

**MINUTES
OF THE MAYOR AND COUNCIL MEETING,
BOROUGH OF HOPATCONG,
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD
HOPATCONG, NEW JERSEY
DECEMBER 21, 2011
OPEN PUBLIC MEETING 6:00 PM**

CALL TO ORDER: Announce Quorum

OPEN PUBLIC MEETINGS ACT STATEMENT: Meyer Petillo stated "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." (Mayor noted fire exits)

ROLL CALL: The Clerk called the roll and the following members were present: Baker, Bunce, Galate, McManus, Young and Mayor Petillo. (Councilman Francis joined the meeting at 6:11 pm)

MOMENT OF SILENT REFLECTION AND PLEDGE OF ALLEGIANCE: Mayor Petillo invited all present to salute the flag and to remain standing for a moment of silence.

PUBLIC COMMENT: Mayor Petillo requested a motion to open the meeting to the public for any questions or comments concerning items on the agenda for which no public discussion is provided. (Comments limited to 5 minutes).

After giving all persons present an opportunity to address the Governing Body, Councilman Bunce made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilman Young. All were in favor

APPROVAL OF MINUTES:

Councilman Young made a motion to approve the meeting minutes of the Regular Meeting and Executive Session held on December 7, 2011. Seconded by Councilman Bunce. All were in favor except for Councilwoman Galate who abstained.

ADOPTION OF ORDINANCES:

Adoption Ordinance #31-2011 – Creating a Combined Land Use Board

Councilman Bunce made a motion to adopt an ordinance entitled "AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF HOPATCONG CREATING A COMBINED LAND USE BOARD". Seconded by Councilwoman Galate

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or concerns that they might have regarding Ordinance #31-2011.

There being no one from the public who wished to address the Governing Body regarding Ordinance #31-2011, Councilman Bunce made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilwoman Galate. All were in favor.

Upon roll call vote:

Ayes: Baker, Bunce, Galate, McManus, Young

Nays: None Absent: Francis Abstentions: None

Adoption Ordinance #32-2011 – Modifying Chapter 51-12, Water Rate and Fees

Councilman Bunce made a motion to adopt an ordinance entitled "AN ORDINANCE TO MODIFY CHAPTER 51-12 OF THE CODE OF THE BOROUGH OF HOPATCONG REGARDING WATER RATE AND FEES". Seconded by Councilman Young.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or concerns that they might have regarding Ordinance #32-2011.

There being no one from the public who wished to address the Governing Body regarding Ordinance #32-2011, Councilman Bunce made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilman Baker. All were in favor.

Upon roll call vote:

Ayes: Baker, Bunce, Galate, McManus, Young

Nays: None Absent: Francis Abstentions: None

RESOLUTIONS:

Resolution#2011-387 – Fair Housing Officer

Councilman Bunce made a motion to adopt a resolution designating Robert Elia, Borough Administrator, as the Fair Housing Officer for the Borough of Hopatcong. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Baker, Bunce, Galate, McManus, Young

Nays: None Absent: Francis Abstentions: None

Resolution #2011-388 – Transfer Resolution

Councilman Bunce made a motion to adopt a resolution authorizing budget transfers. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Baker, Bunce, Francis, Galate, McManus, Young

Nays: None Absent: None Abstentions: None

Resolution #2011-389 – Payment of Bills.

Councilman Bunce made a motion to adopt a resolution authorizing the payment of bills, pulling check number 30493, for the meeting of December 21, 2011. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Baker, Bunce, Francis, Galate, McManus, Young

Nays: None Absent: None Abstentions: None

Councilman Bunce made a motion to approve the payment of check number 30493. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Baker, Bunce, Francis, McManus, Young

Nays: None Absent: None Abstentions: Galate

NEW BUSINESS:

1. Entertainment License Application – Lakeside Grill

Mayor Petillo stated that the Construction Official sent a memo stating that they owed a substantial amount of money for an open violation and penalty that was issued in January. The owner has had a substantial amount of time to take care of this and it hasn't been taken care of. Right now there is \$22,000 in fines associated with the violation. The owner took down an interior wall without a permit. Our building inspector gave them three weeks to come in and they never responded. We called them yesterday to see if someone could come in to talk to us about it so that we could have a better understanding of what is going on.

The niece of the owner of the Lakeside Grill addressed the Governing Body regarding their request to have an entertainment licensed for New Year's Eve. She stated that her father came in today and spoke to the Building Inspector. She didn't know that he had to speak to the Mayor. She stated that this whole thing was a misunderstanding. They never got the letter stating how much the fine was and that was why they did not pay it. She stated that the inspector was going to call her father tomorrow with how much they owe.

After discussion it was determined that if they took care of all of the outstanding issues with the construction office and fire prevention, and if the health department has no issues, then the license could be given to the applicant.

PUBLIC COMMENT:

Mayor Petillo requested a motion to open the meeting to the public for any questions or comments concerning the good and welfare of the Borough. (Comments limited to 5 minutes).

After giving all persons present an opportunity to address the Governing Body Councilman Bunce made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilwoman Galate. All were in favor.

At this time Mr. Elia, Borough Administrator, requested an Executive Session to discuss personnel.

RESOLUTION FOR EXECUTIVE SESSION:

Councilman Bunce made a motion to adopt a resolution to adjourn into Executive Session to discuss personnel. Seconded by Councilman Baker. All were in favor.

THE OPEN PUBLIC MEETINGS ACT ALLOWS THE MAYOR AND COUNCIL TO EXCLUDE THE PUBLIC FROM A PORTION OF A MEETING IN CERTAIN CIRCUMSTANCES.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF HOPATCONG THAT THE PUBLIC SHALL BE EXCLUDED FROM DISCUSSION OF MATTERS ALLOWED BY NEW JERSEY LAW.

THE EXECUTIVE SESSION MINUTES WILL BE PLACED ON FILE IN THE BOROUGH CLERK'S OFFICE, AND WILL BE AVAILABLE TO THE PUBLIC AS PROVIDED FOR BY NEW JERSEY LAW.

Be further advised this Resolution shall take effect immediately.

Councilman Bunce made a motion to adjourn the Executive Session at 6:46 pm and return to the regular order of business. Seconded by Councilwoman Galate. All were in favor.

ADJOURNMENT:

Councilman Bunce made a motion to adjourn the meeting of December 21, 2011. Seconded by Councilman Young. All were in favor.

Sylvia Petillo, Mayor

Catherine Gleason, RMC