

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

Councilwoman Galate made a motion to appoint Amanda Nevins as the Acting Clerk for this evening's meeting. Seconded by Councilman Bunce. All were in favor.

ROLL CALL: The Acting Clerk called the role 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.

Michael Obremski from JCP&L thanked the Council for adopting the resolution supporting their new project. He also thanked the town for posting the information on our website prior to the impending storm that was forecasted a few weeks ago regarding how to report outages. He gave information to the town regarding a spike in scamming attempts on their customers. Scammers call their customers and demand immediate payment for outstanding bills or their service will be turned off. He stated that JCP&L doesn't operate that way. He asked if the town could post the information on our website and at Borough Hall. He stated that they are doing reliability work at their Landing substation. He stated that their meteorologists have stated that this winter will be very strong, more precipitation than usual.

COMMITTEE REPORTS:

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

Councilman Bunce stated that the Senior Citizen's Luncheon will be held this Sunday at St. Jude's from 1pm to 3pm. All seniors are welcome and it is free and sponsored by the Borough Mayor and Council and the Knights of Columbus. Rides will be provided if needed. He also stated that on Tuesday, November 10th the Armed Forces Relief Fund will be having their gala. The money that is raised goes to veterans who have returned from overseas. It will be held at Pavinci.

Councilwoman Galate stated that another set of seniors, John and Lola Scalla, are in the Lake Hopatcong News. She also stated that there was a Police meeting last week and the force will be doing "No Shave November". There will be a \$30.00 donation to be involved. She also stated that the Chief mentioned that there have been three serious motor vehicle accidents out on Sparta Stanhope Road within a week on the same stretch of roadway. People need to be more careful on that part of the roadway.

Mayor Petillo stated that the Pastor of the Whole Life Assembly of God, Anthony Czubkowski has stepped down and the church, which will now be called Full Life Christian Fellowship and the new Pastor will be Luis Rodriquez. Mayor Petillo welcomed Pastor Rodriquez and thanked Pastor Anthony for 15 years of service.

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. David Harris asked about the solicitation ordinance.

Mayor Petillo stated that we legally can't stop peddlers from soliciting but we can create a list where residents can sign up not to have solicitors come to their homes. We will hand out the list when a peddler comes in for a license. We also reduced the time from 9 am to 9 pm to 9 am to 6 pm. Mayor Petillo stated that it an attempt to help with some complaints that the Borough has received regarding peddlers.

Mara Modes asked about the Byram Ordinance on the consent agenda.

Mayor Petillo stated that it is an ordinance from a neighboring town. They send it to other towns to let them know what zoning ordinances are being adopted.

After giving all persons present an opportunity to address the Governing Body, **Mayor Petillo** requested a motion to close the meeting to the public and return to the regular order of business.

APPROVAL OF MINUTES:

Councilman Bunce made a motion to approve the meeting minutes of the Regular Meeting held October 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 October 21, 2015. Mr. Elia stated that the electricity auction was held the next day after the Council adopted the resolution. Street lighting cost went down and will give us approximately \$2700 in savings per year. General electricity went up a little bit but we are still saving about \$19,000 per year.

Mr. Elia stated that we will shortly be sending out proposals for a real estate broker to help us market and sell properties. The Real Estate Committee will review the proposals and recommend a broker to the Governing Body. He also stated that this week he received a letter of retirement from Sue Parichuk, our Recreation/Senior Center Coordinator. She is retiring effective December 31, 2015. We will post the position and post on our website. If there aren't adequate responses then we will advertise in the paper.

Councilwoman Galate asked if that will follow the same process that we usually follow. She stated that John Young, in the past, has sat on an interview committee that would help pick the coordinator.

Mr. Elia stated that he isn't sure of what the process was when Sue was hired. He stated that we can look at having that process where the Recreation Liaisons can sit in on the interviews. Councilman Schindelar and Councilman Young can help with the process.

Mr. Elia also reported that this week he stated to prepare the 2016 budget and next week he will meet with the Department Heads and the Commissions. Council people are welcome to attend as long as we don't have a quorum.

Mr. Elia stated that there is an addendum this evening to vote on a TWA submitted by Hudson Farms. They need to change the septic system at the main house. Part of the TWA process is to get a resolution of consent from the Borough. It will be the same size septic and installed in the same location. Our Borough Engineer has no issues with the application.

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):

1. Township of Byram: Ordinance to Amend Chapter 240 of the Byram Township Code, "Zoning".

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING)

1. Zoning Department Monthly Report, September 2015.
2. Office of the Tax Collector Monthly Report August 2015.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Social Affair Permit: Lake Hopatcong Yacht Club, Hudson Farm Club. January 30, 2016.

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Resolution # 2015-257: Outside Lien Redemption, Blk: 30105 Lt: 2.
2. Resolution # 2015-259: Outside Lien Redemption, Blk: 30105 Lt: 21.
3. Resolution # 2015-260: Outside Lien Redemption, Blk: 31503 Lt: 9.

Councilman Young made a motion to approve the consent agenda of October 21, 2015. Seconded by Councilman Young. All were in favor.

INTRODUCTION OF ORDINANCES:

Introduction Ordinance #33-2015 – Exemption of Fire Permit Fees for Non Profits

Councilman Bunce made a motion to adopt an ordinance entitled "AN ORDINANCE OF THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING CHAPTER 120 ENTITLED 'FIRE PREVENTION' TO PROVIDE AN EXEMPTION OF PERMIT FEES FOR NON PROFIT CORPORATIONS". Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

FINAL READING: NOVEMBER 4, 2015

ADOPTION OF ORDINANCES:

Adoption Ordinance #31-2015 – Authorization to Amend Zoning Map

Councilwoman Galate made a motion to table until the meeting of November 4, 2015 an ordinance entitled "AN ORDINANCE OF THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX, STATE OF NEW JERSEY AUTHORIZING AMENDING THE ZONING MAP FOR BLOCK 10601, LOTS 1, 8, 14, 15 AND 17 TO BE INCLUDED IN THE B-2 ZONE". (waiting on a response from the Land Use Board) Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Adoption Ordinance #32-2015 –River Styx Corridor Overlay Zone Amendment

Councilman Bunce made a motion to adopt an ordinance entitled "AN ORDINANCE TO AMEND SECTION 242-49.1 RIVER STYX CORRIDOR OVERLAY ZONE TO PERMIT RESIDENTIAL USE OF A FIRST FLOOR UNIT COMPLYING WITH THE REQUIREMENTS OF AMERICAN DISABILITIES ACT". Seconded by Councilman Young.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments that they may have regarding Ordinance #32-2015.

There being no one from the public who wished to address the Governing Body regarding Ordinance #32-2015, 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, Francis, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: None

Adoption Ordinance #34-2015 – Amending Chapter 171 entitled “Peddling and Soliciting”

Councilman Schindelar made a motion to adopt an ordinance entitled “AN ORDINANCE OF THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING CHAPTER 171 ENTITLED ‘PEDDLING AND SOLICITING’ TO ESTABLISH A NO SOLICITATION LIST AND LIMIT PERMISSABLE DAYS AND HOURS”. Seconded by Councilman Young.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments that they may have regarding Ordinance #34-2015.

Mara Modes asked if this would be giving them names of addresses of people to call later.

Mayor Petillo stated that this would allow people to put their name on the list if they don’t want peddlers coming to their house. We are not going to give them their phone numbers.

John Landers, 146 Rollins Trail stated that every year he receives a solicitation from the high school students for their sports programs. He stated that he would like that to continue.

There being no one else from the public who wished to address the Governing Body regarding Ordinance #34-2015, Councilman Bunce made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilman Young.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

RESOLUTIONS:

Resolution #2015-258 – Payment of Bills

Councilman Bunce made a motion to adopt a resolution authorizing the payment of bills for the meeting of October 21, 2015, pulling check numbers 36436, 36466, 36478, and 36498. 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 numbers 36436, 36466, 36478, and 36498. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Padula, Schindelar, Young

Nays: None Absent: None Abstentions: Galate

Resolution #2015-262 – Submission of IAT Reinsurance Ltd, Hudson Farm TWA Application

Councilman Bunce made a motion to adopt a resolution authorizing the consent to the submission of a TWA application by IAT Reinsurance LTD, Hudson Farm. Seconded by Councilman Schindelar.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

OLD BUSINESS:

NEW BUSINESS:

County of Sussex, Borough of Hopatcong, and Developer's Streetscape Design, Construction, Operations, and Maintenance Agreement.

Mayor Petillo stated that this is for Greentree. It will go in front of the Freeholder's next week.

Councilman Francis made a motion to authorize the Mayor and Business Administrator to sign the agreement for Greentree between the County of Sussex, Borough of Hopatcong and Developer's Streetscape Design, Construction, Operations and Maintenance Agreement. Seconded by Councilwoman Galate.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Open Space Discussion

Mayor Petillo stated that tomorrow she has a meeting with the County Open Space Committee and the Land Conservancy and they asked her to have representatives there from Open Space and Recreation from the Borough. There is a lot of Open Space money that is available now. They want to talk about it in relationship to Hopatcong.

Councilman Francis stated that there is a piece of property on the corner of Durban Road and Old Lakeside that would be perfect to use the Open Space money. It has been vacant for a long time. There are many DEP issues on the property. The previous owner did many wrong things. He stated that it might be a good opportunity for us to look at that property. It would be great access to the lake and it is a nice piece of property. The environmental issues should be addressed carefully but he believes that it could work with the DEP.

Mayor Petillo stated that the money is also for recreation. So if it works out, and the environmental issues can be remedied, maybe they will not only give us the money to purchase the property but to help turn it into a park.

Councilman Bunce stated that it has always been very important from the beginning when the River Styx area was being considered for redevelopment, that we have a place for the public to access the lake.

Councilman Francis stated that this would be a nice quiet area to build a park.

Mayor Petillo stated that she will go to the meeting to see what the County is offering.

Discussion of Recreation Fees and the Senior Program

Mayor Petillo stated that she has given a copy of the minutes from the Recreation Commission meeting to all of the Council members tonight. The Mayor stated that we have a lunch program at the Senior Center for seniors and that the lunch program is funded by the County. We don't have a formal breakfast program. However, we do have seniors who come to the center every day and they are given a continental breakfast. On Monday and Friday there are about 10 people, Wednesday there are about 20 and on Tuesday and Thursday about 15 to 30 people who attend. Sue has told her that there are even more seniors who are starting to attend. The County doesn't give us money for a breakfast program and right now, Ken, through his own initiative,

gets donations from Pathmark, Bagels on the Hill and other vendors. Ken and Sue, very often use their own money to supplement the breakfast by purchasing jelly, peanut butter, bread, etc... Donations are given by the seniors for a cup of coffee and sometimes there are anonymous donations of gift cards. The Recreation Director, along with Kathy Millian, Chair of the Recreation Commission and Ken were discussing the closing of Pathmark and how that would affect the breakfast program. They questioned if an existing balance in the Recreation trust fund could be used for the breakfast. The Recreation Trust is there for funds to go in and go out. The town doesn't give money to the trust. The trust is self-sufficient. For example, money collected through fees for the basketball program get deposited in the trust and then are used to run the program. They thought that maybe, if they could raise donations for the breakfast and put them in the trust, then they could use it to fund the breakfast. Sue felt that if the money were set aside then she could buy items that they needed. The Recreation Commission discussed this idea at their last meeting. The trust has \$1,324 balance and that money was raised for the Ms. Hopatcong contests. For the past few years Warriors football has generously sponsored the entire pageant and because of that, the trust money has accumulated and hasn't been used. Dave Barella made a motion to create a line item in the budget for the seniors and to transfer \$800 from the pageant fund to the new line item for senior supplies. Danette Swanson seconded the motion and the vote was unanimous in favor of the idea. The proposal allows \$800 to be available immediately as a program item within the Recreation Trust so that donations can be received. They retained \$500 in the account for the Ms. Hopatcong pageant for future use, in case the Warriors decided not to fund it next year. With the application fee that the town charges for each participant, there should be enough money to cover the cost next year if necessary. The Recreation Commission voted unanimously to implement this line item. Tonight we just have to decide if we want to go through with it, or if not, what would we like to put in its place?

Mayor Petillo stated that the donations that Ken receives are valued between \$150 and \$175 each week. That is how the program is run right now. It is not a formal program now, but maybe we would like to make it a more formal program.

Councilman Francis stated that we should put a lot of credence into what the Recreation Board says.

Councilman Bunce stated that he likes the initiative. If our employees say that we need this, then it is a way to do it without tax payer support right now. At the end of the day it is a wonderful idea. He thanked the Recreation Commission for bringing us the problem and a potential solution.

Councilman Schindelar stated that setting up the line item in the trust sets up the solution.

Councilman Francis stated that he didn't realize the amount of discussion that was had at the Recreation Commission meeting.

Councilwoman Galate stated that Recreation has a budget that is for the senior center and she doesn't know what is left in it. If there is money, she asked why we didn't go to access that first. She also stated that the lunch program is a federally funded program and the senior's if they can afford it, pay \$4.00 for lunch. They put in the envelope whatever they can afford. Hopatcong is an extremely successful site and we have an overabundance of money at the end. We have gotten many things purchased through the County since we have this excess money. Such things as TVs, a dishwasher and blinds have or will be purchased. She wondered if there is a way to use some of that money to execute the breakfast program. She stated that she believes that it is a great gesture from Recreation but she knows that there is a line item for the Senior Center already in place. She doesn't know why we didn't try to access that.

Councilman Bunce stated that he doesn't think that anyone was aware that they were scrounging for money.

Councilwoman Galate stated that she doesn't think that they were scrounging for money. Sometimes there are a lot of donations and sometimes we don't. They got donations from things that were left over from the parade. The community garden has donated things as well as businesses.

Councilman Bunce stated that there is obviously a need for money because the employees are taking money out of their own pockets.

Councilman Schindelar stated that they are looking into the future knowing that they have this extra money. They know that Pathmark is going to close and they are going to lose almost \$175.00 a week in donations. If this can help as a stop gap measure for a while, he thinks that it is a good idea.

Councilman Francis stated that donations can go directly through the Commission's trust. He stated that he wants the seniors to be able to have breakfast and that he doesn't want this to have to go through a huge bureaucratic process. It allows us to accept donations for that. It can stand or fall on its own merits.

Councilman Schindelar stated that he got the impression for the Recreation Commission members that they were trying to protect our budget by coming up with this solution. The Commission wasn't sure if the issue needed to come to the Council at all.

Bob McBriar stated that he thinks that the Governing Body should take a vote.

Councilman Bunce made a motion to approve the request from the Recreation Commission to create a line item in the Recreation Trust for the Senior Breakfast program. Seconded by Councilman Francis.

Upon roll call vote:

Ayes: Bunce, Francis, Padula, Schindelar

Nays: None Absent: None Abstentions: Galate, Young

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).

Dave Harris asked how we are doing with the upgrade to the basketball courts.

Mayor Petillo stated that this season we will be putting hoops in. We are going to do the park in stages. We will be overlaying the basketball courts.

Mr. Harris asked about the skate park.

Mr. Elia stated that the parts just came in for the repair.

Mara Modes asked if the contractors have finished the project on her road and wondered when they are going to clean up. There are still pallets on the roadway.

Mayor Petillo stated that they are not totally done.

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 Galate. All were in favor.

ADJOURNMENT:

Councilman Bunce made a motion to adjourn the meeting of October 21, 2015. Seconded by Councilman Young. All were in favor.

Sylvia Petillo, Mayor

Catherine Schultz, RMC