

The January 20, 2010 regular/work meeting was called to order at 6:00 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 (arrived at 6:25 p.m.), & John Young. Others present: Attorney Howard Vex, Administrator Catherine Steinel & Clerk Lorraine Stark.

Councilman Bunce moved resolution for closed session at 6:02 p.m., seconded by Francis. Those present voted affirmative (McManus arrived at 6:25 p.m.). Mayor Petillo informed those present matters to be discussed pertained to contract negotiations (PBA, Blue & White Collar), Borough Professional contracts and cell tower proposal.

MOMENT OF SILENT REFLECTION AND PLEDGE OF ALLEGIANCE

Proclamations for Ice Rescue on Lake Hopatcong - Betty Flinn, Firefighters Kevin Bourke & son U.S. Marine Private First Class Dan Bourke.

Mayor Petillo said that she appreciates our volunteers especially our firefighters; they are the best in Sussex County and the State of New Jersey. Ms. Abma fell from a row boat on her way back home to Raccoon Island. Betty Flinn heard her outcries for help, and took action by getting into a row boat, proceeding to where Ms. Abma was in the water, and keeping her head above water until the firemen were able to pull her from the water, and have her transported by helicopter to the hospital. Kevin Bourke remarked that this story is really about Betty Flinn because if she did not do what she did to save Ms. Abma, after falling into the lake, the firemen would not have even found her body. Kevin revealed that it was Betty and her family that saved Ms. Abma; the rest of us did what we were supposed to do. Betty Flinn said that it was her Dad & Mom along with her neighbors that came to the rescue by assisting, they saved Ms. Abma.

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). Fire Chief Mike Rahill remarked that he was very proud to have these men under his command.

Mara Modes questioned the resolution concerning PSE&G; wanted clarification as well as an explanation for item G. Administrator Steinel

revealed that Hopatcong is not in dispute with PSE&G, they purchased land from the Borough and the Borough could possibly receive \$309,000 from them. Mr. Vex remarked that PSE&G has a law suit with some municipalities, Hopatcong is not involved. The Mayor and Administrator were given permission to sign an agreement drafted by PSE&G and this resolution formalizes that action.

William Lupo said that he was here back in November, and he believes that he has complied with all of the requirements asked of him. He wanted to know the status of the agreement he believes the attorney was drafting. Mrs. Steinel responded that this issue goes beyond just his request, but deals with all public lands. Therefore, they were attempting to be consistent and have continuity with all requests in fairness to all parties; the attorney was drafting a policy that would be followed in these situations. Mr. Lupo said that he would check back.

Councilperson Bunce moved to close open discussion by public, seconded by Galate. The vote was unanimous.

Mayor Petillo recognized Bruce Scraton NJ Herald reporter, since he would no longer be covering the Borough's meetings; Bruce has been assigned to a different beat in the County. He was thanked for his professionalism and for the three years of service in Hopatcong; wished him well.

APPROVAL OF MINUTES: Regular meeting for October 7, regular/work meeting October 21 (as amended), 2009 was moved by Bunce seconded by Galate. Those present voted affirmative. Minutes from regular meeting November 4, (as amended), 2009, moved by Bunce, seconded by Young. The vote was unanimous. The minutes from regular meeting December 2, 2009, moved by Bunce, seconded by Galate. Those present voted affirmative. Minutes for special meeting March 26 (as amended) 2009, moved by Bunce, seconded by Young. Councilwoman McManus said that she spoke with the person who prepared the minutes because she did not read all of her meeting comments in these minutes; she was advised that because the recording device was too far away from her, they were not heard. Councilperson McManus stated that she just wanted to go on record that all of her statements were not made part of these minutes. Roll Call Vote: **YES** – Bunce, Young, Galate, Francis.

ABSTAINED – Baker. **PRESENT** – McManus.

ADMINISTRATOR'S REPORT:

Mrs. Steinel reported that the amendments to the sign ordinance were listed on the agenda, however, this draft was not forwarded to the Building Department for comment & review; this matter would not be discussed this evening.

Request for extension of Medical Leave – Administrator Steinel informed those present that a request has been received from Dorothy Atno, to extend her date through February 8, 2010. #42-10A Authorize

extension of "Unofficial Family and/or Medical Leave Time" through Feb. 8, 2010, moved by Bunce, seconded by Galate. The vote was unanimous. Finance Committee - The Finance Committee has endorsed the Professional Services Contract listed for this evening & recommends they be executed.

HUD Memo - Mrs. Steinel reported that as per Mrs. Quenault's memo Bill O'Connor should be paid for the inspections he performs on behalf of HUD; DCA requires that he be paid from the HUD Grant funds.

#42-2010- Authorize payment to William O'Connor for HUD inspections from HUD Grant in amount of \$44.48 an hour. Motioned by Bunce, seconded by Galate. Roll Call Vote: YES - Bunce, Galate, Baker, Francis, McManus, Young.

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. #43-2010 Approve Payment of Escrows*
 - B. #44-2010 Approve Refund of 4th Quarter 2009 Taxes for 9 properties Due to Overpayment.*
 - C. #45-2010 Approve Outside Lien Redemption Certificate #2008-48 in the amount of \$30,591.55 plus premium in the amount of \$32,000.*
 - D. #46-2010 Approve Outside Lien Redemption Certificate #2009-2 in the amount of \$6,012.56.*
 - E. #47-2010 Approve Outside Lien Redemption Certificate #2009-50 in the amount of \$6,697.45 plus premium in the amount of \$500.*
 - F. #48-2010 Approve Fireman A. Csengeto for Defiance Company #3*
 - G. #49-2010 Approve Raffle License RA#3-2010 for an Off Premise 50/50 for Hopatcong Chiefs Booster Club.*
 - H. #50-2010 Approve Raffle License RA #4-2010 Off Premise 50/50 for Northwood Engine Co. #2.*
- Consent agenda motioned by Bunce, seconded by Young. Vote was unanimous.

ADOPTION OF ORDINANCES:

INTRODUCTION OF ORDINANCES:

- A. Intro. Ord. #1-2010 AN ORDINANCE TO MODIFY SECTIONS 242-29 AND 242-71 OF THE CODE OF THE BOROUGH OF HOPATCONG

REGARDING POLITICAL SIGNS AND ENFORCEMENT. This matter was held until additional comments are received from other departments.

RESOLUTIONS:

- A. #51-2010 Approve Transfer Appropriations. Motioned by Bunce, seconded by Francis. Roll Call Vote: **YES** -Bunce, Francis, Baker, Galate, McManus, Young.
- B. #52-2010 Approve Temporary Appropriation Amendment for General Operating Purposes. Motioned by Bunce, seconded by Galate. Roll Call Vote: **YES** - Bunce, Galate, Baker, Francis, McManus, Young.
- C. #53-2010 Approve Payment of Bills following the removal of bills #27598, #27623, #27628, #27633 & #27634. Motioned by Bunce, seconded by Young. Roll Call Vote: **YES** - Bunce, Young, Baker, Francis, Galate, McManus.
- D. #54-2010 Approve Payment of checks #27598, #27623, #27628, #27633 & #27634. Motioned by Bunce, seconded by Young. Roll Call Vote: **YES** - Bunce, Young, Baker, Francis & McManus. **ABSTAINED** - Galate.
- E. #55-2010 Approve Emergency Condition for the Water Utility that occurred on December 1, 2009. Motioned by Bunce, seconded by Galate. Roll Call Vote: **YES** - Bunce, Galate, Baker, Francis, McManus, Young.
- F. #56-2010 Authorize Alternate Special Legal Counsel for Tax Appeals for 2009 & 2010. Motioned by Galate, seconded by Francis. Roll Call Vote: **YES** - Galate, Francis, Baker, Bunce, McManus, Young.
- G. #57-2010 Authorize Uniform Reimbursement for Dispatchers & Crossing Guards. Motioned by Bunce, seconded by Young. Roll Call Vote: **YES** - Bunce, Young, Baker, Francis, Galate, McManus.
- H. #58-2010 Authorize the Mayor to Memorialize the Agreement with PSE&G. Motioned by Francis, seconded by Galate. Roll Call Vote: **YES** - Francis, Galate, Baker, Bunce, McManus, Young.
- I. #59-2010 Accept 2009 Board of Health End of the Year Report. Motioned by Francis, seconded by Galate. Roll Call Vote: **YES** - Francis, Galate, Baker, Bunce, McManus, Young.
- J. 2010 Professional Service Appointments:
 - #60-2010 Engineer - John Ruschke (Hatch Mott MacDonald), for 2010 & 2011. Motioned by Francis, seconded by Bunce. Roll Call Vote: **YES** - Francis, Bunce, Baker, Galate, McManus, Young.
 - #61-2010 Laboratory - W.A.T.E.R. Works Laboratory, Inc. Motioned by Francis, seconded by Bunce. Roll Call Vote: **YES** - Francis, Bunce, Baker, Galate, McManus, Young.

#62-2010 Web Manager – Larry Stewart. Motioned by Francis, seconded by Bunce. Roll Call Vote: **YES** – Francis, Bunce, Baker, Galate, McManus, Young.

#63-2010 Grant Writer – Millennium Strategies, LLC. Motioned by Francis, seconded by Bunce. Roll Call Vote: **YES** – Francis, Bunce, Baker, Galate, McManus, Young.

#64-2010 Auditor – Leach, Vinci & Higgins, LLP. Motioned by Francis, seconded by Bunce. Roll Call Vote: **YES** – Francis, Bunce, Baker, Galate, McManus & Young.

K. #65-2010 Authorize the Execution of an Agreement with Lincoln Financial as per Revenue Code Section 457 for the Employee Deferred Compensation Plan. Motioned by Bunce, seconded by Galate. Roll Call Vote: **YES** – Bunce, Galate, Baker, Francis, McManus, Young.

OLD BUSINESS:

NEW BUSINESS:

A. Request from Hopatcong Hills Fire & Rescue Co. #4 to install a pre-fabricated shed for the purpose of collecting used clothing on Borough property. Mayor Petillo asked to table this matter until the next meeting so that Mr. Ursin could give a legal opinion. Those present were in agreement.

B. Sussex County Economic Development Partnership – Discussion to renew 2010 dues. Mayor Petillo remarked that economic development was important to Hopatcong, and recommended that this be renewed in 2010. The governing body agreed with this recommendation.

C. Discussion – amendment to Ordinance Chapter 163 (Recreation). This matter was held until February and the Recreation Commission could provide input.

COMMITTEE REPORTS: Council President Francis revealed that the Finance Committee recommended the new auditor so that we could move forward with the budget process. He also informed those present that they were doing an audit of Borough properties and would be working with the Real Estate Committee to liquidate those parcels deemed to be appropriate.

Mayor Petillo reported that the Municipal Alliance was involved in several programs and would be looking to do more concerts for young adults. They were looking to bring back the outdoor entertainment. She also noted that there was a shift in the drug incidents in town; they are now related to prescription drugs and the average age of the offender is 31 years old.

PUBLIC COMMENT: (comments limited to 5 minutes). Louise Bagby from Stevens Trail said that at the end of the packet they received a copy of the

By-Laws. She questioned if these were enforce, since the last time they were marked "draft". Yes, these were adopted at the January 6, 2010 Sine Die Meeting.

Mara Modes wished to have a clarification from Mrs. Galate on the checks she abstained on. Councilwoman Galate commented that these checks were going to people she was friends with and felt strongly about not wanting to vote.

Councilperson Bunce moved to bring the meeting back to the governing body, seconded by Francis. Those present voted affirmative.

COUNCIL COMMENTS: Councilmember Baker thanked everyone for coming, and wished everyone a good evening.

Councilman Bunce also thanked those present, congratulated and thanked the three people for helping the woman who fell in the lake. He said good night and good luck Jets.

Councilwoman McManus remarked that we had Martin Luther King's Birthday, and questioned what we were doing to help others; she extended her thoughts to the people of Haiti, and hoped that they would receive aid and support.

Councilperson Young thanked Betty Flinn, as well as Kevin & Dan Bourke for their quick action during the ice rescue. He said that the thing he loves about this town is the people of Hopatcong. Councilman Young thanked everyone for coming. He also noted that teenagers who drink on an average are seven times more likely to have problems as adults; this information came from a presentation given at the Recreation Commission meeting.

Council President Francis acknowledged the three heroes, and thanked those in attendance. He noted that the Municipal Alliance was very important because substance abuse knows no boundaries and can affect anyone. He wished all a good night and good luck.

Councilman Bunce thanked the Finance Committee for their work on the budget and interviewing the professionals. He congratulated new Governor Christie, and Senator Brown from Massachusetts; thanked everyone for coming and wished them a good night.

Mayor Petillo congratulated the three heroes, as well as Governor Christie, and thanked the Hopatcong CERT Team along with Officer Bob Haffner for their work in town. She sent out prayers to the people of Haiti who were undergoing an extremely difficult time following the earthquake.

Councilwoman Galate moved to adjourn at 8:35 p.m., seconded by Bunce. The vote was unanimous.

Respectfully submitted:

