

**MINUTES
OF THE MAYOR AND COUNCIL MEETING,
BOROUGH OF HOPATCONG,
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD
HOPATCONG, NEW JERSEY
FEBRUARY 3, 2016
OPEN PUBLIC MEETING 7:30 PM**

CALL TO ORDER: Announce Quorum

OPEN PUBLIC MEETINGS ACT STATEMENT: Council President Padula 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, Council President Padula, Councilman Schindelar, Councilman Young.

Absent: Councilman Francis and Mayor Petillo

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

PUBLIC HEARING:

USDA Section 533 Housing Preservation Grant

At this time Council President Padula opened the meeting to the public for any questions or comments regarding the submission of the 2015 USDA Section 533 Housing Preservation Grant. The program will provide repairs and rehabilitation activities for single family housing of low income households.

Robert Elia, Borough Administrator, addressed the Governing Body regarding the Housing Preservation Program that we are currently administering and explained that we are applying once again for another grant in the amount of \$55,000. The Borough has been very lucky to have received the grant three times in a five year period. The program helps approximately four or five residents per grant award.

Mara Modes asked how the funds get paid back and if we have to send the money back to the Federal Government.

Mr. Elia explained that the monies are granted to the Borough and that we hire the contractors. When the home is sold, or changes title, then the monies have to be paid back to the Borough. The money then goes back into the fund so that we can help other residents.

Councilwoman Galate explained that it is not just for seniors but for any one that is income qualified. It helps with such things as septic systems, electrical panels and roof replacement.

There being no one else from the public who wished to address the Governing Body regarding the Housing Preservation Grant, 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.

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

Councilwoman Galate reported that the seniors group meets tomorrow. They are outgrowing the Senior Center and are considering moving their meetings to St. Jude. She also stated that the Farmer's Market Committee has met and that plans are moving forward for this year's market.

Councilman Bunce reported that the Crimestoppers program is holding their "Sheriff's Reception on May 26, 2016 and that the Knights of Columbus are holding a breakfast at St. Jude's on February 14th. He also stated that the Ambulance Committee is moving forward with their plans to renovate and add on to their building. They will be using all of their own money but they may need the Borough to carve off a thin slice of municipal

property for their septic system and additional parking. They will be holding their first meeting with the County on Friday to discuss their site plan.

PUBLIC COMMENT:

Councilman Young 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).

Beth Grove, 7 Maple Place, once again stated that she is not questioning the needs of the police to have a shooting range, but that she would like the Council to not adopt the ordinance to pull this piece of property out of the Natural Area Preserve. She reiterated her concerns about the noise levels, lead pollution, night use and the possibility of other towns wanting to use the range. She also stated that if the range is constructed there, it will lower her property value.

Eric Grove, 7 Maple Place, stated that he is concerned about the lack of details that have been given to the public regarding the construction of the firing range. He stated that he can't find standards for a 100' range and that he is very upset about the impact that the range will have on the adjacent homeowners. (A copy of his comments are attached)

Mr. David Eliason, 2 Aladdin Trail, thanked the Governing Body for their efforts on trying to find a suitable spot for the range and that he supports having one and understands the need. He outlined his concerns regarding such things as safety, size of the lot, protection, range of weapons, passive recreation, vehicle use, ground water and project specifications.

Mara Modes read from the trails link brochure and discussed the ROSI list.

David Harris asked the Council when they would have information for the public regarding the range. He asked about the liquor license renewal on the agenda and the resolution to hire Phoenix Advisors.

Glen Olesak, a representative from the Highlands Trail, stated that they are here to let the Governing Body know that if they need any help with the trails that they are willing to help.

Mara Modes asked if the backup electrical sub code official will be on call and Mr. Elia responded that he will be.

After giving all persons present an opportunity to address the Governing Body, Councilman Schindelar made a motion to close the meeting to the public and return to the regular order of business.

APPROVAL OF MINUTES:

Councilman Young made a motion to approve the meeting minutes of the Regular Meeting held January 20, 2016. Seconded by Councilman Bunce. All were in favor.

ADMINISTRATOR'S REPORT:

At this time Robert Elia, Borough Administrator, presented his report for the meeting of February 3, 2016. He stated that the Electrical sub code official resigned and that there are two resolutions on for consideration to hire a replacement and also a backup official.

CONSENT AGENDA: Council President Padula 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.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Zoning Department End of Year Report 2015.
2. Tax Collector Monthly Report, December 2015.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Social Affair Permit: Project Self-Sufficiency, Hudson Farm Club Feb. 27, 2016.

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Resolution # 2016-37: Outside Lien Redemption Blk: 11102 Lt: 18.
2. Resolution # 2016-39: Outside Lien Redemption Blk: 11302 Lt: 4.
3. Resolution # 2016-42: Outside Lien Redemption Blk: 40202 Lt: 12.
4. Resolution # 2016-43: Outside Lien Redemption Blk: 31610 Lt: 1.
5. Resolution # 2016-44: Outside Lien Redemption Blk: 11102 Lt: 7 & Blk: 11304 Lt: 16

INTRODUCTION OF ORDINANCES:

Introduction Ordinance #03-2016- Remove Block 40805 from the Natural Area Preserve

Councilman Bunce made a motion to table an ordinance entitled “AN ORDINANCE OF THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING CHAPTER 154 ENTITLED ‘NATURAL AREA PRESERVE’ TO REMOVE BLOCK 40805 OWNED BY THE BOROUGH”. Seconded by Councilman Young.

Councilman Bunce stated that since the beginning of this process, he hasn’t received one bit of information regarding the shooting range. He stated that taking the property out of the Natural Area Preserve, at this point, is unnecessary. He stated that all of the conversations regarding the construction of the range should be done in public. The land right now is not going anywhere. It is owned by the Borough. He stated that there are many factors to be taken into account before a decision is made as to whether this property is suitable for the range.

Councilman Schindelar stated that we need to remember that right now the police have nowhere to qualify and that should be a big concern for the Borough.

Councilman Bunce responded that even though there may be an economic impact, that until the Council makes a decision, the police may have to use another range.

Upon roll call vote:

Ayes: Bunce, Galate, Padula, Schindelar, Young

Nays: None Absent: Francis Abstentions: None

Introduction Ordinance #04-2016 – Farmers Market Fees

Councilwoman Galate made a motion to table an ordinance entitled “AN ORDINANCE OF THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING CHAPTER 108 TO DELETE FARMERS MARKET FEES”. Seconded by Councilman Bunce.

Upon roll call vote:

Ayes: Bunce, Galate, Padula, Schindelar, Young

Nays: None Absent: Francis Abstentions: None

ADOPTION OF ORDINANCES:

Adoption of Ordinance #01-2016 – Sale of Municipal Property, Portion of Block 30306, Lot 9

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 PRPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS A PORTION OF BLOCK 30306, LOT 9”. Seconded by Councilman Bunce.

Before final roll call, Council President Padula opened the meeting to the public for any questions or comments that they may have regarding Ordinance #01-2016.

There being no one else from the public wishing to address the Governing Body regarding Ordinance #01-2016, Councilman Schindelar 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.

Upon roll call vote:

Ayes: Bunce, Galate, Padula, Schindelar, Young

Nays: None Absent: Francis Abstentions: None

AUCTION: MARCH 2, 2016

RESOLUTIONS:

Resolution #2016-40 – Donation of Property, Block 40709, Lot 15

Councilman Bunce, under the advice of the attorney, made a motion to table a resolution that Block 40709, Lot 15 be accepted by the Borough as a donation conditioned upon legal review of the title, deeds and other documents. Seconded by Councilman Schindelar.

Upon roll call vote:

Ayes: Bunce, Padula, Schindelar, Young

Nays: None Absent: Francis Abstentions: Galate

Resolution #2016-41 – Emergency Snow Plow Drivers

Councilman Bunce made a motion to adopt a resolution authorizing Administration to hire and use emergency drivers for snow plowing and to compensate them at \$25.00 per hour. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Galate, Padula, Schindelar, Young

Nays: None Absent: Francis Abstentions: None

Resolution #2016-45 – USDA Rural Development Housing Preservation Grant

Councilman Young made a motion to adopt a resolution authorizing the submittal of a USDA Rural Development Housing Preservation Grant for approximately \$55,000 to carry out various necessary and emergency improvements to residential properties in the Borough of Hopatcong. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Bunce, Galate, Padula, Schindelar, Young

Nays: None Absent: Francis Abstentions: None

Resolution #2016-46 – Replacement Hire of PT Electrical Sub-Code Official

Councilman Bunce made motion to adopt a resolution authorizing the hiring of Mark Jenkins as the replacement Part Time Electrical Sub-Code Official in the Building Department at a salary of \$17,000 per year. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Padula, Schindelar, Young

Nays: None Absent: Francis Abstentions: Galate

Resolution #2016-47 – Replacement Hire for Back-up Electrical Sub-Code Official

Councilman Bunce made a motion to adopt a resolution authorizing the hiring of Greg Chontow as the replacement Back-up Electrical Sub-Code Official in the Building Department for a salary of \$28.00 per hour with a two hour minimum. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Galate, Padula, Schindelar, Young

Nays: None Absent: Francis Abstentions: None

Resolution #2016-48 – Liquor License Renewal – Tonic Inc.

Councilman Bunce made a motion to adopt a resolution renewing Liquor License #1912-33-002-009, Tonic Inc., for the years 2013/14, 2014/15 and 2015/16. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Bunce, Galate, Padula, Schindelar, Young

Nays: None Absent: Francis Abstentions: None

Resolution #2016-49 - Agreement with Phoenix Advisors

Councilman Bunce made a motion to adopt a resolution authorizing Administration to enter into an agreement with Phoenix Advisors to provide Continuing Disclosure Agent

Services and Independent Registered Municipal Advisor of Record. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Galate, Padula, Schindelar, Young

Nays: None Absent: Francis Abstentions: None

Resolution #2016-50 – Payment of Bills

Councilman Bunce made a motion to adopt a resolution authorizing the payment of bills for the meeting of February 3, 2016, pulling check numbers 36918, 36921, 36927 and 36947. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Galate, Padula, Schindelar, Young

Nays: None Absent: Francis Abstentions: None

Councilman Bunce made a motion to approve the payment of check numbers 36918, 36921, 36927 and 36947. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Padula, Schindelar, Young

Nays: None Absent: Francis 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.

Eric Grove thanked the Council for tabling the ordinance and for deciding to conduct further review of the project.

Councilman Padula read the letter written by John Ruschke regarding the constraints on the other properties that were suggested for the firing range.

David Harris asked if the town could send letters to the State regarding the health of the lake and Councilman Schindelar stated that we have contacted everyone to no avail.

Mr. Harris asked about two legal suits that he read about in the Star Ledger and Mr. Ursin stated that the Borough could not comment on legal issues.

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

ADJOURNMENT:

Councilman Bunce made a motion to adjourn the meeting of February 3, 2016. Seconded by Councilman Young. All were in favor.

Sylvia Petillo, Mayor

Catherine Schultz, RMC