

**MINUTES  
OF THE MAYOR AND COUNCIL MEETING,  
BOROUGH OF HOPATCONG,  
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD  
HOPATCONG, NEW JERSEY  
SEPTEMBER 21, 2016  
EXECUTIVE SESSION 6:30 PM  
OPEN PUBLIC MEETING 7:30 PM**

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**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 role and the following members were present: Councilman Francis, Councilwoman Galate, Councilman Padula, Councilman Schindelar (6:35), Councilman Young and Mayor Petillo

Absent: Councilman Bunce

**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.

**RESOLUTION FOR EXECUTIVE SESSION:**

Councilman Young made a motion to adopt a resolution to adjourn into Executive Session at 6:35 to discuss police contract negotiations and the Hughes litigation. Seconded by Councilman Padula. All were in favor.

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.

Councilman Young made a motion to adjourn the executive session at 7:15. Seconded by Councilman Padula. All were in favor.

**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 role and the following members were present: Councilman Francis, Councilwoman Galate, Councilman Padula, Councilman Schindelar, Councilman Young and Mayor Petillo

Absent: Councilman Bunce

**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.

## **COMMITTEE REPORTS:**

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

Councilman Francis stated that the Farmers Market is holding its Fall Festival on the 25<sup>th</sup>. There will be a boat show and many other vendors.

Councilwoman Galate stated that the Seniors went on a New England Cruise and that everyone had a wonderful time. She also invited everyone to the Farmers Market Fall Festival.

Councilman Schindelar stated that the Lake Hopatcong Water Management Plan was discussed recently with the DEP and he encouraged everyone to voice their opinions during this open comment period.

Councilman Padula stated that there are two ordinances on this evening regarding the water and sewer utilities. They are updating the Borough codes. He also reported that the December Land Use meeting will be for discussion regarding the Redevelopment of the River Styx area. In the meantime, the Redevelopment Committee will be meeting with the individual property owners in the affected area to illicit their feedback.

Mayor Petillo suggested that someone from the Council should write a letter to the DEP regarding their lake proposal. This is the first time that the DEP has actually elicited suggestions from the public for a pilot program. Perhaps doing a resolution of support could be the first step.

Mayor Petillo also reminded everyone of the Apple Pie and Art event which will be held this weekend at the high school from 11am to 4pm. She also reminded everyone of the drive thru flu clinic. The clinic will be used as a test to see how well we would do in case we had to mass inoculate our citizens in case of an emergency situation. It is an operational test on preparedness.

Mayor Petillo reported that the 9/11 ceremony went very well and that the Free Little Library was unveiled. The library will contain books regarding 9/11 for people to enjoy while they are sitting at the park.

**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).

Mara Modes, Ithanell Road, addressed the Governing Body regarding a part of the water ordinance that references frozen meters. She stated that since some of the meters are outside, why is it the responsibility of the owner if it freezes.

Councilman Bunce stated that it isn't new in the ordinance. The meter has always been the responsibility of the homeowner.

David Hughes, 102 Chincoppee Avenue, asked about the Civil Rights Resolution.

Mr. Ursin responded that it is required by the insurance company and that it states that the Borough can't discriminate against anyone based on race, gender etc.....

Mr. Hughes asked when the Executive Session minutes are available to the public and Mr. Ursin responded that some are released to the public when the issue is over.

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 September 7, 2016. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Francis, Galate, Young

Nays: None Absent: Bunce Abstentions: Padula, Schindelar

**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):

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

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

1. Water Service Application: Block 10712 Lot: 31.
2. Social Affair Permit: Hearing Health Foundation, Hudson Farm Sept. 27, 2016.

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

Councilman Young made a motion to approve the consent agenda for the meeting of September 21, 2016. Seconded by Councilman Padula. All were in favor.

#### **INTRODUCTION OF ORDINANCES:**

#### **ADOPTION OF ORDINANCES:**

Adoption Ordinance #22-2016 – Amending Chapter 51 of the Borough Code entitled “Water Department”

Councilman Francis 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 51 OF THE BOROUGH CODE ENTITLED ‘WATER DEPARTMENT’”. 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 #22-2016.**

**There being no one from the public who wished to address the Governing Body regarding Ordinance #22-2016, Councilman Young made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilman Schindelar.**

Upon roll call vote:

Ayes: Francis, Galate, Padula, Schindelar, Young

Nays: None Absent: Bunce Abstentions: None

Adoption Ordinance #23-2016 – Amending Chapter 186 of the Borough Code entitled “Sewers, Public”

Councilman Young 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 186 OF THE BOROUGH CODE ENTITLED ‘SEWERS, PUBLIC’”. 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 #23-2016.**

**There being no one from the public who wished to address the Governing Body regarding Ordinance #23-2016, Councilman Young made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilman Schindelar.**

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

## **RESOLUTIONS:**

### **Resolution #2015-215 – Civil Rights Resolution**

Councilman Young made a motion to adopt a resolution entitled “A RESOLUTION TO AFFIRM THE BOROUGH OF HOPATCONG’S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS”. Seconded by Councilman Padula.

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

### **Resolution #2016-216 – Adopting Personnel Policies and Procedures**

Councilman Francis made a motion to adopt a resolution adopting the personnel policies and procedures (same version adopted as per Resolution #2014-103) for the Borough of Hopatcong. Seconded by Councilman Young.

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

### **Resolution #2016-217 – Payment of Bills**

Councilman Young made a motion to adopt a resolution authorizing the payment of bills for the meeting of September 21, 2016, pulling check numbers 13011, 160060, 1600728, 1601410, 1601601, and 01547. Seconded by Councilman Padula.

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

Councilman Young made a motion to authorize the payment of check numbers 01547, 13011, 160060, 1600728, 1601410 and 1601601. Seconded by Councilman Padula.

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

### **Resolution #2016-218 – Approval to Submit Grant Application**

Councilman Padula made a motion to adopt a resolution entitled “APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRCT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RIVER STYX ROAD STREETSCAPE IMPROVEMENT PROJECT”. Seconded by Councilman Young.

Borough Engineer, John Ruschke, stated that the DOT has been piggybacking on Federal Grant monies to help with soft costs, such as Engineering. If we are fortunate to receive this grant it will be used in the River Styx Redevelopment Area for things such as curbing and street lights.

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

### **Resolution #2016-219 – Waiver of Water Connection Fee, 144 Brooklyn Stanhope Road, Block 10108, Lot 1.01**

Councilman Padula made a motion to adopt a resolution waiving the water connection fee for 144 Brooklyn Stanhope Road, Block 10108, Lot 1.01. Seconded by Councilman Schindelar.

Borough Engineer, John Ruschke, stated that a homeowner extended a water line on Wills Avenue and the Borough greatly benefited by the installation. This is a housekeeping issue as it was agreed upon that the homeowner would receive a waiver of the water connection fee for that property. If the Borough had to extend the main it would have cost upwards of \$50,000.

Upon roll call vote:

Ayes: Francis, Padula, Schindelar, Young

Nays: None Absent: Bunce Abstentions: Galate.

#### **OLD BUSINESS:**

#### **NEW BUSINESS:**

##### Borough's Professional Lines Insurance Deductibles and Copays

Councilman Young made a motion to approve the recommendation from the Borough's Risk Manager regarding the professional lines insurance deductible and copays. Seconded by Councilman Padula.

Upon roll call vote:

Ayes: Francis, Galate, Padula, Schindelar, Young

Nays: None Absent: Bunce Abstentions: None

##### Resolution #2016-220 - Publishing Service Agreement

Councilman Young made a motion to approve a proposal submitted by Liturgical Publications Inc. to provide the Hopatcong Senior Center publication services. Seconded by Councilman Padula.

John Ursin stated that this is a free publication for the Senior Center. There is no cost to the Borough and because of that he is not concerned with the 1 year opt out clause. The publication will be sustained by ads.

Upon roll call vote:

Ayes: Francis, Galate, Padula, Schindelar, Young

Nays: None Absent: Bunce Abstentions: None

##### Land Use Board Appointment – Ryan Smith, Alternate III

The Mayor appointed Ryan Smith to the Land Use Board as Alternate III.

##### Creation of Police Contract Negotiations Committee.

At this time the Mayor named herself, Councilman Francis and Councilman Padula as members of the Police Contract Negotiations Committee.

At this time the Governing Body decided on dates to do interviews for the Business Administrator position.

#### **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 the term "liturgical" means that it is associated with religion and Mr. Ursin stated that it is just the name of the company.

Mr. Harris asked if there was a date set for the next discussion on Redevelopment and the Mayor responded that it will be held on December 6<sup>th</sup>. The Land Use Board will have a discussion and then make a recommendation to the Council.

Mr. Harris stated that he is very happy with all of the work that was done at the basketball courts.

Mara Modes asked if we have control over the ads that will be placed in the Senior Calendar and Mr. Ursin responded that the company sells the ads.

Steve Wooten, 315 Flora Avenue, addressed the Council regarding the recent paving done on Flora and the need for the DPW to reconstruct his berm. He also stated that now that it is paved that it is being used as a drag strip and that the speed limits should be enforced.

Mayor Petillo stated that she will discuss it with the police.

Greg Chontow, Normandy Circle, asked if the Borough will be considering banning bear hunting and Councilman Francis stated that the Borough follows the hunting laws of the State of New Jersey Division of Fish and Wildlife.

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.

**ADJOURNMENT:**

Councilman Young made a motion to adjourn the meeting of September 21, 2016. Seconded by councilman Padula. All were in favor.