

**MINUTES
FOR THE MAYOR AND COUNCIL MEETING,
BOROUGH OF HOPATCONG,
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD
HOPATCONG, NEW JERSEY
MARCH 5, 2014
OPEN PUBLIC MEETING 7:30 PM**

CALL TO ORDER: Announce Quorum

OPEN PUBLIC MEETINGS ACT STATEMENT: Mayor 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, and posted on the bulletin board maintained in the Municipal Building for public announcements." (Mayor notes fire exits)

ROLL CALL: The Clerk called the roll and the following members were present: Councilman Bunce, Councilman Francis, Councilwoman Galate, Councilman Hoer, Councilwoman Klein, Councilman Young and Mayor Petillo

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.

NEW BUSINESS

Marty Kane, Robin Reenstra-Bryant, Donna McHale from the Lake Hopatcong Foundation presented information regarding their upcoming Block Party to be held at the Lake Hopatcong State Park on Saturday, May 10, 2014. They shared their plan for Vendors/Antique, Food Vendors, musical performers and various demonstrations focusing on the lake, fish and wildlife. There was discussion regarding the assistance for parking and transportation to the state park for all towns in the surrounding area.

INTRODUCTION OF 2014 MUNICIPAL BUDGET:

At this time the Borough's Municipal Auditor, Paul Lerch presented the 2014 Budget to the Governing Body and the public. A copy of the introduced budget is on file in the Clerk's office. The proposed increase of the budget is 2.2% (\$363,935) over the 2013 Adopted Budget. Not having the proposed County/School budget, the approximate household increase would be \$56

At this time Mayor Petillo asked if anyone from the public had any questions or comments.

Mara Modes, 3 Ithanell Rd, asked why page 7 of the Power Point presentation includes the Municipal Open Space and page 9 excludes the municipal open space. Page 7 refers to the CAP bank and the other refers to the Cap Levy which does not include the formula for Open Space.

Terry Walker, 23 Staten Trail, asked for clarification of the definition reason for the CAP bank ordinance and if the residents would see a tax increase because of the CAP Bank. Mr. Lerch explained that the CAP bank is a number, not currently funded by taxes, placed in the budget should the municipality have a catastrophic event requiring additional monies. Should a catastrophic event occur, funding could be raised up to the CAP Bank limit.

Terry Walker, 23 Staten Trail, asked why her lake front property taxes increased compared to other properties in the municipality. Attorney, John Ursin and Mayor Petillo clarified that the taxes collected did not change but the value of the properties shifted, due to the reassessment, where lake front properties retained their value or had a modest decrease while other properties in the Borough had a significant decrease. The amount of taxes collected does not change but the amount of distribution changes.

Mr. Harris, asked why on page 6 the amount is \$13million but on page 4 is \$16million. Why is there a \$3million difference. Mr. Lerch explained that the amount on page 4 represents total spending but due to the IRS rules some items are not subject to the 2% amount and cannot be raised by taxation.

After giving all persons present an opportunity to address the Governing Body, the meeting was returned to the regular order of business.

Introduction Ordinance #03-2014 – Exceed Budget Appropriation Limits and To Establish a Cap Bank

Councilman Bunce made a motion to introduce an ordinance entitled “AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMITS AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2013”. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Hoer, Klein, Young

Nays: None Absent: None Abstentions: None

FINAL READING: APRIL 2, 2014

Resolution #2014-60 – Waiver of Reading in Full of 2014 Budget

Councilman Bunce made a motion to adopt a resolution waiving the reading in full of the Municipal Budget for the year ending December 31, 2014. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Hoer, Klein, Young

Nays: None Absent: None Abstentions: None

Resolution #2014-59 – Introduction of 2014 Budget

Councilman Bunce made a motion to adopt a resolution introducing the 2014 Budget for the Borough of Hopatcong. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Hoer, Klein, Young

Nays: None Absent: None Abstentions: None

BUDGET HEARING: APRIL 2, 2014 OR SOON THEREAFTER

COMMITTEE REPORTS: Mayor Petillo allowed each member of the Council, to present their respective committee reports. Nothing to Report.

PUBLIC COMMENT: Mayor Petillo opened 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).

Terry Walker, 23 Staten Trail, asked about the refinancing of the Sewer Project on the agenda and if there would be an impact to the sewer bills. Mr. Elia and Mayor Petillo clarified that this was refinancing of the existing debt, not new debt, and that they are trying to stabilize the sewer bills.

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.

ADMINISTRATOR’S REPORT:

At this time Robert Elia, Borough Administrator, presented his report for the meeting of May 5, 2014. On February 26, 2014 they had the Solid Waste/Recycling Bid Opening. Three companies picked up the bids but only Suburban submitted a bid. The Engineer and the Municipal Attorney are currently reviewing the documents but it appears that the bid is slightly lower than it’s been in the past and is already reflected in the proposed budget. The Refinancing of the sewer debt is sought to stabilize the debt. He requested an Executive Session to discuss personnel issues at the end of the agenda

CONSENT AGENDA: Mayor Petillo requested that all persons present review the consent agenda. If any member of the Council or public wishes an item on the consent agenda to be discussed and considered separately, a motion to this effect shall so be made at this time.

After all persons have had an opportunity to review the consent agenda and offer requests for changes, Councilman Bunce made a motion to approve the consent agenda of March 5, 2014. Seconded by Councilman Young. All were in favor.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

- 1. Tax Collector Report for January, 2014
- 2. Zoning Department – February 2014
- 3. Overtime Report with Workers Comp
- 4. Correspondence – Sussex County Board of Chosen Freeholders

APPLICATIONS (APPROVAL OF THE FOLLOWING):

- 1. Thomasz Maslonka, 32 & 34 Tobyhanna Trail, Block 11111 Lots 27 & 29
- 2. Evan Everard, 14 Wildwood Shores Drive, Block 31306 Lot 17

RESOLUTIONS: (APPROVAL OF THE FOLLOWING)

- 1 .Resolution #2014-53 – Outside Lien Redemption – US Bank/Pro Capital
- 2. Resolution #2014-54 – Cancel 1st Half 2014 Taxes 4
- 3. Resolution #2014-55 – Refund Tax Overpayment
- 4. Resolution #2014-57 – Outside Lien Redemption – US Bank/Pro Capital
- 5. Resolution #2014-58 – Outside Lien Redemption –Pro Capital 3
- 6. Resolution #2014-63 – Refund Tax Overpayment
- 7. Resolution #2014-65 – Outside Lien Redemption – US Bank/Empire V
- 8. Resolution #2014-67 – Cancel Tax Sale Certificates

APPOINTMENTS – BOARDS AND COMMISSIONS

Mayor Petillo shall offer the following names for appointment to the Land Use Board:

Mayor Sylvia Petillo	Class I Member (1 Year)	12/31/2014
Ron Jobeless	Class II Member (1 Year)	12/31/2014
Michael Francis	Class III Member (Council Representative)(1 Year)	12/31/2014
Alan Gilbert	Class IV Member (4 Years)	12/31/2017
Robert Duncan	Class IV Member (4 Year)	12/31/2017
Ken Trumpore	Class IV Member (4 Year)	12/31/2016
Sam Hoagland	Class IV Member (4 Year)(Complete Hoer Term)	12/31/2014
Robert Rehe	Class IV Member (4 Year)	12/31/2014
Richard Schindelar	Class IV Member (4 Year)Compl Hoagland Term)	12/31/2016
	(Environmental Representative)	
Michael Rahill	Alternate I (2 Year)(Complete Kieser Term)	12/31/2016
	(Open Space /Recreation Representative)	
Justin Lijo	Alternate II (2 Year)(Complete Rahill Term)	12/31/2014
Mark Gaffney	Alternate III (2 Year)NEW	12/31/2015
Vacant	Alternate IV(2 Year)	

John Kieser resigned from the Land Use Board

Adoption Ordinance #02-2014 – An Ordinance Amending Section 5-2 Creating Alternate Members on the Recreation Commission

Councilman Young made a motion to adopt an ordinance entitled “AN ORDINANCE AMENDING SECTION 5-2 CREATING ALTERNATE MEMBERS ON THE RECREATION COMMISSION”. Seconded by Councilwoman Galate.

Before final roll call, Mayor Petillo will open the meeting to the public for any questions or comments regarding Ordinance #02-2014.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Hoer, Klein, Young

Nays: None Absent: None Abstentions: None

Resolution #2014-61 – Temporary Appropriation for Operating Purposes Amendment

Councilman Bunce made a motion to adopt a resolution authorizing the temporary appropriation for Operating Purposes Amendment for the meeting of March 5, 2014. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Hoer, Klein, Young

Nays: None Absent: None Abstentions: None

Resolution #2014-62 – Payment of Bills

Councilman Bunce made a motion to approve a resolution authorizing the payment of bills for the meeting of March 5, 2014 excluding 33932, 33936, 33956, 3167. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Hoer, Klein, Young

Nays: None Absent: None Abstentions: None

Councilman Bunce made a motion to authorize the payment of check numbers 33932, 33936, 33956, 3167. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Hoer, Klein, Young

Nays: None Absent: Galate Abstentions: None

Resolution #2014-64 – Loan Application to Refinance Sewer Project

Councilman Bunce made a motion to approve a resolution authorizing the an application with the New Jersey Department of Environment Protection and the New Jersey Environmental Infrastructure Trust for the loan application to refinance sewer project. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Hoer, Klein, Young

Nays: None Absent: None Abstentions: None

Resolution #2014-66 – Land Donations

Councilman Young made a motion to approve a resolution regarding donations of property. Seconded by Councilman Francis.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Hoer, Klein, Young

Nays: None Absent: None Abstentions: None

Mayor Petillo opened 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.

EXECUTIVE SESSION:

Councilman Bunce made a motion to go into Executive Session to discuss a Personnel Issue. Seconded by Councilman Young.

Councilman Young made a motion to return from Executive Session. Seconded by councilman Hoer.

Recreation Commission

Let the minutes reflect that the subject discussed in Executive Session had to do with Personnel, appointments to the Recreation Commission and had to deal with the record keeping of the members 5 year terms as per statute that the terms be staggered.

Mayor Petillo offered the following names for appointment to the Recreation Commission:

Sue Gorglione	New 5 yr term	exp: 12/31/2018
Sal Guglielmello	New 5 yr term	exp: 12/31/2018
Corde Motyka	New 1 yr Alternate	exp: 12/31/14

A motion was made by Councilwoman Galate to confirm and re-establish the terms of the Recreation Commission by referencing the year the terms expire. Seconded by Councilman Young.

Dave Barnish		exp: 12/31/16
Joan Reilly		exp: 12/31/14
Sue Gorglione		exp: 12/31/18
Dave Barella		exp: 12/31/17
Danette Swanson		exp: 12/31/17
Sal Guglielmello		exp: 12/31/18
Cathy (Bowen) Millian		exp: 12/31/15
Corde Motyka	1 st Alt.	exp: 12/31/14

Upon roll call vote:
Ayes: Bunce, Francis, Galate, Hoer, Klein, Young
Nays: None Absent: None Abstentions: None

ADJOURNMENT:

Councilman Bunce made a motion to adjourn the meeting of March 5, 2014. Seconded by Councilwoman Galate. All were in favor.

Sylvia Petillo, Mayor

Robert Elia, Acting RMC