

**MINUTES
OF THE MAYOR AND COUNCIL MEETING,
BOROUGH OF HOPATCONG,
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD
HOPATCONG, NEW JERSEY
NOVEMBER 2, 2016
OPEN PUBLIC MEETING 7:30 PM**

CALL TO ORDER: Announce Quorum

OPEN PUBLIC MEETINGS ACT STATEMENT: Council President Padula 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, Councilman Francis, Councilwoman Galate, Council President Padula, Councilman Young.

ABSENT: Councilman Schindelar, Mayor Petillo

MOMENT OF SILENT REFLECTION AND PLEDGE OF ALLEGIANCE: Council President Padula invited all present to salute the flag and to remain standing for a moment of silence, in memory of Mary Takacs and Jim Vanderhoof.

PRESENTATIONS:

At this time, Cliff Lundin and Jule Girman gave an update on the status of the Lake Hopatcong Trail project through the Borough of Hopatcong and the plans for the grant that was received from ANJEC.

At this time Council President Padula read a proclamation declaring November 17, 2016 "World Pancreatic Cancer Awareness Day" in the Borough of Hopatcong and introduced Bruce Hill a survivor of the disease and a dedicated volunteer.

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

Councilwoman Galate expressed her sympathies to the families of Mary Takacs and Jim Vanderhoof and stated that they both will be missed. She stated that the Senior meeting is tomorrow at the Senior Center and that the Spaghetti Luncheon sponsored by the Borough and the KOC was very well attended. She also congratulated Rosie Mitchell for her hard work and dedication with regards to bringing in revenue with regard to dog licensing. She also stated that this year the Arts Council will be sponsoring a "Snowman Park" as part of the Borough's holiday festivities.

Councilman Francis stated that the Community Theater group has been meeting. It is a joint venture between the town and the Board of Education. Right now they are in the process of creating a Board of Trustees and a 501(c)3.

Councilman Young also expressed his sympathies to the families of Mary Takacs and Jim Vanderhoof. He reported that as of yet, there is no formal report regarding the Police Firing Range. He stated that the Recreation Commission attended Back to School Night and also that the Bowling program and Basketball program are in full swing. He stated that the Commission has decided on dates for next year's Halloween parade – October 15th with a rain date of the 22nd. This year at the parade there was a record number of people.

Councilman Bunce stated that the DPW has ordered salt to fill both sheds so the Borough is well prepared for winter. The Finance Committee is diligently working on the budget and a contract for a new administrator. He reminded everyone that on November 20th the KOC will be sponsoring a pancake Breakfast at St. Jude's church. He also expressed his sympathies to the families of Mary Takacs and Jim Vanderhoof. He stated that they both will be missed.

Council President Padula stated that the Redevelopment Committee will be meeting with residents in the proposed "Redevelopment Zone" on November 14th.

PUBLIC COMMENT:

Councilman Young 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 Bunce. All were in favor.

Mara Modes, Ithanell Road, asked if the Developer's Agreement for Patrick's Pub is for the parking lot and Councilman Francis responded that it is.

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.

APPROVAL OF MINUTES:

Councilman Young made a motion to approve the meeting minutes of the special meeting held on October 12, 2016 and the Executive Session minutes from the special meeting of October 12, 2016. (All present) Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Young

Nays: None Absent: Schindelar Abstentions: None

Councilman Bunce made a motion to adopt the minutes of the special meeting of October 17, 2016. (Absent: Padula) Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Young

Nays: None Absent: Schindelar Abstentions: Padula

Councilman Bunce made a motion to adopt the regular meeting minutes of October 19, 2016. (All present) Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Young

Nays: None Absent: Schindelar Abstentions: None

Councilman Young made a motion to adopt the meeting minutes of the special meeting held on October 24, 2016 and the Executive Session minutes from the special meeting of October 24, 2016. (Absent: Petillo) Seconded by Councilman Bunce.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Padula, Young

Nays: None Absent: Schindelar Abstentions: None

CONSENT AGENDA: Council President Padula 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, Council President Padula requested a motion to approve the consent agenda.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Borough of Stanhope: Ordinance # 2016-16.
2. Township of Sparta: Amendment to Byram Township Master Plan.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Tax Collector Monthly Report: September 2016.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Resolution #2016-235 – Outside Lien Redemption, Block 30327, Lot 9

Councilman Bunce made a motion to approve the Consent Agenda for the meeting of November 2, 2016. Seconded by Councilwoman Galate.

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

INTRODUCTION OF ORDINANCES:

ADOPTION OF ORDINANCES:

RESOLUTIONS:

Resolution #2016-232 – Property Donation Authorization

Councilman Young made a motion to adopt a resolution authorizing the Borough Attorney to conduct a title search on 138 Oregon Trail, Block 40503 for the purpose of confirming that the parcel can be accepted for donation. Seconded by Councilman Bunce.

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

Resolution #2016-233 – Payment of Bills

Councilman Bunce made a motion to adopt a resolution authorizing the payment of bills for the meeting of November 2, 2016, removing check numbers 1601864, 1600101, 1601250, 1601252, 1601797. Seconded by Councilman Young.

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

Councilman Bunce made a motion to approve the payment of check numbers 1601864, 1600101, 1601250, 1601252, 1601797. Seconded by Councilman Young.

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

Resolution #2016-234 – Hiring of Part Time Kitchen Help

Councilwoman Galate began a discussion regarding the job title of this employee. She stated that she believes that there is no position titled "Recreation Aide" and that it should be changed to "Kitchen Help". After discussion, the Governing Body agreed to change the title.

Councilman Bunce made a motion to amend the position title and change it to "Kitchen Help". Seconded by Councilman Francis. All were in favor

Councilman Bunce made a motion to adopt a resolution approving the hiring of Stojce Dimovski as a part time Kitchen Help, effective October 24, 2016 at a rate of \$11.00 per hour. Seconded by Councilman Francis.

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

OLD BUSINESS:

NEW BUSINESS:

Developer's Agreement – Sussex County/Borough of Hopatcong/Greentree at Hopatcong III LLC

Councilman Bunce made a motion to table the approval of an agreement entitled "COUNTY OF SUSSEX, BOROUGH OF HOPATCONG, AND DEVELOPER'S STREETSCAPE DESIGN, CONSTRUCTION, OPERATIONS AND MAINTENANCE AGREEMENT", because the agreement with the Borough has yet to be signed by the Developer. Seconded by Councilman Francis.

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

Edmunds & Associates Software Support and License Agreement

Councilman Young made a motion to approve the Software Support and License Agreement submitted by Edmunds & Associates (purchasing software) for the year 2017. Seconded by Councilman Bunce.

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

Developer's Agreement – Seanaidan, LLC (Patrick's Pub)/Hopatcong Borough

Councilman Bunce made a motion to approve a Developer's Agreement between Seanaidan, LLC (Patrick's Pub) and Hopatcong Borough. Seconded by Councilwoman Galate.

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

Easement for 403 River Styx Road

Councilman Francis made a motion to direct the Borough Attorney to work with the owners of 403 River Styx Road to grant them an easement because their driveway is partially on Litchester Road. Seconded by Councilman Young.

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

PUBLIC COMMENT:

Councilman Young 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 Bunce. All were in favor.

Henry Schmidt from the group "Senior's Incorporated" gave the Council a letter asking for clarification regarding how the budget that is allocated for senior services is spent. He asked about trips, buses, parties etc.

After discussion Mr. Schmidt was told to come to the municipal building tomorrow and the CFO would print out a detailed accounting of those budget lines.

David Harris asked what the process was for the December 6th Land Use meeting and Councilman Francis responded that the Land Use Board will discuss amongst the members whether or not they believe that the area qualifies for an area in need of redevelopment. If they do, then they will make that recommendation to the Governing Body. The Governing Body will then hold a public hearing prior to them making a decision as to whether or not to send it back to the Land Use Board for them to create the plan for the area.

Mara Modes asked if the Council had to have a public hearing and Councilman Francis responded that they do.

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 public.

RESOLUTION FOR EXECUTIVE SESSION:

Councilman Bunce made a motion to adopt a resolution to adjourn into Executive Session to discuss items of personnel and negotiations. Seconded by Councilman Young. 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 Bunce made a motion to adjourn Executive Session 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 November 2, 2016. Seconded by Councilman Young. All were in favor.

Frank Padula, Council President

Catherine Schultz, RMC