

**MINUTES  
OF THE MAYOR AND COUNCIL MEETING,  
BOROUGH OF HOPATCONG,  
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD  
HOPATCONG, NEW JERSEY  
APRIL 4, 2018  
OPEN PUBLIC MEETING 7:30 PM**

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**CALL TO ORDER:** Announce Quorum

**OPEN PUBLIC MEETINGS ACT STATEMENT:** Mayor Francis 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, Councilwoman Galate, Councilman Hoferkamp, Councilman Padula, Councilman Young and Mayor Francis.

Absent: Councilman Schindelar

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

Matt Smith, a drama student at Hopatcong High School, invited everyone to the High School production of "Cinderella".

**PRESENTATIONS**

Lake Hopatcong Foundation

At this time the Lake Hopatcong Foundation provided the Governing Body with an update on their 2018 activities. A copy of their presentation is attached.

**COMMITTEE REPORTS:**

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

Councilwoman Galate reported that she attended the police awards ceremony and that it was a great event. She also reported that the Farmer's Market preparations are coming along nicely.

Councilman Hoferkamp asked the Council for their support on the two real estate auction ordinance adoptions on the agenda this evening.

Councilman Young stated that the Municipal Alliance held their last movie night and that it was very well attended. He stated that there is a resolution on this evening to amend the fees for the summer recreation program since school has been extended an extra week due to the bad weather. He reported that the basketball program is over and the street hockey program has begun. He recommended the approval of the parks and recreation ordinance on the agenda this evening.

Councilman Young also reported that the Environmental Commission attended the ANJAC workshop. He stated that the Earth Day hike is scheduled for April 21<sup>st</sup>. They are working with Rutgers on the Rain Garden and have applied for a Home Depot grant. He stated that because the State tree giveaway was cancelled they are hoping to get trees from Rutgers. They are also ordering Anti-litter magnets to give out at Hopatcong Days. They are also sponsoring a poster contest for the students at Durban Avenue School.

Councilman Young reminded everyone to be careful while they are driving now that it is nice weather and stressed the importance of wearing reflective gear if you are walking.

Councilman Young, in response to some residents who have commented that we don't need a police department, gave some of the statistics for the police for 2017. He stated that they responded to 15,995 calls and made 365 arrests. He congratulated them on a job well done and thanked them for their service.

Councilman Padula stated that the Redevelopment Committee is working on an enabling ordinance for tax abatements and hopes to have it on the agenda for the April 18<sup>th</sup> meeting.

**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 Councilman Young. All were in favor.

David Harris asked about the Recreation Ordinance and asked if the park closing times are going to be enforced.

Mayor Francis stated that the changes were done at the request of the police.

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.

**APPROVAL OF MINUTES:**

Councilman Bunce made a motion to approve the meeting minutes of the Regular Meeting held on March 14, 2018. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Galate, Hoferkamp, Padula, Young

Nays: None Absent: Schindelar Abstentions: None

**CONSENT AGENDA:**

**Mayor Francis** 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, Councilman Bunce made a motion to approve the consent agenda. Seconded by Councilman Young.

**CORRESPONDENCE** (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

**REPORTS** (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Construction Monthly Report: February 2018.
2. Tax Collector Monthly Report: February 2018.

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

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

1. Resolution # 2018-70: Outside Lien Redemption, Blk: 30501 Lt: 52.
2. Resolution # 2018-72: Outside Lien Redemption, Blk: 40209 Lt: 29.
3. Resolution # 2018-73: Outside Lien Redemption, Blk: 30403 Lt: 13.

Upon roll call vote:

Ayes: Bunce, Galate, Hoferkamp, Padula, Young

Nays: None Absent: Schindelar Abstentions: None

## **INTRODUCTION OF ORDINANCES:**

### Introduction Ordinance #06-2018 – Parks and Recreation Areas

Councilman Young made a motion to introduce an ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 163 OF THE CODE OF THE BOROUGH OF HOPATCONG, SUSSEX COUNTY, NEW JERSEY REGARDING PARKS AND RECREATION AREAS”. Seconded by Councilman Bunce.

Upon roll call vote:

Ayes: Bunce, Galate, Hoferkamp, Padula, , Young

Nays: None Absent: Schindelar Abstentions: None

**FINAL READING: APRIL 18, 2018**

## **ADOPTION OF ORDINANCES:**

### Adoption Ordinance #07-2018 – Sale of Municipal Property – Block 40217, Lot 16, 30 Jefferson Trail

Councilman Young made a motion to adopt an ordinance entitled “AN ORDINANCE OF THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX, STATE OF NJ AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS 30 JEFFERSON TRAIL, BLOCK 40217, LOT 16”. Seconded by Councilman Bunce.

**Before final roll call, Mayor Francis opened the meeting to the public for any questions or comments regarding Ordinance #07-2018.**

**There being no one from the public who wished to address the Governing Body regarding Ordinance #07-2018, 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, Galate, Hoferkamp, Padula, Young

Nays: None Absent: Schindelar Abstentions: None

**AUCTION: APRIL 11, 2018**

### Adoption Ordinance #08-2018 – Sale of Municipal Property

Councilman Young made a motion to adopt an ordinance entitled “AN ORDINANCE OF THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX, STATE OF NJ AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS 302 SANTA FE TRAIL, BLOCK 30102, LOT 12”. Seconded by Councilman Bunce.

**Before final roll call, Mayor Francis opened the meeting to the public for any questions or comments regarding Ordinance #08-2018.**

**There being no one from the public who wished to address the Governing Body regarding Ordinance #08-2018, Councilman Bunce made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilwoman Galate.**

Upon roll call vote:

Ayes: Bunce, Galate, Hoferkamp, Padula, Young

Nays: None Absent: Schindelar Abstentions: None

**AUCTION: APRIL 11, 2018**

## **RESOLUTIONS:**

### Resolution #2018-66 – Payment of Bills

Councilman Bunce made a motion to adopt a resolution authorizing the payment of bills for the meeting of March 21, 2018, pulling invoice numbers 17-00149, 18-00337, 00497,

00210, 00213, 00347, 00349, 00490, 00517, 00559, 00590. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Galate, Hoferkamp, Padula, Young

Nays: None Absent: Schindelar Abstentions: None

Councilman Bunce made a motion to authorize the payment of bills invoice numbers 17-00149, 18-00337, 00497, 00210, 00213, 00347, 00349, 00490, 00517, 00559, 00590. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Hoferkamp, Padula, Young

Nays: None Absent: Schindelar Abstentions: Galate

#### Resolution #2018-67 – Child Abuse Prevention Month Proclamation

Councilman Bunce made a motion to adopt a resolution proclaiming April Child Abuse Prevention Month in the Borough of Hopatcong. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Galate, Hoferkamp, Padula, Young

Nays: None Absent: Schindelar Abstentions: None

#### Resolution #2018-68 – 2018 Camp for Kids

Councilman Young made a motion to adopt a resolution approving of the fees for the 2018 “Camp for Kids” Program as recommended by the Recreation Commission. Seconded by Councilman Bunce.

Upon roll call vote:

Ayes: Bunce, Galate, Hoferkamp, Padula, Young

Nays: None Absent: Schindelar Abstentions: None

#### Resolution #2018-69 – Change Order #1 – Crescent Cove Pumping Station

Councilman Young made a motion to adopt a resolution approving Change Order #1, net increase \$2,400.64 for the Crescent Cove Pumping Station Comminutor Improvements. Seconded by Councilman Bunce.

Upon roll call vote:

Ayes: Bunce, Galate, Hoferkamp, Padula, Young

Nays: None Absent: Schindelar Abstentions: None

#### Resolution #2018-71 – Canceling General Capital Improvement Authorization Balance

Councilman Bunce made a motion to adopt a resolution canceling General Capital Improvement Authorization Balance. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Galate, Hoferkamp, Padula, Young

Nays: None Absent: Schindelar Abstentions: None

#### Resolution #2018-74 – Distracted Driving Crackdown

Councilman Young made a motion to adopt a resolution supporting the 2018 UDrive, UText, UPay Distracted Driving Crackdown April 1-21, 2018. Seconded by Councilman Bunce.

Upon roll call vote:

Ayes: Bunce, Galate, Hoferkamp, Padula, Young

Nays: None Absent: Schindelar Abstentions: None

#### Resolution #2018-75 – Solar Site Surface Lease Agreement

Councilman Bunce made a motion to adopt a resolution to award a solar site surface lease agreement to AC power for the Hopatcong Borough landfill, inclusive of the comments that were discussed regarding changes. Seconded by Councilman Padula.

Councilwoman Galate stated that this was never discussed at a Council meeting and that she believes that it should be discussed before a vote is taken. She stated that she believes that the residents are entitled to know what our plans are for the property. She stated that she is not necessarily against the lease, but that it needs to be discussed in an open public meeting.

Mayor Francis stated that it was discussed many times during a public meeting.

Councilman Padula stated that he would like to add that the lease is approved inclusive of the comments that were discussed with the attorney.

Upon roll call vote:

Ayes: Bunce, Galate, Hoferkamp, Padula, Young

Nays: None Absent: Schindelar Abstentions: Galate

#### **OLD BUSINESS:**

Councilwoman Galate stated that she has asked the Administrator many times for the entire budget document and that she hasn't received it as of yet.

Mayor Francis stated that he will ask the CFO to put a copy in everyone's boxes.

Councilman Padula stated that he would like the Recreation Coordinator to come before the Governing Body to discuss the plans for the fields and recreation related issues.

#### **NEW BUSINESS:**

Councilwoman Galate stated that she believes that the policy needs to be formally changed regarding OPRA requests and the Clerk accessing the Councilpersons' email accounts. She said that the Clerk told her that the Borough Attorney directed her to go directly into the email accounts when there is an OPRA request for information that could be contained in emails. She stated that previously the Clerk would ask the Councilperson themselves to provide the information.

Mr. Ursin stated that the Clerk is the Custodian of Records for the Borough and is obligated to retrieve the information requested.

Mayor Francis stated that all requests for information go through the clerk.

Councilwoman Galate stated that the change in policy needs to be in writing. She also stated that she can no longer access her Gmail account and needs to get her contacts for the Farmer's Market.

The Mayor directed the Clerk to contact our IT company to see if the contacts could be exported into the Council's new Hopatcong.org addresses.

#### **PUBLIC COMMENT:**

**Mayor Francis** opened the meeting to the public for any questions or comments concerning the good and welfare of the Borough. (Comments limited to 5 minutes).

Cassie Prisco, 15 Butternut Way, Sparta asked if anything new is going on with the plans for the Firing Range property which is near OSCAR. She stated that she believes someone is working on berms on the property.

Councilman Young stated that nothing is being done because we are still waiting on the soil erosion permits from the County.

Ms. Prisco asked if there is going to be Planning Board review and the Mayor responded that yes there will be. She also asked what kind of tactical training will be done at the site and Mayor Francis responded that we will not publicize that information for obvious reasons. Ms. Prisco asked about approvals, the noise ordinance and environmental impact studies.

Mr. Rehe, Naritcong Avenue, asked when the nets are going to be replaced at the field as he has asked and been told many times that it would be done. He stated that the Borough should take care of our fields, follow our ordinances and take care of the safety issues.

Councilman Padula stated that he is just as upset that the nets have yet to be replaced and that is why he recommended that the Recreation Coordinator come before the Council to give a report on what is being done regarding Recreation issues.

Mara Modes stated that she knows that the Solar Project was discussed at Council meetings.

John Kowalchuk, Sparta, asked if a Council person donated the access road to the Firing Range and Councilman Young stated that there isn't an access road. He stated that an adjacent property owner granted an easement – and the adjacent property owner is not a Councilperson.

Mr. Kowalchuk asked if it was going to be a money-making venture for the Borough and Mayor Francis, once again, responded that it will only be used by the Hopatcong Borough Police Department.

David Harris asked why the residents weren't notified about the change in the recycling and garbage collections during the snow storms and Mayor Francis stated that it was sent out on the emergency alert system and put on our website and Facebook pages.

Mr. Harris asked about more information on the solar panels being constructed on the old landfill site and Mayor Francis stated that the company will be leasing the property from the Borough and that we can anticipate the lease payment in the budget. The Mayor stated that it is a substantial amount each year, the least amount being \$15,000 per megawatt with a 3.4 minimum. It can be up to 6.5 megawatts. Councilman Padula stated that the lease payment will also be escalated each year.

Mr. Harris asked if the Borough received a DOT grant for this year and Mayor Francis responded that we got one for Durban Avenue – a paving grant and a Safe Streets to School grant. Mr. Harris asked if the Borough has reached out to the surrounding towns to see if they wanted to share a gun range. Mr. Ursin responded that in year's past the Borough has reached out and the other towns have shown no interest. Mayor Francis stated that the Borough wants to make sure that we have a well-trained police force.

Mr. Harris asked about the pound and he was told it will be discussed at the next Board of Health meeting scheduled for April 18<sup>th</sup>. Mr. Harris asked about the 2% cap and asked if the Borough would be giving the employees higher than a 2% increase. Mayor Francis responded that we would not be going over the 2%.

Peter Frechtling asked if there will be ground tests done before the installation of the solar field and Mayor Francis responded that there will be no penetration of the cap.

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.

#### **ADJOURNMENT:**

Councilman Bunce made a motion to adjourn the meeting of April 4, 2018. Seconded by Councilman Padula. All were in favor.