

**MINUTES
OF THE MAYOR AND COUNCIL MEETING,
BOROUGH OF HOPATCONG,
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD
HOPATCONG, NEW JERSEY
SEPTEMBER 3, 2014
OPEN PUBLIC MEETING 7:30 PM**

CALL TO ORDER: Announce Quorum

OPEN PUBLIC MEETINGS ACT STATEMENT: Council President Young 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." (Council President Young noted fire exits)

ROLL CALL: The Clerk called the roll and the following members were present: Councilman Bunce, Councilman Francis, Councilwoman Galate, Councilman Padula and Council President Young.

Absent: Councilwoman Klein, Mayor Petillo

MOMENT OF SILENT REFLECTION AND PLEDGE OF ALLEGIANCE:

Council President Young invited all present to salute the flag and to remain standing for a moment of silence.

AUCTION OF MUNICIPAL PROPERTY:

1. **Auction of Municipal Property, Block 50303, Lot 4, 16 Papoose Trail.** (conforming, Min. Bid \$22,100.00)

There being no one from the public who wished to make an offer on the above mentioned property, Councilman Bunce made a motion to close the auction and return to the regular order of business. Seconded by Councilwoman Galate. All were in favor.

2. **Auction of Municipal Property, Block 31002, Lot 4, 7 Oklahoma Trail** (non-conforming, Min bid \$3,675.00)

Councilman Bunce made a motion to accept the bid of \$3,675 for the above mentioned property. Seconded by Councilman Francis.

Upon roll call vote:

Ayes: Bunce, Francis, Padula, Young

Nays: None Absent: Klein Abstentions: Galate

3. **Auction of Municipal Property, Block 40912, Lot 14, 16 Columbia Trail** (non-conforming, Min Bid \$3,450.00)

There being no one from the public who wished to make an offer on the above mentioned property, Councilman Bunce made a motion to close the auction and return to the regular order of business. Seconded by Councilwoman Galate. All were in favor.

4. **Auction of Municipal Property, Block 31011, Lot 12, 31 Oklahoma Trail** (non-conforming, Min Bid \$3,675.00)

There being no one from the public who wished to make an offer on the above mentioned property, Councilman Bunce made a motion to close the auction and return to the regular order of business. Seconded by Councilwoman Galate. All were in favor.

COMMITTEE REPORTS: Council President Young allowed each member of the Council, to present their respective committee reports.

Councilwoman Galate reported that the Senior group meets tomorrow and that the Farmer's Market is going wonderfully this year.

Councilman Bunce stated that the Senior Picnic that is sponsored by the Council and the Knights of Columbus will be held on October 26th this year and he encouraged everyone to come out to enjoy the great food and entertainment.

PUBLIC COMMENT: Council President Young 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).

Robin Calandriello, 116 Hudson, asked why the Borough was approving the liquor license for the River Styx Grill if the owner is in jail.

Mr. Ursin responded that it is a matter of business that needs to be taken care of so that the license can be transferred to someone else. If the town doesn't renew the license then it would jeopardize the sale of the River Styx Grill to the prospective buyers.

Mr. David Harris, 128 Dupont Avenue, addressed the Council regarding the paving of Dupont Avenue.

Councilman Bunce stated that the drainage work on that road has been completed and that the town is just waiting for the paving company to come and finish the job.

Mr. Harris also asked if Dale Sloat is working and Mr. Ursin responded that he, the ACO, is currently on the payroll for the Borough.

Barbara Loring, Ithanel Road, asked whether or not all dead animals found on the roadways are tested for rabies. The Council responded that health regulations are followed but that it would be very costly to test every animal that is found dead.

After giving all persons present an opportunity to address the Governing Body, a motion to close the meeting to the public and return to the regular order of business.

APPROVAL OF MINUTES:

Councilwoman Galate made a motion to approve the meeting minutes of the Regular Meeting held on August 6, 2014 and the Special Meeting held on August 20, 2014. Seconded by Councilman Bunce. All were in favor.

ADMINISTRATOR'S REPORT:

At this time Robert Elia, Borough Administrator, presented his report for the meeting of September 3, 2014. He stated that the Borough is fortunate to once again be the recipient of a USDA housing rehabilitation grant. We were one of only two municipalities in the State to receive one. This year we received \$10,232 which will be used to help one or perhaps two residents in need of the program. So far, in the last two years, 18 residents have taken advantage of the income-based program.

CONSENT AGENDA: Council President Young 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.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Construction Monthly Report July 2014.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Resolution # 2014-208– Outside Lien Redemption, Anthony Silva
2. Resolution # 2014-209– Outside Lien Redemption, Amaco
3. Resolution # 2014-210– Outside Lien Redemption, US Bank/BV001
4. Resolution # 2014-211– Outside Lien Redemption, Virgo
5. Resolution # 2014-212– Refund Tax Overpayment, Corelogic

6. Resolution # 2014-214– Outside Lien Redemption, Tower for Ebury
7. Resolution # 2014-215– Outside Lien Redemption, Anthony Silva
8. Resolution # 2014-216– Omit from Tax Sale, 75 Elba Ave. Blk. 31403 Lt. 2
9. Resolution # 2014-222– Waive Returned Check Fee, Brian D. Churka

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. Seconded by Councilwoman Galate. All were in favor.

INTRODUCTION OF ORDINANCES:

Introduction Ordinance #27-2014 – Auction of Municipal Property Block 50409, Lot 6, 3 Washaw Tr.

Councilman Francis 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, Young

Nays: None Absent: Klein Abstentions: None

FINAL READING: SEPTEMBER 17, 2014

AUCTION: OCTOBER 1, 2014

Introduction Ordinance #28-2014 – Auction of Municipal Property Block 11107, Lot 32, 2 Billinge Road

Councilman Bunce 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 2 BILLINGE ROAD, BLOCK 11107, LOT 32”. Seconded by Councilman Francis.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Young

Nays: None Absent: Klein Abstentions: None

FINAL READING: SEPTEMBER 17, 2014

AUCTION: OCTOBER 1, 2014

Introduction Ordinance #29-2014 – Auction of Municipal Property Block 11107, Lot 40, 103B York Road

Councilman Bunce 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 103B YORK ROAD, BLOCK 11107, LOT 40”. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Young

Nays: None Absent: Klein Abstentions: None

FINAL READING: SEPTEMBER 17, 2014

AUCTION: OCTOBER 1, 2014

Introduction Ordinance #30-2014 – Auction of Municipal Property Block 30503, Lot 1, 302 Lakeside Blvd

Councilman Bunce 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 302 LAKESIDE BLVD, BLOCK 30503, LOT 1". Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Young

Nays: None Absent: Klein Abstentions: None

FINAL READING: SEPTEMBER 17, 2014

AUCTION: OCTOBER 1, 2014

Introduction Ordinance #31-2014 – Auction of Municipal Property Block 30203, Lot 3, 35 Madison Trail

Councilman Bunce 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 35 MADISON TRAIL, BLOCK 30203, LOT 3". Seconded by Councilman Francis.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Young

Nays: None Absent: Klein Abstentions: None

FINAL READING: SEPTEMBER 17, 2014

AUCTION: OCTOBER 1, 2014

ADOPTION OF ORDINANCES:

RESOLUTIONS:

Resolution #2014-217 – Rescinding Liquor License Transfer

Councilman Bunce made a motion to adopt a resolution rescinding Resolution #2014-206 which approved the Liquor License Transfer from Lakeland Enterprises to Aineciara LLC (Patrick's Pub) until such time that Lakeland Enterprises obtains a tax clearance certification from the Division of Taxation. Seconded by Councilwoman Galate.

Catherine Gleason, Municipal Clerk, explained that the ABC requested that we rescind the resolution that was adopted at the last meeting because at the time the River Styx Grill didn't have tax clearance from the State. It was later determined that they did have clearance so the ABC recommended rescinding the original resolution transferring the license and to first, renew the license for the 2014-2015 year and then adopt a resolution authorizing not only the Person to Person transfer but also a Place to Place transfer because they are also expanding the premises where alcohol can be served and/or stored.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Young

Nays: None Absent: Klein Abstentions: None

Resolution #2014-218 – Hiring of Crossing Guards 2014-2015 School Year

Councilman Bunce made a motion to adopt a resolution authorizing the hiring of Crossing Guards for the 2014-2015 school year. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Young

Nays: None Absent: Klein Abstentions: None

Resolution #2014-219 – Renewal of Certain Liquor License

Councilman Bunce made a motion to adopt a resolution authorizing the renewal of certain liquor licenses for the 2014-2015 licensing year. (River Styx Grill) Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Young

Nays: None Absent: Klein Abstentions: None

Resolution #2014-220 – Person to Person/Place to Place Liquor License Transfer

Councilman Bunce made a motion to adopt a resolution authorizing a Person to Person transfer and a Place to Place Transfer of Liquor License 1912-33-03-12, Lakeland Enterprises, LLC, to Aineciara LLC. (dba Patrick's Pub) Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Young

Nays: None Absent: Klein Abstentions: None

Resolution #2014-221 – Payment of Bills

Councilman Bunce made a motion to adopt a resolution authorizing the payment of bills for the meeting of September 3, 2014, pulling check numbers 1217, 34731 and 34745. Seconded by Councilman Padula.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Young

Nays: None Absent: Klein Abstentions: None

Councilman Bunce made a motion to authorize the payment of check numbers 1217, 34731, and 34745. Seconded by Councilman Padula.

Upon roll call vote:

Ayes: Bunce, Francis, Padula, Young

Nays: None Absent: Klein Abstentions: Galate

OLD BUSINESS:

NEW BUSINESS:

Separation Agreement with ACO Dale Sloat

Borough Attorney John Ursin stated that because this is a personnel issue that it can't be discussed in public. He told the Council that if they so choose, they can go into closed session to discuss the agreement but if they are ok with the terms then they can vote to authorize the Borough Administrator to move forward with the separation agreement.

Councilman Bunce made a motion to authorize the Borough Administrator to enter into an employment separation agreement with Animal Control Officer Dale Sloat. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula

Nays: None Absent: Klein Abstentions: Young

Social Affair Permit – Cure Tay-Sachs Foundation

Councilman Bunce made a motion to approve a Social Affair Permit submitted by Cure Tay-Sachs Foundation to hold an event on October 10, 2014 from 11:00 am to 11:00 pm at Hudson Farms. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Young

Nays: None Absent: Klein Abstentions: None

PUBLIC COMMENT:

Council President Young opened the meeting to the public for any questions or comments concerning the good and welfare of the Borough. (Comments limited to 5 minutes).

Mr. Harris stated that he loves what the town has done with Maxim Glen Park and that he enjoys sitting there. He asked if perhaps the town could repaint the gazebo and put some light in it. He also stated that there is a bench missing in the park and that the basketball hoops need padding around the poles.

Mr. Harris also asked if there was any resolution to the resident's problem about the field and the baseballs being hit into his yard.

Council President Young stated that the Recreation Commission is looking into it and that the balls going into his yard were not his only complaint. The resident has requested that the fields actually be locked. Council President Young stated that the fields are maintained by the Borough and funded by the tax payers of the municipality. They are researching the request and considering rule changes for the fields.

Amy Chamer, 127 Blackfoot Trail, stated that she would like the Council to look into the structure at the bus stop up in Northwood. She stated that she spoke to the DPW and was told that the structure is not owned by the Borough. The Administrator stated that he would look into it and that the choice of bus stops is made by the schools and that perhaps she should contact them.

Barbara Loring, Ithanell Road, stated that she is still concerned about speeding on Ithanell Road. A while back the residents had asked for speed bumps and they were told that the town would not construct them. She asked if rumble strips could be a possibility. She also asked that there be more of a police presence on the street.

Councilman Bunce stated that they would also be a problem for the snow plows as the plow would rip them up.

The Administrator, Robert Elia, stated that he would discuss the situation with the Chief of Police.

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 Francis.

ADJOURNMENT:

Councilman Bunce made a motion to adjourn the meeting of September 3, 2014. Seconded by Councilman Francis. All were in favor.

John Young, Council President

Catherine Gleason, Clerk