

**MINUTES  
OF THE MAYOR AND COUNCIL MEETING,  
BOROUGH OF HOPATCONG,  
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD  
HOPATCONG, NEW JERSEY  
JANUARY 21, 2015  
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, 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.

**PRESENTATION:**

At this time members of the Lake Hopatcong Foundation addressed the Governing Body regarding their upcoming events, including their trails project, the purchase of the train station building in Landing, the upcoming Block Party and the Lake Loop bike ride.

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

Councilwoman Galate reported that the Seniors Inc. group meets on the first Thursday of each month and that they have many trips planned for the 2015 year. She also reported that the Farmer's Market is on track for 2015. A lot of the same vendors have indicated that they will be returning this year.

Councilman Francis reported that the Finance Committee has made great progress on the budget and that it is looking good for this year. He also reported that he is looking into a grant for LED lighting. The Real Estate Committee is meeting next Monday.

Councilman Young reported that the Recreation Commission held its reorganization meeting and that Cathy Millian was once again picked as Chairperson. He stated that she does a good job. He also stated that the bowling and hoops program are going well. Right now the Commission has begun planning the Easter egg hunt. Little League is in charge of buying the candy for the eggs this year. The sports leagues take turns. The Commission is also looking into buying a piece of equipment that would allow the basketball hoops in Hudson Maxim School to be lowered so that the little kids can shoot.

Councilman Bunce reported that he also agrees that the budget is looking good for this year. He stated that the DPW is in the midst of winter, plowing, salting, etc... He asked the Mayor to contact the DEP again regarding our salt shed. It is desperately needed. Councilman Bunce also reported that we had money left over from the EPA grant and that we are going to construct another hundred feet of water mains. He also stated that he met with the fire department chiefs and that they are planning for the Firemen's Parade and have received bids for the new showers in houses 2 and 3.

**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. Rehe voiced his concern regarding the request from the owner of 508 Naritcong Avenue to use public property for his own use. He stated that he doesn't believe that it should be allowed.

Mr. Mazzolla, the owner in question, stated that he got a warning notice from the Zoning Officer to remove the items and that he is here because he wants to ask the Governing Body for relief. He stated that Mr. Rehe also has items on municipal property.

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 Young made a motion to approve the meeting minutes of the Reorganizational Meeting held on January 7, 2015. 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 January 21, 2015.

Mr. Elia reported that there is a resolution on the agenda this evening to have the Pound Project handle the services for the Borough and he recommends that the Council approve it. He stated that he is also in the process of working on the shared service agreement with Stanhope for Animal Control services.

Mr. Elia asked for an Executive Session to discuss items of personnel.

**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's Report, November 2014.
2. Construction Department Report, December/Annual 2014.
3. Zoning Department Report, December 2014.
4. Musconetcong Sewage Authority 2015 Annual Charges

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

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

1. Resolution # 2015-21–Cancellation of Tax/Utility Overpayments/Delinquent less than \$ 10.00 for 2015.
2. Resolution # 2015-22 – Authorize Tax Sale for 2015.
3. Resolution # 2015-23 – Refund Tax Overpayment, Blk. 10305 Lt. 9.
4. Resolution # 2015-24 – Refund Tax Overpayment, Blk. 10601 Lt. 15.
5. Resolution # 2015-25 – Refund Tax Overpayment, Blk. 11009 Lt. 1.
6. Resolution # 2015-26 – Refund Tax Overpayment, Blk. 30323 Lt. 9.
7. Resolution # 2015-27 – Refund Tax Overpayment, Blk. 30609 Lt. 9.
8. Resolution # 2015-28 – Refund Tax Overpayment, Blk. 30803 Lt. 53.
9. Resolution # 2015-29 – Refund Tax Overpayment, Blk. 31008 Lt. 25.
10. Resolution # 2015-30 – Refund Tax Overpayment, Blk. 31609 Lt. 11.
11. Resolution # 2015-31 – Refund Tax Overpayment, Blk. 40208 Lt. 2.
12. Resolution # 2015-32 – Refund Tax Overpayment, Blk. 40208 Lt. 10.
13. Resolution # 2015-33 – Refund Tax Overpayment, Blk. 40302 Lt. 22.
14. Resolution # 2015-34 – Refund Tax Overpayment, Blk. 50207 Lt. 9.
15. Resolution # 2015-35 – Refund Tax Overpayment, Blk. 50509 Lt. 7.
16. Resolution # 2015-36 – Refund Tax Overpayment, Blk. 50304 Lt. 7.
17. Resolution # 2015-37 – Refund Tax Overpayment, Blk. 10102 Lt. 1.
18. Resolution # 2015-38 – Refund Tax Overpayment, Blk. 31004 Lt. 1.
19. Resolution # 2015-39 – Refund Tax Overpayment, Blk. 40909 Lt. 22.
20. Resolution # 2015-40 – Refund Tax Overpayment, Blk. 31005 Lt. 4.
21. Resolution # 2015-41 – Outside Lien Redemption, Blk. 10706 Lt. 9 & Blk. 40108 Lt. 34.

- 22. Resolution # 2015-42 – Outside Lien Redemption, Blk. 40211 Lt. 21.
- 23. Resolution # 2015-45 – Outside Lien Redemption, Blk. 40108 Lt. 29.
- 24. Resolution # 2015-46 – Outside Lien Redemption, Blk. 40412 Lt. 15.
- 25. Resolution # 2015-47 – Outside Lien Redemption, Blk. 40108 Lt. 29.
- 26. Resolution # 2015-48 – Tax Overpayment Cancel Future Property Taxes, Blk.40505 Lt. 6.
- 27. Resolution # 2015-49 –Tax Overpayment Cancel Future Property Taxes, Blk. 11303 Lt. 12.

Councilman Young made a motion to approve the Consent Agenda for the meeting of January 21, 2015. Seconded by Councilman Bunce. All were in favor.

## **INTRODUCTION OF ORDINANCES:**

### Introduction Ordinance #01-2015 – Stop Signs

Councilman Francis made a motion to introduce an ordinance entitled “AN ORDINANCE AMENDING CHAPTER 231 ENTITLED “VEHICLES AND TRAFFIC” TO ADD STOP INTERSECTIONS WITHIN 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

## **FINAL READING: February 4, 2015**

## **ADOPTION OF ORDINANCES:**

## **RESOLUTIONS:**

### Resolution #2015-43 – Pound Project

Councilwoman Galate made a motion to adopt a resolution awarding Animal Attendant Services for the Borough of Hopatcong for the year 2015 to the Pound Project for an amount not to exceed \$2,000 a month. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Young

Nays: Schindelar Absent: None Abstentions: None

### Resolution #2015-50 – Payment of Bills

Councilman Bunce made a motion is to adopt a resolution approving the payment of bills for the meeting of January 21, 2015, pulling check numbers 1124, 35244, 35267, 35268, 35274, 35283, 35284, 35288, and 2491. 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 number 1124, 35244, 35267, 35268, 35274, 35283, 35284, 35288, and 2491. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### Resolution #2015-51 – Sewer Allocation

Councilman Francis made a motion to adopt a resolution approving of the terms of an agreement pertaining to Sewer Allocation for Block 10712 lot 36, 38 and 48. Seconded by Councilman Bunce.

Mr. Ursin explained that this project is on hold because of an issue with an endangered species that was found on the property. Because the issue is out of the control of the developer, the Governing Body can adopt this resolution suspending the payments and

waive the fees for the next six months. They are not even using the system right now and not connected to it.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

#### Resolution #2015-52 – Transfer Resolution

Councilman Young made a motion to adopt a resolution authorizing certain Current Fund Budget Transfers as recommended by the CFO. 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:**

#### Wall in the Right of Way – 35 Wildwood Shores Drive

Councilman Francis made a motion to approve a request from the owners of 35 Wildwood Shores Drive to allow a wall and a walk that were recently built in the Borough's right of way to remain. Seconded by Councilwoman Galate.

A discussion took place regarding whether or not it was an old wall that was just being repaired or a new wall and walkway.

Mayor Petillo stated that it was an old wall that was being repaired and that the DPW Supervisor and the Engineer have signed off on it.

The Council requested that the Zoning Officer clarify on his memo to the Council whether or not it is a new structure or the repair of an already existing structure.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

#### Request for Use of Right of Way – 508 Naritcong Avenue

Councilwoman Galate made a motion not to approve a request from the owners of 508 Naritcong Avenue to continue to use an area on Mountain Road and an area on Naritcong Avenue for personal use. Seconded by Councilman Young.

Mr. Ursin explained that the difference between this request and the one previously addressed by the Governing Body. He stated that the first request was asking to have a structure in the Borough right of way. In Hopatcong, because of the topography and the small lot sizes, many people have structures in the right of way that have been there for a very long time. This property owner is requesting to use a paper road for their own. Mr. Ursin stated that he would never recommend that. The alternative would be for the owner to request that the Borough vacate a portion of the paper road.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

#### Social Affair Permit – Project Self Sufficiency

Councilman Young made a motion to approve a request for a Social Affair Permit from Project Self Sufficiency to hold an event at Hudson Farm on February 28, 2015 from 6:00 pm to 10:00 pm. Seconded by Councilwoman Galate.

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).

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 Young. All were in favor.

**RESOLUTION FOR EXECUTIVE SESSION:**

Councilman Bunce made a motion to adopt a resolution to adjourn into Executive Session to discuss items of personnel. Seconded by Councilwoman Galate. 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 close the Executive Session 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 January 21, 2015. Seconded by Councilman Young. All were in favor.