

1. The regular April 4, 2007 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: John Armeno, Richard Bunce, Marie Galate, Estelle Klein, Madeleine McManus and Sylvia Petillo. Others present: Attorney John Ursin, Administrator Steven Ward & Clerk Lorraine Stark.
3. Councilwoman Klein moved Resolution for Closed Session at 6:11 p.m., seconded by Bunce. The vote was unanimous. Mayor Hodson announced matters to be discussed pertained to personnel, litigation and attorney/client.

Continue open session at 7:30 p.m.

4. Moment of Silent Reflection. Mayor Hodson invited Zachery Rey to lead the Pledge of Allegiance to the Flag of the USA. Mayor Hodson read a Proclamation and proclaimed 4 April, Zack Rey Day in the Borough of Hopatcong; remarking about his accomplishments and achieving State Heavy Weight Wrestling Championship. Zack thanked his family, coaches, and everybody in Hopatcong for making this possible.

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.** Dan McCarthy, Lake Hopatcong Commission representative, reported that he sent a letter two weeks ago informing the governing body on what was occurring with the funding for the Commission; State committed to funding for this fiscal year, however the Lake Commission would have to come up with another alternative because State funds would not be provided after that. Presently, everything is on the table for consideration on how to generate money. He said that philosophically he was opposed to users fees, but the Governor has said that the people who use the lake should be paying for it. Mr. McCarthy said that any time the governing body had any questions or wanted him to come to a meeting to let him know. He also noted that the Lake Commission was still down one commissioner. The governing body thanked Mr. McCarthy for his report.

6. Councilmember Bunce moved approval of minutes from the work/regular meeting held on March 21, 2007, seconded by Klein. Those present voted affirmative.

7. Reports from Administrator.

- A. Hopatcong Board of Education Update.
 - 1. Cooperative Purchasing – Mr. Ward reported that he and Mr. Kwak met with Mrs. Sierchio to discuss purchasing, and she would be providing a list of common items. Presently the Borough has taken advantage of ordering copy paper at a savings of \$8.00 per case, which could result in a savings of \$1,000 or more.
 - 2. North Jersey Municipal Employee Benefits Fund – The Fund Commissioners have approved membership for Board of Education for members only, and the Hopatcong Board of Education plans on scheduling a meeting to discuss this opportunity.
- B. Revaluation Update. The deadline for filing an appeal was last Monday, must wait until next year, and if there is a factual error it can be addressed in 2008 for 2007. Mr. Ward revealed that 258 appeals were filed and 37 stipulations came to the Assessor.
- C. Background Check Update. Messrs. Ward & Ursin met with the Recreation Coordinator Jen Siegel and Chairman John Young; had a very productive meeting and would be circulating a draft ordinance within the next couple of weeks.
- D. DPW Vehicle Storage Unit Update. The DEP denied the location, and a meeting with them has been scheduled for next Tuesday; Mr. Ruschke believes that it would be difficult to get the exemption. Mayor Hodson suggested we offer them a land trade.

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. #114-07 Approve Payment Escrows.*
- B. #115-07 Approve the Cancellation of 1st Half 2007 on 34 properties in the amount of \$7,769.26.*
- C. #116-07 Approve Refund of Monies Due to Overpayment of six 4th Quarter 2006 & four 1st Quarter 2007 property Taxes.*
- D. #117-07 Approve Refund Due to Overpayment for Three Construction Permits in the amount of \$193.00.*
- E. #118-07 Approve Refund Due to Overpayment of One Taxi License for Executive Services Inter., LTD in the amount of \$100.00.*
- F. #119-07 Approve 2007 Lease Agreement with Catholic Charities for use of Hopatcong Civic Center.*
- G. #120-07 Approve Grant Application for Domestic Violence Training Reimbursement.*
- H. #121-07 Authorize Administrator & Clerk to Execute an Agreement with P.I.A. for Risk Consultant Services.*
- I. #122-07 Approve Resolution Encouraging Legislation Banning AWOL Devices.*
- J. #123-07 Accept 2006 Monthly Zoning Office Reports.*

- K. #124-07 Approve Raffle License RA #6-2007 Hopatcong Elementary Parent Teachers Organization On Premises 50/50 Raffle.*
- L. #125-07 Approve 2007 Taxi/Limousine License for Executive Services Int., LTD for 9 vehicles.*

Following a question by Councilman Bunce pertaining to item H., which Mr. Ward explained that P.I.A. was being hired due to a potential conflict of interest with the Vozza Agency. Regarding item F. Mr. Ward noted that the quality of food served has greatly improved. Consent agenda motioned by Klein, seconded by Petillo. The vote was unanimous.

9. Ordinances/Resolutions.

- A. Public Hearing Ord. #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. Open to the public for comment, none forthcoming. Motioned by Klein, seconded by Petillo. Roll Call Vote: **YES** – Klein, Petillo, Armeno, Bunce, Galate, McManus.
- B. Public Hearing Ord. #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. Open to public for comment, none were received. Motioned by Klein, seconded by Bunce. Roll Call Vote: **YES** - Klein, Bunce, Armeno, Galate, McManus, Petillo.
- C. Public Hearing Ord. #5-2007 AN ORDINANCE TO AMEND CHAPTER 5 OF THE CODE OF THE BOROUGH OF HOPATCONG ENTITLED “OPEN SPACE COMMITTEE” TO ADD AN EIGHTH MEMBER. Open to the public for comment, no comments made. Motioned by Klein, seconded by Petillo. Roll Call Vote: **YES** – Klein, Petillo, Armeno, Bunce, Galate. **NAY** – McManus.
- D. #126-07 Intro. Ord. #8-2007 AN ORDINANCE TO SUPPLEMENT CHAPTER 242-12 OF THE CODE OF THE BOROUGH OF HOPATCONG. Motioned by Klein, seconded by Bunce. Mayor Hodson pointed out that communication from the Planning Board requesting a meeting to discuss the two zoning ordinance; the Board had several concerns which they wished to relate. Councilperson Armeno asked that in the future any ordinance coming before this body include a statement sheet, pointing out that Mr. Ruschke has a number of questions about this ordinance. Mr. Ursin reported that the ordinance they had this evening is word for word what Mr. Ruschke give him, he only put it in the proper format. Mr. Ursin remarked that no changes were made other than the addition of new sections. Mayor Hodson questioned the ‘fuzzy’ thinking that would be placed on either the Zoning Officer or Engineer. Mr. Ward suggested that under item 4. B. the word engineer be added. Roll Call Vote: **YES** - Klein, Bunce, Armeno, Galate, McManus, Petillo.
- E. #127-07 Intro. Ord. #9-2007 AN ORDINANCE TO SUPPLEMENT CHAPTER 242-22 OF THE CODE OF THE BOROUGH OF HOPATCONG. Motioned by Klein, seconded by Bunce. Mayor Hodson commented that there are some questions about putting a ladder up

with the setbacks, and also the Board attorney had questions. Councilwoman Klein said that the Board could get back to them with their concerns, a meeting was not necessary. Roll Call Vote: **YES** – Klein, Bunce, Galate, Petillo. **PRESENT** – McManus. **ABSTAIN** – Armeno.

- F. #128-07 Resolution – Approve Payment of Bills following the removal of Checks #1522, #1523, & #1524. Motioned by Armeno, seconded by Bunce. Roll Call Vote: **YES** - Armeno, Bunce, Galate, Klein, McManus, Petillo. #129-07 Resolution - Approve Payment of checks #1522, 1523, & 1524. Motioned by Armeno, seconded by Bunce. Roll Call Vote: **YES** - Armeno, Bunce, Galate, Petillo. **PRESENT** – Klein.
- G. #130-07 Resolution – Approve Sewage Allocation Permits for 29 Vacant Properties. Motioned by Bunce, seconded by Petillo. Mayor Hodson said that he thinks that he understands why this is moving forward, that being monies going into the sewer utility. However, he felt that there were other issues being passed on to other groups. Mr. Ward revealed that the letters sent to vacant lots were to those that fit the size requirement, and that there were potentially three more allocations that could be granted. Roll Call Vote: **YES** – Bunce, Petillo, Armeno, Klein, McManus. **NAY**- Galate. **ABSTAIN** – McManus.
- H. Electrical Recycling. Sharon Gruber, a member of the Environmental Commission, explained that they would be holding this event at the Recycling Center from 8 a.m. – 1 p.m. on May 12th; a company has been hired at a cost of \$499. This was not just for computers, but would include all electronic devices. She encouraged other types of recycling during the month of May, along with publicity and education for this. It was noted that the Borough Wide Garage Sale weekend was 18 & 19 May. Mr. Ward indicated that there was funding available in the Environmental budget. Councilmember Armeno informed those present that Mary Tackus had requested the County SLAP Program to assist with some cleanup, and recommended that the Administrator write a letter for gravel removal from the County sidewalks.

10. Old Business.

- A. Sewer Update: current status of project. Councilperson Bunce reported the statistics for the sewer utility through March 30, 2007: 2,585 properties connected, additional 74 EDU's to total 2,659, average flow per EDU 131.95, Mondays have the highest flow for the system. Contract S-13 is underway and the Hudson Avenue portion has been completed, notice to connect should be mailed out the third week in April; work has began on Old Lakeside Blvd., which is the installation of the main in the roadway.

11. New Business.

- A. Lake Hopatcong Commission: report on status, funding status-fees. Discussed earlier in the meeting.
- B. #131-07 Approve Board of Education Request for Street Markings at Middle School, moved by Armeno, seconded by Bunce. Councilmember Armeno commented that Chief Swanson was endorsing the Board of Education proposal, and the Board would be paying for the work that includes street signage and rumble strips. The vote was unanimous.
- C. Discussion: Sewer Hardship Cases. Mr. Ward informed those present that he spoke with Mr. Evan about this matter, and he is going to see what can be done for senior citizens. Under no circumstance would the water be turned off for non-payment of fees, if it continues for a year the outstanding debt would go to tax sale thereby placing a lien against the property. Mr. Evans

did suggest a way to charge for consumption that would require the installation of a meter for consumption; since the fix cost of the bill is 70% it was not a benefit.

- D. Board of Education Election – April 17th, Polls open 2 – 9 P.M. Comments on budget. Mayor Hodson said that the Board of Education has not adjusted their budget, and that the increase remains at 9 points or an increase of \$121 dollars on an average home. He also reported that Carol Dennis would not release the tax rate at this time; she felt that it was not appropriate. Mr. Ward interjected that the Municipal budget increase was 4 points or \$56.

12. Comments from the public. **PLEASE LIMIT YOUR COMMENTS TO THE GOVERNING BODY TO A MAXIMUM OF 5 MINUTES.** Bob Modick questioned if shutting off water came under the auspices of the Board of Health, and if that were done the house would become uninhabitable thereby causing a relocation of the occupants at the Borough's expense. Mr. Ward revealed that the shutting off of water has not been done, and it is used to encourage people to pay.

Michael Francis commented that he spoke with John Ruschke about the zoning ordinances, and one of the reasons to change was that a planner was better at landscape issues, and the spirit or intent is to leave the property better.

Robin Vaughan inquired about the speed bumps as per Middle School. Councilman Armeno indicated that they were only strips, similar to what was used on Durban, and would be placed on Francis.

13. Comments from Councilmembers. Councilwoman Ryder reminded the public that the Hopatcong Business Association Fish Fry was 14 April at St. Jude's, and that food was available for carryout. Wished all a Happy Easter, and indicated that the Soap Box Derby was 2 June with rain date 9 June.

Council President Petillo congratulated Zack Rey, and wished everyone a Happy Easter.

Councilperson Klein stated that she was appalled at the revaluation representative's attitude at the last meeting, he offended the residents, and she would not recommend Certificated Valuation. She also congratulated Zack, and wished residents a Happy Easter.

Councilman Bunce reported that he was glad to see baseball season beginning, congratulated Zack Rey, and wished all a Happy Easter.

Councilmember Armeno congratulated Zack, and wished all a Happy Passover & Easter.

Mayor Hodson remarked that he was impressed with Zack's accomplishment, and that he in fact wrestled with the injury that has had repaired by surgery this week.

Councilperson Bunce move to adjourn at 9:33 p.m., seconded by Klein. The vote was unanimous.