

**MINUTES
OF THE MAYOR AND COUNCIL MEETING,
BOROUGH OF HOPATCONG,
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD
HOPATCONG, NEW JERSEY
OCTOBER 5, 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 Francis, Councilwoman Galate, Councilman Padula, Councilman Schindelar, Councilman Young.

Absent: Councilman Bunce (arrived at 7:25), Mayor Petillo

RESOLUTION FOR EXECUTIVE SESSION:

Councilman Young made a motion to adopt a resolution to adjourn into Executive Session to discuss personnel (appointment of new judge) and Hughes litigation. Seconded by Councilman Schindelar.

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.

Upon roll call vote:

Ayes: Francis, Galate, Padula, Schindelar, Young

Nays: None Absent: Bunce Abstentions: None

Councilman Francis made a motion to take a 10 minute recess. Seconded by Councilman Young. All were in favor.

Councilman Young made a motion to return to Executive Session. Seconded by Councilman Schindelar. All were in favor.

Councilman Bunce joined the meeting at 7:25.

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

MOMENT OF SILENT REFLECTION AND PLEDGE OF ALLEGIANCE: Council President Padula invited all present to salute the flag and to remain standing for a moment of silence.

COMMITTEE REPORTS: Council President Padula allowed each member of the Council, to present their respective committee reports.

Councilwoman Galate stated that this coming Sunday is the last Farmer's Market. Next year's market will begin on Father's Day, June 15, 2017. She also reported that the Seniors Inc. group will be meeting tomorrow at 9:30 am at the Senior Center. She also

reported that our Fire Department took two first place trophies at the annual Firemen's parade and that the Hopatcong High School Marching Band received a third place trophy.

Councilman Francis stated that there will be a boat show at this week's Farmer's Market.

Councilman Young reported that the Recreation Commission was busy setting the 2017 dates for their yearly events and also that their calendar of events will be available on their Facebook page. He stated that the Summer Recreation program is over for this year and that the Halloween parade will be held on October 16, 2016.

Councilman Bunce reported that the Finance Committee is reviewing the requests from the department heads for next year's budget. He also informed everyone that the annual Spaghetti Dinner will be held at St. Jude's on October 23rd. The event is sponsored by both the Knights of Columbus and the Borough. Councilman Bunce stated that the Hopatcong Borough Ambulance Squad has set up a fundraising site online to help them raise money for their new building.

Council President Padula stated that the Redevelopment Committee is currently doing fact-finding with regards to the redevelopment of the River Styx area.

PUBLIC COMMENT: Councilman Bunce made a motion to open 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). Seconded by Councilwoman Galate. All were in favor.

David Harris, 125 Dupont, asked the Governing Body about the resolution dealing with the deferred compensation plan.

Council President stated that no taxpayer money is involved. It is a plan that the Borough would administer on behalf of the employee in the way of payroll deductions. It is all employee money.

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 Young. All were in favor.

APPROVAL OF MINUTES:

Councilman Young made a motion to approve the meeting minutes of the Regular Meeting held on September 21, 2016. Seconded by Councilman Schindelar.

Upon roll call vote:

Ayes: Francis, Galate, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: Bunce

CONSENT AGENDA: Council President Padula 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, Council President Padula requested a motion to approve the consent agenda.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Borough of Netcong: Ordinance # 2016-14.
2. Borough of Netcong: Ordinance # 2016-15.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Tax Collector Monthly Report: August 2016.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Water Service Application – 114 Brooklyn Mt. Road
2. Water Service Application – 120 Bucknell Trail

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

Councilman Bunce made a motion to approve the Consent Agenda for the meeting of October 5, 2016. Seconded by Councilman Young. All were in favor.

INTRODUCTION OF ORDINANCES:

ADOPTION OF ORDINANCES:

RESOLUTIONS:

Resolution #2016-221 – Deferred Compensation Plan

Councilman Young made a motion to adopt a resolution adopting and implementing a deferred compensation plan 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 #2016-222 – Special Item of Revenue

Councilman Young made a motion to adopt a resolution entitled "A RESOLUTION TO AMEND THE ADOPTED BUDGET FOR ADDITIONAL ITEMS OF REVENUE AND OFFSETTING APPROPRIATION OF THE BOROUGH OF HOPATCONG, SUSSEX COUNTY, NEW JERSEY" (2016/2017 Municipal Alliance - \$13,834.00). Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2016-223 – Hire of Land Use Secretary

Councilman Young made a motion to adopt a resolution authorizing the hiring of K. Danielle Rennie for the Land Use Secretary position at \$15.00 an hour for 25 hours per week plus evening meetings. Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2016-224 – Payment of Bills

Councilman Bunce made a motion to adopt a resolution authorizing the payment of bills for the meeting of October 5, 2016, pulling check numbers 1600101, 1600170, 1600180, 1600181, 1600728, 1600901, 1601250, 1601252. 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 1600101, 1600170, 1600180, 1600181, 1600728, 1600901, 1601250, 1601252. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: Galate

Resolution #2016-225 – Hiring of Part-Time Dispatcher

Councilman Young made a motion to adopt a resolution authorizing the hiring of Lissette Giacobbe as a part-time dispatcher, effective 09/20/16 at a rate of \$12.83 per hour. Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Abstentions: None Abstentions: None

Resolution #2016-226 – Award for Road Salt and Grit

Councilman Young made a motion to adopt a resolution authorizing the participation in a Sussex County Contract Award for Road Salt and Grit. Seconded by Councilman Bunce.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2016-227 – Appointment of Police Officer Grade 3 (subsequently changed to a Grade 8 by Chief Brennan)

Councilman Bunce made a motion to adopt a resolution authorizing the appointment of Giancarlo Bruzzese as a Police Officer Grade 3 (as per Chief, changed to a Grade 8) with an annual pay of \$54,520.00. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2016-230 –Appointment of Deputy Fire Marshal

Councilman Bunce made a motion to adopt a resolution appointing Shawn Poland as the Deputy Fire Marshal for the Borough of Hopatcong for the year 2016. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

OLD BUSINESS:

Mr. Ursin informed the Council that there were some minor changes to the Court agreement that was approved at the last meeting. He said that as discussed last meeting, the total amount changed by approximately \$1,000 and the base amount has been adjusted to reflect the 2% increase that will be added each year.

NEW BUSINESS:

Atkins/Hopatcong Developer's Agreement

Councilman Francis made a motion to approve the Developer's Agreement for the Atkins/Hopatcong Project – Block 10712, Lots 38 and 48. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: Galate

Councilman Francis stated that we received a quote for the safety modifications for the front door in the administrative offices and asked the Council to approve the expenditure.

Councilman Bunce made a motion to approve a quote in the amount of \$1975 for the safety modifications for the door in administration, contingent upon the CFO certifying the funds. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Councilman Padula asked the Council to approve a request to put blue ribbons on the trees in the park in November to honor our policemen.

Councilman Francis approved a request to put blue ribbons on the trees in the park in November for honor our policemen. Seconded by Councilman Bunce. All were in favor.

PUBLIC COMMENT:

Councilman Bunce made a motion to open the meeting to the public for any questions or comments concerning the good and welfare of the Borough. (Comments limited to 5 minutes). Seconded by Councilman Schindelar. All were in favor.

Robert McGoldrick, Roosevelt Trail, addressed the Governing Body regarding two property maintenance issues. In one case he saw someone dump antifreeze next to their garage and asked who he should call. He was given the number for the DEP hotline. The second case was on Lot 57 on his street where he says that someone is backfilling a lot owned by the Borough. Mr. McGoldrick was told that someone would look into it.

David Hughes, 102 Chincoppee Avenue, asked why Mr. Ursin was representing Cathy Millian in a lawsuit using taxpayer money, when it was a suit against Ms. Millian regarding copyright issues.

Council President Padula stated that the Council can't comment on litigation.

David Harris complimented the town on the lines that were painted on the sides of the road.

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.

RESOLUTION FOR EXECUTIVE SESSION:

Mr. Ursin requested an Executive Session to discuss litigation.

Councilman Bunce made a motion to adopt a resolution to adjourn into Executive Session to discuss litigation. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

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Be further advised this Resolution shall take effect immediately.

Frank Padula, Council President

Catherine Schultz, RMC

The Clerk was not present for the rest of the meeting of October 5, 2016.

ADJOURNMENT:

Councilman Bunce made a motion to adjourn the meeting of October 5, 2016. Seconded by Councilman Young. All were in favor.

Frank Padula, Council President

John Ursin, Borough Attorney