

**REGULAR MINUTES
FOR THE MAYOR AND COUNCIL MEETING,
BOROUGH OF HOPATCONG,
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD
HOPATCONG, NEW JERSEY
MAY 7, 2014
EXECUTIVE SESSION 6:30PM
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, Councilwoman Klein and Mayor Petillo.

Absent: Councilman Hoer

RESOLUTION FOR EXECUTIVE SESSION:

Councilman Young made a motion to adopt a resolution to adjourn into Executive Session to discuss negotiations. Seconded by Councilwoman Galate. All were in favor.

THE OPEN PUBLIC MEETINGS ACT ALLOWS THE MAYOR AND COUNCIL TO EXCLUDE THE PUBLIC FROM A PORTION OF A MEETING IN CERTAIN CIRCUMSTANCES.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF HOPATCONG THAT THE PUBLIC SHALL BE EXCLUDED FROM DISCUSSION OF MATTERS ALLOWED BY NEW JERSEY LAW.

THE EXECUTIVE SESSION MINUTES WILL BE PLACED ON FILE IN THE BOROUGH CLERK'S OFFICE, AND WILL BE AVAILABLE TO THE PUBLIC AS PROVIDED FOR BY NEW JERSEY LAW.

Be further advised this Resolution shall take effect immediately.

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

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:

At this time Mayor Petillo recognized:

1. Presentation - Hopatcong Police
Chief's Achievement Award - Detective Ryan Tracey
Exceptional Service Award – Patrolman James Bianculli
Exceptional Service Award – Detective William Sutphen
Exceptional Service Award – Patrolman Anthony Cirri
Honorable Service Award – Sergeant Michael O'Shea
Honorable Service Award – Patrolman Paul Barta
Honorable Service Award – Patrolman Christopher Lotito

Mayor Petillo thanked the Chief, the officers who received the awards and the entire department for their commitment and dedication to the job and to the residents of the Borough. They definitely make a difference in the community and should be commended for working with other towns and State agencies in cracking down on crime.

At this time the Councilman Bunce made a motion to take a ten minute break. Seconded by Councilman Young. All were in favor.

Councilman Young made a motion to return to the regular order of business. Seconded by Councilman Young. All were in favor.

Bill Wagner addressed the Governing Body regarding taking over the Christmas festivities that were done so well by Vito Castoro. With the permission of the town he would like to do Christmas music and holiday displays in Maxim Glen and the Park.

Dan McCarthy from the Lake Hopatcong Commission addressed the Council regarding the weed harvesting program in the lake and the history of the equipment used.

COMMITTEE REPORTS: Mayor Petillo allowed each member of the Council to present their respective committee reports.

Councilwoman Galate reported on the Sussex County League of Municipalities next meeting is May 14, 2014 at 6pm, Hopatcong Business League is active planning for the Hopatcong Days events, the Seniors will be voting in new officers and discussed the many trips planned and the Farmer's Market scheduled to open on June 15, 2014.

Councilman Francis reported on the Land Use Board, the re-examination of the Master Plan and Form Based Code in the River Styx area. Many years of work and partnership with the County may now start to make changes in development.

Councilman Young reported on the Recreation Commission who is working on the summer program and the Environmental Commission who is working on the nature hike, The Lake Hopatcong Foundation Block Party and the success of the Shredding Day event.

Councilman Bunce reported that the Water/Sewer department is working on a grease trap ordinance and that the DPW is working on fixing equipment. He also reported that the Fireman's parade will be in Hopatcong in October in 2015.

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).

Mr. Barry Cohen, 24 Brooklyn Mountain Road addressed the property maintenance issue at 25 Brooklyn Mountain Road. He asked Mr. Elia to talk with the Zoning Officer regarding enforcing the zoning laws

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. Seconded by Councilman Young. All were in favor.

INTRODUCTION OF ORDINANCES:

Introduction Ordinance #09-2014 – Amending the Zoning Map

Councilwoman Galate made a motion to introduce an ordinance entitled "AN ORDINANCE OF THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX, STATE OF NEW JERSEY AUTHORIZING AMENDING THE ZONING MAP FOR BLOCK 10701 LOTS 2, 3, 6, 8, 9, and 10 and BLOCK 10601 LOTS 8, 14, 15 and 18 TO BE INCLUDED IN THE B-1 ZONE". Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Young

Nays: None Absent: Hoer Abstentions: None

FINAL READING: MAY 21, 2014

Introduction Ordinance #10-2014 – Adoption of the Form Based Code

Councilman Francis made a motion to introduce an ordinance entitled "AN ORDINANCE OF THE BOROUGH OF HOPATCONG, SUSSEX COUNTY, NEW JERSEY TO ADOPT A FORM BASED CODE AS AN OVERLAY DISTRICT AFFECTING PORTIONS OF THE B-1 AND R-1 ZONING DISTRICTS ALONG THE RIVER STYX CORRIDOR TO PROVIDE A ZONING OPTION FOR LAND USE STIPULATING HOW BUILDINGS WILL BE MASSED, HOW DEVELOPMENT WILL RELATE TO THE STREET,

STREETSCAPE STANDARDS AND FEATURES THAT WILL PROMOTE DEVELOPMENT. THE FORM BASED CODE OPTION PROVIDES A REGULATING PLAN, DESIGNATED BUILDING TYPES AND A STREET CORRIDOR PLAN. CHAPTER 242 ZONING OF CODE OF THE BOROUGH OF HOPATCONG IS AMENDED IN ARTICLE B ZONE REGULATIONS TO INCORPORATE A NEW SECTION TO BE DESIGNATED AS SECTION 242-49A TO CREATE AN OVERLAY ZONE.” Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Young

Nays: None Absent: Hoer Abstentions: None

FINAL READING: MAY 21, 2014

ADOPTION OF ORDINANCES:

Adoption Ordinance #04-2014 – Bond Ordinance - Capital Improvements

Councilman Bunce made a motion to adopt an ordinance entitled “A BOND ORDINANCE PROVIDING FOR VARIOUS 2014 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF HOPATCONG, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY (THE “BOROUGH”); APPROPRIATING \$480,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$456,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF”. Seconded by Councilman Young.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments regarding Ordinance #04-2014.

There being no one from the public who wished to address the Governing Body regarding Ordinance #04-2014, 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, Klein, Young

Nays: None Absent: Hoer Abstentions: None

Adoption Ordinance #05-2014 – Bond Ordinance–Water Utility Improvements

Councilman Bunce made a motion to adopt an ordinance entitled “A BOND ORDINANCE PROVIDING FOR VARIOUS 2014 WATER UTILITY IMPROVEMENTS, BY AND IN THE BOROUGH OF HOPATCONG, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY (THE “BOROUGH”); APPROPRIATING \$50,000 THEREFOR FROM THE WATER UTILITY OF THE BOROUGH AND AUTHORIZING THE ISSUANCE OF \$47,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF”. Seconded by Councilman Young.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments regarding Ordinance #05-2014.

There being no one from the public who wished to address the Governing Body regarding Ordinance #05-2014, Councilman Young closed the meeting to the public and returned to the regular order of business. Seconded by Councilman Bunce. All were in favor.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Young

Nays: None Absent: Hoer Abstentions: None

Adoption Ordinance #06-2014 – Bond Ordinance– Sewer Utility Improvements

Councilman Young made a motion to adopt an ordinance entitled “A BOND ORDINANCE PROVIDING FOR VARIOUS 2014 SEWER UTILITY IMPROVEMENTS, BY AND IN THE BOROUGH OF HOPATCONG, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY (THE “BOROUGH”); APPROPRIATING \$93,000 THEREFOR FROM THE SEWER UTILITY OF THE BOROUGH AND AUTHORIZING THE ISSUANCE OF \$88,350 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF”. Seconded by Councilwoman Galate.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments regarding Ordinance #06-2014.

There being no one from the public who wished to address the Governing Body regarding Ordinance #06-2014, 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.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Young

Nays: None Absent: Hoer Abstentions: None

Adoption Ordinance #07-2014 – Capital Ordinance– Police, Fire and Public Works Departments Improvements

Councilwoman Galate made a motion to adopt an ordinance entitled “CAPITAL ORDINANCE PROVIDING FOR VARIOUS EQUIPMENT AND IMPROVEMENTS FOR THE POLICE, FIRE AND PUBLIC WORKS DEPARTMENTS, BY AND IN THE BOROUGH OF HOPATCONG, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY; APPROPRIATING \$173,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OR CAPITAL FUND SURPLUS TO PAY FOR THE COST THEREOF”. Seconded by Councilman Young.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments regarding Ordinance #07-2014.

There being no one from the public who wished to address the Governing Body regarding Ordinance #07-2014, 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, Klein, Young

Nays: None Absent: Hoer Abstentions: None

Adoption Ordinance #08-2014 – Auction of Municipal Property, Block 40912, Lot 1, 20 Columbia Trail.

Councilman Bunce 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 A 20 COLUMBIA TRAIL, BLOCK 40912, LOT 1”. Seconded by Councilman Young.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments regarding Ordinance #08-2014.

There being no one from the public who wished to address the Governing Body regarding Ordinance #08-2014, 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, Klein, Young

Nays: None Absent: Hoer Abstentions: None

AUCTION: MAY 21, 2014

RESOLUTIONS:

Resolution #2014-112 – Recreation Fees

Councilman Young made a motion to adopt a resolution approving the 2014 Recreation fees. (as recommended by the Recreation Commission) Seconded by Councilman Bunce.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Young

Nays: None Absent: Hoer Abstentions: None

Resolution #2014-115 – Payment of Bills

Councilman Bunce made a motion to adopt a resolution authorizing the payment of bills for the meeting of May 7, 2014, pulling check numbers 1211, 2691, 34197, 34203, and 34212. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Young

Nays: None Absent: Hoer Abstentions: None

Councilman Bunce made a motion to approve the payment of check numbers 1211, 2691, 34197, 34203 and 34212. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Klein, Young

Nays: None Absent: Hoer Abstentions: Galate

Resolution #2014-116– Renewal of Liquor License, Pursuant to 12.18 and 12.39 Special Ruling for Dock N Drink, Inc.

Councilman Young made a motion to adopt a resolution approving the renewal of certain 2013-2014 Liquor License for Dock N Drink, Inc. pursuant to the 12.18 and 12.39 special Ruling. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Young

Nays: None Absent: Hoer Abstentions: None

Resolution #2014-118– Appointment to Extra Duties and Responsibilities in the Police Department.

Councilman Bunce made a motion to adopt a resolution for the additional duties and responsibilities given to Deborah Ryan, Clerk 3 - Police Department, Detective Unit department effective May 1, 2014. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Young

Nays: None Absent: Hoer Abstentions: None

Resolution #2014-119– Promotion of Jacqueline Hangley to Administrative Clerk.

Councilman Young made a motion to adopt a resolution promoting Jacqueline Hangley from Clerk 3 to Administrative Clerk effective May 1, 2014. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Young

Nays: None Absent: Hoer Abstentions: None

Resolution #2014-120– Promotion of Patricia Moschella to Senior Telecommunicator.

Councilwoman Galate made a motion to adopt a resolution promoting Patricia Moschella from Telecommunicator to Senior Telecommunicator effective May 1, 2014. Seconded by Councilman Bunce.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Young

Nays: None Absent: Hoer Abstentions: None

OLD BUSINESS:

NEW BUSINESS:

Councilperson Appointment to fill the vacancy formerly filled by Richard Hoer.

This was tabled until the next meeting

Social Affair Permit –St. Jude R.C. Church

to approve an application for a Social Affair Permit submitted by Andres Pizarro to hold a “Sweet Sixteen” event on June 7, 2014 from 5:00 pm to 11:00 pm at St. Jude RC Parish Center, 40 Maxim Drive, Hopatcong.

Social Affair Permit –St. Jude R.C. Church

A motion is in order to approve an application for a Social Affair Permit submitted by St. Jude R.C. Church to hold an “Auction” event on June 14, 2014 from 6:00 pm to 10:00 pm at St. Jude RC Parish Center, 40 Maxim Drive, Hopatcong.

1. Social Affair Permit –Hudson Farm Club

A motion is in order to approve an application for a Social Affair Permit submitted by Pope John XXIII to hold an Endowment Fundraiser event on October 5, 2014 from 12:00 noon to 5:00 pm at Hudson Farm Club, 270 Sparta Stanhope Road, Hopatcong.

PUBLIC COMMENT:

Mayor Petillo will request a motion to open the meeting to the public for any questions or comments concerning the good and welfare of the Borough. (Comments limited to 5 minutes).

Barry Cohen, 24 Brooklyn Mountain Road, discussed his concerns regarding property maintenance at 25 Brooklyn Mountain Road and dissatisfied with the response/action by Bill Donegan, Zoning Officer and Rob Jobeless, DPW Superintendent and Mr. Elia, Borough Administrator’s response and/or lack of response to his complaints.

Maria, Walter Menegus, Keith Zipprich stated their dissatisfaction that his farm would be considered a secondary vendor to the market and that they would need to coordinate or bring different produce than what Ideal Farms is bringing. Councilwoman Galate and Councilman Frances scheduled a followup meeting with the Farmer and the Farmer’s Market Committee on Monday following the meeting.

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

ADMINISTRATOR’S REPORT: At this time Robert Elia, Borough Administrator, presented his report of May 7, 2014. Mr. Elia discussed that JCP&L (First Energy) partnered with Nelson Tree Services to perform work around the Borough and have been hanging door tags to residents where work will be performed to notify the residents. Mr. Elia also stated that the Blue Collar Unit has reached a settlement Agreement for this year’s contract.

COUNCIL COMMENTS:

ADJOURNMENT: **Mayor Petillo** will request a motion to adjourn the meeting.