

The October 6, 2010 regular meeting was called to order by Mayor Petillo at 7:30 p.m. in the Municipal Building, 111 River Styx Road, Hopatcong, N.J.

Mayor Petillo announced 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.

ROLL CALL- Councilmembers present: Howard Baker, Richard Bunce, Michael Francis, Marie Galate, Madeline McManus & John Young. Others present: Attorney John Ursin, Administrator Catherine Steinel & Clerk Lorraine Stark.

MOMENT OF SILENT REFLECTION AND PLEDGE OF ALLEGIANCE

PRESENTATIONS:

Certificate of Recognition from Sussex County Freeholders: to Commodore Kenneth Heaton (Lake Hopatcong Yacht Club) & Hopatcong High School.

- Mayor Petillo introduced School Superintendent Dr. Charles Maranzano, Jr. & School Board President Frank Farruggia, Jr. She informed those present that this Certificate was being presented to the Hopatcong High School's students from the Sussex County Freeholders for the 2,890 pounds of food, personal items and household supplies they collected for the Sussex County Food Pantry. Dr. Maranzano thanked everyone who contributed to this successful project, especially the students. He happily announced that he went to Trenton today because Danielle Kovach, a Special Needs Teacher, was selected as the New Jersey State 2010 Teacher of the Year. Both Dr. Maranzano & Mayor Petillo congratulated Danielle and remarked how proud they were of her to achieve this honor.
- Mayor Petillo introduced Sam Hoagland & Lake Hopatcong Yacht Club Commando Kenneth Heaton. The Lake Hopatcong Yacht Club celebrated their 100th Anniversary, and the Sussex County Freeholders provided them with a Certificate of Recognition for the outstanding work they perform. Mayor Petillo congratulated Sam & Ken, and thanked them for being a vital part of our community.

PUBLIC HEARING: Small Cities Community Development Block Grant Application 2011. Mayor Petillo explained that this grant is being applied

for once again because the Borough was not awarded one last year. The grant amount is for \$262,680.00 dollars for Civic Center maintenance issues, which include doors, sidewalks, and siding. Mayor Petillo opened the meeting for public comment. Louise Bagby of Stevens Trail wanted to know if the stairs outside the building leading up to the upper and lower levels is included in this Grant. Councilman Bunce replied yes, and that they added the replacement of the front steps as well. Louise Bagby asked if the groups that use the facility could volunteer with the maintenance, since they also use the building. Mara Modes of Ithanell Road wanted to know if an Emergency Bell and rope for the bathrooms was being secured; she expressed concern for the senior citizens especially those with walkers. Administrator Steinel responded yes that item was included, as well as other ADA improvements. Mayor Petillo asked if there was anything further from the public, none was forthcoming. Councilman Bunce moved to close this public session, seconded by Galate. Vote was unanimous.

PUBLIC COMMENT: Meeting open to public for comments on items on the agenda for which no public discussion is provided. (Comments limited to 5 minutes). Carolyn Lynch inquired about the Tool Box resolution, and if each item was going to be taken separately. Mayor Petillo said that this resolution was in support of property tax reform; earlier in the year the Municipal Toolkit was endorsed by this body. Mara Modes a resident from Ithanell Road inquired about the DPW trucks. Administrator Steinel reported that three trucks were budgeted for the DPW, and that these did in fact come in under the budgeted amount. Councilman Bunce moved to close public comment period, seconded by Baker. The vote was unanimous.

APPROVAL OF MINUTES: Regular/work meeting September 15, 2010. Ms. Stark noted that an amendment on page four was in order. She requested that a change be made to reflect that the Hopatcong Recreation Commission was sponsoring the costume contest, not the Hopatcong Business Association as written. Councilwoman Galate moved approval of minutes as amended, seconded by Young. Those present voted affirmative.

ADMINISTRATOR'S REPORT:

Energy Audit - Mrs. Steinel informed those present that she had begun soliciting proposals then heard from our grant writer that the State has money available for this project. She authorized a grant to be prepared for \$50,000; placed the bid solicitation on abeyance.
DPW Trucks - Beyers Bros. would be awarded a contract for these this evening.

Fire Truck Bid – Administrator Steinel noted that only two bids were received, and that they are being reviewed by the Fire Department & Borough Attorney.

Boiler Replacement – The award for the work at Firehouse #2 would be authorized this evening.

Renewal of HIF – Mrs. Steinel revealed that this matter would be on next month’s agenda, and that her concern regarding the health benefits is the 2% CAP. She reported that information from other funds was being collected to compare fees.

Netting for Field – This item should be supplied in two weeks and installed by the end of October.

Replacement Windows at Civic Center – Administrator Steinel remarked that this was an emergency due to the current condition of the windows; authorization would be forthcoming this evening.

Bond Ordinance – Mrs. Steinel reported that we have old ordinances that are too restrictive; an example is for money allocated for a dog park. She informed those present that this new ordinance would permit the money to be use for parks in general and for repairs to the Civic Center; not authorizing new debt.

CONSENT AGENDA: All items with an (*) are considered to be routine by the Members of the Borough Council and will be enacted on by one motion. There will be no separate discussion of these items unless a Council member so requests in which event the item will be removed from the general order of business and considered in its normal sequence on the agenda.

- A. #355–10 Approve Payment of Escrows.*
 - B. #356–10 Approve Refund of Monies Due to Overpayment of 3rd Quarter 2010 Taxes for 8 properties.*
 - C. #357–10 Approve Redemption of Outside Lien Certificate #2009–10 in the amount of \$3,840.38.*
 - D. #358–10 Approve Installment Agreement for Delinquent Sewer Fees for Block 40202, Lt. 12.*
 - E. #359–10 Approve Installment Agreement for Delinquent Sewer Fees for Block 40203, Lt. 11.*
 - F. #360–10 Approve Chapter 159 for Division of Motor Vehicles DDEF in the amount of \$6,594.17.*
 - G. #361–10 Approve Raffle License #RA 26–2010 for Hopatcong Chiefs Football Parents Assoc. On Premises 50/50*
 - H. #362–10 Approve Raffle License #RA 27–2010 for St. Jude Church for a Pop-Up/Instant raffle.*
 - I. #363–10 Approve Raffle License #RA 28–2010 for Defiance Engine Co. 33 on Premises 50/50.*
- Motioned by Bunce, seconded by Young. Vote was unanimous.

ADOPTION OF ORDINANCES:

A. Public Hearing Ord. #20-2010 AN ORDINANCE OF THE BOROUGH OF HOPATCONG, SUSSEX COUNTY, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS BLOCK 70111 LOT 26. Open to the public for comment, none was forthcoming. Council President Francis moved ordinance, seconded by Young. Roll Call Vote: **YES** - Francis, Young, Baker, Bunce, Galate & McManus.

INTRODUCTION OF ORDINANCES:

A. #364-10 Ord. #22-2010 AN ORDINANCE OF THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX, STATE OF NEW JERSEY, SUPPLEMENTING CHAPTER 231 OF THE CODE OF THE BOROUGH OF HOPATCONG REGARDING BICYCLES, SKATEBOARDS, SCOOTERS, AND ROLLERBLADES/ROLLER SKATES. Councilmember Bunce motioned ordinance, seconded by Galate. Roll Call Vote: **YES** - Bunce, Galate, Baker, Francis, McManus, Young.

B. #365-10 Ord. #23-2010 AN ORDINANCE OF THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING CHAPTER 147 OF THE CODE OF THE BOROUGH OF HOPATCONG REGARDING DUMPSTERS. Councilmember Young motioned ordinance, seconded by Galate. Roll Call Vote: **YES** - Young, Galate, Baker, Bunce, Francis, McManus.

C. #366-10 Ord. #24-2010 BOND ORDINANCE AMENDING BOND ORDINANCE #13-2006 (WHICH PROVIDES FOR VARIOUS 2006 IMPROVEMENTS OR PURPOSES) AND BOND ORDINANCE #3-2007 (WHICH PROVIDES FOR VARIOUS 2007 IMPROVEMENTS OR PURPOSES) HERETOFORE FINALLY ADOPTED BY THE BOROUGH COMMON COUNCIL OF THE BOROUGH OF HOPATCONG, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY (THE "BOROUGH"), ON MAY 3, 2006 AND APRIL 4, 2007, RESPECTIVELY, TO AMEND THE DESCRIPTION THEREOF, RESPECTIVELY. Councilperson Francis motioned ordinance, seconded by Bunce. Roll Call Vote: **YES** - Francis, Bunce, Baker, Galate, McManus, Young.

RESOLUTIONS:

- A. #367-10 Approve Payment of Bills, following the removal of checks #1134, #28654 & #28690. Motioned by Bunce, seconded by Young. Roll Call Vote: **YES** - Bunce, Young, Baker, Francis, Galate, McManus.
- B. #368-10 Approve Payment of checks #1134, #28654 & #28690. Motioned by Bunce, seconded by Young. Roll Call Vote: **YES** - Bunce, Young, Baker, Francis & McManus. **ABSTAINED** - Galate.
- C. #369-10 Authorize Agreement for Ice Control Materials (Salt & Grit) with the County of Sussex to participate in their Vendor(s) Contract for 2010-2011. Motioned by Francis, seconded by

Galate. Roll Call Vote: **YES** – Francis, Galate, Baker, Bunce, McManus, Young.

- D. #370–10 Approve 2008–2009, 2009–2010 & 2010–11 Liquor License Renewal for License #1912–33–003–011 Brooklyn Café & Deli, Inc. Motioned by Bunce, seconded by Galate. The vote was unanimous.
- E. #371–10 Award Contract to JTN Mechanical Services for new boiler at Firehouse No. 2 in an amount not to exceed \$15,027.66. Motioned by Bunce, seconded by Young. Roll Call Vote: **YES** – Bunce, Young, Baker, Francis, Galate, McManus.
- F. #372–10 Authorize Submission of Application for 2011 Small Cities Community Development Block Grant Application for the “Borough of Hopatcong Civic Center Improvement Plan”. Motioned by Young, seconded by Galate. Roll Call Vote: **YES** – Young, Galate, Baker, Bunce, Francis, McManus.
- G. #373–10 Authorize Fair Housing Officer, G. Quenault. Motioned by Francis, seconded by Young. Roll Call Vote: **YES** – Francis, Young, Baker, Bunce, Galate, McManus.
- H. #374–10 Authorize Sussex County to Purchase Shelving as per PARIS Grant for Municipal Building vault. Motioned by Galate, seconded by Young. Roll Call Vote: **YES** – Galate, Young, Baker, Bunce, Francis, McManus.
- I. #375–10 Support of Governor Christies’ Toolbox & Other Reforms. Councilwoman McManus stated that she would be voting no. Motioned by Francis, seconded by Young. Roll Call Vote: **YES** – Francis, Young, Baker, Bunce, Galate. **NAY** – McManus.
- J. #376–10 Authorize Agreement with Delahanty Construction LLC for Window Replacement at the Civic Center. Motioned by Young, seconded by Bunce. Roll Call Vote: **YES** – Young, Bunce, Baker, Francis, McManus. **ABSTAINED** – Galate.

OLD BUSINESS:

A. Discussion – Abandoned Motor Vehicles Ordinance, Sub-Committee to make recommendations. Council President Francis informed those present that the committee is still reviewing this ordinance and would make recommendations sometime in the future. Councilperson Baker said that a draft ordinance would be put together.

B. Reminder – October 20th meeting has been cancelled.

NEW BUSINESS:

A. #377–10 Resolution – Cancellation of the November 17, 2010 meeting due to the Annual League of Municipalities Convention, moved by Bunce, seconded by Galate. The vote was unanimous.

B. Bid for Fire Pumper – Resolution if in order. No action taken at this time.

C. Bid for DPW Vehicles – #378–10 Resolution to Award Bid for 3 DPW Vehicles to Beyer Bros. Corp. in an amount not to exceed \$189,692.00. Motioned by Francis, seconded by Young. Roll Call Vote: **YES** – Francis, Young, Baker, Bunce, Galate, McManus.

D. Request for Water Utility Connection for 111 Pahaquarry Road, Blk. 11210, Lt. 10. #379–10 Authorize Connection to Water Utility as per ordinance. Motioned by Francis, seconded by Young. Those present voted affirmative

COMMITTEE REPORTS: Councilmember McManus said that the Environmental Commission met and one of the things they want to try and do is work with High School students in several areas. She noted that the Commission was very active, and working diligently with the Sustainable NJ Program. Councilwoman McManus informed those present that she attended the Sussex County Partnership meeting, and that the Battle of the Bands would be held on October 15th; encouraged residents to attend this event.

Carolyn Lynch inquired as to when the Planning Board & Open Space joint meeting was scheduled. She was told that it would be on October 19 at 7:30 p.m. in the Municipal Building. Mrs. McManus also recommended that the important messages on the outside board be placed on the park side of the board.

PUBLIC COMMENT: (comments limited to 5 minutes). Mr. Rehe from 501 Nariticong Avenue wanted to know what improvement to the refreshment stand was being addressed in ordinance #24–2010. Administrator Steinel said that there are not going to be any improvements made. Mr. Rehe suggested improvements to parking spaces at Nariticong Field, especially for the handicapped and elderly; he thought that the traffic pattern could be changed to provide better access and flow. He wanted to know when something was going to be done at Nariticong Field. Mara Modes asked if the Borough was paying for a site inspection for PSE&G. Administrator Steinel responded no. Mrs. Modes also spoke about the stop sign at Ithanell & Reams, she raised this concern before, and nothing has changed. Mayor Petillo said that she gave the information to Chief Swanson, and he said that the current signage is correct.

Councilperson Galate moved to close the public comment period, seconded by Young. Those present voted affirmative.

COUNCIL COMMENTS: Councilwoman Galate informed the public that the Halloween Parade was scheduled for 17th October, with the rain date on 31st October; there would also be rides for the kids. The Spaghetti Luncheon on October 24 was open to all Hopatcong seniors; this was not just for members of the Seniors Organization, you don't have to be a

member of a specific group. Those needing transportation should contact the Civic Center for the senior bus.

Council President Francis thanked all for coming, acknowledged Commendor Heaton and the NJ 2010 Teacher of the Year, Danielle Kovach, and Gloria Quenault for the job she does working with the HUD Program. He wished all a good night & good luck.

Councilperson Young thanked everyone for coming, congratulated the Yacht Club on their 100 years, the Hopatcong High School students and Danielle for doing a remarkable job. He asked that you keep our service men & woman in your prayers and to drive carefully; wished those present a good evening.

Councilwoman McManus congratulated the High School students and Danielle Kovach, thanked School Superintendent Dr. Maranzano, Jr. & Board President Frank Farruggia, Jr., as well as Commendor Heaton. She noted that it was a sad state of affairs that our children are being bullied. Councilman Bunce thanked all for coming and Lake Hopatcong Yacht Club for all they do. He offered congratulations to Danielle, the High School students, and reminded residents to drive carefully especially at Halloween and to watch out for our children.

Councilmember Baker thanked everyone for coming.

Mayor Petillo also extended her congratulations & wished all a good night.

Councilman Baker moved to adjourn at 8:27 p.m., seconded by McManus. The vote was unanimous.

Respectfully submitted: