

**MINUTES
OF THE MAYOR AND COUNCIL MEETING,
BOROUGH OF HOPATCONG,
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD
HOPATCONG, NEW JERSEY
DECEMBER 16, 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 Francis, Councilwoman Galate, Councilman Padula, Councilman Schindelar, Councilman Young and Mayor Petillo.

Absent: Councilman Bunce

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.

Eagle Scout Project – Jonathan Kennett

Jonathan addressed the Governing Body regarding the sign that he would like to construct on the corner of Durban Ave and Flora. He stated that the sign will be approximately 32" x 70". He stated that he will make the sign black and gold to match the other signs in the Borough. He said that he will have it completed by next summer. He also asked if the Council would consider naming the driveway that goes into the pound to make it easier to find on GPS.

A motion is in order to approve a request from Jonathan Kennett to construct a new sign at the Hopatcong Animal Pound to complete his Eagle Scout project.

Upon roll call vote:

Ayes: Francis, Galate, Padula, Schindelar, Young

Nays: None Absent: Bunce Abstentions: None

PRESENTATIONS:

Environmental Commission – Sustainable New Jersey Bronze Award

At this time Mayor Petillo and Jule Girman thanked and congratulated all those involved in helping the Borough receive the Bronze Award.

Councilman Francis made a motion to take a five minute recess. Seconded by Councilman Schindelar. All were in favor.

Councilman Padula made a motion to return to the regular order of business. Seconded by Councilman Schindelar. 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 group held their annual Christmas Party and that their next meeting will be held in February. She also stated that the Farmer's Market Committee will be meeting soon to discuss the 2016 market.

Councilman Francis stated that the Finance Committee and office staff have been working on the 2016 budget and that a copy will be available shortly for the rest of the Council to review. He also reported that the Borough licensed 22 hunters this year and that most of them were Borough residents.

Councilman Young reported that the Recreation Commission held their last movie of the year and that it was very well attended. Santa and Mrs. Claus also made an appearance. He stated that the basketball program is ongoing and that at their last meeting they discussed future events.

Mayor Petillo stated that the town held their annual Christmas Tree lighting and Menorah lighting and that the HS Band performed. The Christmas Spectacular opened this past weekend and it will also be held this coming weekend. She thanked Bill Wagner for all of his hard work and dedication to creating such a wonderful event.

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).

Alice Stolarz, 8 Maple Place, once again expressed her concern about the Firing Range. She had questions about the millings, how it was funded and if it violated the Open Public Meetings Act. John Ursin, Borough attorney stated that no tax payer money was used in the construction of the range and that no public notice was required prior to its construction, therefore, not violating the Open Public Meetings Act.

Ms. Stolarz stated that she would like answers from the Engineer regarding the millings and the environmental impacts on the area. She asked whether there were any other alternative places for construction and voiced concern that the residents weren't informed.

Mayor Petillo once again responded that the police officers need to qualify on long guns and that there is no place else for them to go. Other towns either don't have qualified officers or they have their own ranges and our officers are not invited to attend.

Beth Grove, 7 Maple Place, also addressed the Governing Body regarding her similar concerns about the firing range. She stated that she believes it was constructed without public input, violating the Open Public Meetings Act. She also had concerns about the millings and the lead ammunition and the environmental impact.

Mr. Ursin responded that the Borough Engineer is aware of DEP regulations and is working on an environmental plan regarding how the range will be operated and how it will be cleaned up.

Eric Grove, 7 Maple Place, addressed the Council, asking if the town was going to let officers from other jurisdictions use the range.

Mayor Petillo once again reiterated that it will only be for Hopatcong officers and stressed the importance of having our officers qualified in the event that we have an "Active Shooter" situation.

David Harris, 125 Dupont asked about lowering the lake and if any decisions have been made.

Mayor Petillo stated that there has been a discussion regarding a proposal to increase the flow and bring the water level two weeks earlier.

Councilman Francis stated that all of the towns can make a recommendation but the decision on the drop down level and when it start bringing back the water level are under the jurisdiction of the DEP.

Councilman Schindelar stated that the town should thank the Mayor for all of her dedication to the issue.

Mr. Harris asked about the Greentree Developer's Agreement that is on for consideration his evening and Mayor Petillo stated it is the old "Madhouse" property.

Mr. Harris also asked about the Radon Awareness Month and Councilman Francis said that it is just a resolution making people aware of the dangers of radon.

Ms. Stolarz asked the Council to get back to her regarding the questions that she asked about the firing 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 Padula. All were in favor.

APPROVAL OF MINUTES:

Councilman Young made a motion to approve the meeting minutes of the Regular Meeting held on December 2, 2016. Seconded by Councilwoman Galate. All were in favor.

ADMINISTRATOR'S REPORT:

At this time Robert Elia, Borough Administrator, presented his report for the meeting of December 16, 2015. He stated that two police officers will be retiring in 2016 and that there are two resolutions on this evening to hire two new officers. He also stated that the ACO resigned from her part time position. She will still be an "on call" ACO. We will need thought to put an ad in the paper for not only an ACO but for an Animal Attendant as well. Mr. Elia also stated that there is a resolution on this evening to request more funding from the DOT for the Hopatchung Road beautification project because the bids all came in over budget.

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.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING)

1. Zoning Department Monthly Report: November 2015.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Blue Light Permit Application: David Smith.

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Resolution # 2015-294: Outside Lien Redemption, Blk: 10902 Lt: 7, Blk: 11201 Lt: 13, Blk: 30504 Lt: 5.
2. Resolution # 2015-295: Outside Lien Redemption, Blk: 11011 Lt: 16, Blk: 30102 Lt: 8.
3. Resolution # 2015-297: Outside Lien Redemption, Blk: 30102 Lt: 5.
4. Resolution # 2015-301: Refund Tax Overpayment, Blk: 10301 Lt: 1.

Councilman Young made a motion to approve the consent agenda for the meeting of December 16, 2015. Seconded by Councilman Padula. All were in favor.

INTRODUCTION OF ORDINANCES:

ADOPTION OF ORDINANCES:

Adoption Ordinance #35-2015 – Partially Vacating a Portion of Mountain Road Right-of-Way.

Councilman Young made a motion to adopt an ordinance entitled "AN ORDINANCE PARTIALLY VACATING A PORTION OF MOUNTAIN ROAD RIGHT-OF-WAY IN THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX AND STATE OF NEW JERSEY". Seconded by Councilman Padula.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments that they may have regarding Ordinance #35-2015.

There being no one from the public who wished to address the Governing Body regarding Ordinance #35-2015, Councilman Young made a motion to close the meeting

to the public and return to the regular order of business. Seconded by Councilman Francis. All were in favor.

Upon roll call vote:

Ayes: Francis, Galate, Padula, Schindelar, Young

Nays: None Absent: Bunce Abstentions: None

RESOLUTIONS:

Resolution #2015-293 – Radon Action Month

Councilman Young made a motion to adopt a resolution proclaiming January 2016 as Radon Action Month in the Borough of Hopatcong. Seconded by Councilwoman Galate. All were in favor.

Resolution #2015-296 – Person to Person Liquor License Transfer – 1912-33-014-004

Councilman Francis made a motion to adopt a resolution authorizing the Person to Person Liquor License Transfer of License #1912-33-014-004, Dock N Drink Inc. to Shital Megha Corporation. Seconded by Councilman Schindelar.

Upon roll call vote:

Ayes: Francis, Galate, Padula, Schindelar, Young

Nays: None Absent: Bunce Abstentions: None

Resolution #2015-298 – Conditional Appointment – Entry Level Police Officer

Councilman Young made a motion to adopt a resolution conditionally appointing James D. Still as an entry level Police Officer for the Borough of Hopatcong. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Francis, Galate, Padula, Schindelar, Young

Nays: None Absent: Bunce Abstentions: None

Resolution #2015-299 – Payment of Bills

Councilman Young made a motion to adopt a resolution authorizing the payment of bills for the meeting of December 16, 2015, pulling check numbers 1249, 2819, 2609, 36716,

Upon roll call vote:

Ayes: Francis, Galate, Padula, Schindelar, Young

Nays: None Absent: Bunce Abstentions: None

Councilman Young made a motion to approve the payment of check numbers 1249, 2819, 2609, 36716, 36715, 36716, 36715, 36710, and 36685. Seconded by Councilman Padula.

Upon roll call vote:

Ayes: Francis, Padula, Schindelar, Young

Nays: None Absent: Bunce Abstentions: Galate

Resolution #2015-300 – Conditional Appointment – Entry Level Police Officer

Councilman Schindelar made a motion to adopt a resolution conditionally appointing Paul R. DeRosa as an entry level Police Officer for the Borough of Hopatcong. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Francis, Galate, Padula, Schindelar, Young

Nays: None Absent: Bunce Abstentions: None

Resolution #2015-302 – Increase Funding for the Hopatchung Road Beautification Project – Phase II

Councilman Young made a motion to adopt a resolution authorizing an increase in funding in the amount of \$105,907.00 for the Hopatchung Road Beautification Project – Phase II. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Francis, Galate, Padula, Schindelar, Young

Nays: None Absent: Bunce Abstentions: None

Resolution #2015-303 – 2016 Borough Holidays

Councilwoman Galate made a motion to adopt a resolution authorizing the 2016 Borough Holidays. Seconded by Councilman Young. All were in favor.

OLD BUSINESS:

The Council discussed the levels of the water in Lake Hopatcong and the date to begin refilling the water. After discussion it was decided that they would like the Mayor to communicate to the DEP that Hopatcong Borough would like the lake to start to be refilled on March 15th instead of April 1st, weather permitting. The problem is however, the amount of water that they let out of the lake. They need to hire an expert who monitors the levels and makes an informed decision on the amount of the draw down and the date to start to refill.

NEW BUSINESS:

Developer's Agreement – Greentree at Hopatcong, LLC, Block 30703, Lot 11

Councilman Francis made a motion to enter into a Developer's Agreement with Greentree at Hopatcong, LLC, Block 30703, Lot 11. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Francis, Galate, Padula, Schindelar, Young

Nays: None Absent: Bunce 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 Council knows of any recreation leagues for young adults and the Council stated that he would have to contact the churches or the YMCA.

After giving all persons present an opportunity to address the Governing Body, Councilman Padula 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 Young made a motion to adjourn the meeting of December 16, 2015. Seconded by Councilman Padula. All were in favor.

Sylvia Petillo, Mayor

Catherine Schultz, RMC