

**MINUTES
OF THE MAYOR AND COUNCIL MEETING,
BOROUGH OF HOPATCONG,
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD
HOPATCONG, NEW JERSEY
MAY 6, 2015
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 Bunce, Councilman Francis, Councilwoman Galate, Councilman Padula, Councilman Schindelar, 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.

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).

Mr. Joseph Quinn, 433 Lakeside Blvd., addressed the Governing Body regarding the event that is going to take place at Patrick's Pub the weekend of May 16th. He stated that he has concerns about the music, the amount of people that are going to attend the event and the amount of boats on the lake. He stated that he feels that it is going to be an inconvenience to his family – he has two small children. He wanted to know what the town is doing to make sure that the event doesn't become unruly and out of control.

Chris Smith, 313 Squaw Trail also addressed the Governing Body regarding the event at Patrick's Pub. She stated that she too is concerned that the event will get out of control and wanted to make sure that there is adequate police coverage both on the lake and in the area. She wanted to make sure that if there was more police coverage that the tax payers were not footing the bill.

Mayor Petillo stated that she and others from the Borough have met with the owners of Patrick's Pub to make them aware of our concerns. Patrick is more than willing to work with the town. He told the town that although he can have the music outside on the deck till 9:00 pm that he will bring the bands inside at 6:00 pm and that if the Chief of Police recommended that more police officers are needed that he will pay for them. Mayor Petillo stated that the State Police have also been made aware of the situation and that they are going to have boats out on the lake for enforcement purposes.

Gwen Switzer, 129 Camp Trail stated that her road is in desperate need of repaving and it needs to be swept. She showed the Council pictures of her road and the horrible conditions. She stated that she has contacted the town several times to no avail.

Mayor Petillo stated that she would take a drive over there tomorrow with the DPW Superintendent. She knows that there are many roads in the Borough that are in need of repair but unfortunately there is only a certain amount of money to do so. The roads are looked at every year and they are put on a priority list. The town does receive grant monies for some roads. We would need over 16 million dollars to repave all of the roads in the Borough.

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.

APPROVAL OF MINUTES:

Councilman Bunce made a motion to approve the meeting minutes of the Regular Meeting held April 15, 2015. Seconded by Councilwoman Galate.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

ADMINISTRATOR'S REPORT:

At this time Robert Elia, Borough Administrator, presented his report for the meeting of May 6, 2015.

Mr. Elia reported that there is a Highlands Exemption Ordinance on for introduction tonight. If adopted it would allow the applications to be approved by him instead of having to go before the Highlands Council. He also stated that there are three bond ordinances on for adoption this evening. There are also resolutions to allow certain employees to use the Lowes and Home Depot credit cards for Borough purchases and three Chapter 159 resolutions requesting that grant monies be put into the 2015 budget. He stated that there is also a resolution before them to hire seasonal help for the DPW.

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, Mayor Petillo requested a motion to approve the consent agenda.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Township of Green, Sussex County, Resolution # 2015-63.
2. Hopatcong Land Use Board: Blk: 60001 Lt: 12, Blk: 70001 Lt: 1.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Construction Monthly Report: March 2015.
2. Tax Collector's Monthly Report: March 2015.
3. Overtime Report Year to Date 2015.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Water Service Application: 54 Ithanell Road, Blk: 31704 Lt: 65.
2. Blue Light Permit Application: Raven Cortez.

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Resolution # 2015-123- Outside Lien Redemption, Blk: 30704 Lt: 15.
2. Resolution # 2015-124- Outside Lien Redemption, Blk: 10706 Lt: 3.
3. Resolution # 2015-125- Outside Lien Redemption, Blk: 11011 Lt: 13.
4. Resolution # 2015-126- Outside Lien Redemption, Blk: 40205 Lt: 6.
5. Resolution # 2015-130- Refund Overpayment, Blk: 11303 Lt: 12.
6. Resolution # 2015-131- Refund Overpayment, Blk: 40505 Lt: 6.
7. Resolution # 2015-134- Outside Lien Redemption, Blk: 11002 Lt: 8.
8. Resolution # 2015-138- Authorizing Electronic Tax Sale 2015.

Councilman Bunce made a motion to approve the Consent Agenda for the meeting of May 6, 2015. Seconded by Councilwoman Galate. All were in favor except for Councilman Young who abstained.

INTRODUCTION OF ORDINANCES:

Introduction Ordinance #16-2015 – Vacation of Rand Street, Anita Avenue and Lydia Avenue Road Right-of-Way

Councilman Young made a motion to introduce an ordinance entitled "AN ORDINANCE VACATING RAND STREET, ANITA AVENUE AND LYDIA AVENUE ROAD RIGHT-OF-

WAY IN THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX AND STATE OF NEW JERSEY". Seconded by Councilman Bunce.

Councilwoman Galate asked if the Borough still owns the road up to the well and Mr. Ursin responded that we are vacating the section after the well. We still have a 50 feet easement around the well itself.

Upon roll call vote:

Ayes: Bunce, Francis, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: Galate

FINAL READING: MAY 20, 2015

Introduction Ordinance #17-2015 – Vacation of a Portion of Elba Avenue Right-of-Way.

Councilman Bunce made a motion to table an ordinance entitled "AN ORDINANCE PARTIALLY VACATING A PORTION OF ELBA AVENUE ROAD RIGHT-OF-WAY IN THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX AND STATE OF NEW JERSEY". Seconded by Councilman Schindelar.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

FINAL READING: MAY 20, 2015

Introduction Ordinance #18-2015 – Highlands Exemption Ordinance

Councilman Francis made a motion introduce an ordinance entitled "AN ORDINANCE REGARDING HIGHLANDS AREA EXEMPTIONS". Seconded by Councilman Bunce.

Upon roll call vote:

Ayes: Bunce, Galate, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: Francis

FINAL READING: MAY 20, 2015

ADOPTION OF ORDINANCES:

Adoption Ordinance #07-2015 – Sale of Municipal Property, Block 50303, Lot 4, 16 Papoose Trail.

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 16 PAPOOSE TRAIL, BLOCK 50303, LOT 4". Seconded by Councilman Bunce.

Before final roll call, Mayor Petillo will open the meeting to the public for any questions or comments that they may have regarding Ordinance #07-2015.

There being no one from the public who wished to address the Governing Body regarding Ordinance #07-2015, 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, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: None

AUCTION: MAY 20, 2015

Adoption Ordinance #08-2015 – Sale of Municipal Property, Block 31603, Lot 19, 4 Kisling Avenue

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 4 KISLING AVENUE, BLOCK 31603, LOT 19". Seconded by Councilman Bunce.

Before final roll call, Mayor Petillo will open the meeting to the public for any questions or comments that they may have regarding Ordinance #08-2015.

There being no one from the public who wished to address the Governing Body regarding Ordinance #08-2015, Councilman Bunce made a motion to close the meeting to the public and return to the regular order of business.

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

AUCTION: MAY 20, 2015

Adoption Ordinance #09-2015 – Sale of Municipal Property, Block 41204, Lot 2, 450 Maxim Drive

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 450 MAXIM DRIVE, BLOCK 41204, LOT 2". Seconded by Councilman Young

Before final roll call, Mayor Petillo will open the meeting to the public for any questions or comments that they may have regarding Ordinance #09-2015.

There being no one from the public who wished to address the Governing Body regarding Ordinance #09-2015, 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, Padula, Schindelar, Young
Nays: None Absent: None Abstentions: None

AUCTION: MAY 20, 2015

Adoption Ordinance #10-2015 – Sale of Municipal Property, Block 50601, Lot 10, 501 Lakeside Avenue

Mr. Ursin stated that there has been a request from the Open Space Committee to have an easement through this property for trails. He suggested that the Council, if they would like to consider the request, vote not to adopt this ordinance and to reintroduce it at a later date.

A motion is in order not 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 501 LAKESIDE AVENUE, BLOCK 50601, LOT 10". Seconded by Councilman Young.

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

AUCTION: MAY 20, 2015

Adoption Ordinance #11-2015 – Sale of Municipal Property, Block 20213, Lot 1, 79 Kynor Avenue

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 79 KYNOR AVENUE, BLOCK 20213, LOT 1". Seconded by Councilman Bunce.

Before final roll call, Mayor Petillo will open the meeting to the public for any questions or comments that they may have regarding Ordinance #11-2015.

There being no one from the public who wished to address the Governing Body regarding Ordinance #11-2015, 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, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: None

AUCTION: MAY 20, 2015

Adoption Ordinance #12-2015 – Salary Ordinance

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

Before final roll call, Mayor Petillo will open the meeting to the public for any questions or comments that they may have regarding Ordinance #12-2015.

There being no one from the public who wished to address the Governing Body regarding Ordinance #12-2015, 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.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Adoption Ordinance #13-2015 – Bond Ordinance - Capital Improvements

Councilman Bunce made a motion to adopt an ordinance entitled “A BOND ORDINANCE PROVIDING FOR VARIOUS 2015 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF HOPATCONG, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY (THE “BOROUGH”); APPROPRIATING \$1,088,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,033,600 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF”. Seconded by Councilwoman Galate.

Before final roll call, Mayor Petillo will open the meeting to the public for any questions or comments that they may have regarding Ordinance #13-2015.

There being no one from the public who wished to address the Governing Body regarding Ordinance #13-2015, Councilman Young 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, Francis, Galate, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: None

Adoption Ordinance #14-2015 – Bond Ordinance–Water Utility Improvements

Councilman Bunce made a motion to adopt an ordinance entitled “A BOND ORDINANCE PROVIDING FOR VARIOUS 2015 WATER UTILITY IMPROVEMENTS, BY AND IN THE BOROUGH OF HOPATCONG, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY (THE “BOROUGH”); APPROPRIATING \$295,000 THEREFOR FROM THE WATER UTILITY OF THE BOROUGH AND AUTHORIZING THE ISSUANCE OF \$280,250 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF”. Seconded by Councilman Young.

Before final roll call, Mayor Petillo will open the meeting to the public for any questions or comments that they may have regarding Ordinance #14-2015.

There being no one from the public who wished to address the Governing Body regarding Ordinance #14-2015, 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, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: None

Adoption Ordinance #15-2015 – Bond Ordinance– Sewer Utility Improvements

Councilman Young made motion to adopt an ordinance entitled ““A BOND ORDINANCE PROVIDING FOR VARIOUS 2015 SEWER UTILITY IMPROVEMENTS, BY AND IN THE BOROUGH OF HOPATCONG, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY (THE “BOROUGH”); APPROPRIATING \$206,000 THEREFOR FROM THE SEWER UTILITY OF THE BOROUGH AND AUTHORIZING THE ISSUANCE OF \$197,600 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF”. Seconded by Councilman Bunce.

Before final roll call, Mayor Petillo will open the meeting to the public for any questions or comments that they may have regarding Ordinance #15-2015.

There being no one from the public who wished to address the Governing Body regarding Ordinance #15-2015, 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, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: None

RESOLUTIONS:

Resolution #2015-128 – Payment of Bills

Councilman Bunce made a motion to authorize the payment of bills for the meeting of May 6, 2015, pulling check numbers 1231, 3373, 35707, 35733, 35738, 35754 and 35764. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Councilman Bunce made a motion to approve the payment of check numbers 1231, 3373, 35707, 35733, 35738, 35754 and 35764. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: Galate

Resolution #2015-129 – Recreation Fees – 2015 “Camp for Kids”

Councilman Young made a motion to adopt a resolution authorizing the fees for the Hopatcong Borough 2015 “Camp for Kids” as recommended by the Recreation Commission. Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2015-132 – Lowes Credit Account

Councilwoman Galate made a motion to adopt a resolution authorizing a formal policy with respect to a Lowes Credit Account as recommended by the CFO and Borough Administrator. Seconded by Councilman Schindelar.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2015-133 – Home Depot Credit Account

Councilman Young made a motion to adopt a resolution authorizing a formal policy with respect to a Home Depot Credit Account as recommended by the CFO and Borough Administrator. Seconded by Councilwoman Galate.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2015-135 – Special Item of Revenue – Municipal Aid Grant

Councilman Bunce made a motion to adopt a resolution asking the Director of the Division of Local Government Services to approve the insertion of \$170,000.00 into the budget for the Borough of Hopatcong under the caption “Municipal Aid Grant 2015”. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2015-136 – Special Item of Revenue – Housing Preservation Grant

Councilman Bunce made a motion to adopt a resolution asking the Director of the Division of Local Government Services to approve the insertion of \$45,948.36 into the budget for the Borough of Hopatcong under the caption “Housing Preservation Grant”. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2015-137 – Special Item of Revenue – Click It Or Ticket

Councilwoman Galate made a motion to adopt a resolution asking the Director of the Division of Local Government Services to approve the insertion of \$4,000 into the budget for the Borough of Hopatcong under the caption “2015 Click It Or Ticket Seat Belt Mobilization”. Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2015-139 – Temporary Seasonal Help

Councilman Bunce made a motion to adopt a resolution authorizing the hiring of Temporary Seasonal Help in the Department of Public Works at a rate of \$10.00 an hour, 40 hours per week for approximately 12 weeks. Seconded by Councilman Young

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2015-140 – Award of Professional Contract – Skylands Risk Management

Councilman Bunce made a motion to adopt a resolution authorizing the award of a Non-Fair and Open Contract for Professional Services – Skylands Risk Management Inc. Seconded by Councilwoman Galate.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2015-143 – Click it or Ticket Mobilization

Councilman Young made a motion to adopt a resolution supporting the Click It or Ticket Mobilization of May 18 – 31, 2015. Seconded by Councilman Bunce. All were in favor.

OLD BUSINESS:

NEW BUSINESS:

County of Sussex/Borough of Hopatcong Streetscape Program Agreement

Councilwoman Galate made a motion to enter into an agreement with the County of Sussex for Streetscape Program Design, Construction, Operation and Maintenance Agreement. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Schindelar, 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).

David Harris asked if the job posting was available for the seasonal help at the DPW and Mr. Elia stated that 4 people have already been hired but that there is a waiting list if he knows of someone who may be interested in the job.

Mr. Harris also asked about the solar project and what the County's response was to Hopatcong's questions.

Mayor Petillo stated that representatives from the town met with John Eskilson and the CFO of the County. Since that meeting 3 County employees have announced their retirements, including Eskilson and the CFO. The attorney has also announced his retirement. Two people involved in the project from Morris County have also resigned. The County has already lost 24 million in the project and has committed another 7 million. There were no performance bonds and the County basically acted as the bank for the project. The County representatives have been very quiet on the issue and although representatives from the town were interviewed by the Herald, for some reason our comments never made the paper.

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.

Councilman Young stated that he had new business to discuss. He stated that the County open space resolution for taxes expires in August and that the town, if interested in increasing the tax by .5% then we would have to do a resolution in support of the increase and send it to the Freeholders.

Councilman Francis stated that he believes that the Open Space fund is adequately funded and he doesn't see the need for an increase.

Councilman Bunce reported that a fundraiser to support Armed Forces Relief is being held on May 17th at Pavincis. It is the 5th year that the event will be held.

Councilman Schindelar thanked all those who spoke tonight about their concerns regarding the event at Patrick's Pub and reiterated that the town will be watching and monitoring the situation to make sure that all goes well.

ADJOURNMENT:

Councilman Bunce made a motion to adjourn the meeting of May 6, 2015. Seconded by Councilman Young. All were in favor.