

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

Absent: Councilman Bunce, Councilwoman Galate

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.

PRESENTATIONS:

Outgoing Cub Master Mike Nicotra

At this time, Mayor Petillo honored outgoing Cub Master Mike Nicotra for his six years of dedicated service to Pack 88.

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

After a five minute recess, Councilman Young made a motion to return to the regular order of business. Seconded by Councilman Padula. All were in favor.

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

Councilman Young reported that the Gun Range Committee has met to discuss the members reporting responsibilities and that as of yet, they don't have any information to share with the Council. He also reported that the Open Space Committee met and discussed the County Master Plan and the grant that was received for trails in Hopatcong. Councilman Young stated that the Recreation Commission has been signing up participants for the Street Hockey program and that this Sunday, March 20th is the Easter Egg Hunt.

Councilman Padula stated that there is a DPW meeting scheduled for this coming Monday and that the newly formed Redevelopment Committee will be meeting on April 5th.

Mayor Petillo stated that the Drug Alliance will be running program in the high school on April 19th from 6 – 8 pm. The program called "Hidden in Plain Sight" will teach parents where to look for drugs that may be hidden in their children's bedrooms.

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).

David Hughes stated that he helped the Jefferson Police arrest suspected drug dealers after he was asked to provide a ride to someone in Hopatcong to a known drug house.

After giving all persons present an opportunity to address the Governing Body, Councilman Young 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 March 2, 2016. Seconded by councilman Padula. All were in favor.

ADMINISTRATOR'S REPORT:

At this time Robert Elia, Borough Administrator, presented his report for the meeting of March 16, 2016. Mr. Elia stated that there is a resolution on for consideration this evening to enter into an agreement for a Certified Recycling Profession to sign off on our 2015 recycling report. The County only charges \$250 for the service. The Borough doesn't have anyone on staff that is certified. He also stated that there is a resolution on the agenda to reject the bids for the DPW Expansion Project. All of the bids came in above the allocated budget. Mr. Elia stated that there is also an ordinance that, if adopted, would allow the Borough to use the extra monies from old capital ordinances to purchase a used van for the Animal Control Officer.

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.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Zoning Department Report: February 2016.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. NJ State Fireman's Association Membership: Brianna L. Hannon.
2. NJ State Fireman's Association Membership: Dylan J. Hess.
3. NJ State Fireman's Association Membership: Ryan E. Dekker.
4. Social Affair Application: St. Jude's R. C. Church, Oct. 15, 2016.

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Resolution # 2016-70 - Outside Lien Redemption, Blk: 30802 Lt: 8.
2. Resolution # 2016-71 - Outside Lien Redemption, Blk: 40102 Lt: 24.
3. Resolution # 2016-72 - Outside Lien Redemption, Blk: 10805 Lt: 7.
4. Resolution # 2016-73 - Outside Lien Redemption, Blk: 11003 Lt: 1.
5. Resolution # 2016-74 - Outside Lien Redemption, Blk: 10805 Lt: 7.
6. Resolution # 2016-75 - Outside Lien Redemption, Blk: 11303 Lt: 35.

After all persons have had an opportunity to review the consent agenda and offer requests for changes, Councilman Young made a motion to approve the consent agenda of March 16, 2016. Seconded by Councilman Padula. All were in favor.

INTRODUCTION OF ORDINANCES:

Introduction Ordinance #10-2016 – Capital Fund Surplus Purchase

Councilman Young made a motion to introduce a resolution entitled "AN ORDINANCE PROVIDING FUNDING FOR PURCHASE OF A PREOWNED VAN FOR ANIMAL CONTROL AND APPROPRIATING \$18,000 OF GENERAL CAPITAL FUND BALANCE FOR SUCH PURPOSE". Seconded by Councilman Schindelar.

Upon roll call vote:

Ayes: Francis, Padula, Schindelar, Young

Nays: None Absent: Bunce, Galate Abstentions: None

FINAL READING: APRIL 6, 2016

ADOPTION OF ORDINANCES:

Adoption Ordinance #06-2016- Auction of Municipal Property, Portion of Block 30306, Lot 20.

Councilman Young made a motion to adopt an ordinance entitled "AN ORDINANCE OF THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX, STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN PROERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS A PORTION OF BLOCK 30306, Lot 20". 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 #06-2016.

There being no one from the public who wished to address the Governing Body regarding Ordinance #06-2016, Councilman Young 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.

Upon roll call vote:

Ayes: Francis, Padula, Schindelar, Young

Nays: None Absent: Bunce, Galate Abstentions: None

AUCTION: APRIL 6, 2016

Adoption Ordinance #08-2016- Auction of Municipal Property, Portion of Block 31603, Lot 19.

Councilman Young made a motion to adopt an ordinance entitled "AN ORDINANCE OF THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX, STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN PROERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS 4 KISLING AVENUE, BLOCK 31603, LOT 19". Seconded by Councilman Francis.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments that they may have regarding Ordinance #08-2016.

There being no one from the public who wished to address the Governing Body regarding Ordinance #08-2016, Councilman Young made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilman Schindelar. All were in favor.

Upon roll call vote:

Ayes: Francis, Padula, Schindelar, Young

Nays: None Absent: Bunce, Galate Abstentions: None

AUCTION: APRIL 6, 2016

Adoption Ordinance #09-2016 – Refunding Bond Ordinance

Councilman Young made a motion to adopt an ordinance entitled "REFUNDING BOND ORDINANCE OF THE BOROUGH OF HOPATCONG, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY (THE "BOROUGH") PROVIDING FOR (i) THE REFUNDING OF CERTAIN OUTSTANDING GENERAL REFUNDING BONDS OF 2006 AND SEWER REFUNDING BONDS OF 2006 OF THE BOROUGH DATED SETPEMBER 1, 2006 TO PROVIDE DEBT SERVICE SAVINGS, AND (ii) AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$20,000,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE BOROUGH TO EFFECT SUCH REFUNDING AND APPROPRIATING THE PROCEEDS THEREFOR". Seconded by Councilman Schindelar.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments that they may have regarding Ordinance #09-2016.

There being no one from the public who wished to address the Governing Body regarding Ordinance #09-2016, Councilman Young made a motion to close the meeting to the public and to return to the regular order of business. Seconded by Councilman Padula. All were in favor.

Upon roll call vote:
Ayes: Francis, Padula, Schindelar, Young
Nays: None Absent: Bunce, Galate Abstentions: None

RESOLUTIONS:

Resolution #2016-69 – Agreement with SCMUA for Certified Recycling Professional

Councilman Young made a motion to adopt a resolution authorizing the agreement between Hopatcong borough and Sussex County Municipal Utilities Authority for Certified Recycling Professional to certify the 2015 Annual Recycling Tonnage Report. Seconded by Councilman Schindelar.

Upon roll call vote:
Ayes: Francis, Padula, Schindelar, Young
Nays: None Absent: Bunce, Galate Abstentions: None

Resolution #2016-76 – Payment of Bills

Councilman Young made a motion to adopt a resolution authorizing the payment of bills for the meeting of March 16, 2016. Seconded by Councilman Padula.

Upon roll call vote:
Ayes: Francis, Padula, Schindelar, Young
Nays: None Absent: Bunce, Galate Abstentions: None
Resolution #2016-77 – Rejecting Bids for DPW Building Expansion

Councilman Padula made a motion to adopt a resolution rejecting the bids for the DPW Building Expansion as exceeding cost estimates and appropriations. Seconded by Councilman Schindelar.

Upon roll call vote:
Ayes: Francis, Padula, Schindelar, Young
Nays: None Absent: Bunce, Galate Abstentions: None

Resolution #2016-78 – Cadet Membership in the Fire Department

Councilman Young made a motion to adopt a resolution accepting the following Cadet Members in the Hopatcong Fire Department: Charlie Defranza, Dominick Green, David Dichiaro, Aubrey McCarrick. Seconded by Council Padula. All were in favor.

Resolution #2016-79 – Approval of 2015 LOSAP List

Councilman Young made a motion to adopt a resolution approving the 2015 LOSAP Contribution List in the total amount of \$59,570.00. Seconded by Councilman Padula.

Upon roll call vote:
Ayes: Francis, Padula, Schindelar, Young
Nays: None Absent: Bunce, Galate Abstentions: None

OLD BUSINESS:

NEW BUSINESS:

Discussion – Request to Vacate a Portion of Shawnee Road

At this time a discussion will take place regarding a request to vacate a portion of Shawnee Road.

Mr. Ursin stated that this issue has come up many times before. The dock at the end of Shawnee, which is owned by the Borough is in disrepair. A few years ago he recommended that either the Borough vacate the property or at least put up a fence that would prohibit people from accessing the dock. He stated that he had encouraged the residents who had deeded access rights to get together to form an association so that we could vacate the property to them and they would have control over the dock. Shawnee is also a fire lane and before it is vacated he recommended that the Council consult with the Fire Department. If the Borough does wind up vacating the property, then any disputes over the access would be a private matter.

After discussion, the Council directed the attorney to draft an ordinance for introduction. They also stated that they would consult with the Fire Department regarding the fire lane issue.

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 it would still be private property and Mr. Ursin stated that there would only be an easement for those who have deeded access rights to the lake. Councilman Francis stated that there is public access to the lake up in Northwood. Mr. Harris stated that he is glad to see the kids enjoying the basketball courts and asked if the parts for the skate park have come in.

Mayor Petillo stated that we have the parts and the DPW will be scheduling the repair when they have the time.

Mr. Harris also stated that he is impressed with all of the hard work that the Council did on the budget. He asked if the office remodeling project is included in the budget and Mr. Elia responded that it was included in last year's budget. Councilman Francis stated that a lot of the work was done in-house.

Mara Modes asked if we had a new ACO and Mr. Elia responded that we didn't.

David Hughes stated that there is no lock on the gate down at the end of Shawnee.

Robert McGoldrick stated that he is not in favor of vacating fire lanes and wanted to know why some of them aren't maintained.

Councilman Francis stated that the Council will be taking the advice of the Fire Department.

After giving all persons present an opportunity to address the Governing Body, Councilman Young made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilman Schindelar. All were in favor.

COUNCIL COMMENTS:

ADJOURNMENT:

Councilman Young made a motion to adjourn the meeting of March 16, 2016. Seconded by Councilman Schindelar. All were in favor.

Sylvia Petillo, Mayor

Catherine Schultz, RMC