

**MINUTES
OF THE MAYOR AND COUNCIL MEETING,
BOROUGH OF HOPATCONG,
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD
HOPATCONG, NEW JERSEY
APRIL 5, 2017
OPEN PUBLIC MEETING 7:30 PM**

CALL TO ORDER: Announce Quorum

OPEN PUBLIC MEETINGS ACT STATEMENT: Mayor Francis 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, Councilwoman Galate, Councilman Hoferkamp, Councilman Padula, Councilman Schindelar (7:45), Councilman Young and Mayor Francis.

MOMENT OF SILENT REFLECTION AND PLEDGE OF ALLEGIANCE: Mayor Francis invited all present to salute the flag and to remain standing for a moment of silence.

PRESENTATIONS:

1. The Creative Arts Council updated the Governing Body on their upcoming events. Member Elide Young stated that they have some events planned that may need approval from the Governing Body. One event is for the evening of July 8th. They would like to do "Lanterns in the Sky" at Vet's Park. Another is a pumpkin carving event in Maxim Glen and an art installation in February. This will add to the already scheduled events – Apple Pie and Art and Snowman Park.

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

Councilwoman Galate stated that the Senior Inc. group will have two guest speakers tomorrow – Donna Luciani who will discuss the Hudson Charity Hike and also someone from the Municipal Alliance to discuss such things as drug and alcohol safety and mental health. She also reported that Kevin Bourke and Mike Rahill from Firehouse #2 will be participating in an exchange program with members of a Fire Department in Hungary.

Councilman Schindelar stated that the Real Estate Committee is actively reviewing property purchase requests from several residents. Right now there are 4 properties that are being considered to be put up for auction.

Councilman Young reported that the Hudson Hike is on May 20 and that volunteers are greatly appreciated. Even the volunteers get to earn money to correspond to their ages. He stated that the spring sports programs have begun and that the Recreation Commission is looking forward to their Easter Egg Hunt scheduled for this Sunday and also working on Hopatcong Days.

Councilman Young also reported that the Range Committee has been doing feasibility studies on a piece of property that they are considering for the Police Shooting Range. The piece of property is owned by the Borough and is not in the preserve, Green Acres or on the ROSI list. He stated that it looks promising.

He reported that the Environmental Commission is working on many projects and events such as the proposed rain garden, the trail signs, the Foundation Block Party (5/13), the Tree Giveaway (5/6 from 9am to 2 pm) and the Earth Day Hike on April 29th. The route this year will encompass part of the old golf course behind the Senior Center.

Councilman Young also reported that the Municipal Alliance is sponsoring 3 running groups with the participants not only running, but learning valuable life lessons. They have sponsored two movies nights and the third one is scheduled for April 28th.

Councilman Bunce reported that the Finance Committee is still working on the budget process and that the DPW Committee meeting is scheduled for next week. He reported that the Crimestoppers Sheriff's reception is scheduled for May 25th at the Farmstead and that the KOC pancake breakfast is scheduled for this Sunday at St. Jude. He also stated that the Armed Forces Relief Committee will be holding their annual fundraiser on May 21 at Pavinci.

Councilman Padula reported that the Redevelopment Committee has met with 4 property owners in the Redevelopment area to answer their questions. He stated that the draft plan is on the Borough website. He reported that the Highlands Council accepted the report. He hopes to have the plan to be put before the Governing Body for approval sometime in May.

Councilman Padula stated that the DPW/Finance Committee will be meeting on Monday and that we will also be having a phone system pre-installation meeting sometime next week as well. He stated that he has received some additional invoices for the system install that he would like to discuss.

PUBLIC COMMENT: Mayor Francis 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).

Councilman Young made a motion to open the meeting to the public. Seconded by Councilman Bunce. All were in favor.

David Harris, 125 Dupont Avenue, asked for clarification on the ordinance on for introduction this evening. Mr. Ursin responded that the Borough ordinance was not consistent with the State statutes regarding termination of the administrator so it needed to be corrected.

Mr. Harris asked about the resolution dealing with the temporary budget and Councilman Bunce explained that the Borough right now has to keep paying the bills and that there wasn't enough money in the temporary budget to continue to do that until the budget is adopted.

Mr. Harris asked about the DPW Expansion project and Councilman Bunce stated that we have gone out to bid previously and the bids all came in too high. This bid came in under budget so now we can proceed with the project.

Mr. Harris asked about the resolution regarding separation payments for the terminated Borough Administrator and Mr. Ursin replied that according to State Statute and his contract, the administrator was entitled to three month's pay and his unused vacation pay.

Mara Modes, resident, asked about the Distracted Driving resolution and Councilman Bunce explained that we received a grant for extra patrols.

Peter Frechtling, 443 River Styx Road, asked Councilman Padula what 4 properties were targeted in the Redevelopment Area and Councilman Padula stated they aren't being targeted, that they reached out to the Committee with questions.

Helmut Rehe, 501 Naritcong Avenue, stated that the nets up at the Naritcong Field need to be replaced because they are all dry rotted. He also stated that there are many trees on one of his neighbors properties that are in danger of falling on other neighbors' houses.

Mr. Ursin stated that the Borough can look into it but that it is a property maintenance issue and that it is not always easy to send them violations.

Mr. Rehe stated that he believes that there is also a large tree in Modick Park that is in danger of falling.

Mayor Francis stated that every year the Borough has an arborist look at the health of all of our Borough trees.

Mr. Rehe also stated that he is disappointed by all of the litter along Borough roadways.

Councilman Bunce stated that the snow has just melted and that the DPW is just beginning to clean things up from the winter.

Mr. Rehe asked about after hours parking up at the ballfield and Mr. Ursin stated that these all concerns that need to be brought up to the Recreation Commission.

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 Young made a motion to approve the meeting minutes of the Special Meeting held on March 9, 2017. Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Councilman Young made a motion to approve the minutes of the Regular Meeting held on March 15, 2017. Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

CONSENT AGENDA: Mayor Francis 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 Francis requested a motion to approve the consent agenda.

Councilman Bunce made a motion to approve the Consent Agenda for the meeting of April 5, 2017. Seconded by Councilman Young.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING): **REPORTS** (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Construction Monthly Report: February 2017.
2. Zoning Monthly Report: February 2017.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Volunteer Firefighters Application: Aubrey McCarrick.
2. Junior Firefighters Application: Joshua J. Aiello and Liam McGuire

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Resolution # 2017-73 - Outside Lien Redemption: Blk: 30605 Lt: 12.
2. Resolution # 2017-78 – Refund Tax Overpayment: Blk: 10709 Lt: 3.
3. Resolution # 2017-80 - Outside Lien Redemption: Blk: 10706 Lt: 5
4. Resolution # 2017-81 - Outside Lien Redemption: Blk: 40205 Lt: 14.
5. Resolution # 2017-82 - Outside Lien Redemption: Blk: 40319 Lt: 82.
6. Resolution # 2017-58 - To be rescinded, Blk: 31403 Lt: 2.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

INTRODUCTION OF ORDINANCES:

Introduction Ordinance #04-2017 – Amending Borough Code regarding Administrator

Councilman Bunce made a motion to introduce an ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 33 OF THE CODE OF THE BOROUGH OF HOPATCONG, SUSSEX COUNTY, NEW JERSEY REGARDING THE BOROUGH ADMINISTRATOR”. Seconded by Councilman Young.

Councilwoman Galate asked if they should be looking at the ordinance in its entirety to make changes.

Mayor Francis stated that he would like to get this part of it adopted first and then for the Council to take a look at the entire ordinance.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

ADOPTION OF ORDINANCES:

RESOLUTIONS:

Resolution #2017-74 – Adding to the Temporary Current Fund Budget

Councilman Bunce made a motion to adopt a resolution entitled “A RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF HOPATCONG TO ADD TO THE TEMPORARY CURRENT FUND BUDGET”. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2017-75 – Awarding Contract for DPW Building Expansion

Councilman Young made a motion to adopt a resolution awarding a contract to Security Structures in an amount not to exceed \$264,144.00 for DPW Building Expansion. Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2017-76 – Separation Payments – Victor Marotta

Councilman Bunce made a motion to adopt a resolution approving the separation payments to former Business Administrator Victor Marotta. Seconded by Councilman Young.

Mr. Ursin stated that this resolution was amended to allow for the separation payments to be made in one lump sum.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2017-77 – Payment of Bills

Councilman Bunce made a motion to adopt a resolution authorizing the payment of bills for the meeting of April 5, 2017, pulling invoice numbers 17-00061, 00066, 00188, 00234, 00254, 00400. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Councilman Bunce made a motion to authorize the payment of invoice numbers 17-00061, 00066, 00188, 00234, 00254, 00400 Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Hoferkamp, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: Galate

Resolution #2017-79 – 2017 UDrive, UText, UPay Distracted Driving Crackdown

Councilman Young made a motion to adopt a resolution declaring the Borough’s support for the Distracted Driving 2017 Crackdown from April 1 – 21, 2017. Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2017-83 – Hiring of Part-time Dispatcher

Councilman Bunce made a motion to adopt a resolution authorizing the hiring of Daniel Sullivan as a part-time dispatcher, effective 03/30/2017 at a rate of \$12.83 an hour. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

OLD BUSINESS:

NEW BUSINESS:

PUBLIC COMMENT:

Councilman Bunce made 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). Seconded by councilman Young. All were in favor.

David Harris stated that he read an article in the Star Ledger regarding sick time pay outs for public employees. Councilman Bunce stated that the Borough has capped the pay out to \$15,000 for sick time when an employee retires.

Mr. Harris also asked about the HUD program and Councilwoman Galate stated that many residents are taking advantage of the program and that when an applicant dies or sells their home the money gets paid back to the town so that it can be used to help other residents in need.

Henry Schmidt thanked all of the emergency personnel for all of their help and kindness during his wife's illness.

Mara Modes stated that perhaps the Sheriff's office can come to town to set up a prescription drop off center by the Medicine Shoppe.

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 Schindelar. All were in favor.

RESOLUTION FOR EXECUTIVE SESSION:

Councilman Bunce made a motion to adopt a resolution to adjourn into Executive Session to discuss matter of attorney/client privilege regarding the MOA sent by the DEP for Lake Hopatcong. Seconded by councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

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 adjourn Executive Session and return to the regular order of business. Seconded by Councilman Young. All were in favor.

ADJOURNMENT:

Councilman Bunce made a motion to adjourn the meeting of April 5, 2017. Seconded by Councilman Young. All were in favor.