *Landfill Well Monitoring –
7. #15-07 *Labor Attorney – F. Knapp. Motioned by Bunce, seconded by Armeno. Roll Call Vote: **YES** –Bunce, Armeno, Ryder-Galate, Klein, McManus, Petillo.
8. MEL Commissioner – S. Ward
9. JIF Commissioner – S. Ward
10. HIF Commissioner – S. Ward
11. Census Liaison – T. Auriemma
12. SARA – L. Ricca
13. #16-07 *Quarry Engineer/Inspector – LAN Associates
14. *Public Defender – C. Colabella, Esq. Mayor asked to hold this appointment until next meeting.
15. #17-07 *Risk Management Consultant – M. Avalone (Commerce National Ins.). Motioned by Bunce, seconded by Armeno. Roll Call Vote: **YES** –Bunce, Armeno, Ryder-Galate, Klein, McManus, Petillo.
16. #18-07 *Bond Counsel – R. Beinfield (Hawkins, Delafield & Wood). Motioned by Bunce, seconded by Armeno. Roll Call Vote: **YES** –Bunce, Armeno, Ryder-Galate, Klein, McManus, Petillo.
17. *Sewer Engineer – held until next meeting.
18. Web Master – H. Czubkowski (H.P.C. Business Services)

MINUTES - REORGANIZATION/REGULAR MEETING MAYOR & COUNCIL - 1/3/07

P4

12. Committees - Mayor's Appointment:
 - A. Local Assistance Committee.
 - B. SWAT/Municipal Alliance Team.
 - C. Quarry Review.
 - D. Emergency Management.
 - E. Senior Citizen Advisory.
 - F. Clean Communities.
 - G. Cross Acceptance.

13. Reorganization Resolutions:
 - A. #19-07 9 Resolution Resolutions. Motioned by Petillo, seconded by Klein. Roll Call Vote: **YES** – Petillo, Klein, Armeno, Bunce, Ryder-Galate, McManus.
 - B. #20-07 Authorize Borough Attorney & Tax Assessor to Defend All Tax Appeals. Motioned by Petillo, seconded by Klein. Roll Call Vote: **YES** – Petillo, Klein, Armeno, Bunce, Ryder-Galate, McManus.
 - C. #21-07 Approve Temporary Budget; budget to cover first few months of the year while the 2007 Budget is being finished, introduced and passed. Motion by Armeno to include C., D. & E., seconded by Klein. Roll Call Vote: **YES** – Armeno, Klein, Ryder-Galate, McManus, Petillo & Bunce.
 - D. #22-07 Approve Temporary 2007 Water Utility Budget.
 - E. #23-07 Approve Temporary 2007 Sewer Utility Budget.
 - F. #24-07 Appoint EEO Officers: S. Ward & R. Thomas. Motion by Bunce to include F., & G., seconded by Armeno. The vote was unanimous.
 - G. #25-07 Appoint Agency Compliance Officer: S. Ward.

14. Appointments – Boards & Commissions (Mayor's Appointment):
 - A. Planning Board Appointments – 4 Yr. Term, expires 12/31/10 Clifford Lundin, and appoint Mark Jenkins as Class II, term expires 12/31/07.
 - B. Environmental Commission – 3 Yr. Term - Elizabeth Mauro, term expires 12/31/09.
 - C. Council Committees/Liaisons – Sheet attached.
 - D. Recreation/Open Space Committee – Susan Jones.
 - E. Recreation Commission – 5 Yr. Term – Cindy Klein.

15. Council Elections: 1 Year
 - a. #26-07 Council President – Sylvia Petillo. Motioned by Klein, seconded by Bunce. Roll Call Vote: **YES** – Klein, Bunce, Armeno, Ryder-Galate, McManus, Petillo.
 - b. #27-07 Class III Member of Planning Board – John Armeno. Motioned by Bunce, seconded by Petillo. Roll Call Vote: **YES** – Bunce, Petillo, Armeno, Ryder-Galate, Klein, McManus.
 - c. #28-07 Sussex County Solid Waste Advisory Committee – John Armeno. Motioned by Bunce, seconded by Petillo. Roll Call Vote: **YES** - Bunce, Petillo, Armeno, Ryder-Galate, Klein, McManus.

MINUTES - REORGANIZATION/REGULAR MEETING MAYOR & COUNCIL - 1/3/07

P5

- d. #29-07 Sussex County Water Quality Mgt. Committee – John Armeno. Motioned by Bunce, seconded by Petillo. Roll Call Vote: **YES** - Bunce, Petillo, Armeno, Ryder-Galate, Klein, McManus.
- e. #30-07 Recreation/Open Space Committee – Sylvia Petillo. Motioned by Bunce, seconded by Klein. Roll Call Vote: **YES** – Bunce, Klein, Armeno, Ryder-Galate, McManus, Petillo.
- f. #31-07 Citizen Member to Recreation/Open Space Committee – Elide Young. Motioned by Petillo, seconded by Klein. Roll Call Vote: **YES** – Petillo, Klein, Armeno, Bunce, Ryder-Galate, McManus.

16. Comments from Mayor Hodson. Mayor Hodson said that caring and Hopatcong are alive, good things are happening. He expressed a few thoughts on how events went in 2006: EMS Day, Flag Day and Veteran's Day School Programs were a huge success; he wants to include a Founder's Day in 2007 (2 April). He asked Councilmembers Armeno & McManus to spearhead an effort to increase recycling throughout the community. In addition, Mayor Hodson wants to include new programs next year such as OAKS, asking Councilwoman Petillo to work with him in this effort. Other items in 2007 include the conclusion of wall at Veteran's Memorial, field development and dedication of Freedom Park. Mayor Hodson invited residents and guests to have refreshments following the swearing in of Regina Thomas and Ron Jobeless.

17. Borough Clerk Lorraine Stark officiated the swearing in of all members present of Boards or Commissions, R. Thomas & R. Jobeless.

Continue meeting at 9:25 p.m.

18. Meeting open to the public for comments on items on the agenda for which no public discussion is provided. Toni Hanes had questions about Ordinance #39-2006 adopted in December; where in Hopatcong does this apply (section I.). Mr. Ward responded that he believes that it is the Village Marina. Councilmember Petillo remarked that this was done for fairness and equity. Mrs. Haines next questioned the Rite Aid complex, and noted that there was 400 feet of frontage; her property has 40 feet of frontage and she is paying one EDU. Councilwoman Petillo explained that they were paying for one infrastructure, and that was not 400 feet per say, because the line was going to other connections. Mrs. Hanes said that Rite Aid was paying one EDU plus a water meter charge; she wanted to be metered, and they should go back and take another look at the ordinance, because they were saving the businessmen money but it was costing the homeowners more.

19. Approval of minutes from special budget meeting held on December 11, 2006, moved by Bunce, seconded by Klein. Roll Call Vote: **YES** – Bunce, Klein, Petillo & Armeno. **ABSTAIN** – Ryder-Galate & McManus.

20. Consent Agenda.

*RESOLUTION AUTHORIZING PASSAGE OF CONSENT AGENDA

MINUTES - REORGANIZATION/REGULAR MEETING MAYOR & COUNCIL - 1/3/07

P6

WHEREAS, the Borough Council of the Borough of Hopatcong has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, none of the council members are desirous of removing any resolutions for individual action from the agenda;

NOW, THEREFORE BE IT RESOLVED, that the following resolutions on the Consent Agenda are hereby approved:

- A. #32-07 Approve Payment Escrows.*
- B. #33-07 Approve Safe & Secure Communities Grant Program.*
- C. #34-07 Approve Agreement with School Board for Cops in Schools Program.*
- D. #35-07 Award State Contract for Neopost Digital Mailing System in the amount not to exceed \$2,850.*
- E. #36-07 Approve Change Orders CM-003 & CM-004 for Contract S-4 with Centennial Insurance Company. Motioned by Bunce, seconded by Klein. Roll Call Vote: **YES** – Bunce, Klein, Armeno, Ryder-Galate, McManus, Petillo.
- F. #37-07 Approve Pay Estimate No. 30 (\$14,130.43 credit to Borough) for Contract S-4 with Centennial Insurance Company. Motioned by Bunce, seconded by Klein. Roll Call Vote: **YES** – Bunce, Klein, Armeno, Ryder-Galate, McManus, Petillo.
- G. #38-07 Approve Taxi/Licenses for Platinum Limousine; register 9 vehicles.*

Following the removal of E & F, Armeno moved the consent agenda, seconded by Bunce. The vote was unanimous.

21. Old Business.

A. Sewer Project: up-date, status of contracts. Councilperson Bunce reported 2,502 properties were connected, 2,576 EDU's currently in the system; Contract S-13 not awarded at this time because the governing body is waiting for additional information. Councilperson McManus suggested that a letter be sent to residents on Hudson Avenue that would be affected by Contract S-13.

1. Resolution – Award Contract S-13 to PM Construction base bid and supplemental bid (Hudson Avenue) at **\$2,421,943.87** or award Contract S-13 to PM Construction base bid at **\$2,118,021.25** (Ferraro Construction withdrew bid). No action at this time.

22. New Business.

A. Employment Agreement with Borough Administrator (if in order). Mayor Hodson questioned the necessity of a contract because the Ordinance addresses how this matter should be handled. Councilman Bunce noted that it was discussed with the Attorney and Mr. Ward, and it would provide Mr. Ward employment stability. Mayor Hodson inquired if Mr. Ward had specifically asked for an agreement. Answer was no. Matter to be discussed at next meeting.

23. Comments from public. James O'Brien presented a couple of questions: Contract S-13 why were they spending 2 million dollars for 12 homes? Councilmember Bunce responded that S-13 Old Lakeside Blvd. included 82 homes; 12 homes on Hudson approximate cost \$300,000. He also noted that a lot of people were upset about the sewer rate increase. Councilman Armeno reported that

MINUTES - REORGANIZATION/REGULAR MEETING MAYOR & COUNCIL - 1/3/07

P7

hopefully some money would be coming from the Federal Government to offset some of the sewer cost. Regarding Mr. Ward, Mr. O'Brien commented that he has dealt with him on several issues, and it has been a pleasure; Mr. Ward is an asset for the Borough of Hopatcong. He also congratulated Marie Ryder-Galate, and reported that a letter was given to the clerk pertaining to placing a park bench dedicated to Paul Burke in the Maxim Glen Park.

Dotty Bruno questioned the asterisks used on the agenda. Ms. Stark explained how they related to the two topics, consent agenda & professional contracts. Ms. Bruno also wanted to know about the mail machine, and if it wouldn't be more cost effective to purchase instead of rent. It was noted that last year was the first time leasing; changed to Neopost because it was not cost efficient to purchase due to change in technology.

24. Comments from governing body. Councilwoman Ryder-Galate informed Mr. Ward that she would share a contact person and information pertaining to the Brownfield Grant Program. She also showed a site drawing of what might potentially be built at the landfill site for recreation. Ms. Ryder-Galate said she was happy to be on the Council, and looked forward to working with everyone.

Mr. Ward reported that Alison McHose has confirmed the meeting on 11 January at 10 am to discuss the NJ Highlands Plan.

Councilperson Petillo thanked Sign Art for the Christmas Display, and thanked Mr. Castoro for all that he does for the Borough. She congratulated Richard, Marie and Officer Luciani and Roscoe for their successful tracking.

Councilwoman Klein thanked Vito Castoro, noting how much she and her granddaughter enjoyed the display. She also noted the passing of former Councilman Paul Burke, and that he would be missed. Congratulated Roscoe and Officer Luciani on their successful apprehension of suspect.

Councilmember McManus recalled that Paul Burke occupied the seat next to her for six years, and that he always conducted himself as a gentleman; noted that in addition to a park bench they may want to establish a \$500 scholarship for science in his name. She congratulated Dan Wills on his retirement, and thanked him for his 33 years of service to the Borough, thanked the employees, and residents who volunteer, and wished everyone a happy holiday.

Councilperson Klein revealed that everyone knows that Paul loved animals, and a collection was taken up with \$100 being donated to the Hopatcong Animal Haven in Paul's name.

Councilman Bunce expressed his condolences to the family and friends of Paul Burke and President Ford; congratulated everyone that was appointed today, and thanked Ron Jobeless & Regina Thomas.

He also thanked Dan Wills, and the governing body for their support last year when he was Council President.

Councilman Armeno said he looks at the swearing in as a re-dedication of duties, he takes his responsibilities very seriously. He commented that Paul Burke would be missed, thanked volunteers/employees, Dan Wills, welcomed back Marie Ryder-Galate, and wished all a happy holidays.

Mayor Hodson commented that Maxim Glen Park meant a lot to Paul, and thinks a bench would be appropriate. He also reported that the Borough Hall Christmas display was done by just one Girl Scout, not the entire troop; thanking her for the display.

MINUTES - REORGANIZATION/REGULAR MEETING MAYOR & COUNCIL - 1/3/07

P8

25. Council President Petillo moved to adjourn at 10:17 p.m., seconded by Bunce. The vote was unanimous.

Respectfully submitted: