

1. The March 7, 2007 regular meeting was called to order at 6:10 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.

2. Roll Call. Councilmembers present: Richard Bunce, Marie Galate, Estelle Klein, Madeline McManus (arrived at 6:27 p.m.) & Sylvia Petillo. Absent – John Armeno. Others present: Attorney John Ursin (closed only), Administrator Steven Ward & Clerk Lorraine Stark.
3. Council President Petillo moved Resolution for Closed Session at 6:11 p.m., seconded by Bunce. Absent – Armeno & McManus (arrived at 6:27 p.m.). Mayor Hodson announced that matters to be discussed pertained to personnel, attorney/client & litigation.

Continued open session at 7:40 p.m.

4. Moment of Silent Reflection. The Pledge of Allegiance to the Flag of the USA was lead by 7<sup>th</sup> grade students from St. Michael's School. Mayor Hodson informed those present that the revaluation company, Certified Valuations, was invited to the 21<sup>st</sup> meeting to answer questions about the Borough-wide property revaluation.

5. Meeting open to public for comments on items on the agenda for which no public discussion is provided. In an effort to provide everyone interested an opportunity to address his or her comments to the Governing Body, a public comment time limit has been instituted for each speaker. **PLEASE LIMIT YOUR COMMENTS TO THE GOVERNING BODY TO A MAXIMUM OF 5 MINUTES.** Mrs. Haines asked the Administrator if the grinder pump EDU issue has been resolved. Mr. Ward responded yes, after the investigation it was determined that 3 properties were being billed incorrectly; two were sent letters informing them that their bill should be for 2 EDU's instead of 1, and they would be required to pay the back fee excluding interest and late charges. The other property is required to complete a second extension form and pay accordingly. Mr. Ward explained that part of the problem was that the homeowner's contractor filed only one permit instead of two, which was required. Mrs. Haines once again inquired when the governing body would review Ordinance #39-2006, and where is the equity in this ordinance. Councilmember McManus said that she personally needed time to do more research, and would place the item on the agenda when she had the necessary information. Mrs. Haines also wanted to know when there was going to be a sewer committee. Mayor Hodson reported that he has been giving this some thought, but has not followed through; thinks a six member committee would be appropriate. Mrs. Haines questioned a water bill. Mr. Ward reported that the Borough and Board of Education is billed for their building usage, and that there are three budgets for the municipality (general, water & sewer).

6. Councilwoman Klein moved approval of minutes from the regular meeting held on February 7, and regular/work meeting held on February 21, 2007, seconded by Bunce. Those present voted affirmative. Absent – Armeno.

7. Reports from Administrator.

- A. Certified Valuations Presentation – March 21, 2007 at Council Meeting. Mr. Ward noted that the deadline for filing tax appeals is April 1<sup>st</sup>. Mayor Hodson encouraged residents that have ‘factual inaccuracies’ to notify the Tax Assessor; this is not the same as not agreeing with the value of land being assessed. Mr. Ward revealed that the only way to address changes in the revaluation was by filing an appeal.
- B. Status Report on 2007 Municipal Budget – Potential Introduction on March 21, 2007. Mr. Ward informed those present that the information was submitted to the auditor last week, and expects the introduction at the next meeting with the public hearing and adoption on April 18<sup>th</sup>.
- C. Federal Grant Efforts -
  - 1) 2006 Request Status
  - 2) 2007 Application Status

Mr. Ward commented that Senator Lautenberg notified the Borough that all of the 2006 requests were eliminated, and encouraged the submission of a 2007 application for aid, which was filed in early February.

8. Consent Agenda.

\*RESOLUTION AUTHORIZING PASSAGE OF CONSENT AGENDA

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

**WHEREAS**, none of the Councilmembers 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. #89-07 Approve Payment Escrows.\*
- B. #90-07 Approve Outside Lien Redemption Certificate #2006017 in the amount of \$5,691.55 plus premium in the amount of \$4,800.\*
- C. #91-07 Approve Refund of Monies Due to Overpayment of 1<sup>st</sup> Quarter 2007 Taxes on 13 properties & one 4<sup>th</sup> Quarter 2006 property.\*
- D. #92-07 Approve 2006 Annual Report for the Hopatcong Environmental Commission.\*
- E. #93-07 Approve Addendum to Radio Communication Service Agreement with Byram Township.
- F. #94-07 Authorize 2007-08 Tow Operator’s License for 5 companies.\*
- G. #95-07 Approve Raffle License RA #5-2007 Northwood Engine Company #2, Off - Premises Merchandise Raffle.\*

Councilmember Bunce moved consent agenda, seconded by McManus. The vote was unanimous. Absent – Armeno.

9. Ordinances/Resolutions.

- A. #96-07 Resolution – Approve Temporary Appropriation for Operating Purposes Amendment other expense - \$2,000; Capital Improvement Fund - \$45,650. Councilperson Galate questioned two projects: Municipal Building & water main replacement. Mr. Ward responded, noting that the windows for the building were not included. Motioned by Klein, Seconded by Bunce. Roll Call vote: **YES** – Klein, Bunce, Galate, McManus, Petillo. **ABSENT** –Armeno.
  - B. #97-07 Resolution – Approve Temporary Appropriation for Sewer Operating Purposes Amendment other expenses - \$310,000. Motioned by Klein, Seconded by Bunce. Roll Call vote: **YES** – Klein, Bunce, Galate, McManus, Petillo. **ABSENT** –Armeno.
  - C. #98-07 Resolution – Approve Temporary Appropriation for Water Operating Purposes Amendment – Capital Improvement Fund \$21,000. Motioned by Bunce, Seconded by Klein. Roll Call Vote: **YES** – Bunce, Klein, Galate, McManus, Petillo. **ABSENT** – Armeno.
  - D. #99-07 Resolution – Approve Temporary Capital Budget. Motioned by Klein, Seconded by Bunce. Roll Call vote: **YES** – Klein, Bunce, Galate, McManus, Petillo. **ABSENT** –Armeno.
  - E. #100-07 Resolution – Approve Payment of Bills. Motioned by Bunce, Seconded by Ryder-Galate. Roll Call vote: **YES** – Bunce, Galate, McManus, Petillo. **NAY**-Klein. **ABSENT** – Armeno.
  - F. Intro. Ordinance #2-2007 An Ordinance to Exceed CAP Limit. Mr. Ward explained that the CAP would not be exceeded; the ordinance was necessary to bank the money. This matter was tabled until the next meeting.
  - G. #101-07 Intro. Ordinance #3-2007 BOND ORDINANCE APPROPRIATING \$913,000, AND AUTHORIZING THE ISSUANCE OF \$867,350 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF HOPATCONG, IN THE COUNTY OF SUSSEX, NEW JERSEY. Motioned by Klein, seconded by Bunce. **YES** – Klein, Bunce McManus, Galate, Petillo. **ABSENT** –Armeno.
  - H. #102-07 Intro. Ordinance #4-2007 BOND ORDINANCE APPROPRIATING \$420,000, AND AUTHORIZING THE ISSUANCE OF \$399,000 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF HOPATCONG, IN THE COUNTY OF SUSSEX, NEW JERSEY, FOR THE WATER SUPPLY AND DISTRIBUTION SYSTEM OF THE BOROUGH. Motioned by McManus, seconded by Klein. Roll Call Vote: **YES** – McManus, Klein, Petillo, Bunce, Galate. **ABSENT** –Armeno.
10. Old Business.
- A. Sewer Update: current status of project. Councilman Bunce reported that as of February 27, 2007: 2533 connections, 209 extensions, 140.14 average gallons per EDU per day, final contract S-13 has been awarded, and pre-construction meeting tomorrow with the completion date 12/31/07. This may be the last sewer project unless the governing body decides otherwise. Councilwoman McManus said that she has been speaking with a number of residents and they do not understand how we got to this point. She would like to have a community meeting with the professionals (engineer, attorney & auditor) so that they could explain why we are at this point now and how we arrived there; help the public to understand why decisions were made. Council President Petillo said that a sewer committee

with professionals could put this type of meeting together. Mr. Ward stated that he would consult with the professionals for their input. Mayor Hodson remarked that some of this type of information was on the web page.

- B. #103-07 Intro. Ordinance #5-2007 AN ORDINANCE TO AMEND CHAPTER 5 OF THE CODE OF THE BOROUGH ENTITLED “OPEN SPACE COMMITTEE” TO ADD AN EIGHTH MEMBER, moved by Klein, seconded by Petillo. Roll Call Vote: **YES** – Klein, Petillo, Bunce, Galate. **NAY** – McManus. **ABSENT** - Armeno.
- C. Discussion Regarding Banning of AWOL Devices. The attorney advises that no action be taken at this time.

11. New Business.

- A. Lake Hopatcong Commission: report on status: Commission’s special meeting on Monday, March 5, was cancelled, and has not been rescheduled. The Commission is proceeding with their Doomsday shutdown. Council President Petillo inquired how people could be notified about ‘no wake’ on the lake. Mr. Ward referred her to WENS that was a public notification system being used in the Borough; individuals could register with the Hopatcong Police Department. In addition, signs could be posted on private docks if the owners would be responsible for posting when appropriate.

12. Comments from the public. **PLEASE LIMIT YOUR COMMENTS TO THE GOVERNING BODY TO A MAXIMUM OF 5 MINUTES.**

A resident inquired if the sewer rates would have been less if Federal monies were received. Mr. Ward responded that one million dollars would have kept the rate at \$1,075 for two years. Another resident asked if he foresees another sewer increase. Mr. Ward said that the rate is the same for 2007 and 2008; an increase is forthcoming in 2009. Someone remarked that she liked Councilwoman McManus’ comment about a sewer meeting; she has a lot of questions, and feels that more information would be helpful. She would also like to know how EDU’s are calculated, and would like to see the private contractors become more responsive to the homeowner’s installations; she has been waiting for over one year. Mayor Hodson requested that she provide information to Mr. Ward.

Mrs. Haines asked if there were going to be any more in-fills added to the sewer system, and if this was going to reduce the sewer fees. Mr. Ward answered yes, they were going to be approved sometime in April, and the impact would be minimal.

13. Comments from Councilmembers. Councilwoman Galate noted that the HBA would be holding a Fish Fry on 14<sup>th</sup> of April at St. Jude’s parish center; returning veterans would be honored. She also spoke about the Sussex County Economic Development director and her informative talk to the Hopatcong Business Association members; encouraged people to contact her about new businesses because there was money and grants available. Councilperson Galate also congratulated Ron Jobeless and the DPW employees for the wonderful job they performed during the ice storm. Council President Petillo congratulated Zack Rey for his winning the State Wrestling title for the second time, and sent sincere condolences to the family of Marine Corporal David Webb, Junior. Councilmember Klein thanked the girls from St. Michael’s for attending this meeting. Councilperson McManus congratulated Zack Rey, thanked the Environmental Commission for their report, and noted that June 2<sup>nd</sup> would be Trails Day, and anyone interested in participating

should contact Mike Foley. She also thanked Malcolm Piester for his work with the Environmental Commission and Trails Plan.

Councilman Bunce congratulated Zack Rey and his family, welcomed the kids from St. Michael's and their parents, sent condolences to the Webb family, and wished everyone a Happy St. Patrick's Day.

Mayor Hodson asked the press to remember 30 Hour Famine Weekend coming up and thanked the students for their participation. He also encouraged residents to check out the web page for upcoming events.

Council President Petillo moved to adjourn at 9:13 p.m., seconded by Klein. The vote was unanimous. Absent – Armeno.

Respectfully submitted: