

**MINUTES
FOR THE SPECIAL MEETING OF THE MAYOR AND COUNCIL,
BOROUGH OF HOPATCONG,
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD
HOPATCONG, NEW JERSEY
AUGUST 23, 2017
OPEN PUBLIC MEETING 7:30 PM**

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 notes fire exits)

ROLL CALL: The Clerk called the roll and the following members were present: Councilman Bunce, Councilwoman Galate, Councilman Padula Councilman Schindelar, Councilman Young and Mayor Francis.

Absent: Councilman Hoferkamp

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

RESOLUTION FOR EXECUTIVE SESSION:

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

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: Bunce, Galate, Padula, Schindelar, Young

Nays: None Absent: Hoferkamp Abstentions: None

Councilman Bunce made a motion to adjourn Executive Session and return to the regular order of business. Seconded by Councilman Young. All were in favor.

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.

Newton Mayor, Wayne Levante, addressed the Governing Body regarding a resolution that Newton adopted urging the State to support a Sussex County Consolidated School System. He explained how a consolidated school system would result in significant savings to the taxpayers of Sussex County, via less administrative staff and other personnel and ultimately lower property taxes.

Councilman Padula stated that the resolution could perhaps include asking the State to conduct a feasibility study.

David Harris asked about the resolution that would hire a "Confidential Aide to the Mayor" and the Mayor explained that the employee would be running the "Community

Service program, 6 hours a week on Saturdays, in conjunction with Sussex County Probation.

Mr. Harris asked if the hunting area would be the same as last year and the Mayor responded “yes”.

Mr. Harris asked about the resolution to purchase a fire truck and Councilman Bunce responded that it cost approximately \$570,000 and that it was in last year’s capital plan.

Mr. Harris asked if an administrator has been hired, and the Mayor stated that there is a resolution on this evening to do so.

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.

RESOLUTIONS:

Resolution #2017-152 – Approval of Cooperative Purchasing Contract – Water Meters

Councilman Bunce made a motion to adopt a resolution approving of a Cooperative Purchasing Contract, Purchase of water meters from HD Supply and associated equipment, Morris County Cooperative Purchasing Contract #47. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Galate, Padula, Schindelar, Young

Nays: None Absent: Hoferkamp Abstentions: None

Resolution #2017-153 – Award of Auto Repair Bid

Councilman Bunce made a motion to adopt a resolution entering into a two year contract with Lakeside Tire Co. Inc., 48 Lakeside Blvd, Hopatcong to accomplish the scope of work as outlined within the Bid 3-2017 and for the amounts indicated. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Padula, Schindelar, Young

Nays: None Absent: Hoferkamp Abstentions: Galate

Resolution #2017-154 – Part Time Confidential Aide to the Mayor, Community Service Manager

Councilman Young made a motion to adopt a resolution approving the hiring of Michael Houtz as a Part Time Confidential Aide to the Mayor (Community Service Manager) at a rate of \$20.00 an hour for six hours a week. Seconded by Councilman Schindelar.

Upon roll call vote:

Ayes: Bunce, Padula, Schindelar, Young

Nays: None Absent: Hoferkamp Abstentions: None

Resolution #2017-155 – Drive Sober or Get Pulled Over

Councilman Young made a motion to adopt a resolution in support of the “Drive Sober or Get Pulled Over 2017 Statewide Crackdown. (August 18th through September 4th) Seconded by Councilman Bunce.

Upon roll call vote:

Ayes: Bunce, Galate, Padula, Schindelar, Young

Nays: None Absent: Hoferkamp Abstentions: None

Resolution #2017-156 – Refund Sewer Overpayment

Councilman Bunce made a motion to adopt a resolution refunding a sewer overpayment in the amount of \$3,547.50 for Block 30408, Lot 5. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Galate, Padula, Schindelar, Young

Nays: None Absent: Hoferkamp Abstentions: None

Resolution #2017-157 – Payment of Bills

Councilman Bunce made a motion to adopt a resolution authorizing the payment of bills for the meeting of July 19, 2017. Seconded by Councilman Schindelar.

Upon roll call vote:

Ayes: Bunce, Padula, Schindelar, Young

Nays: None Absent: Hoferkamp Abstentions: Galate

Resolution #2017-158 – Purchase of Pierce Enforcer Pumper

Councilman Bunce made a motion to adopt a resolution authorizing the award of a contract to Pierce Manufacturing Inc. for Enforcer Pumper TC-06 with Houston Galveston Area Council Cooperative in Accord with LFN 2012-10. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Galate, Padula, Schindelar, Young

Nays: None Absent: Hoferkamp Abstentions: None

Resolution #2017-159 – Authorizing Negotiations for Asphalt Supply

Councilman Young made a motion is in order to adopt a resolution authorizing negotiations for asphalt supply under N.J.S.A. 40A:11-5(3). Seconded by Councilman Bunce.

Upon roll call vote:

Ayes: Bunce, Galate, Padula, Schindelar, Young

Nays: None Absent: Hoferkamp Abstentions: None

Resolution #2017-160 – Hiring of New Business Administrator

Councilman Bunce made a motion to adopt a resolution hiring Ronald Tappan as the new Business Administrator for the Borough of Hopatcong. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Galate, Padula, Schindelar, Young

Nays: None Absent: Hoferkamp Abstentions: None

Resolution #2017-161 – Hunting on Municipal Property

Councilman Bunce made a motion to adopt a resolution allowing the Natural Preserve to be available for hunting for the 2017-2018 hunting season. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Galate, Padula, Schindelar, Young

Nays: None Absent: Hoferkamp Abstentions: None

Resolution #2017-162 - Award of Required Disclosure Contract - Eastern Datacomm Inc.

Councilman Padula made a motion to adopt a resolution to authorize the Award of a Required Disclosure Contract for Eastern Datacomm Inc. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Galate, Padula, Schindelar, Young

Nays: None Absent: Hoferkamp Abstentions: None

OLD BUSINESS:

NEW BUSINESS:

Appointment of Recreation Commission Alternate Member – Wendy Sutton

Councilwoman Galate asked if the Mayor went through any other volunteer requests and the Mayor responded that this was the only one that he received.

Approval to Hire Temporary Help at Senior Center

Councilman Bunce made a motion to hire temporary help, at a rate of \$10.00 an hour, at the Senior Center due to an unexpected vacancy. Seconded by Councilman Schindelar.

Upon roll call vote:

Ayes: Bunce, Galate, Padula, Schindelar, Young

Nays: None Absent: Hoferkamp Abstentions: None

Resolution #2017-174 – In Support of County Consolidated School System

Councilman Bunce made a motion to adopt a resolution supporting a Sussex County Consolidated School System, amending Newton's resolution to include a request for a feasibility study. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Galate, Padula, Schindelar, Young

Nays: None Absent: Hoferkamp Abstentions: None

Memorandum of Agreement – NJDEP

At this time a discussion took place regarding the email that was sent today from the DEP regarding the MOA and its reference to the Borough's septic ordinance. They did not give a clear answer as to whether or not our ordinance was sufficient to meet the requirements of the MOA. Councilman Bunce stated that if there is any chance that this will affect our taxpayers, then he will never agree to it. Councilman Schindelar stated that perhaps the Borough can take the money for the first two years and then opt out in the third year.

Robert McBriar, Borough Attorney, stated that the Council should defer to John Ruschke, the Borough Engineer regarding the ordinance.

Mayor Francis stated that he believes that the Borough would be covered with the ordinance, the County ordinances and the Highlands regulations. He agreed, however, that they should have the Engineer confirm. He also agreed with Councilman Padula that the DEP's answer was very ambiguous and that in no way can it affect the Borough taxpayers.

Marty Kane, a representative of the Lake Hopatcong Foundation, stated that the DEP believes that they gave the town the answer but that further clarification is definitely needed. He stated that the DEP has extended the deadline to agree to the MOA to the end of the month.

Mayor Francis stated that if the DEP really wanted to give us the money, they would have given it to us without stipulation. The paragraph in the MOA regarding septic is a deal breaker for him. He will have John Ruschke review. The DEP made septic the issue when it wasn't necessary.

Councilwoman Galate stated that the DEP needs to give us a definitive answer before she would agree to the MOA.

PUBLIC COMMENT:

Councilman Padula 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 Young. All were in favor.

David Harris stated he was glad to see the fountain in Maxim Glen working. He asked about the status of the repairs to the skate park and Councilman Bunce stated that the DPW is busy and will schedule when they have the time. Mr. Harris asked about the Eastern Datacom resolution and Councilman Padula stated that it is for new security cameras.

Mr. Harris asked if the police had body cameras or cameras in their cars. Mayor Francis responded that they don't have body cameras but do have them in the police vehicles.

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.

COUNCIL COMMENTS:

ADJOURNMENT:

Councilman Bunce made a motion to adjourn the Special Meeting of August 23, 2017. Seconded by Councilman Young. All were in favor.