

**MINUTES
OF THE MAYOR AND COUNCIL MEETING,
BOROUGH OF HOPATCONG,
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD
HOPATCONG, NEW JERSEY
OCTOBER 18, 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 Deputy Clerk called the roll and the following members were present: Councilwoman Galate, Councilman Hoferkamp, Councilman Schindelar, Councilman Young and Mayor Francis.

Absent: Councilman Bunce, Councilman Padula

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.

At this time Mayor Francis congratulated the Hopatcong Fire Department and presented them with an Award for winning 1st Place Appearing Aerial Apparatus during the 97th Sussex County Firemen's Association Inspection Day & Parade, held in Newton on Saturday, October 7, 2017.

Chief Rob Lo Porto explained the time put in working on the trucks.

Mara Modes questioned what an aerial apparatus was.

Mayor Francis explained that it is a fire truck with a ladder that goes straight up.

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

Councilwoman Galate reported that the Farmer's Market had ended this past Sunday and will start up again June 17, 2018 and end October 21, 2018. They are planning activities and vendors for the New Year. She also reported that the Seniors will have a meeting November 2, 2017 and is available to people who are 60+. Councilwoman Galate further reported that in the Police Department meeting budget preparation was discussed, as were old and new officers. She mentioned that their statistics were flat and the deer calls have gone up by 12.

Councilman Hoferkamp reported that the Mayor's Pride Program had begun and they started at the recycling center.

Councilman Schindelar stated that he had nothing to report, and congratulated the Fire Department for their achievement.

Councilman Young reported that Recreation hadn't met yet, but the Halloween Parade was this past Sunday and the event went well. The high school band led the parade in costume and a lot of hot dogs were given away. He also reported that the Municipal Alliance met and discussed that they will sponsor "Kid Fest" next year. They will also be having two movie nights this winter. Councilman Young also mentioned the Defend Your Teen presentation at Eisenhower Middle School on October 19, 2017 and the presentation for parental internet safety presented by Detective Thomas Laird on October 24, 2017 at the high school. He also mentioned that the Open Space and Environmental Commission meetings are coming up.

Mayor Francis stated that he is very excited about the Mayor's work program by clean communities; further stating that if anyone sees anything around town that needs to be cleaned up to call him. He explained that he is working with Sussex County Probation for the Mayor's work program. Mayor Francis reported that the Halloween Parade was

great and that the winner was a vending machine; there was a baby that was a claw machine and the costumes were very creative. He further reported that there has been progress with the developments in town as well as the redevelopment; the townhouses by the bridge are almost finished and will bring in new revenue. The SMILE house is beginning to be built and should be ready by mid next year.

ADMINISTRATOR'S REPORT:

At this time, Borough Administrator, Ron Tappan, presented his report for the meeting of October 18, 2017. Mr. Tappan stated that he put a copy of his report in the Agenda packet and that if any of the Governing Body members had any questions to please let him know.

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). Seconded by Councilman Schindelar.

Upon roll call vote:

Ayes: Galate, Hoferkamp, Schindelar, Young

Nays: None Absent: Bunce, Padula Abstentions: None

Chris Schindelar stated that he was there for a merit badge and questioned if there would be any items that would cause a discussion with different sides.

Mayor Francis stated that there might be.

Quashinna Williams explained that her husband had been pulled over due to a broken tail light after picking up her son, when she hadn't been pulled over driving the same vehicle. She also had witnessed a teen being pulled over and had his vehicle searched. She expressed her concern for police ticketing and searching and stated that she would like any new hires to be well trained on how to treat different ethnicities.

David Harris mentioned to the Mayor and Council that his son is African-American and had been pulled over. Mr. Harris asked if the Council could elaborate more on items on the Agenda; questioning the purchase of electricity supply services.

Mayor Francis and Mr. Tappan explained a reverse auction and how the lowest price is to be obtained. In addition it was explained that a third party electric company would be used for the same utility.

Mr. Harris questioned the new tort claim notices that were up for adoption.

Mr. Ursin explained that the new tort claim forms were updated and need approval.

Mr. Harris questioned the resolution regarding Brooklyn Mountain Road, stating he thought it was supposed to be done this year.

Mayor Francis explained that the road was being done in phases, and part of it still needs to be completed.

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.

Upon roll call vote:

Ayes: Galate, Hoferkamp, Schindelar, Young

Nays: None Absent: Bunce, Padula Abstentions: None

APPROVAL OF MINUTES:

Councilman Young made a motion to approve the meeting minutes of the Regular Meeting held on October 4, 2017. Seconded by Councilman Hoferkamp.

Upon roll call vote:

Ayes: Galate, Hoferkamp, Schindelar, Young

Nays: None Absent: Bunce, Padula 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, Councilman Young made a motion to approve the consent agenda. Seconded by Councilman Schindelar.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Zoning Department Report: September 2017.
2. Tax Collector Report: September 2017.

APPLICATIONS (APPROVAL OF THE FOLLOWING)

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

Upon roll call vote:

Ayes: Galate, Hoferkamp, Schindelar, Young

Nays: None Absent: Bunce, Padula Abstentions: None

INTRODUCTION OF ORDINANCES:

ADOPTION OF ORDINANCES:

RESOLUTIONS:

Resolution #2017-188 – Purchase of Electricity Supply Services (GS Meters)

Councilman Hoferkamp questioned the term for the electricity supply services.

Mr. Tappan explained that it can be from 12-24 months.

Councilman Young made a motion to adopt a resolution entitled “A RESOLUTION OF THE BOROUGH OF HOPATCONG AUTHORIZING THE PURCHASE OF ELECTRICITY SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE”. Seconded by councilman Schindelar.

Upon roll call vote:

Ayes: Galate, Hoferkamp, Schindelar, Young

Nays: None Absent: Bunce, Padula Abstentions: None

Resolution #2017-189 – Purchase of Electricity Supply Services (Lighting Meters)

Councilman Young made a motion to adopt a resolution entitled “A RESOLUTION OF THE BOROUGH OF HOPATCONG AUTHORIZING THE PURCHASE OF ELECTRICITY SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE”. Seconded by Councilman Hoferkamp.

Upon roll call vote:

Ayes: Galate, Hoferkamp, Schindelar, Young

Nays: None Absent: Bunce, Padula Abstentions: None

Resolution #2017-190 – Adoption of Official Tort Claim Notice

Councilman Schindelar made a motion to adopt a resolution adopting an Official Notice of Claim Form (Tort) for the Borough of Hopatcong. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Galate, Hoferkamp, Schindelar, Young

Nays: None Absent: Bunce, Padula Abstentions: None

Resolution #2017-191 – Payment of Bills

Councilman Young made a motion to adopt a resolution authorizing the payment of bills for the meeting of October 18, 2017, pulling purchase order numbers 17-00066, 17-00076, 17-00400, 17-01700, 17-01702, and 17-01726. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Galate, Hoferkamp, Schindelar, Young

Nays: None Absent: Bunce, Padula Abstentions: None

Councilman Young made a motion to authorize the payment of purchase order numbers 17-00066, 17-00076, 17-00400, 17-01700, 17-01702, and 17-01726. Seconded by Councilman Schindelar.

Upon roll call vote:

Ayes: Hoferkamp, Schindelar, Young

Nays: None Absent: Bunce, Padula Abstentions: Galate

Resolution #2017-192 – Change Order #1 – Brooklyn Mountain Road Phase I

Councilman Young made a motion to adopt a resolution approving Change Order #1 (decrease of \$784.87) for the 2016 Municipal Aid Brooklyn Mountain Road Resurfacing Project Phase I for Tilcon New York, Inc. Seconded by Councilman Schindelar.

Upon roll call vote:

Ayes: Galate, Hoferkamp, Schindelar, Young

Nays: None Absent: Bunce, Padula Abstentions: None

Resolution #2017-193 – Change Order #1, Brooklyn Mountain Road Phase II

Councilman Young made a motion to adopt a resolution approving Change Order #1 (increase \$9,926.12) for the 2017 Municipal Aid, Brooklyn Mountain Road Resurfacing Project Phase II for Tilcon New York, Inc. Seconded by Councilman Schindelar.

Upon roll call vote:

Ayes: Galate, Hoferkamp, Schindelar, Young

Nays: None Absent: Bunce, Padula Abstentions: None

OLD BUSINESS:

NEW BUSINESS:

PUBLIC COMMENT:

Councilman Young 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 Hoferkamp.

David Harris questioned the increase of deer accidents being up by 12 and what the total was.

Councilwoman Galate stated that the total off the top of her head was 44.

Mayor Francis explained that he received a call from the Division of Fish and Wildlife and they wanted to know the numbers to see if the hunting that Borough allows makes a difference or not. If the number keeps increasing then they need to figure out a different strategy.

Mr. Harris also questioned the sidewalks for the Streetscape on the River Styx and who set the standards for the replacement. Mr. Harris further question if the sidewalk would be on both sides of the street.

Mayor Francis explained that they would be replaced to be in the correct place and the standards were set by the State and the County. **Mayor Francis** stated that it needed to be engineered to see what space would allow.

Mr. Harris stated that in the past the public has heard comments on the Administrator's report and questioned if the report could be abbreviated for the public.

Mayor Francis gave his copy of the Administrator's Report to Mr. Harris.

Mara Modes commented on the Senior's Trip to see Kinky Boots stating that the trip was fun, further reading a letter from the Senior's thanking and commending the Council for voting for Cathy Millian to be the Recreation Coordinator and head of the Golden Lunch Bunch. Ms. Modes questioned the resolution regarding the Cathy Millian's appointment being put on the Agenda before 48 hours in advance.

Mr. Ursin explained that the Deputy Clerk informed him that it was on the Agenda and posted early that Monday, which would be more than 48 hours in advance.

Ms. Modes questioned why she was unable to receive Councilwoman Galate's letter if Mr. Ursin stated that nothing in it couldn't be said at the meeting.

Mr. Ursin explained that the Councilwoman Galate is entitled to write and have opinions about subjects that are on the Agenda. If known in advance to determine if they are open public session topics or closed session topics he advises. The issue with the letter is that it is Councilwoman Galate's opinions and was not disclosed publicly, therefore it becomes a deliberative document when handed to the administrator.

Councilwoman Galate stated that she informed Ms. Modes that if the Attorney said the letter could be given out, that she could receive a copy of the letter.

Mayor Francis asked for a copy of the letter from the Seniors to keep on record.

Ms. Modes stated that she will get him a copy.

Henry Schmidt, Oklahoma Trail, commented on the letter Ms. Modes read stating that it is not from the Hopatcong Senior's Inc., further stating that it is from a group of people and not an official letter from the Hopatcong Senior's Inc.

Mr. Harris questioned what a dashboard was.

Mayor Francis explained that it shows how well each increment is performing.

Mr. Tappan further explained that the dashboard shows a statistical graph of visual performance.

Ms. Modes questioned where the graphs will be.

Mayor Francis explained that once they have them done, they will make sure the public sees them.

Helmet Rehe, 501 Naritcong Ave., questioned when the netting at the ballfield will be done.

Mr. Tappan explained that he is waiting on the availability of the people qualified to complete the job.

Mr. Rehe handed out documentation regarding court cases on the netting issue and voiced his concern on getting the netting fixed and closing the gates.

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.

Upon roll call vote:

Ayes: Galate, Hoferkamp, Schindelar, Young

Nays: None Absent: Bunce, Padula Abstentions: None

ADJOURNMENT:

Councilman Young made a motion to adjourn the meeting of October 18, 2017. Seconded by Councilman Schindelar.

Upon roll call vote:

Ayes: Galate, Hoferkamp, Schindelar, Young

Nays: None Absent: Bunce, Padula Abstentions: None

Michael Francis, Mayor

Amanda L. Nevins, Deputy Clerk