

**MINUTES  
OF THE MAYOR AND COUNCIL MEETING,  
BOROUGH OF HOPATCONG,  
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD  
HOPATCONG, NEW JERSEY  
SEPTEMBER 17, 2014  
OPEN PUBLIC MEETING 7:30 PM**

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**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 Bunce, Councilman Francis, Councilwoman Galate, Councilwoman Klein, Councilman Padula, Councilman Young and Mayor Petillo

**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.

**PRESENTATIONS:**

At this time, representatives from the Lake Hopatcong Commission addressed the Governing Body regarding the Lake Loop (bike/walk) fundraiser.

**COMMITTEE REPORTS:**

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

Councilwoman Galate reported that the Seniors had two trips planned, one for a boat ride and one to Mohegan Sun. The trip on the boat was cancelled but they did go to Mohegan Sun. Their next meeting is Thursday, October 2<sup>nd</sup>. She also reported that the Farmer's Market is winding down and that their last day, will be "Christmas in October". The Halloween Party is scheduled for October 19<sup>th</sup> and the Senior Spaghetti Luncheon is scheduled for October 26<sup>th</sup>.

Councilman Francis stated that the first batch of sales for municipally owned property will take place at the next meeting and that the Real Estate Committee will now be looking at another batch of properties. He also reported that the River Styx Redevelopment Plan has begun with a ground breaking ceremony for the Greentree development.

Councilman Young also reported that the Recreation Commission is getting ready for the Halloween Contest. He stated that the Commission just had a "Movies in the Park" event and that there will be a basketball program and possibly another hockey program this fall. The Environmental Commission is discussing the issue of "Idle-free" zones. Councilman Young also stated that they are considering having businesses adopt a "Welcome to Hopatcong" signs in the Borough, similar to what Roxbury has done.

Councilman Bunce reported that there was LOSAP program at the Firehouse to go over what the rules and regulations are regarding the program. He also stated that the DPW has turned over the keys for the new building to the Soccer Program. He also reminded everyone about the Senior Luncheon and also about the "Wounded Warriors" event that will be held at Pavinci's on November 11<sup>th</sup>.

Mayor Petillo discussed the many scams that are going around and urged residents to call the police if they feel that they have been a victim. She also stated that the Borough held the 9/11 ceremony and that it was very moving. She stated that a resident came up to her at the end of the program to say that she was a survivor of the World Trade Center attack. The mayor urged everyone to remember not only the victims but the survivors as well.

**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).

Walt Menegus and Keith Ziperitch addressed the letter that he received regarding his non-acceptance into this year's Farmer's Market. He stated that he didn't believe that he is a "new" vendor and that he is being treated unfairly. He stated that he spent a lot of money preparing to be included in the market.

Both Councilwoman Galate and Mayor Petillo stated that no new vendors were added this year and that they believe that because the market is in its infancy stage that they have to be careful about taking on too many vendors. Councilwoman Galate stated that all of the vendors have to reapply every year and that no one is guaranteed a spot in the market. Mayor Petillo apologized regarding the letter that went out in the beginning of the year and stated that it was misconstrued by Mr. Menegus as an automatic approval for this year. The Borough will be reviewing its policies regarding the market and will carefully have to balance the need to have many vendors and the worry that too many vendors will damage the market.

Mara Modes, Ithanell Avenue, if the Developer's Agreement was going to be discussed and the Mayor responded that it will be later in the meeting. Ms. Modes also asked about the liquor license for Dock and Drink and Clerk Gleason responded that it is a pocket license.

David Harris thanked the Governing Body for paving Dupont Avenue. He also asked about the salary ordinance and Mr. Elia responded that those are just ranges and that the employees' salaries have to be someone in that range.

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 Councilman Bunce. All were in favor.

#### **APPROVAL OF MINUTES:**

Councilman Bunce made a motion to approve the meeting minutes of the Regular Meeting held on September 3, 2014. (absent: Klein) Seconded by Councilman Young. All were in favor except Councilwoman Klein who abstained.

#### **ADMINISTRATOR'S REPORT:**

At this time Robert Elia, Borough Administrator, presented his report for the meeting of September 17, 2014. Mr. Elia stated that tonight there is a resolution on the agenda which would authorize the hiring of a new Tax Collector. He stated that Regina Thomas will be retiring after being with the Borough for many years. Mr. Elia also stated that there is a resolution on this evening which would allow the employees to have payroll deductions taken from their paychecks for services provided by New York Life. The Borough will only act as the pass through and there will be no expense to the municipality. Mr. Elia reported that there is also a resolution on this evening which would allow the Borough to put into its budget the grant monies that we received for Drunk Driving Awareness.

**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 Bunce made a motion to approve the consent agenda of September 17, 2014. Seconded by Councilwoman Galate. All were in favor.

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

1. Ordinance # 16-2014–Township of Jefferson
2. Ordinance # 19-2014–Township of Jefferson
3. Ordinance # 20-2014–Township of Jefferson

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

1. Zoning Monthly Report August 2014
2. Construction Monthly Report August 2014

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

1. Social Affair Permit Application-Defiance Engine Company # 3
2. Membership Application- Firemen's Association Northwood Engine Company # 2

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

1. Resolution # 2014-223– Issue Duplicate Tax Sale Certificate, Arianna Holding Co., LLC
2. Resolution # 2014-224– Outside Lien Redemption, Amaco
3. Resolution # 2014-225– Outside Lien Redemption, US Bank/BV001

**INTRODUCTION OF ORDINANCES:**

Introduction Ordinance #25-2014 – Salary Ordinance

Councilman Bunce 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: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

**FINAL READING: OCTOBER 1, 2014**

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

Councilman Bunce made a motion to introduce 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 Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

**FINAL READING: OCTOBER 1, 2014**

**ADOPTION OF ORDINANCES:**

Adoption Ordinance #27-2014 – Auction of Municipal Property Block 50409, Lot 6, 3 Washaw Tr.

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 PROPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS 3 WASHAW TRAIL, BLOCK 50409, LOT 6". Seconded by Councilman Bunce.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments that they may have regarding Ordinance #27-2014.

There being no one from the public who wished to address the Governing Body regarding Ordinance #27-2014, 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, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

**AUCTION: OCTOBER 1, 2014**

Adoption Ordinance #28-2014 – Auction of Municipal Property Block 11107, Lot 32, 2 Billinge Road

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 PROPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS 2 BILLINGE ROAD, BLOCK 11107, LOT 32”. Seconded by Councilman Bunce.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments that they may have regarding Ordinance #28-2014.

There being no one from the public who wished to address the Governing Body regarding Ordinance #28-2014, 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, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

**AUCTION: OCTOBER 1, 2014**

Adoption Ordinance #29-2014 – Auction of Municipal Property Block 11107, Lot 40, 103B York Road

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 PROPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS 103B YORK ROAD, BLOCK 11107, LOT 40”. Seconded by Councilman Bunce.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments that they may have regarding Ordinance #29-2014.

There being no one from the public who wished to address the Governing Body regarding Ordinance #29-2014, Councilman Bunce made a motion to close the meeting to the public and return to the regular order of business. Seconded by Young All were in favor.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

**AUCTION: OCTOBER 1, 2014**

Adoption Ordinance #30-2014 – Auction of Municipal Property Block 30503, Lot 1, 302 Lakeside Blvd

Councilman Bunce 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 PROPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS 302 LAKESIDE BLVD, BLOCK 30503, LOT 1”. Seconded by Councilman Young.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments that they may have regarding Ordinance #30-2014.

David Hughes asked where the property is located.

There being no one from the public who wished to address the Governing Body regarding Ordinance #30-2014, 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, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

## **AUCTION: OCTOBER 1, 2014**

### Adoption Ordinance #31-2014 – Auction of Municipal Property Block 30203, Lot 3, 35 Madison Trail

Councilman Bunce 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 PROPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS 35 MADISON TRAIL, BLOCK 30203, LOT 3”. Seconded by Councilman Young.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments that they may have regarding Ordinance #30-2014.

There being no one from the public who wished to address the Governing Body regarding Ordinance #31-2014, Councilwoman Galate made a motion to close the meeting to the public and returned to the regular order of business. Seconded by Councilman Young. All were in favor.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

## **AUCTION: OCTOBER 1, 2014**

### **RESOLUTIONS:**

#### Resolution #2014-226 – Payment of Bills

Councilman Bunce made a motion to adopt a resolution authorizing the payment of bills for the meeting of September 17, 2014, pulling check numbers 1218, 34795, 34798, 34799 and 34790. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

Councilman Bunce made a motion to approve the payment of check numbers 1218, 34795, 34798, 34799, 34790. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Klein, Padula, Young

Nays: None Absent: None Abstentions: Galate

#### Resolution #2014-227 – Hiring of Tax Collector

Councilman Bunce made a motion to adopt a resolution authorizing the hiring of a Tax Collector for the Borough of Hopatcong due to the retirement of Regina Thomas. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

#### Resolution #2014-228 – Renewal of Certain 2014-2015 Liquor Licenses

Councilman Bunce made a motion to adopt a resolution renewing certain liquor licenses for the 2014-2015 licensing year (Dock and Drink). Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

#### Resolution #2014-229 – New York Life Insurance

Councilman Young made a motion to adopt a resolution authorizing an agreement between New York Life Insurance and the Borough of Hopatcong (only providing the service of payroll deductions). Seconded by Councilwoman Galate.

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

Resolution #2014-230 – Special Item of Revenue

Councilman Young made a motion to adopt a resolution requesting the Director of the Division of Government Services to approve the insertion of \$7,174.24 into the 2014 budget of the Borough of Hopatcong under the title “Drunk Driving Enforcement Fund”. Seconded by Councilman Bunce.

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

**OLD BUSINESS:**

**NEW BUSINESS:**

Developer’s Agreement – Greentree at Hopatcong, LLC

Councilwoman Galate made a motion to approve a Developer’s Agreement between the Borough of Hopatcong and Greentree at Hopatcong, LLC as amended to include language regarding water/sewer allocation and to include the word “private” before parking lots regarding maintenance. Seconded by Councilman Young.

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

**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).

Mr. Harris asked what he can do with cooking oil and he was told that he can take it up to SCMUA.

Mara Modes stated that she received a scam phone call supposedly from the IRS. She also stated that one of her neighbors is handicapped and can’t come to a land use meeting to discuss a project that is within 200’ of her residence. She wanted to know if she could do it by mail. Attorney McBriar responded that she would have to give live testimony.

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 Councilwoman Galate. All were in favor.

**COUNCIL COMMENTS:**

**ADJOURNMENT:**

Councilman Bunce made a motion to adjourn the meeting of September 17, 2014. Seconded by Councilwoman Galate. All were in favor.

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Sylvia Petillo, Mayor

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Catherine Gleason, RMC