

The February 2, 2011 regular meeting was called to order at 7:30 p.m. by Mayor Petillo in the Municipal Building, 111 River Styx Road, Hopatcong, NJ.

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 & Clerk Lorraine Stark.

MOMENT OF SILENT REFLECTION AND PLEDGE OF ALLEGIANCE

COMMITTEE REPORTS: Councilman Francis reported that we are in the process of scheduling a second energy audit for Senior Center, firehouses as well as other buildings; Phase II Grant money has increased to \$50,000. We are looking for real sustainable energy savings to the Borough.

Councilmember Bunce remarked that the Real Estate Committee is working on some property requests.

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). None was forthcoming. Councilman Bunce moved to close public comment period, seconded by Young. The vote was unanimous.

APPROVAL OF MINUTES: Special meeting January 26, 2011, minutes moved by Council President Young, seconded by Bunce. The vote was unanimous.

ENGINEER'S REPORT: Vacation of Property as per Ordinance #2-2011. Mr. Ruschke commented that the vacation of a part of this roadway would not have any impact on the County or municipal utilities. He recommended a change in the draft, which includes the right to discharge storm water. Mr. Ursin said that he made the change in the ordinance for introduction tonight. Councilwoman McManus inquired if the entire area was being vacated and why. Mr. Ursin commented that if it was determined that the single piece was unnecessary, it should all be vacated. Mrs. McManus reported that most of this property is wetland. Mr. Ruschke believes that it is likely wetlands; however there has not been wetlands delineation performed. The person who wants this property to construct a garage would have to apply to the Board of Adjustment; the Board would look at these issues, including a wetland buffer. Councilman Francis informed those present that any environmental issue is the property owner's responsibility. Resolution - #74-2011 Introduce Ordinance #2-2011 – ORDINANCE PARTIALLY VACATING AN UNNAMED 50 – FOOT RIGHT OF WAY EXTENDING FROM DIBERT ROAD TO PITNEY ROAD IN THE BOROUGH OF HOPATCONG. Motioned by Bunce, seconded by Galate. Roll Call Vote: **YES** – Bunce, Galate, Baker, Francis, Galate. **NAY** – McManus.

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. #75-11 Approve Payment of Escrows.*
- B. #76-11 Approve Cancellation of 1st Half 2011 Taxes on five properties Due to Consolidation of lots.*
- C. #77-11 Approve Outside Lien Redemption for Certificate #2008-74 in the amount of \$5,482.02 plus premium in the amount of \$700.*
- D. #78-11 Approve Outside Lien Redemption Certificate #2010-59 for premium amount of \$12,100.*
- E. #79-11 Approve Outside Lien Redemption for Rosehill Fund – Two Redemptions.*
- F. #80-11 Approve Outside Lien Redemption for Pro Capital – Two Redemptions.*
- G. #81-11 Approve Outside Lien Redemption Certificate #2010-82 in the amount of \$3,187.94 plus premium in the amount of \$200.*
- H. #82-11 Approve Outside Lien Redemption Certificate #2010-43 in the amount of \$2,323.67 plus premium in the amount of \$200.*
- I. #83-11 Authorize Cancellation for a Portion of 2011 Taxes Due to Disabled Veteran for Blk. 40208, Lt. 39.*
- J. #84-11 Approve Raffle Application #1-2011 for an On Premises 50/50 for Birth Haven, Inc.*
- K. #85-11 Approve Raffle Application #2-2011 for an On Premises 50/50 for the Hopatcong Woman’s Club.*

Consent agenda motioned by Bunce, seconded by Galate. Vote was unanimous.

INTRODUCTION OF ORDINANCES:

A. Ord. #2-2011 AN ORDINANCE PARTIALLY VACATING AN UNNAMED 50-FOOT RIGHT-OF-WAY EXTENDING FROM DIBERT ROAD TO PITNEY ROAD IN THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX AND STATE OF NEW JERSEY. Introduced during Engineer’s Report.

RESOLUTIONS:

- A. #86-11 Approve Payment of Bills, following the removal of checks #29074, #29097 & #29090. Motioned by Bunce, seconded by Young. Roll Call Vote: **YES** – Bunce, Young, Baker, Francis, Galate, McManus.
- B. #87-11 Approve Payment of Checks - #29074, #29097 & #29090. Motioned by Bunce, seconded by Young. Roll Call Vote: **YES** – Bunce, Young, Baker, Francis, McManus. **ABSTAINED**: Galate.
- C. Authorize Support for Maternity Leave Buy Back for T. dePierro. Attorney Ursin was not ready to present this resolution, held until next meeting.

- D. #88-11 Accept 2010 Board of Health End of Year Report. Motioned by Galate, seconded by Young. Those present voted affirmative.
- E. #89-11 Authorize Opposition to Assembly Bill No. A-2095 & Senate Bill No. S-818 which revise Requirements for Medical Service Delivery. Motioned by Bunce, seconded by Galate. The vote was unanimous.
- F. #90-11 Approve donated leave program request for Margaret Santi. Motioned by Young, seconded by Galate. Those present voted affirmative.

OLD BUSINESS:

A. 2010 Zoning End of the Year Report. Accept Report if in order. Councilperson Galate reported that although Mr. Donegan provided another report, she still can't tell what the outstanding issues are; wanted to know if this was the final end of year report. She was interested in the number of Police Summonses and what they were issued for. Councilman Francis offered to work with her and Mr. Donegan to get better information.

B. Amend Chapter 171 Entitled "Peddling & Soliciting". Mr. Ursin explained that the Borough Clerk brought this matter to his attention with consent of Police Chief. He has inserted clause D. in the existing ordinance which gives the Police Chief an option to waive the fingerprinting for individuals who are employed in companies of over 100 employees, and who meet the established criteria. #91-11 Introduction of Ord. #3-2011 AN ORDINANCE OF THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX, STATE OF NEW JERSEY AMENDING CHAPTER 171 OF THE BOROUGH OF HOPATCONG MUNICIPAL CODE REGARDING PEDDLER'S LICENSES . Motioned by Bunce, seconded by Galate. Roll Call Vote: **YES** – Bunce, Galate, Baker, Francis, McManus, Young.

C. Appoint 2011 Citizen to Open Space Committee (if in order). No appointment at this time.

D. Energy Grant. Councilmember Francis remarked that we are waiting for the schedule to begin the work on Phase I.

NEW BUSINESS:

- A. Appoint Mary Louise Baker – Environmental Commission Member. Mayor Petillo thanked Sheryl Nowell for serving on this Commission in the past, and noted that she has agreed to plant the flowers at Borough Hall once again this year.

PUBLIC COMMENT: (comments limited to 5 minutes). Mara Modes of Ithanell Road wanted to know how residents were informed of these peddlers; she wanted the information communicated to the residents via the website including the permit. Ms. Stark said that permit included the Borough Seal, and each individual would have one with them as well as their company identification. Ms. Modes said that she did not receive a letter regarding the water coliform information at her home. She also said that this information was on the website but not on top of the page where it could be seen easily.

Councilperson Bunce moved to close the public comment period, seconded by Galate. The vote was unanimous.

COUNCIL COMMENTS: Councilwoman Galate thanked the DPW for the exceptional ice and snow removal, and the Star-Ledger regarding the article pertaining to the new website; this new site reflects our community. She also liked the Recycling Newsletter, which contains information about community groups and organizations. Mrs. Galate thanked everyone for coming.

Councilman Francis commended the DPW, thanked everyone for coming, and reported that Mayor Petillo participated in a Fire Department Ice Rescue drill over the weekend. He wished all a good night and good luck.

Council President Young noted that Ron and his staff as well as the County did an excellent job. He thanked the Fire Department and Ice Rescue Squad; he participated in the drill, which was not an easy task. John Young also encouraged residents to drive carefully due to the piles of snow, which is narrowing the streets thereby making them more dangerous. Wished those present a good night.

Mayor Petillo remarked that the Fire Department started the Ice Rescue Squad on their own and encouraged residents to call even if they were needed to rescue a dog.

Councilperson McManus thanked the DPW, Sheryl Nowell who will be missed on the Environmental Commission, and Mayor Petillo for the Recycling Newsletter. She wished those present a Happy Chinese New Year.

Councilman Bunce thanked the DPW and Sussex County for funding the bridge repair work. He also cautioned motorists to drive carefully, pedestrians to wear reflective vests, and wished all a Happy Valentine's Day and a good night.

Councilmember Baker said thank you all for coming, Happy Groundhog Day and praised the DPW for keeping up with the storms; drove the roads after the last storm and was impressed with their condition. He watched the ice rescue drills, and they make it look easy, which it is not. Wished those present a good night.

Mayor Petillo thanked the public for attending the meeting and wished all a good night.

Councilman Bunce moved to adjourn at 8:18 p.m., seconded by Galate. The vote was unanimous.

Respectfully submitted: