

**MINUTES  
OF THE MAYOR AND COUNCIL MEETING,  
BOROUGH OF HOPATCONG,  
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD  
HOPATCONG, NEW JERSEY  
FEBRUARY 1, 2017  
OPEN PUBLIC MEETING 7:30 PM**

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**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, 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.

**PROCLAMATIONS:**

1. Gage Trignano – You Make a Difference Award

Mayor Francis presented Mr. Trignano the award and commended him for saving his family from a fire at their home.

**COMMITTEE REPORTS:**

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

Councilwoman Galate reported that the first senior meeting of 2017 is tomorrow. She stated that the police meeting is next week and that the Farmer's Market Committee met last week and things are moving along for this year's market.

Councilman Schindelar stated that he attended the MSA meeting and that they approved the sale of sewer allocation from Stanhope to Byram.

Councilman Young reported on the Environmental Commission meeting. He stated that they discussed the creation of a rain garden in front of the Senior Center, the tree giveaway, the Earth Day hike, the Foundation Block party, Hopatcong Days and Sustainable Jersey. He also reported that the Creative Arts Council discussed tentative plans for 2017 which include a flower show, Apple Pie and Art and a pumpkin lighting.

Councilman Bunce stated that there is a finance meeting scheduled on the 7<sup>th</sup> at 8:00 am and that he has spoken to the OEM Coordinator to address what needs their department is going to have going forward.

Councilman Padula stated that there is a resolution on for this evening to accept the Land Use Board's recommendation to delineate part of the River Styx area as an area in need of redevelopment. After approved the process will include gathering information and writing the plan.

**PUBLIC COMMENT:**

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

David Harris, 125 Dupont Avenue asked about the fee ordinance and Mr. Ursin responded that it is to increase the fees with regards to tax liens. Mr. Harris asked about the DPW expansion resolution and he was told that the Borough went out to bid

previously and the costs came in to high. This resolution gives permission to once again go out to bid.

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 January 18, 2017. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**ADMINISTRATOR'S REPORT:**

At this time, Borough Administrator, Victor J. Marotta presented his report for the meeting of February 1, 2017. Mr. Marotta stated that he has had meeting with the Police Chief to discuss promotions.

Mr. Marotta informed the Council that an employee was "riced" for this evening and that he has chosen that the discussion be held in public. He introduced the Borough's Labor Attorney, Kate Gilfillan, to discuss the personnel issue.

Ms. Gilfillan reported that the employee was offered a settlement agreement and that it was not accepted. Because of that, the matter will go before a hearing officer for a decision to be made.

**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.

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

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

1. Zoning Department Yearly Report: 2016.

**APPLICATIONS** (APPROVAL OF THE FOLLOWING):

**RESOLUTIONS:** (APPROVAL OF THE FOLLOWING):

1. Resolution # 2017-35 – Outside Lien Redemption: Blk: 10702 Lt: 1.

Councilman Bunce made a motion to approve the Consent Agenda for the meeting of February 1, 2017. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**INTRODUCTION OF ORDINANCES:**

**ADOPTION OF ORDINANCES:**

Adoption Ordinance #01-2017 – Supplementing Section 108-1, Fees

Councilman Bunce made a motion to adopt an ordinance entitled "AN ORDINANCE SUPPLEMENTING SECTION 108-1 REGARDING FEES". Seconded by Councilman Young.

Before final roll call, Mayor Francis opened the meeting to the public for any questions or comments that they may have regarding Ordinance #01-2017.

There being no one from the public who wished to address the Governing Body regarding Ordinance #01-2017, 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, Galate, Hoferkamp, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: None

#### Adoption Ordinance #02-2017 – Property Maintenance

Councilman Young made a motion to adopt an ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 179 OF THE CODE OF THE BOROUGH OF HOPATCONG, SUSSEX COUNTY, NEW JERSEY TO ODIFY THE PROPERTY MAINTENANCE ORDINANCE REGARDING EMERGENCY CONDITIONS”. Seconded by Councilwoman Galate.

Before final roll call, Mayor Francis will open the meeting to the public for any questions or comments that they may have regarding Ordinance #02-2017.

There being no one from the public show wished to address the Governing Body regarding Ordinance #02-2017, Councilman Bunce made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

#### **RESOLUTIONS:**

##### Resolution #2017-36 – Acceptance of Property Donation – Block 40703, Lot 6

Councilman Young made a motion to adopt a resolution accepting the donation of property Block 40703, Lot 6, more commonly known as 40 Forest Avenue. Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

##### Resolution #2017-37 – Payment of Bills

Councilman Bunce made a motion to adopt a resolution authorizing the payment of bills for the meeting of February 1, 2017, pulling check numbers 1600173, 1600728, 1601250, 1601252 and 1700018. 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 check numbers 1600173, 1600728, 1601250, 1601252, and 1700018. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Hoferkamp, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: Galate

##### Resolution #2017-38 – DPW Building Expansion Project

Councilman Young made a motion to adopt a resolution authorizing advertisement for bids for the DPW Building Expansion Project. Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2017-39 – Designating the River Styx Area as an Area in Need of Redevelopment

Councilman Padula made a motion to adopt a resolution of the Governing Body of the Borough of Hopatcong designating the River Styx Area as an area in need of redevelopment. Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2017-40 – Utility Easement, Atkins

Councilman Bunce made a motion to adopt a resolution approving of a utility easement for Atkins/Hopatcong, LLC. Seconded by Councilman Padula.

Upon roll call vote:

Ayes: Bunce, Galate, Hoferkamp, Padula, Schindelar

Nays: None Absent: None Abstentions: Young

**OLD BUSINESS:**

**NEW BUSINESS:**

Municipal Alliance Chairperson Appointment

Councilman Young made a motion to appoint Mayor Michael Francis as the Municipal Alliance Chairperson for the Borough of Hopatcong for the year 2017. Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Sewer Allocation Permit Application – 7 Rutgers Way

Councilman Bunce made a motion to approve a sewer allocation permit application submitted by the owner of 7 Rutgers Way, Block 40212, Lot 17. Seconded by councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**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.

Patricia Poland, 124 Tulsa Trail, addressed the Governing Body regarding the unsafe conditions at her children's school bus stop. She stated that she is trying to find out who could make a decision to put a crossing guard at the location. She has been to the police and the Administration side of the offices.

Mayor Francis stated that the bus stops are the responsibility of the school board and that she should discuss it with them. He stated that whatever he could do to help, he will be more than willing. If the school were to call the police and recommend that a crossing guard be placed there, then it would be the town's responsibility to hire one.

David Harris, 125 Dupont Avenue, asked if employees are aware of where to go if they feel that they are being harassed at work.

Mayor Francis stated that all employees are given training and that they know where to go if they feel that they are being harassed.

Beth Grove, 7 Maple Place, addressed the Council regarding the proposed shooting range. She enquired if the town was aware that a private company, on Hudson Farm property, would allow the police to use the facility. She stated that she was told that the

Borough Police Department turned down the offer and wanted to know why and if it could be reconsidered.

Councilman Young responded that he will address it with the Police Chief and that it can always be reconsidered.

Mayor Francis responded that he isn't sure what kind of training the facility is offering but it may not be what the police need to be adequately trained. He stated that he too would ask the Chief for more information.

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.

**RESOLUTION FOR EXECUTIVE SESSION:**

Councilman Young made a motion to adopt a resolution to adjourn into Executive Session to discuss personnel and litigation. Seconded by Councilman Bunce.

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 February 1, 2017. Seconded by Councilman Young. All were in favor.

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Michael Francis, Mayor

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Catherine Schultz, RMC