

**MINUTES
OF THE MAYOR AND COUNCIL MEETING,
BOROUGH OF HOPATCONG,
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD
HOPATCONG, NEW JERSEY
JANUARY 20, 2016
EXECUTIVE SESSION 5:30 PM
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

RESOLUTION FOR EXECUTIVE SESSION:

Councilman Bunce made a motion to adopt a resolution to adjourn into Executive Session to discuss personnel and contract negotiations. Seconded by Councilman Schindelar. All were in favor.

THE OPEN PUBLIC MEETINGS ACT ALLOWS THE MAYOR AND COUNCIL TO EXCLUDE THE PUBLIC FROM A PORTION OF A MEETING IN CERTAIN CIRCUMSTANCES.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF HOPATCONG THAT THE PUBLIC SHALL BE EXCLUDED FROM DISCUSSION OF MATTERS ALLOWED BY NEW JERSEY LAW.

THE EXECUTIVE SESSION MINUTES WILL BE PLACED ON FILE IN THE BOROUGH CLERK'S OFFICE, AND WILL BE AVAILABLE TO THE PUBLIC AS PROVIDED FOR BY NEW JERSEY LAW.

Be further advised this Resolution shall take effect immediately.

Councilman Bunce made a motion to adjourn out of Executive Session. Seconded by Councilman Schindelar. All were in favor.

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 HEARING:

Removal of Block 40805 from the Natural Area Preserve

At this time, Mayor Petillo opened the meeting to the public regarding a proposal to remove Block 40805 from the Natural Area Preserve as required by Ordinance 154-6.

Alice Stolarz, Maple Place asked the Council to consider another site for the range and once again addressed her concerns regarding the noise and safety issues.

Elaine Vigalate, 6 Maple Place stated that she has come up with two alternate properties and asked the Council to reconsider the current location where there aren't as many residents close by.

Councilman Francis stated that he will take a look at both properties that she is recommending and will let her know.

Mayor Petillo stated that we have been looking for a suitable site for over 5 years.

Fred Messmer, 19 Lebanon Trail stated that the current location cuts off one of the trails and he asked the Governing Body to consider opening the range to the public.

Mara Modes asked what the difference is between properties in the Natural Area Preserve and Open Space.

Mr. Ursin stated that he didn't understand her question but stated that properties in the Natural Preserve are restricted by ordinance.

Mayor Petillo stated that this property is not on the "Rosi" list in the Master Plan.

Beth Grove, 7 Maple place, stated that at the last meeting when Councilman Francis was discussing the lake, he stated that the State is in charge and they will do whatever they want. Ms. Grove stated that the town is doing the same thing with the firing range. She asked the Council to table the ordinance and reconsider the location.

Mr. Ursin stated that this is only a public hearing and that there is no ordinance on for introduction this evening.

Melissa O'Brien, 10 Maple Place, stated that she is concerned about her children's safety and that if the range is kept in that location, she doesn't want to live there anymore. She asked the Council to reconsider.

Eric Grove, 7 Maple Place, stated that he and his wife are not in any way against the police but against the site and how it was secretly planned and constructed.

Mayor Petillo thanked everyone for their comments and stated that the Council will consider everything that everyone said. She stated that it is a work in progress.

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.

COMMITTEE REPORTS:

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

Councilwoman Galate reported that the Senior's first meeting will be on February 4th at 10:00 am and that the group is getting so large that they may be moving their meetings to St. Jude's. She also stated that the Farmer's Market Committee is going to be meeting next week to discuss this year's upcoming market.

Councilman Young reported that the Recreation Commission held its reorganization meeting last week. They discussed the great turn out for the last movie night. Approximately 150 people attended. He also stated that the Basketball program is up and running and there was some discussion about fees for the spring Street Hockey program.

Councilman Bunce reported that the Finance Committee is working on the budget. He also welcomed Steve Kucevic as the new Fire Chief. Councilman Bunce also reported that the DPW is ready for the upcoming snow. He also announced that Crimestoppers is now taking calls regarding cases doing with cruelty to animals.

Councilman Padula reported that he met with the Chief of Police on Monday and he provided statistics regarding the firing range. It is an ongoing project and they are taking every safety precaution.

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).

Mara Modes asked if the town received additional monies from the State for the Hopatchung Road Beautification project and the Mayor confirmed that we did.

David Harris asked for information regarding the resolutions dealing with the Land Use Escrows, the change orders and the Hopatchung Road Beautification Project.

Mara Modes asked if the grant monies covered soft cost and Mayor Petillo responded that they aren't covered.

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 Bunce made a motion to approve the meeting minutes of the Reorganization Meeting held January 6, 2016. Seconded by Councilman Young. All were in favor.

ADMINISTRATOR'S REPORT:

At this time Robert Elia, Borough Administrator, presented his report for the meeting of January 20, 2016.

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. Office of the Tax Collector Report: November 2015.
2. Construction Dept. Monthly Report: November 2015.
3. Zoning Dept. Monthly Report: December 2015.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Resolution # 2016-22-Outside Lien Redemption, Block: 10712 Lt: 61 & Block: 11108 Lt: 8.
2. Resolution # 2016-24-Outside Lien Redemption, Block: 30803 Lt: 15.
3. Resolution # 2016-25-Outside Lien Redemption, Block: 10411 Lt: 5.
4. Resolution # 2016-26-Outside Lien Redemption, Block: 11003 Lt: 3.
5. Resolution # 2016-27-Outside Lien Redemption, Block: 41202 Lt: 11.
6. Resolution # 2016-28-Outside Lien Redemption, Block: 30707 Lt: 23.
7. Resolution # 2016-29-Outside Lien Redemption, Block: 10713 Lt: 12.

Councilman Bunce made a motion to approve the consent agenda for the meeting of January 20, 2016. Seconded by Councilman Schindelar. All were in favor.

INTRODUCTION OF ORDINANCES:

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

Councilman Young made a motion to introduce 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 Francis.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

FINAL READING: FEBRUARY 3, 2016

ADOPTION OF ORDINANCES:

RESOLUTIONS:

Resolution #2016-20 – Change Order #1 – Tilcon New York (Municipal Aid)

Councilman Bunce made a motion to adopt a resolution approving Change Order #1, Net decrease (\$91,808.94) for the 2015 Road Improvement Project (2015 Municipal Aid) for Tilcon New York, Inc. Seconded by Councilwoman Galate.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2016-21 – Change Order #1 – Tilcon New York (Discretionary Aid)

Councilman Bunce made a motion to adopt a resolution approving Change Order #1, net decrease (\$64,506.88) for the 2015 Road Resurfacing Project Discretionary Aid (Local Aid Infrastructure Fund Program) for Tilcon New York. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2016-23 – Land Use Escrows

Councilman Bunce made a motion to adopt a resolution approving the transfer of funds in old inactive Land Use Escrow Accounts to an inactive account. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2016-30 – Award of Contract – Hopatchung Road Beautification Project

Councilman Young made a motion to adopt a resolution awarding a contract to Tony's Concrete Construction in an amount not to exceed \$373,907.00 for the Hopatchung Road Beautification Project Phase II. Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2016-31 – Municipal Alliance Grant

Councilman Bunce made a motion to adopt a resolution authorizing the submission of a strategic plan for the Hopatcong Municipal Alliance grant for fiscal year 2017. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2016-32 – Assistant Municipal Clerk – Amanda Nevins

Councilman Bunce made a motion to adopt a resolution approving the duties, responsibilities and compensation for the Assistant Municipal Clerk Amanda Nevins. Seconded by Councilman Young

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2016-33 – Senior Center Nutrition Center Support Staff

Councilman Bunce made a motion to adopt a resolution increasing the salaries for the Senior Center Nutrition Center Nutrition Program Support Staff, Kenneth Day and Ingrid Penque. Seconded by Councilman Young.

Ayes: Bunce, Francis, Padula, Schindelar, Young
Nays: None Absent: None Abstentions: Galate

Resolution #2016-34 – Payment of Bills

Councilman Bunce made a motion to adopt a resolution authorizing the payment of bills for the meeting of January 20, 2016, pulling check numbers 36822, 36854, 36858, 36859, 36860, and 36877. Seconded by Councilman Young.

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 36822, 36854, 36858, 36859, 36860 and 36877. Seconded by Councilman Young.

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

OLD BUSINESS:

NEW BUSINESS:

Developer's Agreement – Hopatcong Renewal Assoc., LLC

Councilman Padula made a motion to table the approval of a Developer's Agreement with Hopatcong Renewal Assoc., LLC for Preliminary and Final Site Plan Approval and Variance Approvals. Seconded by Councilman Young.

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

Open Space Committee Appointments

Councilman Bunce made a motion to approve the following appointments to the Open Space Committee with terms expiring December 31, 2016. Seconded by Councilman Schindelar. All were in favor, except for Councilman Young who abstained.

Clifford Lundin, Council Appointee
Elide Young, Environmental Commission
John Young, Councilperson
Sylvia Petillo, Mayor
Michael Rahill, Land Use Board
Joan Reilly, Mayor Appointment
David Barella, Recreation Commission

Introduction Ordinance #02-2016 – Animal Impound Fees

Councilman Francis 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 248 ENTITLED 'ANIMALS' SECTION 6 – FEES, THE CODE OF THE BOROUGH OF HOPATCONG REGARDING FEES". Seconded by Councilman Schindelar.

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

FINAL READING: FEBRUARY 3, 2016

Resolution #2016-34 – Replacement Hire of Full Time Recreation Coordinator

Councilman Schindelar made a motion to adopt a resolution authorizing the hiring of Catherine Millian as the replacement Full Time Recreation Coordinator at a salary to be negotiated by the Borough Administration no greater than \$35,000.00 per annum and a start date to be determined. Seconded by Councilman Bunce.

Upon roll call vote:

Ayes: Bunce, Francis, Schindelar, Petillo

Nays: Galate, Padula, Young Absent: None Abstentions: None

Resolution #2016-35 – Recreation Fees

Councilman Bunce made a motion to adopt a resolution approving certain 2016 Recreation Fees. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2016-36 – Cancel Past Due 2015 Fourth Quarter Interest and Penalties

Councilman Bunce made a motion to adopt a resolution of the Governing Body of the Borough of Hopatcong authorizing the Tax Collector to cancel past due 2015 fourth quarter interest and penalties on Block 10712, Lots 36, 38, and 48. 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 Councilman Francis if the town is still considering making a park by the lake and he responded that the bank still owns the property that they would like to use.

Mr. Harris thanked the Council and congratulated them on the professionalism displayed at the Reorganization meeting. He also asked if there is a number for the amount of bears and deer culled this year, and Councilman Francis responded that they don't have the final numbers yet.

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.

COUNCIL COMMENTS:

ADJOURNMENT:

Councilman Bunce made a motion to adjourn the meeting of January 20, 2016. Seconded by Councilman Young. All were in favor.

Sylvia Petillo, Mayor

Catherine Schultz, RMC