

**MINUTES
OF THE MAYOR AND COUNCIL MEETING,
BOROUGH OF HOPATCONG,
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD
HOPATCONG, NEW JERSEY
SEPTEMBER 2, 2015
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 noted fire exits)

ROLL CALL: The Clerk called the role and the following members were present: Councilman Bunce, Councilman Francis, Councilwoman Galate, Councilman Padula, Councilman Schindelar, 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.

PRESENTATIONS:

Lake Hopatcong Foundation – Lake Loop Discussion

At this time Becky Rubenstein from the Lake Hopatcong Foundation discussed with the Council the activities that are going to take place on October 11, 2015 at the State Park. There are going to be bike routes, adventure trail runs and a paddle course.

COMMITTEE REPORTS:

Mayor Petillo allowed each member of the Council, to present their respective committee reports.

Councilwoman Galate reported that the market is running wonderfully and that the Dog Days event was very well attended. She stated that Space Farms is scheduled for September 13th to do an animal handling demonstration and that on the 20th there will be a “Fall into the Market” Harvest Day. There will be a boat show provided by Katz Marina and many of our community groups will be participating, such as the Community Garden, the Pound Project, The Lake Hopatcong Foundation, and the United States Coast Guard.

Councilwoman Galate also reported that the Senior group meets tomorrow and that they have a trip planned to Canada. She stated that the Business League is preparing for the annual Halloween parade.

Councilwoman Galate stated that she attended a police meeting and that the Chief has offered “ride-alongs” for the Governing Body members. They will be able to ride with one of the officers and sit in dispatch. He also offered tours through the department so that the Council can see what goes on in the department on a daily basis. She encouraged them to take the Chief up on his offer.

Councilman Francis stated that there is an ordinance on for introduction this evening amending the deer management code to “Wildlife Management” and also a resolution on for consideration to allow hunting in the Natural Area preserve. Both guns and bow hunting will be allowed. He stated that State representatives were very helpful in drafting the amending ordinance and that they are using the Borough as an example of good hunting practices.

Councilman Schindelar stated that there was a meeting this morning with the DEP regarding the Water Management plan as it relates to Lake Hopatcong. He stated they were going to address such things as water flow and the water levels. He stated that he will get more information and report back to the Council.

Mayor Petillo stated that she didn't think that the DEP was going to change the plan that they have been working on and have in place.

Councilman Young reported that the Recreation Commission held their last "Movie in the Park" event where they showed the Lego Movie. They also held an "Ice Cream Social". Both events were very well attended. At their meeting they started to already discuss next year's events as well as the upcoming Halloween parade and costume contest.

Councilman Young also stated that the skate park has been closed for repairs and they are hoping that the DPW will be able to do the work in house. The only vendor who has the panels is in Oregon and they are very expensive to ship.

Councilman Young reported that the Warriors will be holding their pep rally on September 11th at 6:30. It is a fun event where all of the kids have a great time. And he reminded everyone to drive safer as school opens tomorrow.

Councilman Schindelar stated that he hopes that we get the skate park repaired quickly because of lot of kids are now using the tables at the senior center to skateboard on.

Councilman Bunce stated that we are on track with getting the salt shed constructed. He also reported that the DPW is already starting to get all of the equipment ready for winter. He reminded everyone that the Annual Sussex County Firemen's Parade will be held on October 3rd and that information can be found on the Borough website as well as the Fire Department site. Councilman Bunce also reported that the Senior Spaghetti Dinner will be held on October 25th at St. Jude's.

Councilman Bunce stated that Crimestoppers will be holding their 5K and 12K run on September 18th and encouraged everyone to participate in this fun event.

Councilman Bunce happily reported that Moody's has raised the Boroughs bond rating to AA. The report stated that Hopatcong is in a very strong financial position due to our conservative budgeting and all of our hard work.

Mayor Petillo reminded everyone that we will be holding a 9/11 service next Friday at 10:00 am to commemorate the 14th anniversary of the terror attacks on our country.

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).

Mara Modes asked about the request from 18 Temple Trail to construct pillars in the right of way. She asked what "pillars" are.

Mayor Petillo stated that they are columns to put lights on as their driveway is very dark.

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 Bunce made a motion to approve the meeting minutes of the Regular Meeting held on August 5, 2015 and the Special Meeting held on August 19, 2015. 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 September 2, 2015.

Mr. Elia stated that the improved bond rating will allow the Borough to obtain lower interest rates on not only new bonds, but on bonds that we currently have and roll over. He also stated that last year Standard and Poors improved our bond rating as well.

Mr. Elia informed the Council and the public that the Borough was fortunate enough this year to receive another Housing Rehabilitation Grant award in the amount of \$25,000. This is the third year that we have received the grant and it will help many residents make much needed repairs to their homes. He stated that last year we initially received

\$25,000 but that as time went on the award was increased so that we were able to help more homeowners.

Mr. Elia also reported that as everyone knows, Kelleyanne McGann, our CFO for 20 years retired last week. We have placed an ad to hire a new CFO and we have gotten resumes from a couple of qualified applicants. Hopefully, by the next meeting of the Mayor and Council, there will be a recommendation to hire a qualified applicant.

Mr. Elia also stated that there is a resolution on this evening for consideration in support of "Idle Free Zones" in the Borough. If the town passes this resolution it will go towards points needed to obtain the "Bronze" designation in the Sustainable Jersey program. We started the process back in 2009 and programs such as the Community Garden and the Farmer's Market have given us points towards reaching that designation.

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, Mayor Petillo requested a motion to approve the consent agenda.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Borough of Netcong, Ordinance 2015-10.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING)

1. Zoning Department Monthly Report, July 2015.
2. Construction Department Monthly Report, June & July 2015.
3. Tax Collector's Report, July 2015.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Social Affair Permit: Project Self-Sufficiency. Hudson Farm Club, October 4, 2015.
2. Social Affair Permit: Lake Hopatcong Historical Museum. Garden State Yacht Club. Sept. 26, 2015.
3. NJ State Firemen's Assoc. Application: Mark S. Doody.

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Resolution # 2015-218 – Refund Tax Overpayment, Blk: 10301 Lt: 1.
2. Resolution # 2015-219 – Outside Lien Redemption, Blk: 30409 Lt: 3.
3. Resolution # 2015-223 – Outside Lien Redemption, Blk: 11103 Lt: 13.
4. Resolution # 2015-229 – Outside Lien Redemption, Blk: 31701 Lt: 30.
5. Resolution # 2015-230 – Outside Lien Redemption, Blk: 11018 Lt: 5, Blk: 40107 Lt: 47.
6. Resolution # 2015-231 – Outside Lien Redemption, Blk: 30511 Lt: 11, Blk: 40216 Lt: 3.
7. Resolution # 2015-232 – Outside Lien Redemption, Blk: 11107 Lt: 22.

Councilman Young made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilman Bunce. All were in favor.

INTRODUCTION OF ORDINANCES:

Introduction Ordinance #27-2015 – Wildlife Management Ordinance

Councilman Bunce made a motion to introduce an ordinance entitled "AN ORDINANCE OF THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY RENAMING CHAPTER 100 TO 'WILDLIFE MANAGEMENT', REPLACING ARTICLE I OF SAID CHAPTER, AND AMENDING CHAPTER 163 ENTITLED 'PARKS AND RECREATION AREAS', CHAPTER 112 ENTITLED 'FIREARMS', AND CHAPTER 154 ENTITLED 'NATURAL AREA PRESERVE'." Seconded by Councilwoman Galate.

Upon roll call vote:
Ayes: Bunce, Francis, Galate, Padula, Schindelar, Young
Nays: None Absent: None Abstentions: None

FINAL READING: SEPTEMBER 16, 2015

Introduction Ordinance #28-2015 – Auction of Municipal Property BI 50409, Lot 6 – 3 Washaw Trail

Councilman Young made a motion to introduce an ordinance entitled “AN ORDINANCE OF THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX, STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS 3 WASHAW TRAIL, BLOCK 50409, LOT 6”. Seconded by Councilman Bunce.

Upon roll call vote:
Ayes: Bunce, Francis, Galate, Padula, Schindelar, Young
Nays: None Absent: None Abstentions: None

FINAL READING: SEPTEMBER 16, 2015

AUCTION: OCTOBER 7, 2015

ADOPTION OF ORDINANCES:

Adoption Ordinance #26-2015 – Amending and Restating Bond Ordinance #15-2015

Councilman Bunce made a motion to introduce an ordinance entitled “A BOND ORDINANCE AMENDING AND RESTATING BOND ORDINANCE #15-2015 (WHICH PROVIDES FOR VARIOUS 2015 SEWER UTILITY IMPROVEMENTS) HERETOFORE FINALLY ADOPTED BY THE BOROUGH COMMON COUNCIL OF THE BOROUGH OF HOPATCONG, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, ON MAY 6, 2015”. Seconded by Councilman Young.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments that they may have regarding Ordinance #15-2015.

There being no one from the public who wished to address the Governing Body regarding Ordinance #26-2015, Councilwoman Galate 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.

Upon roll call vote:
Ayes: Bunce, Francis, Galate, Padula, Schindelar, Young
Nays: None Absent: None Abstentions: None

RESOLUTIONS:

Resolution #2015-220 – Home Depot Card Account

Councilman Young made a motion to adopt a resolution authorizing certain Borough employees to use the Home Depot Credit Card account for the convenience and efficiency of Borough business. Seconded by Councilwoman Galate.

Upon roll call vote:
Ayes: Bunce, Francis, Galate, Padula, Schindelar, Young
Nays: None Absent: None Abstentions: None

Resolution #2015-221 – Lowes Credit Card Account

Councilwoman Galate made a motion to adopt a resolution authorizing certain Borough employees to use the Lowes Credit card account for the convenience and efficiency of Borough business. Seconded by Councilman Bunce.

Upon roll call vote:
Ayes: Bunce, Francis, Galate, Padula, Schindelar, Young
Nays: None Absent: None Abstentions: None

Resolution #2015-233 – Payment of Bills

Councilman Bunce made a motion to adopt a resolution authorizing the payment of bills for the meeting of September 2, 2015, pulling check numbers 1239, 2791, 36226, 36242, 36251, 36269, 36281, and 36287. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: None

Councilman Bunce made a motion to approve the payment of check numbers 1239, 2791, 36226, 36242, 36251, 36269, 36281, and 36287. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Padula, Schindelar

Nays: None Absent: None Abstentions: Galate, Young

Resolution #2015-234 – Special Item of Revenue, Bulletproof Vests

Councilman Young made a motion to adopt a resolution asking the Director of the Division of Local Government Services to approve the insertion of \$442.50 into the 2015 budget for the Borough of Hopatcong under the caption “Bulletproof Vest Partnership Program”. Seconded by Councilman Bunce.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: None

Resolution #2015-235 – Idle Free Zones

Councilman Young made a motion to adopt a resolution supporting efforts to create “Idle Free Zones” in the Borough of Hopatcong. Seconded by Councilman Bunce.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: None

Resolution #2015-236 – Hunting on Municipal Owned Property

Councilman Bunce made a motion to adopt a resolution for hunting on municipally-owned property for the 2015-2016 hunting season. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: None

OLD BUSINESS:

NEW BUSINESS:

Request to Construct Columns and Plantings in Municipal Right-of-Way – 18 Temple Trail

Councilman Francis made a motion to grant a request from the owners of 18 Temple Trail to build two columns/pillars and do some planting landscaping in the municipal right-of-way. Seconded by Councilman Schindelar.

Upon roll call vote:

Ayes: Bunce, Francis, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: Galate

Request to Allow Wall and Walk to Remain in the Right of Way – 9 Normandy Circle

Councilwoman Galate made a motion to deny a request from the owners of 9 Normandy Circle to allow a wall and walk to remain in the right-of-way. Seconded by Councilman Padula.

The Council discussed the many issues relating to this property that they were not made aware of when this request came before them at the last meeting. The resident has constructed, without prior approval or permits, many structures on his property, some of which are in the municipal right of way. Although the Council often approves requests from homeowners, on a case by case basis, to construct or rebuild in the right of way, this issue needs to go before the Construction and Zoning Officials, as well as the Land Use Board to be addressed.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: None

Request to Replace Fence in the Municipal Right of Way – 113 Idalroy Trail

Councilman Bunce made a motion to table a request from the owners of 113 Idalroy Trail to replace a fence that is located in the Municipal right of way (same size, same location), and to send it back to the Zoning Officer.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: None

Discussion – Construction/Replacement in the Municipal Right of Way

At this time the Governing Body discussed construction/replacements in the municipal right-of-way. They agreed that each one needs to be taken on a case by case basis and that if necessary some of them need to go back before the Land Use Board. The procedures will be reviewed and they directed the Administrator to have a discussion with the Zoning Officer as to the process.

Appointment of Alternate for the Environmental Commission

Councilman Young made a motion to approve the appointment of Jen Barone as an alternate for the Environmental Commission. Seconded by Councilman Bunce. All were in favor.

At this time, Mayor Petillo administered the oath to Jen Barone and welcomed her aboard. She also thanked her for all of her dedication to the Borough and for all of her hard work on the Community Garden.

Discussion – Free Little Library

At this time Mayor Petillo asked the Council if they would be in favor of a volunteer constructing a free little library here at Borough Hall. The concept of the library is that she would construct a small wooden “little library” that she will fill with books. A child could come and borrow a book as long as they place one in the box in return.

After discussion it was agreed that she could construct the library on the back corner of Borough Hall and not in the 9/11 memorial. That area should be left as a monument to first responders and victims of the 9/11 attacks.

Sign Ordinance Discussion

Councilman Young addressed his request from the last meeting to amend the sign ordinance to allow non-profits to be able to advertise their events with larger signs on residential properties. He stated that currently they can only advertise on commercial properties. After discussion, the Council directed Mr. Ursin to amend the sign ordinance to allow non-profits to erect larger signs to advertise their events on residential properties on Sparta-Stanhope Road as well as on commercial properties in the rest of the Borough.

PUBLIC COMMENT:

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).

Mara Modes addressed the ongoing construction on River Styx Road and suggested that the police are not directing traffic properly. She said that they should have flags and should not be waiving water bottles.

Councilman Bunce stated that he took offense to her comments and that our police officers are doing a great job with traffic control in the area. The officers are standing in the heat directing the traffic and are very noticeable to motorists.

Ms. Modes asked who will be maintaining the parking lot by Hudson Maxim school and the Mayor stated that the Borough will be, unless the school wishes to contact us to make other arrangements.

Ms. Modes stated that she is very upset by Slomins soliciting in her neighborhood and that they scared a young girl to the point that the police had to be called. She asked if the Borough could prohibit them from peddling.

Mayor Petillo stated that she is aware of the situation and that Slomins is a licensed peddler in the Borough and that we just can't forbid them from doing so – it goes against their constitutional rights. She stated that if anyone has that type of issue with any peddler that they should call the police. That girl did the right thing.

Ms. Modes also stated that she has complaints about the gas station across from Borough Hall. She stated that they fill the tank up so that it overflows and they won't give change.

Councilman Bunce stated that is not an issue for this Governing Body and that she should call the State if she has complaints.

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.

ADJOURNMENT:

Councilman Bunce made a motion to adjourn the meeting of September 2, 2015. Seconded by Councilman Young. All were in favor.

Sylvia Petillo, Mayor

Catherine Schultz, RMC