

**MINUTES
OF THE MAYOR AND COUNCIL MEETING,
BOROUGH OF HOPATCONG,
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD
HOPATCONG, NEW JERSEY
APRIL 6, 2016
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.

ADOPTION OF 2016 MUNICIPAL BUDGET

At this time the Borough Auditor, Paul Lerch presented the 2016 budget for the Borough of Hopatcong.

Public Hearing on 2016 Budget

At this time Mayor Petillo opened the meeting to the public for any questions or concerns that they may have regarding the 2016 Budget.

There being no one from the public who wished to address the Governing Body regarding the 2016 Municipal Budget, 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.

Adoption Ordinance #07-2016 – Establishing a Cap Bank

Councilman Bunce made a motion to adopt an ordinance entitled "AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR THE CALENDAR YEAR 2016". Seconded by Councilman Young.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or concerns that they may have regarding Ordinance #0 -2016.

There being no one from the public who wished to address the Governing Body regarding Ordinance #07-2016, 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

Resolution #2016-90 - Waiver of Reading in Full

Councilman Young made a motion to adopt a resolution permitting the Borough to waive the reading in full of the Municipal Budget for the year ending December 31, 2016. Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2016-91 Adoption of 2016 Municipal Budget

Councilman Francis made a motion to adopt a resolution adopting the 2016 Budget for the Borough of Hopatcong. Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2016-92 Self Examination of 2016 Budget

Councilman Bunce made a motion to adopt a resolution to approve the Self Examination of the 2016 Budget. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

AUCTION OF MUNICIPAL PROPERTY:

Councilman Bunce made a motion to open the auctions for following auctions. Seconded by Councilwoman Galate. All were in favor.

A Portion of Block 30306, Lot 20 - Minimum Bid **\$3,725.00** (Non-conforming)

Councilman Young made a motion to accept the bid of \$3,725.00 from Mr. Richard Moore for the purchase of a portion of block 30306, Lot 20. Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Block 31603, Lot 19, 4 Kisling Avenue – Minimum Bid **\$20,400.00** (Conforming)

Councilman Young made a motion to accept the bid of \$20,400.00 from Mr. Steve Millian for the purchase of 4 Kisling Avenue, Block 31603, Lot 19. Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Councilman Bunce made a motion to close the auctions and to take a 10 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 Councilman Bunce. All were in favor.

COMMITTEE REPORTS:

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

Councilwoman Galate stated that the Seniors will be meeting tomorrow at the Senior Center at 10:00 am. They are discussing creating a “Seniors Walking Club” and participating in the Hudson Walk Hike this year. She also reported that she attended the police meeting on Monday and there was talk of some possible retirements. She stated that the Chief has exhausted all of the people on the local civil service list and he will have to go to the County list. Councilwoman Galate stated that the police are now using “E-tickets”. They started using them in February and it aids not only in the accuracy of the ticket information but the safety of the officers as well. She also stated that the Chief is once again offering “Ride-alongs” to any of the Council members.

Councilman Francis stated that registration has begun for vendors for this year’s Farmers Market and so far we have 11 vendors interested.

Councilman Young reported that the Police Firing Range Committee has met and that they are looking at a couple of alternative sites. He also stated that the County Board of

Health will be conducting sound testing on several sites in the Borough. He also stated that the Environmental Commission has met and they are discussing the tree giveaway, the Lake Hopatcong Foundation block party, and the shredding day scheduled for May 7th. Councilman Young stated that the Street Hockey program started on March 26th as well as other spring sports. He also stated that the Easter Egg Hunt was a huge success.

Councilman Bunce stated that the ambulance squad building project is moving along. The engineers have looked at the property and the squad is asking the town to provide 10 – 15' of town property to them so that they can install their new septic system. Councilman Bunce asked the Council to authorize the attorney to work on getting the property over to them. The Borough Engineer has the plans.

Councilman Bunce also reported that there is a resolution on this evening to enter into a contract with Fennelly Associates as our LSRP to continue the plan for the remediation of the DPW garage site. He stated that this will start to finish up the project. Once the plan is in place, then the remediation of the site can begin. Councilman Bunce also stated that the Water/Sewer Committee has begun to discuss new ordinances in regards to such things as grinder pumps and users.

Councilman Padula stated that the Redevelopment Committee will be meeting on April 12th to possibly identify areas in need of redevelopment or rehabilitation.

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).

David Harris addressed the Governing Body regarding the bid for Fennelly and wondered why it was "Non-Fair and Open". Mr. Elia replied that professional services, by statute, do not have to be put out to bid. Money was put into the budget a few years ago to cover this expenditure.

Mr. Harris asked about the resolution on this evening regarding the FEMA grant and Mr. Elia responded that the Borough has been fortunate to receive a grant from FEMA for the backup emergency generators at the DPW garage and the OEM building.

Mr. Harris asked about the water main break notification that he received over the weekend and Mr. Elia responded that it only affected one customer.

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.

APPROVAL OF MINUTES:

Councilman Young made a motion to approve the meeting minutes of the Regular Meeting held on March 16, 2016. Seconded by Councilman Bunce.

Upon roll call vote:

Ayes: Francis, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: Bunce, Galate

ADMINISTRATOR'S REPORT:

At this time Robert Elia, Borough Administrator, presented his report for the meeting of April 6, 2016. Mr. Elia reported that the Borough was very fortunate to receive a DOT grant in the amount of \$195,000 to be used on Brooklyn Mountain Road, although we are not sure what part of the road. He also stated that there is a resolution on this evening to hire a new Electrical Sub Code Official. The gentleman that we just hired got a job with the State so we are going to hire the back-up official, Greg Chontow. Mr. Elia also stated that there is a resolution on this evening which would allow the Borough to manage the employees Delta Dental Plan. The program is purely paid for by the employee. The Borough would only collect the money and manage the plan on their behalf.

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):

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Tax Collector Monthly Report: February 2016.
2. Overtime Year to Date: March 2016.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Fire Department Junior Firefighter Application: Anthony Mulhearn.
2. Blue Light Permit Application: Kevin Schneider.
3. Social Affair Permit: Trinitas Health Foundation: Hudson Farm Club, June 6, 2016.

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Resolution # 2016-80 – Outside Lien Redemption: Blk: 10712 Lt: 55 & Blk: 30402 Lt: 1.
2. Resolution # 2016-81 – Outside Lien Redemption: Blk: 10908 Lt: 1 & Blk: 30408 Lt: 14.
3. Resolution # 2016-82 – Outside Lien Redemption: Blk: 30803 Lt: 70.
4. Resolution # 2016-83 – Outside Lien Redemption: Blk: 30803 Lt: 84.
5. Resolution # 2016-84 – Outside Lien Redemption: Blk: 30611 Lt: 4.
6. Resolution # 2016-85 – Outside Lien Redemption: Blk: 10708 Lt: 7.
7. Resolution # 2016-86 – Outside Lien Redemption: Blk: 10803 Lt: 4.
8. Resolution # 2016-87 – Outside Lien Redemption: Blk: 11110 Lt: 6.
9. Resolution # 2016-88 – Outside Lien Redemption: Blk: 30412 Lt: 9.
10. Resolution # 2016-89 – Outside Lien Redemption: Blk: 11012 Lt: 14.
11. Resolution # 2016-95 – Outside Lien Redemption: Blk: 31705 Lt: 14.
12. Resolution # 2016-96 – Outside Lien Redemption: Blk: 11102 Lt: 23.
13. Resolution # 2016-97 – Outside Lien Redemption: Blk: 11103 Lt: 6.
14. Resolution # 2016-98 – Outside Lien Redemption: Blk: 11001 Lt: 16.
15. Resolution # 2016-100 – Refund Overpayment: Blk: 10709 Lt: 3.

Councilman Bunce made a motion to approve the Consent Agenda of April 6, 2016. Seconded by Councilman Young. All were in favor.

INTRODUCTION OF ORDINANCES:

Introduction Ordinance #11-2016 – Taxicab License Applications

Councilman Bunce made a motion to introduce an ordinance entitled “AN ORDINANCE REPLACING SECTION 219-3 REGARDING TAXICAB LICENSE APPLICATIONS”. Seconded by Councilwoman Galate.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

FINAL READING: APRIL 20, 2016

ADOPTION OF ORDINANCES:

Adoption Ordinance #10-2016 – Capital Fund Surplus Purchase

Councilwoman Galate made a motion to introduce a resolution entitled “AN ORDINANCE PROVIDING FUNDING FOR PURCHASE OF A PREOWNED VAN FOR ANIMAL CONTROL AND APPROPRIATING \$18,000 OF GENERAL CAPITAL FUND BALANCE FOR SUCH PURPOSE”. Seconded by Councilman Padula.

Before final roll call, Mayor Petillo will open the meeting to the public for any questions or comments regarding Ordinance #10-2016.

There being no one from the public who wished to address the Governing Body regarding Ordinance #10-2016, 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

RESOLUTIONS:

Resolution #2016-93- Submission of Recycling Tonnage Report

Councilman Bunce made a motion to adopt a resolution authorizing the execution of a shared Services Agreement with the SCMUA for the Provision of Certified Recycling Professional services to certify and submit the 2015 Recycling Tonnage Report to NJDEP. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2016-99 – Payment of Bills

Councilman Bunce made a motion to adopt a resolution authorizing the payment of bills for the meeting of April 6, 2016, pulling check numbers 37172, 37201, and 37206. 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 authorize the payment of check numbers 37172, 37201, and 37206. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: Galate

Resolution #2016-101 – Part-time Electrical Sub-Code Official

Councilman Young made a motion to adopt a resolution authorizing the replacement hire of Greg Chontow as the part-time Electrical Sub-Code Official in the Building Department for a salary of \$17,000 per year. Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2016-102 – Delta Dental Flagship Dental Plan

Councilman Bunce made a motion is in order to adopt a resolution to enter into an agreement with the White Collar and Blue Collar employee's to administer the Delta Dental Flagship Dental Plan. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2016-103 – Non-Fair and Open Contract, Fennelly Environmental Associates

Councilman Bunce made a motion to adopt a resolution authorizing the award of a Non-Fair and Open Contract for Professional Services for remedial investigation to Fennelly Environmental Associates, LLC, Princeton, NJ. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2016-104 – FEMA Hazard Mitigation Assistance Grant

Councilman Young made a motion to adopt a resolution authorizing the Borough to enter into a Sub Grant Agreement and to accept a FEMA Hazard Mitigation Assistance Grant for \$210,000.00. Seconded by Councilwoman Galate.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

OLD BUSINESS:

NEW BUSINESS:

Discussion – 158 Lakeside Blvd

Councilman Francis motion to table a request from the owner of 158 Lakeside Blvd to give up the sewer allocation for the property, and to refer the request to the Water/Sewer Committee. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

PUBLIC COMMENT:

Richard Moore, 57 Hopatchung Road, addressed the Governing Body. He stated that he is going to be forming a Kiwanis Club in Hopatcong.

David Harris asked about the Hopatchung Road Beautification Project. The Mayor responded that the State has finally given us the money to proceed. There will be curbing and newly installed light poles.

Mr. Harris stated that he has tried to call the pound multiple times and wondered why there isn't always someone there to answer the phone.

Councilwoman Galate responded that the ACO is only part time and that residents need to make an appointment to see the animals being offered for adoption.

Alice Stolarz asked Councilman Young if the residents will be made aware of when the sound testing will be performed on the properties being considered for the firing range and Councilman Young stated that the testing is being run by the Sussex County Dept. of Health and that he is not sure when the tests will be performed. He stated that the testing is subject to availability and weather conditions.

Ms. Stolarz asked if the town was going to abide by the Highlands Plan and Councilman Francis stated that as of yet, the Borough has not opted in to that plan. We continue to evaluate it. Ms. Stolarz asked if the Council knew that the property in question is in the "Open Waste Protection Area".

Sa Bino Zarro, 40 Mast Road, asked if the town could please clean up the fencing around the recycling center. The plastic blows all around and gets stuck in the fencing.

Mr. Elia stated that he will send the DPW over there to clean it up.

Robert McGoldrick addressed the Governing Body regarding the gravel on the roads and stated that it needs to be cleaned up because it is a hazard, especially to motorcyclists.

The Mayor stated that the DPW is currently sweeping the streets but that it takes a while because we have approximately 120 miles of roads in the Borough. She stated that the gravel is stored once it is swept and recycled to be used again.

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).

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.

ADJOURNMENT:

Councilman Bunce made a motion to adjourn the meeting of April 6, 2016. Seconded by Councilman Young. All were in favor.

Sylvia Petillo, Mayor

Catherine Schultz, RMC