

**MINUTES
OF THE MAYOR AND COUNCIL MEETING,
BOROUGH OF HOPATCONG,
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD
HOPATCONG, NEW JERSEY
MAY 20, 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 roll 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.

AUCTION OF MUNICIPAL PROPERTY: (All conforming properties)

1. Block 50303, Lot 4, 18 Papoose Trail – Minimum Bid \$22,100

There being no one from the public who wished to bid on Block 50303, Lot 4 Councilman Young made a motion to close the auction. Seconded by Councilman Bunce. All were in favor.

2. Block 31603, Lot 19, 4 Kisling Avenue – Minimum Bid \$20,400

There being no one from the public who wished to bid on Block 31603, Lot 19, Councilman Bunce made a motion to close the auction. Seconded by Councilman Young. All were in favor.

3. Block 41204, Lot 2, 450 Maxim Drive – Minimum Bid \$9,950

There being no one from the public who wished to bid on Block 41204, Lot 2, Councilman Young made a motion to close the auction. Seconded by Councilman Bunce. All were in favor.

4. Block 20213, Lot 1, 79 Kynor Avenue – Minimum Bid \$11,250

There being no one from the public who wished to bid on Block 20213, Lot 1, Councilman Bunce made a motion to close the auction. Seconded by Councilman Young. All were in favor.

COMMITTEE REPORTS:

Councilwoman Galate reported that the Seniors group is growing and that they are well represented in all age groups. She stated that the Farmer's Market is coming along and they already have several repeat vendors and demonstrations and music lined up. She also reported that the Sussex County League of Municipalities will hold their June meeting at the Skylands baseball stadium

Councilman Francis stated that the Farmer's Market is growing and that they will have many presentations this year including a Civil War reenactment, DEP presentation regarding bears and the Lake Hopatcong Foundation who will do a presentation on boating safety.

Councilman Young reported that the Recreation Commission will be holding an Ice Cream Social on August 22, 2015. The Commission held a movie night at the high school and it was very well attended. Councilman Young also reported that the Environmental Commission participated in the Hopatcong Block Party and the First

Annual Sussex County Day. He also stated that a resident who is a beekeeper is interested in doing a presentation and perhaps will have an open hive for everyone to view. The Commission had over a hundred people participated in the tree giveaway and that they are in the process of discussing Hopatcong Days. They will not be holding a poster contest this year and didn't have their annual hike on Earth Day. They may have a hike in June to celebrate National Trails Day.

Councilman Bunce reported that there are resolutions on tonight to award contracts to vendors who will complete the paving for our two DOT grants that the Borough was awarded. He stated that the DPW Committee is meeting tomorrow and that the paving in Wildwood Shores is complete.

Mayor Petillo stated reminded everyone that the Memorial Day parade is this Saturday.

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).

Cliff Lundin addressed the Council regarding the trail easement that he would like incorporated into the ordinance that is on the agenda tonight to auction off 501 Lakeside Blvd. He stated that he had gotten an email from Bob Elia stating that the Council was would not entertain giving the easement prior to the auction.

Mr. Ursin stated that he is familiar with the property and that the easement would have little or no effect on the price of the property.

Councilman Bunce and Councilwoman Galate both stated that they were not made aware of the issue by Mr. Elia.

Mr. Ursin stated that the ordinance could be introduced now with that caveat and that he would provide the Governing Body a map of the property with the easement.

After discussion, the Governing Body agreed to introduce the ordinance with the easement language included for adoption.

Dave Berchak, 67 Kynor Avenue, addressed the Council regarding residents leaving their garbage out in plastic bags rather than in covered containers. The animals get into the bags and make a mess.

Mayor Petillo stated that it is part of the ordinance that garbage has to be put out in covered containers. She stated that we will put out a reminder on Facebook and the website.

Gwen Switzer, 129 Camp Trail, once again addressed the Council regarding the condition of her street. She stated that at the last meeting she told the Council that her street was in such bad condition that it is dangerous. She and her children have all fallen on the gravel. She wanted to know if Camp Trail was on the list this year to be paved.

Mayor Petillo apologized to Ms. Switzer for not getting back to her. She stated that she and the DPW Superintendent both went out to look at the road and that it is in bad condition. Unfortunately, however, there are many other roads in town that are in worse condition and are a priority for the Borough. She stated that the bad winters have taken a toll on many of our roads and that we don't have enough money to fix them all this year. We have received grants for paving but the money is designated for certain roadways.

Ms. Switzer asked if she could have a list of the roadways that are being considered for paying this year and the Mayor responded that she could OPRA the list. Ms. Switzer asked if the street sweeper could be sent down the street. Mayor Petillo stated that she believes that if went down that street already but that she would instruct the DPW to sweep it again.

After giving all persons present an opportunity to address the Governing Body, 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.

APPROVAL OF MINUTES:

Councilman Bunce made a motion to approve the meeting minutes of the Regular Meeting held on May 6, 2015. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

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 for the meeting of May 6, 2015. Seconded by Councilman Young. All were in favor.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Zoning Department Monthly Report: April 2015.
2. Construction Department Monthly Report: April 2015.
3. Tax Collector Monthly Report: April 2015.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Social Affair Permit: Rotary Club of Lake Hopatcong, Hudson Guild Farm, 8/23/15.

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Resolution # 2015-142-Refund Overpayment Smoke Detector Test.
2. Resolution # 2015-144-Outside Lien Redemption, Blk: 10712 Lt: 23.
3. Resolution # 2015-145-Outside Lien Redemption, Blk: 11005 Lt: 36.
4. Resolution # 2015-146-Outside Lien Redemption, Blk: 11004 Lt: 21.

INTRODUCTION OF ORDINANCES:

Introduction Ordinance #17-2015 – Vacation of a Portion of Elba Avenue Right-of-Way.

Councilman Bunce made a motion to table until a further date an ordinance entitled “AN ORDINANCE PARTIALLY VACATING A PORTION OF ELBA AVENUE ROAD RIGHT-OF-WAY IN THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX AND STATE OF NEW JERSEY”. Seconded by Councilwoman Galate. All were in favor.

Introduction Ordinance #19-2015 – Sale of Municipal Property, 3 Michigan Trail, Block 40402, Lot 7

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 3 MICHIGAN TRAIL, BLOCK 40402, LOT 7”. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

FINAL READING: JUNE 3, 2015

AUCTION: JUNE 17, 2015

Introduction Ordinance #20-2015 – Sale of Municipal Property, Block 50601, Lot 10, 501 Lakeside Avenue

Councilman Young made a motion to adopt 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 501 LAKESIDE AVENUE, BLOCK 50601, LOT 10", adding language regarding a trail easement. Seconded by Councilwoman Galate.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

FINAL READING: JUNE 3, 2015

AUCTION: JUNE 17, 2015

Introduction Ordinance #21-2015 – Salaries and Compensation

Councilwoman Galate made a motion to introduce an ordinance entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING CERTAIN PORTIONS OF CHAPTER 43 'SALARIES AND COMPENSATION'". Seconded by Councilwoman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

FINAL READING: JUNE 3, 2015

Introduction Ordinance #22-2015 – Salary and Compensation

Councilman Bunce made a motion to introduce an ordinance entitled "AN ORDINANCE ESTABLISHING A MINIMUM AND MAXIMUM RANGE OF SALARY AND COMPENSATION FOR CERTAIN TITLES OF OFFICER AND EMPLOYEES OF THE BOROUGH OF HOPATCONG". Seconded by Councilwoman Galate.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

FINAL READING: JUNE 3, 2015

Introduction Ordinance #23-2015 – Amending Fence Ordinance

Councilman Bunce made a motion to introduce an ordinance entitled "AN ORDINANCE OF THE BOROUGH OF HOPATCONG, SUSSEX COUNTY, NEW JERSEY TO AMEND CHAPTER 191, ARTICLE III, PROCEDURE SECTION 191-5 OF THE BOROUGH OF HOPATCONG TO INCLUDE FENCES ON COMMERCIAL PROPERTIES AS ELIGIBLE FOR SITE PLAN WAIVER". Seconded by Councilwoman Galate.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

FINAL READING: JUNE 3, 2015

ADOPTION OF ORDINANCES:

Adoption Ordinance #16-2015 – Vacation of Rand Street, Anita Avenue and Lydia Avenue Road Right-of-Way

Councilman Bunce made a motion to adopt an ordinance entitled "AN ORDINANCE VACATING RAND STREET, ANITA AVENUE AND LYDIA AVENUE ROAD RIGHT-OF-WAY IN THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX AND STATE OF NEW JERSEY". Seconded by Councilman Young.

Before final roll call, Mayor Petillo will open the meeting to the public for any questions or comments that they may have regarding Ordinance #16-2015.

There being no one from the public who wished to address the Governing Body regarding Ordinance #16-2015, 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.

Upon roll call vote:

Ayes: Bunce, Francis, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: Galate

Adoption Ordinance #18-2015 – Highlands Exemption Ordinance

A motion is in order to adopt an ordinance entitled “AN ORDINANCE REGARDING HIGHLANDS AREA EXEMPTIONS”.

Before final roll call, Mayor Petillo will open the meeting to the public regarding any questions or comments that they may have regarding Ordinance #18-2015.

There being no one from the public who wished to address the Governing Body regarding Ordinance #18-2015, Councilman Young 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 #2015-141 – TWA Application, Accurate Waste Systems, Inc.

Councilman Bunce made a motion to adopt a resolution consenting to the submission of Accurate Waste Systems, Inc. TWA application. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2015-147 – Recommendation of Award – Cambell Foundary Company

Councilman Bunce made a motion is in order to adopt a resolution recommending to the DOT that a contract for the 2015 Road Improvement Project be awarded to Cambell Foundary Company via 2015 Morris County Cooperative Pricing Council whose bid amounted to \$3,294.00. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2015-148 – Recommendation of Award – General Foundaries Inc.

Councilman Bunce made a motion to adopt a resolution recommending to the DOT that a contract for the 2015 Road Improvement Project be awarded to General Foundaries, Inc. whose bid amounted to \$5,010.00. Seconded by Councilwoman Galate.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2015-149 – Recommendation of Award – Tilcon New York

Councilman Bunce made a motion to adopt a resolution recommending to the DOT that a contract for the 2015 Road Improvement Project be awarded to Tilcon New York Inc. whose bid amounted to \$284,625.00. Seconded by Councilman Young

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Young

Nays: None Absent: None Abstentions: Schindelar

Resolution #2015-150 – Recommendation of Award – Cambell Foundary Company

Councilman Bunce made a motion to adopt a resolution recommending to the DOT that a contract for 2015 Road Improvement Project be awarded to Cambell Foundary Company whose bid amounted to \$1,098.00. Seconded by Councilwoman Galate.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2015-151 – Recommendation of Award – Denville Line Striping

Councilman Young made a motion to adopt a resolution recommending to the DOT that a contract for 2015 Road Improvement Project be awarded to Denville Line Striping whose bid amounted to \$4,500.00. Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2015-152 – Recommendation of Award – General Foundaries Inc

Councilman Bunce made a motion to adopt a resolution recommending to the DOT that a contract for 2015 Road Improvement be awarded to General Foundaries Inc. whose bid amounted to \$4,200.00. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2015-153 – Recommendation of Award – Tilcon New York Inc.

Councilman Bunce made a motion to adopt a resolution recommending to the DOT that a contract for 2015 Road Improvement be awarded to Tilcon New York Inc whose bid amounted to \$194,650.00. Seconded by Councilman Young

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Young

Nays: None Absent: None Abstentions: Schindelar

Resolution #2015-154 – Special Item of Revenue – Safe and Secure Communities Grant Program

Councilman Bunce made a motion to adopt a resolution requesting the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2015 budget in the sum of \$60,000 under the caption “Safe and Secure Communities Grant Program”. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2015-155 – Appointment of Full Time Dispatcher

Councilwoman Galate made a motion to adopt a resolution appointing Judith Wolff as a Full-time Telecommunicator (Dispatcher) in the Police Department effective June 1, 2015 with an annual starting salary of \$45,650.00. Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2015-156 – Special Item of Revenue – Local Aid Infrastructure Fund Program

Councilman Bunce made a motion to adopt a resolution requesting from the Director of the Division of Local Government Services to allow the insertion of \$200,000 into the 2015 Budget under the caption Local Aid Infrastructure Fund Program. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Schindelar, Young
Nays: None Absent: None Abstentions: None

Resolution #2015-157 – NORWESCAP 50th Anniversary

Councilman Bunce made a motion to adopt a resolution commending NORWESCAP upon the occasion of celebrating the 50th Anniversary of Community Action. Seconded by Councilman Young. All were in favor.

Resolution #2015-158 – Special Item of Revenue – Highlands Plan Conformance Grant

Councilwoman Galate made a motion to adopt a resolution requesting from the Director of the Division of Local Government Services to allow the insertion of \$15,000 into the 2015 Budget under the caption Highlands Plan Conformance Grant. Seconded by Councilman Young.

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

Resolution #2015-159 – Change Order #1 – Wildwood Shores Paving Project

Councilman Bunce made a motion to adopt a resolution approving Change Order #1 in the amount of \$52,305.68 for the Wildwood Shores Paving Project. Seconded by Councilman Young.

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

Resolution #2015-160 – Stipend for the Borough Electrician

Councilman Bunce made a motion to adopt a resolution approving of the duties, responsibilities and stipend for an Electrician in the Department of Public Works. Seconded by Councilman Young.

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

Resolution #2015-161 – Payment of Bills

Councilman Bunce made a motion to adopt a resolution authorizing the payment of bills for the meeting of May 20, 2015, pulling check numbers 39794, 35820, 35823 and 35843. 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 39794, 35820, 35823, and 35843. Seconded by Councilman Young.

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

OLD BUSINESS:

NEW BUSINESS:

Rosewood Communities – Return of Performance Bond

Councilman Bunce made a motion to approve the return of the Rosewood Communities Bond as recommended by the Borough Engineer. Seconded by Councilman Young.

Upon roll call vote:
Ayes: Bunce, Francis, Galate, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: None

Developer's Agreement – Greentree At Hopatcong III

Councilman Schindelar made a motion to enter into a Developer's Agreement with Greentree At Hopatcong III, 468 River Styx Road, Block 30703, Lot 11. Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Sign for Firehouse

Councilman Francis made a motion to approve a request from Firehouse #4 to erect a sign on municipal property, contingent on engineer approval. Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

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).

Ms. Switzer and Ms. Modes requested copies of the bill list.

Mr. David Harris asked what the stipend is for the electrician that was hired tonight.

Mayor Petillo stated that he is already a full time employee and that he will be receiving a \$10,000 stipend. It saves the Borough money in the long run since now we won't have to hire an outside electrician for jobs. We can do it all in house.

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 May 20, 2015. Seconded by Councilman Young. All were in favor.