

**MINUTES
OF THE MAYOR AND COUNCIL MEETING,
BOROUGH OF HOPATCONG,
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD
HOPATCONG, NEW JERSEY
OCTOBER 1, 2014
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 Francis, Councilwoman Galate, Councilwoman Klein, Councilman Padula, Councilman Young and Mayor Petillo.

Absent: Councilman Bunce

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.

Norma Rung, Hopatcong Women's Club, addressed the Governing Body regarding the mission of the Women's Club and their most recent project involving NAMI – National Alliance on Mental Illness.

JCP&L Representative Michael Obremski addressed the Council regarding their project on Maxim Drive that is set to begin in a couple of weeks. They have reached an agreement with Sussex County to coordinate the project. They will take about a week or so to do forestry, rock drilling and line work. There will be lane closures and a detour throughout the project. They will get all of their work done so that the collapsing wall can be replaced.

AUCTION OF MUNICIPAL PROPERTY:

1. Auction of Municipal Property Block 50409, Lot 6, 3 Washaw Tr. (Non-conforming, Minimum Bid \$2,475.00)

There being no one from the public who wished to bid on this property, Councilman Young made a motion to close the auction and return to the regular order of business. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Francis, Galate, Klein, Padula, Young

Nays: None Absent: Bunce Abstentions: None

2. Auction of Municipal Property Block 11107, Lot 32, 2 Billinge Road (Conforming, Minimum Bid \$8,200.00)

Councilman Young made a motion to accept the bid of \$8,200.00 for the sale of 2 Billinge Road, Block 11107, Lot 32. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Francis, Galate, Klein, Padula, Young

Nays: None Absent: Bunce Abstentions: None

3. Auction of Municipal Property Block 11107, Lot 40, 103B York Road (Conforming, Minimum Bid \$8,050.00)

Councilwoman Galate made a motion to accept the bid of \$8,050.00 for the sale of 103B York Road, Block 11107, Lot 40. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Francis, Galate, Klein, Padula, Young

Nays: None Absent: Bunce Abstentions: None

4. Auction of Municipal Property Block 30503, Lot 1, 302 Lakeside Blvd (Conforming, Minimum Bid \$14,800.00)

Councilman Young made a motion to accept the bid of \$15,600.00 for the sale of 302 Lakeside Blvd., Block 30503, Lot 1. Seconded by Councilman Padula.

Upon roll call vote:

Ayes: Francis, Klein, Padula, Young

Nays: None Absent: Bunce Abstentions: Galate

5. Auction of Municipal Property Block 30203, Lot 3, 35 Madison Trail (Non-conforming, Minimum Bid \$3,475.00)

There being no one from the public who wished to bid on 35 Madison Trail, Block 30203, Lot 3, Councilwoman Galate made a motion to close the auction and return to the regular order of business. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Francis, Galate, Klein, Padula, Young

Nays: None Absent: Bunce Abstentions: None

Councilwoman Galate made a motion to take a five minute recess. Seconded by Councilman Young. All were in favor.

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

COMMITTEE REPORTS:

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

Councilwoman Galate reported that the Senior club will meet tomorrow at 10:00 and that Yvonne Soto will be the guest speaker. She also reported that the Business League is getting ready for the Halloween parade and that the Farmer's Market is winding down. The last Sunday will be "Christmas in October".

Councilman Young stated that the Environment Commission discussed "invasive weeds" at their last meeting. He also stated that the Musconetcong Water Testing will take place on October 26th. Councilman Young also reported that Basketball sign ups will begin shortly, that fall sports are half way over and that the Recreation Commission is getting ready for the Halloween parade and discussing a Streetscape Contest.

Councilman Padula stated that the DPW has gotten a vacuum truck from Jefferson Twp. They only charged us a dollar but it is a good machine and with some work will be a valuable asset for the Borough. He also stated that Wildwood Shores paving project is underway which will complete that entire project.

Mayor Petillo stated that the flu clinic will be held in Hopatcong High School on October 20th from 5:00 pm to 8:00 pm. She reminded everyone about the Senior Spaghetti Dinner on October 26th from 1:00 pm to 3:00 pm.

Mayor Petillo reported that the State has fired the employees who ran the weed harvesters two weeks early. They have left the harvesters in the water so they will have to have someone come up and get them out of the lake. There is a meeting on October 20th in Mt. Arlington to discuss the weed harvesting program and the referendum on the ballot regarding open space. The money from that, if it passes, will be taken from the weed harvesting program along with other programs.

Councilman Francis reported that bow hunting is not allowed in Hopatcong in December. He asked the State to exempt Hopatcong from that rule but the Division of Fish and Wildlife stated that they won't give the town an exemption because they don't feel that Hopatcong is taking enough measures to lessen the herd. Next year the town will have to consider allowing hunters to hunt with shotguns. Lyme disease is a very serious issue and we need to cull the herd more effectively.

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).

Mara Modes asked about the blank pages in the ordinance about vacating a part of a Borough roadway.

Mayor Petillo reported that the map was too big and that it is only a small part on a corner of the property.

Ms. Modes also asked about the resolution hiring a part time ACO and wondered why we just weren't using "call out" ACO's.

Mr. Elia responded that we need someone in the office a few hours a week to do the paperwork required for the job. We will still use "call out" ACO's. The part time ACO will work flexible hours and two call outs will be included in her weekly pay.

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 Councilwoman Galate. All were in favor.

APPROVAL OF MINUTES:

Councilman Young made a motion to approve the meeting minutes of the Regular Meeting held September 17, 2014. Seconded by Councilwoman Galate. All were in favor.

ADMINISTRATOR'S REPORT:

At this time Robert Elia, Borough Administrator, presented his report for the meeting of October 1 2014.

Mr. Elia reported that there is a resolution on for approval to purchase a 4 x 4 with a plow for the DPW and that it is a capital item. He also stated that the grant that we received for housing rehabilitation was increased from \$10,000 to \$45,940 which is great news. The program has helped a lot of residents and now we will be able to help even more. Mr. Elia also stated that there are two resolutions on for DOT grants, one for discretionary aid for this year and the other for next year's projects. There is also a resolution on for stipends for DPW supervisory staff to compensate them for plowing. He restated that there is a resolution on to hire a Part time ACO as discussed earlier in the meeting.

Mr. Elia requested an Executive Session to discuss personnel issues.

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 Young a motion to approve the consent agenda. Seconded by Councilwoman Galate. All were in favor.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Public Notice–Sparta Township Amendment to Township Master Plan
2. Public Notice–Jefferson Township Adoption Notice of Ordinance #16-14
3. Ordinance # 12-2014–Borough of Netcong

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Social Affair Permit Application-Durga Tree International Inc.
2. Water Service Application-Block: 10808 Lot: 2&3

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Resolution # 2014-231– Refund Tax Overpayment, Gerald & Katherine McAdams.
2. Resolution # 2014-232–Waive Returned Check Fee, Ms. Mikel Murray.
3. Resolution # 2014-233–Outside Lien Redemptions, Raul Vega.
4. Resolution # 2014-239–Outside Lien Redemptions, Suzanne Ogden
5. Resolution # 2014-241–Outside Lien Redemptions, FWDSL & Asso.
6. Resolution # 2014-242–Outside Lien Redemptions, MTAG Cust for Fig Cap

ADOPTION OF ORDINANCES:

Adoption Ordinance #25-2014 – Salary Ordinance

Councilman Young made a motion to adopt an ordinance entitled “AN ORDINANCE ESTABLISHING A MINIMUM AND MAXIMUM RANGE OF SALARY AND COMPENSATION FOR CERTAIN TITLES OF OFFICERS AND EMPLOYEES OF THE BOROUGH OF HOPATCONG”. Seconded by Councilwoman Galate

Upon roll call vote:

Ayes: None

Nays: Francis, Galate, Klein, Padula, Young Absent: Bunce Abstentions: None

Adoption Ordinance #32-2014 – Vacating a Portion of David Road and Beverly Road Right-of-way.

Councilman Young made a motion to adopt an ordinance entitled “AN ORDINANCE PARTIALLY VACATING A PORTION OF DAVID ROAD RIGHT-OF-WAY IN THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX AND STATE OF NEW JERSEY”. Seconded by Councilwoman Galate.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments that they may have regarding Ordinance #32-2014.

There being no one from the public who wished to address the Governing Body regarding Ordinance #32-2014, 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: Francis, Galate, Klein, Padula, Young

Nays: None Absent: Bunce Abstentions: None

INTRODUCTION OF ORDINANCES:

Introduction Ordinance #33-2014 – Salary Ordinance

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

Upon roll call vote:

Ayes: Francis, Galate, Klein, Padula, Young

Nays: None Absent: Bunce Abstentions: None

FINAL READING: OCTOBER 15, 2014

Introduction Ordinance #34-2014 – Amending Chapter 231, Vehicles and Traffic

Councilman Young made a motion to introduce an ordinance entitled “AN ORDINANCE AMENDING CHAPTER 231 ENTITLED ‘VEHICLES AND TRAFFIC’ TO ADD STOP AND YIELD INTERSECTIONS WITHIN THE BOROUGH”. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Francis, Galate, Klein, Padula, Young

Nays: None Absent: Bunce Abstentions: None

FINAL READING: OCTOBER 15, 2014

RESOLUTIONS:

Resolution #2014-234 – Appointment of Part-Time Animal Control Officer

Councilwoman Galate made a motion to adopt a resolution authorizing the appointment of Marisa Sandham as a Part-Time Animal Control Officer for the Borough of Hopatcong. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Francis, Galate, Klein, Padula, Young

Nays: None Absent: Bunce Abstentions: None

Resolution #2014-235 – Award Contract for Pick-Up Truck and Plow

Councilman Young made a motion to adopt a resolution awarding the bid to Beyer Brothers Corp for the purchase of a Pick-Up Truck and Plow for the Department of Public Works in an amount not to exceed \$40,782.00. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Francis, Galate, Klein, Padula, Young

Nays: None Absent: Bunce Abstentions: None

Resolution #2014-236 – Mental Illness Awareness Week

Councilman Young made a motion to adopt a resolution proclaiming the week of October 5-11, 2014 as Mental Illness Awareness Week in the Borough of Hopatcong. Seconded by councilwoman Galate.

Upon roll call vote:

Ayes: Francis, Galate, Klein, Padula, Young

Nays: None Absent: Bunce Abstentions: None

Resolution #2014-237 – Hiring of Part-Time Dispatcher

Councilman Francis made a motion to adopt a resolution authorizing the hiring of Danita Jiggetts as a Part-Time Dispatcher, effective September 18, 2014, for the Borough of Hopatcong. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Francis, Galate, Klein, Padula, Young

Nays: None Absent: Bunce Abstentions: None

Resolution #2014-238 – Payment of Bills

Councilman Young made a motion to adopt a resolution authorizing the payment of bills for the meeting of October 1, 2014, pulling check numbers 2720, 34830, 34854 and 34860. Seconded by Councilman Padula.

Upon roll call vote:

Ayes: Francis, Galate, Klein, Padula, Young

Nays: None Absent: Bunce Abstentions: None

Councilman Young made a motion to authorize the payment of check numbers 2720, 34830, 34854 and 34860. Seconded by Councilman Padula.

Upon roll call vote:

Ayes: Francis, Klein, Padula, Young

Nays: None Absent: Bunce Abstentions: None

Resolution #2014-240 – Snow Plow Rates for Supervisory Staff

Councilwoman Galate made a motion to adopt a resolution authorizing stipends for work outside normal working hours for calendar year 2015 for certain supervisory staff. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Francis, Galate, Klein, Padula, Young
Nays: None Absent: Bunce Abstentions: None
Resolution #2014-243 – Resurfacing Program, Wildwood Shores

Councilwoman Galate made a motion to adopt a resolution awarding a contract to Tilcon New York, through the Morris County Cooperative Pricing Council, for repaving in Wildwood Shores. Seconded by Councilman Padula.

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

Resolution #2014-244 – Grant Application for DOT Road Project

Councilman Young made a motion to adopt a resolution authorizing the submission of a grant application and to execute a grant contract with the New Jersey Department of Transportation for the Borough of Hopatcong Road Improvement Project, Phase 2. Seconded by Councilwoman Galate.

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

Resolution #2014-246 – Grant Application for 2014/15 Discretionary Aid, Local Infrastructure.

Councilman Young made a motion to adopt a resolution authorizing the submission of a grant application and execution of a grant agreement with the New Jersey Department of Transportation for 2014/15 Discretionary Aid, Local Infrastructure Application for the Borough of Hopatcong for Sutton Trail and Division Lane. Seconded by Councilman Padula.

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

OLD BUSINESS:

NEW BUSINESS:

Agreement Between Hopatcong BOE and Hopatcong Borough

Councilman Young made a motion to enter into an agreement with the Hopatcong Board of Education to include the Hudson Maxim School parking lot in the Municipal Parking lot project. Seconded by Councilman Padula.

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

Authorization for Coin Toss – Knights of Columbus

Councilman Francis made a motion to approve a request from the St. Jude's Knights of Columbus Council #9914 to conduct a Coin Toss on Hopatchung Road on Saturday, October 18, 2014 from 9:00 am to 12:00 pm. Seconded by Councilman Young.

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

CY2014 Best Practices Worksheet

At this time the Governing Body reviewed the completed CY2014 Best Practices Worksheet as prepared by the Chief Financial Officer.

Robert Elia, Borough Administrator, discussed the Best Practices Survey, went over with the Governing Body our "No" answers and the implications that too many "No" answers could have on the State Aid that is received from the Borough. Hopatcong, at this time,

has 8 “No” answers and that he and the staff are looking at ways to implement procedures which would eliminate some of them. Some of them cannot be changed due to contractual agreements.

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).

Mara Modes asked about the Part time ACO and Mr. Elia repeated that two call outs will be included in her pay. Additional call outs will be compensated at \$20.00 an hour with a minimum of 3 hour call out.

Henry Schmidt addressed the Governing Body regarding property maintenance issues on the following roads – Oklahoma, Skidmore, Bucknell and Old Rollins Trail. He wanted to know who was enforcing the property maintenance regulations.

Mayor Petillo stated that the Zoning Officer takes care of that and that she will address it with him tomorrow.

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

EXECUTIVE SESSION:

Councilman Young made a motion to adjourn into Executive Session to discuss matters of personnel. Seconded by Councilwoman Galate. All were in favor.

Mr. Ursin stated that the Council will not be taking any formal action regarding this issue when they come back from closed session.

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

ADJOURNMENT:

Councilwoman Galate made a motion to adjourn the meeting. Seconded by Councilman Young. All were in favor.