

**CONSENT AGENDA  
FOR THE MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF SUSSEX  
AT 2 MAIN STREET, SUSSEX NJ HELD ON  
August 16, 2016**

---

ALL MATTERS LISTED BELOW ARE CONSIDERED ROUTINE IN NATURE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF ANY DISCUSSION IS DESIRED, THAT PARTICULAR ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY.

---

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

1. Resolution from the County of Sussex: Urging Governor Chris Christie and the New Jersey State Legislature to Adopt "Legislative Budget Resolution Request No.4287". (Prime Sponsor, Senator Steven V. Oroho, R-24) Providing \$21 Million to Create a Funding Mechanism for County Governing Bodies to Offset the Costs Associated with Implementing Criminal Justice Reform.
2. Resolution from the Township of Fredon, County of Sussex and State of New Jersey Opposing the State Legislature's Gas Tax of \$0.23 Per Gallon.

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

1. Clerk's Report for the month of July 2016.
2. Water Sewer Collector report for the month of July 2016.
3. Tax Collector's report for the month of July 2016.
4. Construction Department report for the month of July 2016.
5. Property Maintenance Department report for the month of July 2016.
6. Sussex Borough Zoning Report for July 2016.
7. Grant writer's report July 2016
8. Sussex Borough Cash Report July 2016
9. Delinquent Utility Properties report as of August 9, 2016.
10. Unpaid Utility Properties report as of August 9, 2016.
11. Water Shut Off report as of August 9, 2016

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

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

1. Payment of bills for the meeting of August 16, 2016.



CLERK OF THE BOARD OF CHOSEN FREEHOLDERS  
Sussex County Administrative Center  
One Spring Street  
Newton, New Jersey 07860  
Tel. 973-579-0240  
FAX 973-383-1124  
EMAIL [cwilliams@sussex.nj.us](mailto:cwilliams@sussex.nj.us)

Catherine M. Williams  
*Clerk of the Board*

## County of Sussex

---

July 14, 2016

Honorable Chris Christie, Governor  
State of New Jersey  
Office of the Governor  
P.O. Box 001  
Trenton, NJ 08625

RESOLUTION RE **URGING GOVERNOR CHRIS CHRISTIE AND THE  
NEW JERSEY STATE LEGISLATURE TO ADOPT  
"LEGISLATOR BUDGET RESOLUTION REQUEST NO.  
4287" (PRIME SPONSOR, SENATOR STEVEN V. OROHO,  
R-24) PROVIDING \$21 MILLION TO CREATE A FUNDING  
MECHANISM FOR COUNTY GOVERNING BODIES TO  
OFFSET THE COSTS ASSOCIATED WITH  
IMPLEMENTING CRIMINAL JUSTICE REFORM**

Dear Governor Christie:

The above-captioned Resolutions were adopted by the Sussex County Board of Chosen Freeholders at its meeting held on July 13, 2016.

Enclosed please find a certified copy of the Resolutions for your files. Should further information be required, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Catherine M. Williams" followed by a stylized flourish.

Catherine M. Williams, Clerk  
Board of Chosen Freeholders  
County of Sussex

/sg

Enclosure

Cc: Honorable Stephen M. Sweeney, President of the Senate  
Honorable Vincent Prieto, Speaker of the General Assembly  
Honorable Steven V. Oroho, State Senator  
Honorable Parker Space, State Assemblyman  
Honorable Gall Phoebus, State Assemblywoman  
The Freeholder Boards of New Jersey's 20 other counties

**RESOLUTION RE: URGING GOVERNOR CHRIS CHRISTIE AND THE NEWJERSEY STATE LEGISLATURE TO ADOPT "LEGISLATOR BUDGET RESOLUTION REQUEST NO. 4287" (PRIME SPONSOR, SENATOR STEVEN V. OROHO, R-24) PROVIDING \$21 MILLION TO CREATE A FUNDING MECHANISM FOR COUNTY GOVERNING BODIES TO OFFSET THE COSTS ASSOCIATED WITH IMPLEMENTING CRIMINAL JUSTICE REFORM**

**WHEREAS**, county governments across the State have a significant role in implementing and administering Criminal Justice Reform with five pilot counties, including Sussex County, set to begin in July 2016, with the remaining counties to begin in January 2017; and,

**WHEREAS**, county governments are committed to effectively implementing and administering the new law as good public policy, and as a means for reducing the inmate population and long-term operating expenses at county jails; and,

**WHEREAS**, county governments face substantial costs associated with implementing the reforms that will impact the delivery of other critical services as well as the use of valuable public property and taxpayer dollars; and,

**WHEREAS**, despite laudable efforts to streamline services and stabilize budgets, county governments do not maintain sufficient financial resources to provide for additional salaries and wages, health and pension benefits, operation and maintenance expenses, court security enhancements, court security improvements, and other capital expenses, required for implementing and administering Criminal Justice Reform; and,

**WHEREAS**, initial and continuous sources of funding are necessary to assist county governments with facilitating this important and timely initiative.

**NOW, THEREFORE, BE IT RESOLVED** that the Sussex County Board of Chosen Freeholders does hereby urge Governor Chris Christie and the New Jersey State Legislature to adopt Legislator Budget Resolution Request No. 4287 (Prime Sponsor, Senator Steven V. Oroho, R-24), which would create a new line-item in the State Budget entitled "County Support of Criminal Justice Reform" and appropriate \$21 million dollars for county implementation of Criminal Justice Reform; and

**BE IT FURTHER RESOLVED** that certified copies of this Resolution are to be forwarded to the Governor of the State of New Jersey Chris Christie; the President of the New Jersey State Senate Steve Sweeney; the Speaker of the General Assembly Vincent Prieto; Sussex County State Legislators; and the Clerks of the Board of Chosen Freeholders in the other twenty counties in the State of New Jersey; and a copy is available in On-Base.

Certified as a true copy of the Resolution adopted by the Board of Chosen Freeholders on the 13th day of July, 2016.

*Catherine M. Williams*

Catherine M. Williams, Clerk  
Board of Chosen Freeholders  
County of Sussex

RECORD OF VOTE						
FREEHOLDER	AYE	NAY	ABST	ABS	MOVE	SEC
Crabb	<input checked="" type="checkbox"/>					
Gralano	<input checked="" type="checkbox"/>					
Lazzaro	<input checked="" type="checkbox"/>					
Ross				<input checked="" type="checkbox"/>		
Vohden	<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>

ABST - Absent  
MOVE - Resolution Moved

ABS - Absent  
SEC - Resolution Seconded

**LEGISLATOR BUDGET RESOLUTION REQUEST**

**PRIME SPONSORS:** Oroho, Steven V.

**OTHER SPONSORS:**

Complete one or more of the following sections as appropriate.

**SECTION 1: LINE-ITEM CHANGES**

**Summary:** \$21 million to support county implementation of criminal justice reforms

**Synopsis:** \$21 million to Administrative Office of the Courts to distribute to 21 counties based on incidents and need in their respective county court systems to support the implementation of the new criminal justice reforms including the Hall of Justice and

**Line-item name** County Support for Criminal Justice Reform

**Would the resolution:**

- increase the line-item
- decrease the line-item
- add a new line-item
- eliminate a line-item in its entirety

If this line item appears in the Governor's proposed budget, what is the recommended amount and on what page is it listed?

**Amount of:**

**increase sought:** \_\_\_\_\_

**decrease sought:** \_\_\_\_\_

**new line-item:** \$21,000,000

**TOWNSHIP OF FREDON  
RESOLUTION 2016-51**

**RESOLUTION OF THE TOWNSHIP OF FREDON, COUNTY OF SUSSEX AND  
STATE OF NEW JERSEY OPPOSING THE STATE LEGISLATURE'S GAS TAX OF  
\$0.23 PER GALLON**

**WHEREAS, the Mayor and Committee have discussed the State Legislature's and Governor's proposal to increase the gas tax by \$0.23 per gallon; and**

**WHEREAS, the Mayor and Committee recognize that Sussex County has over 40,000 commuter trips from the County's residents that extend throughout the State of New Jersey; and**

**WHEREAS, these commuters will likely expend in excess of \$300 per year as a direct result of the \$0.23 per gallon gas tax proposed by the Governor and the certain State Legislators; and**

**WHEREAS, the Mayor and Committee believe that based on the geographic location of Sussex County, this tax will provide an inequity to the residents of Sussex County in that these commutes to Morris, Passaic, Essex and Bergen Counties will be more costly and cause a financial hardship to the residents of Sussex County; and**

**WHEREAS, the governing body discussed the overall economic hardships that this gas tax, as well as the deprivation of municipalities receiving the energy tax receipts which have been retained by the State of New Jersey as opposed to being provided to local governments, has resulted in a tax burden that is harmful to the overall quality of life of the residents of the Township of Fredon and Sussex County; and**

**WHEREAS, the Mayor and Committee hereby demand that our local legislators recognize the inequity of a gas tax that is exacerbated by the fact that residents of Sussex County will pay even more than average \$300 per year in additional taxes to the State of New Jersey if in fact this is approved.**

**NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Fredon, County of Sussex and State of New Jersey that the governing body of the Township of Fredon vigorously opposes, objects and urges our State Legislative representatives to oppose this \$0.23 gas tax.**

**BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Township's local legislators and all Sussex County Municipalities urging to take action to oppose the legislation on behalf of Sussex County residents.**

**This Resolution shall take effect immediately.**

**CERTIFICATION**

**I hereby certify that the above is a true copy of a Resolution passed by the Fredon Township Committee at a Regular Meeting of that body held on July 14, 2016.**

---

Joanne Charner, RMC  
Municipal Clerk

# Cash Book Full Listing

Ordance

0

Cash Book Date : 07/31/16

Page 2

Mon Aug 1 09:50:36 2016

Dep #	Date	Paid By	Id Num	Block	Lot	Qual	Prior	Currt	Pre-Paid	Interest	Other	Mode	Total
Description			Month To Date			Year To Date							

Current Year Collected :		0.00		0.00
Pre Payments Collected :		0.00		0.00
Interest Collected :		0.00		0.00
PARKING PER :		175.00		175.00
ROAD OPEN :		150.00		150.00
OTHER :		10.00		10.00
DEATH CERT :		670.00		670.00
BIRTH CERT. :		110.00		110.00
MARR CERT :		30.00		30.00
Account Totals :		1145.00		30.00

MONTHLY CLERKS RECEIPTS

	Marriage Certificate	Solicitation Permits	Burial Permit	Death Certificate	Road Opening	Parking	Food Licenses	Copies	Leaf Bags	Raffle Licenses	Liquor Licenses	Marriage License	Marriage License State Fee	Birth Certificate	Monthly Totals
January	\$ -	\$ -	\$ -	\$ 640.00	\$ -	\$ 2,325.00	\$ 600.00	\$ -	\$ -	\$ -	\$ -	\$ 3.00	\$ 25.00	\$ 50.00	\$ 3,643.00
February	\$ 40.00	\$ -	\$ -	\$ 910.00	\$ 150.00	\$ 150.00	\$ 100.00	\$ 0.55	\$ -	\$ 40.00	\$ -	\$ -	\$ -	\$ 160.00	\$ 1,550.55
March	\$ 20.00	\$ -	\$ -	\$ 630.00	\$ 300.00	\$ 200.00	\$ -	\$ -	\$ -	\$ 180.00	\$ -	\$ -	\$ -	\$ 70.00	\$ 1,400.00
April	\$ 20.00	\$ -	\$ -	\$ 660.00	\$ -	\$ 200.00	\$ 50.00	\$ 1.38	\$ -	\$ -	\$ -	\$ 3.00	\$ 25.00	\$ 60.00	\$ 1,019.38
May	\$ -	\$ -	\$ -	\$ 960.00	\$ 300.00	\$ 75.00	\$ -	\$ 1.70	\$ -	\$ -	\$ 3,200.00	\$ 3.00	\$ 25.00	\$ 70.00	\$ 4,634.70
June	\$ -	\$ -	\$ -	\$ 1,160.00	\$ -	\$ 1,285.00	\$ -	\$ -	\$ -	\$ 40.00	\$ 1,200.00	\$ -	\$ -	\$ 20.00	\$ 3,705.00
July	\$ 30.00	\$ -	\$ -	\$ 670.00	\$ 150.00	\$ 175.00	\$ -	\$ 10.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 110.00	\$ 1,145.00
August	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
September	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
October	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
November	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
December	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals	\$ 110.00	\$ -	\$ -	\$ 5,630.00	\$ 900.00	\$ 4,410.00	\$ 750.00	\$ 13.63	\$ -	\$ 260.00	\$ 4,400.00	\$ 9.00	\$ 75.00	\$ 540.00	

Grand Total For Year	\$ 17,097.63
----------------------	--------------

Respectfully Submitted,



Colleen Little, CMR

UTILITY RECEIPTS SUMMARY REPORT from: 7/ 1/16 to 7/31/16  
 Mon Aug 1 09:27:03 2016

Service Description	Code	Paid	Adjusted	Receipt Mod	Voided	OvrPd/Appld	Refunded	Adjusted Final Payments
Water Rents	W	158,979.12	1,074.57	1,578.80-	0.00	1,513.86-	0.00	155,886.46
Sewer Rents	S	102,692.64	962.00	221.10	0.00	1,513.86	0.00	104,427.60
Interest on Water	I	553.18	0.00	503.21	0.00	0.00	0.00	1,056.39
Interest on Sewer	N	629.19	0.00	854.49	0.00	0.00	0.00	1,483.68
Misc. Service Calls	M	509.00	0.00	0.00	0.00	0.00	0.00	509.00
Hydrants	H	875.00	0.00	0.00	0.00	0.00	0.00	875.00
		-----	-----	-----	-----	-----	-----	-----
<b>Total</b>		<b>264,238.13</b>	<b>2,036.57</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>264,238.13</b>

Totals By Utility:

Service Description	Paid	Adjusted	Receipt Mod	Voided	OvrPd/Appld	Refunded	Adjusted Final Payments
Water	159,532.30	1,074.57	1,075.59-	0.00	1,513.86-	0.00	156,942.85
Sewer	103,321.83	962.00	1,075.59	0.00	1,513.86	0.00	105,911.28
Miscellaneous	1,384.00	0.00	0.00	0.00	0.00	0.00	1,384.00
	-----	-----	-----	-----	-----	-----	-----
<b>Total</b>	<b>264,238.13</b>	<b>2,036.57</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>264,238.13</b>

Collector's Cash Book Breakdown for July 2016. The Last Deposit Slip Number Was 81.

SUSSEX BOROUGH TAX COLLECTOR

Wed Aug 3 14:53:30 EDT 2016

Description	Month To Date	Year To Date	Account
Tax Search	0.00	0.00	01400104
Twp Lien	0.00	47,497.80	01400104
Dup Bill	0.00	0.00	01400104
Tax Lien	0.00	45,992.99	01400104
Lieu Tax	0.00	0.00	01400104
Unallocated	0.00	0.00	01400104
So Dis	0.00	0.00	01400104
Miscellaneous	0.00	0.00	01400104
REC FEE	0.00	0.00	01400104
RETURN CHECK	0.00	0.00	01400104
MCFAY	0.00	0.00	01400104
2013 Taxes	0.00	413.36	01400104
2014 Taxes	0.00	577.77	01400104
2015 Taxes	562.63	68,775.57	01400104
Prior Year Taxes	562.63	69,766.70	01400104
Current Year Taxes	233,743.21	1,874,845.80	01400104
Prepaid Taxes 2017	8,691.13	8,691.13	01400104
Interest	233.30	13,761.07	01400104
<b>General Account Totals</b>	<b>243,230.27</b>	<b>2,060,555.34</b>	
PREMIUM	0.00	0.00	
CANCEL CERT	0.00	0.00	
<b>Totals for All Accounts</b>	<b>243,230.27</b>	<b>2,060,555.34</b>	

*Respectfully Submitted*  
*Melissa Carter*  
 Tax Collector

Wed Aug 3 14:55:32 EDT 2016

THIS IS NOT AN AUDIT REPORT DO NOT GIVE  
TO AUDITORS

SUSSEX BOROUGH TAX COLLECTOR  
Collector's Percentage Collected to 8/03/16

Quarter 1 Taxes Due	:	930,715.11	
Quarter 1 Adjustments	:	0.00	
Quarter 1 Taxes Paid	:	904,363.70-	
Quarter 1 Open Balance	:	26,351.41	
Quarter 1 Collection Rate	:	97.16869%	
Quarter 2 Taxes Due	:	930,712.25	
Quarter 2 Adjustments	:	50,750.24-	
Quarter 2 Taxes Paid	:	943,786.78-	
Quarter 2 Open Balance	:	36,175.23	
Quarter 2 Collection Rate	:	96.11317%	
Quarter 3 Taxes Due	:	1,019,788.81	
Quarter 3 Adjustments	:	1,528.39-	
Quarter 3 Taxes Paid	:	336,288.34-	
Quarter 3 Open Balance	:	681,972.08	
Quarter 3 Collection Rate	:	33.12615%	
Quarter 4 Taxes Due (Inc A/O)	:	1,019,785.91	
Quarter 4 Adjustments (Inc A/O)	:	1,528.38-	
Quarter 4 Taxes Paid (Inc A/O)	:	5,647.95-	
Quarter 4 Open Balance (Inc A/O)	:	1,012,609.58	
Quarter 4 Collection Rate (Inc A/O)	:	0.70371%	
Total Tax Due	:	3,913,502.08	
Total A/O Due	:	0.00	
Total Deductions	:	12,500.00-	
Total Net Tax Due	:	3,901,002.08	
Total Tax Paid	:	2,090,086.77-	
Total A/O Paid	:	0.00	
Total Over Paid	:	469.55	
Total Adjustments	:	53,807.01-	
Total Percent Balance:	1,757,577.85	Collection Rate	: 53.55617%
Total Percent Balance:	1,757,577.85	Rate Inc Home Benefit:	54.84361%
Transfer to O/P Rec	:	0.00	
Total Open Balance	:	1,757,577.85	
Total Interest Paid	:	3,295.53	
Total A/O Int Paid	:	0.00	

Month	Current Year	Add/Quit	Cash Book	Difference	QP Applied	Disallow	Allow	Appeals	Trans D/P	Rent	Honr Ben
Pre Pay	42,694.41	0.00	0.00	42,694.41							
January	278,676.34	0.00	278,676.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
February	549,162.99	0.00	549,162.99	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
March	37,042.96	0.00	37,042.96	0.00	61,391.88	0.00	0.00	0.00	0.00	0.00	0.00
April	213,133.25	0.00	213,133.25	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
May	517,941.71	0.00	517,941.71	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
June	45,145.34	0.00	45,145.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	49,833.33
July	233,743.21	0.00	233,743.21	0.00	0.00	0.00	1,000.00	0.00	0.00	0.00	0.00
August	111,154.68	0.00	0.00	111,154.68	0.00	0.00	0.00	0.00	0.00	0.00	0.00
September	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
October	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
November	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
December	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Totals	2,028,694.89	0.00	1,874,845.80	153,849.09	61,391.88	0.00	1,000.00	0.00	0.00	0.00	49,833.33
Less Pre	1,986,000.48	0.00	1,874,845.80	111,154.68							

**OFFICE OF CONSTRUCTION OFFICIAL**

**Construction Permit Activity Report**

RANGE: 07/01/2016 To 07/31/2016

August 01, 2016 11:57:33AM

SUMMARY

CONSTRUCTION COSTS

COUNT

Cost Of Construction:	\$0.00	Cubic Footage:	0 Cu.ft	Permit Issued:	7
Cost Of Alteration:	\$23,771.00	Square Footage:	0 Sq.ft	Updates Issued:	1
Cost Of Demolition:	\$0.00			All Fees Waived:	0
Total Cost:	\$23,771.00			Municipal Fees Waived:	0

PERMIT FEES

ADMIN FEES

WAIVED FEES

TOTAL FEES

Building:	\$214.00	Building:	\$0.00	Building:	\$0.00	Building Fees:	\$214.00
Electrical:	\$440.00	Electrical:	\$0.00	Electrical:	\$0.00	Electrical Fees:	\$440.00
Fire :	\$0.00	Fire :	\$0.00	Fire :	\$0.00	Fire Fees:	\$0.00
Plumbing:	\$151.00	Plumbing:	\$0.00	Plumbing:	\$0.00	Plumbing Fees:	\$151.00
Elevator:	\$0.00	Elevator:	\$0.00	Elevator:	\$0.00	Elevator Fees:	\$0.00
Mechanical:	\$300.00	Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical Fees:	\$300.00
				* Total Waived:	\$0.00	Technical Fees:	\$1,105.00

DCA

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$0.00	\$0.00	\$0.00
Alteration Training Fee:	\$45.00	\$0.00	\$45.00
DCA Minimum Fee:	0.00	0.00	0.00
Sub total Training Fee:	\$45.00	\$0.00	\$45.00

TECHNICAL ISSUES

Building Technical:	2
Electrical Technical:	4
Fire Protection Technical:	
Plumbing Technical:	2
Elevator Technical:	
Mechanical Technical:	4

CERTIFICATE ISSUES

Certificate of Occupancy:	2
Certificate of Approval:	7
Certificate of Continued Occupancy:	0

Certificate of Occupancy Fee:	\$0.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$0.00

PERMIT FEES:	\$1,105.00
DCA FEES:	\$45.00
CERTIFICATE FEES:	\$0.00
NET TOTAL FEES:	\$1,150.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$0.00
GRAND TOTAL FEES:	\$1,150.00

**OFFICE OF THE CONSTRUCTION OFFICIAL**

**Activity Trend**

August 01, 2016 11:58:07AM

The following figures compare the construction activity for the selected time period with two previous totals. They are:  
 Monthly : Previous month and same month, previous year.  
 Quarterly : Previous quarter and same quarter, previous year  
 Yearly : Previous year and two years prior, i.e. 1997: 1996/1995

**FIGURES**

	<b>July, 2016</b>	<b>June, 2016</b>	<b>July, 2015</b>
Building:	214.00	686.00	360.00
Electric:	440.00	110.00	330.00
Fire Protection:	0.00	0.00	0.00
Plumbing:	151.00	0.00	336.00
Elevator:	0.00	0.00	0.00
Mechanical:	300.00	0.00	170.00
Admn Fee:	0.00	0.00	0.00
DCA Vol Fee:	0.00	3.00	0.00
DCA Alt Fee:	45.00	124.00	64.00
DCA Min Fee:	0.00	0.00	0.00
C of O Fee:	0.00	100.00	0.00
Total Fees:	1,150.00	698.00	1,260.00
Waived Fees:	0.00	325.00	0.00
Total Costs:	23,771.00	71,910.00	33,023.00
Permit Count:	7.00	8.00	6.00
Update Count:	1.00	1.00	1.00

**PERCENTAGES**

	<b>Last Month</b>	<b>Last Year</b>
Percent costs [Up/Down]:	-66.94 %	28.02 %
Percent Fees[Up/Down]:	39.30 %	8.73 %

Completed Inspections For All Subcodes

Range From 07/01/2016 To 07/31/2016

August 01, 2016 11:58:34AM

Permit Number	Block	Lot	Qual	Owner Name	Address	Type1	R1	Type2	R2	Type3	R3	
Call Date	Request Date	Inspected Date										

Inspection Summary

	Totals	Percentage	Key:
Inspections Scheduled:	19		F - Pass
Inspections Passed:	19	100.00	F - Fail
Inspections Failed:			C - Cancel
Inspections Cancelled:			X - Not Ready
Inspections Not Done:			N - Not Done
Inspections Not Ready:			



**Borough of Sussex**  
**July 2016 Grant Report**  
**Prepared by: Bruno Associates, Inc.**

**Grant Work:**

**USDA Water and Waste Disposal Loans and Grants Program**

This project now has two components:

- 1) Water Meter Replacement – Cost \$400,000
- 2) Replace 3 Sewer Force Main sections – Cost \$400,000

Of the \$800,000 application amount, the grant is \$360,000, the loan is \$240,000 at 2.25%, and the Sussex contribution is \$200,000. Received notification from USDA on May 27<sup>th</sup> of the award. The Mayor and Council made the award public in July.

**H2Loan Projects - Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF)**

This project has five components:

- 1) Water Meter Replacement – Cost \$400,000 (DWSRF)
- 2) Water Line at the Double S Diner bridge – Cost \$150,000 (DWSRF)
- 3) Replace 3 Sewer Force Main sections – Cost \$400,000 (CWSRF)
- 4) Water Transmission Valves – Cost \$32,000 (DWSRF)
- 5) Replace 6 +/- Valves in the Distribution System – Cost \$24,000 (DWSRF)

Total cost is \$1,006,000.

We were notified by H2Loans that a project reviewer engineer was assigned to review our 3 applications. Contacted him to remind him about our USDA award. Exchanged emails inquiring on the status of the H2Loans application in view of the USDA award. Awaiting a response from H2Loans on the disposition of our application and the viability of receiving and closing on a loan for water valves only with a value of \$56,000. The closing costs may make it impractical.

### **Small Cities CDBG-2016**

This is the \$400,000 grant awarded in December 2015.

The ERR and EA are still pending resolution of the request from native Indians for an archeological dig. Chris Adams of Civil Dynamics is working on this.

### **Small Cities CDBG-2017**

The application period opened on July 1<sup>st</sup>. The application is due on September 9<sup>th</sup>. Reviewed the requirements for the Small Cities CDBG program. We are currently working on the preparation of the application for the \$400,000 maximum from this fund for the new water line installation from Lake Rutherford to the Sussex Borough Water Treatment Facility. Received the Raw Water Turbidity Control Study done by Houser Engineering and opened a new application on SAGE for the CDBG Small Cities program. Prepared a resolution of support that the Council adopted for inclusion with the application. Discussed the requirement for a public hearing in which is scheduled for August 16<sup>th</sup>. It must be advertised at least 7 days in advance. Requested and received a copy of the workshop presentation from Trenton.

Reviewed the Raw Water Turbidity Control Study Alternatives document. Houser Engineering suggests that Horizontal Directional Drilling Configuration 1 is the preferred alternative. We will use that estimate as a basis for our funding request.

Worked on the CDBG Small Cities application on the income eligibility, resolution of support, narrative, public notice documents, grant management, and forms sections.

### **NJDOT Municipal Aid**

The grant will be announced again in September 2016. Linden Street will be considered at that time. Reached out to Sussex concerning the need for cost estimates and pictures for the new Municipal Aid application.

### **Funding Opportunities**

#### **H2Loan Projects - Drinking Water State Revolving Fund (DWSRF)**

We viewed the NJEIT webinar video for H2Loans to become more familiar with the program. Because the water line installation project cost exceeds the available Small Cities CDBG grant maximum of \$400,000, we will apply for the balance of the cost to be covered by a loan from H2Loans. They offer a loan of 75% at zero interest with the balance at prevailing rates. There is no application deadline but they normally review applications in October.

### **Sewer Main Repairs – Local Aid Infrastructure Fund**

This program funds emergency infrastructure improvements. There is no limit to the request for funds and no match required. The only requirement is that the project must be an emergency. If Sussex can determine that the repairs to the sewer mains that seem to be recurring are of an emergency nature, we can apply for funding to repair the sewer mains. Do not include the areas that were in our applications for funding previously at the 3 locations.

**Sussex Borough  
Cash Report for July 2016**

Cash Balances as of June 30, 2016	\$1,173,274.45
Cash Receipts for July 2016	<u>\$527,926.13</u>
Total	\$1,701,200.58
Cash Disbursements for July 2016	<u>\$453,364.61</u>
Cash Balances as of July 31, 2016	<u><u>\$1,247,835.97</u></u>

Account Balances as of July 31, 2016	
Current - Checking	\$427,058.39
Capital - Checking	\$89,011.12
Water Department - Checking	\$409,955.64
Water/Sewer Capital Fund	\$251,321.89
Other Trust Fund	\$59,343.95
Animal Control Fund	<u>\$11,144.98</u>
Total Account Balances	<u><u>\$1,247,835.97</u></u>

*Gail D Magura*

---

Gail D Magura, CFO  
August 9, 2016

## List of Bills - CLEARING ACCOUNT - Sussex

Check#	Vendor	Description	Payment	Check Total
13174	1662 - Accurate Waste Removal	PO 9619 hauling of 8,000 gallons of sludge	2,880.00	2,880.00
13175	1675 - Action Data Services	PO 9693 Payroll w/e 7/9/16 inv#42495	77.84	77.84
13176	1056 - Agnes Burns	PO 9261 Medicare Part B Payment	104.90	104.90
13177	1661 - Agra Environmental & Lab Services	PO 9692 August licensed operator fee inv#44	24,827.00	24,827.00
13178	1815 - American Wear	PO 9624 Account # 1650701	30.50	
		PO 9642 Account # 1650701	30.50	
		PO 9666 Account # 1650701	30.50	
		PO 9687 Uniform delivery Acct#1650700	61.00	152.50
13179	1814 - Bank of America	PO 9699 Account ending in 8363	362.84	362.84
13180	1819 - Banks Industrial Group, LLC	PO 9635 Labor, Material and Equipment to se	8,770.00	8,770.00
13181	1174 - Bassani Power Equipment	PO 9644 Invoice # 8556	25.33	
		PO 9667 Invoice # 8673	1,173.93	1,199.26
13182	1797 - Brady & Correale, L.L.P.	PO 9708 Invoice # 22505 - Langer	200.00	200.00
13183	1756 - Civil Dynamics, Inc	PO 8409 Final Design & Permitting Services	11,029.75	
		PO 9534 Proposal for NJHPO Project Autholri	7,505.00	
		PO 9658 Lake Rutherford Dam ERR/EA	3,335.00	
		PO 9659 Invoice CD#283-10	5,022.50	26,892.25
13184	1401 - County of Sussex	PO 9660 #SB-F 2016 06	483.74	483.74
13185	1844 - Dorsey & Semrau	PO 9716 Invoice # 11869 Sass Muni v Hardyst	510.62	510.62
13186	1497 - EarthCare	PO 9680 Sewage due to FM break Cust#1363206	1,925.00	1,925.00
13187	1847 - Fred Devens Construction	PO 9633 Sodium hypo tank	985.53	985.53
13188	1266 - Garden State Highway Products, Inc	PO 9669 Customer # SUSSEXB	40.00	40.00
13189	1536 - Georgeanna Stoll	PO 9654 Bouquet of Flowers for Senior of th	10.69	10.69
13190	1168 - Hanburg Plumbing Supply	PO 9650 Supplies inv#277358	47.05	
		PO 9671 Invoice #278100	20.80	
		PO 9686 Invoice #278354	73.07	
		PO 9711 Invoice #279343	77.65	218.57
13191	1556 - Harold E. Pellow & Associates, Inc	PO 9668 Invoice # 62987	87.60	87.60
13192	1736 - Houser Engineering, LLC	PO 9136 Public Wastewater Collection System	833.33	
		PO 9137 Water Treatment CTA Project #1210.1	850.00	
		PO 9677 Utility Manager Services	4,000.00	
		PO 9678 Water/sewer engineering fees	1,000.00	
		PO 9695 NJDOT ADA Improvement Project	825.00	
		PO 9720 July 2016 Services Inv# 1600745	304.16	7,812.49
13193	1063 - James L. Moore	PO 9262 Medicare Part B Payment	104.90	104.90
13194	1103 - Jersey Central Power & Light	PO 9713 Account # 100 071 921 595 - concess	4.14	4.14
13195	1315 - Karen I. Moore	PO 9263 Medicare Part B Payment	104.90	104.90
13196	1854 - Kay Park Recreation	PO 9478 Quote ID 02291601NJ - 2 Grills	578.00	578.00
13197	1265 - Konica Minolta Business Solutions	PO 9676 Payer ID 676792	62.28	62.28
13198	1105 - Kuiken Brothers Co. Inc	PO 9610 Account # 070009	220.30	
		PO 9623 Account # 070009	9.98	
		PO 9643 Account # 070009	24.75	
		PO 9643 Account # 070009	17.67	272.70
13199	1788 - McAfee Hardware Co., Inc	PO 9640 Account #2128	58.95	
		PO 9640 Account #2128	205.13	
		PO 9665 Account #2128	35.98	300.06
13200	1549 - Morris Asphalt Supply, Inc	PO 9639 Invoice #16070836	68.64	68.64
13201	1093 - New Jersey Herald	PO 9689 Subscription Acct# 1037299	108.16	
		PO 9718 Customer #2413	390.50	498.66
13202	1139 - NJ Dept. of Health & Senior Svcs	PO 9690 July dog report	33.60	33.60
13203	1727 - One Call Concepts	PO 9632 Utility Mark outs	27.50	
		PO 9632 Utility Mark outs	27.50	55.00
13204	1321 - Pitney Bowes	PO 9710 Lease Invoice #3301230996	330.00	330.00
13205	1161 - R & R Pump Control	PO 9681 Emergency services	714.75	714.75
13206	1478 - RER Supply, LLC	PO 9620 7 yards of topsoil	195.00	195.00
13207	1135 - Rutgers, The State University	PO 9544 CPWM Classes for Michael Restel	1,167.00	1,167.00
13208	1858 - Sherwin Williams	PO 9548 Line Striping Machine	4,050.00	
		PO 9641 Account # 3968-4	221.35	4,271.35
13209	1068 - Statewide Insurance Fund	PO 9682 Inv#1616C75 - 4th Installment for W	9,975.50	
		PO 9682 Inv#1616C75 - 4th Installment for W	14,963.25	24,938.75
13210	1086 - Suburban Energy Services	PO 9679 Account #2232.073007	65.48	65.48
13211	1151 - Sussex County Clerk	PO 9653 Primary Election 2016 County Clerk'	173.08	173.08
13212	1236 - Sussex County Look & Safe, Inc	PO 9621 Invoice # 23809	35.00	35.00
13213	1084 - Sussex County Municipal	PO 9603 3rd Quarter Sewer User Fees	176,037.00	176,037.00
13214	1084 - Sussex County Municipal	PO 9607 Account # BSUS001BS	81.65	81.65

### List of Bills - CLEARING ACCOUNT - Sussex

Check#	Vendor	Description	Payment	Check Total
13215	1084 - Sussex County Municipal	PO 9622 Invoice # 97804604	49.60	49.60
13216	1125 - Sussex Fire Department	PO 9266 2016 Monthly Payments	3,751.66	3,751.66
13217	1092 - Tire King	PO 9608 Invoice # 100440	145.00	145.00
13218	1358 - Tractor Supply Company	PO 9700 Account # 6035 3012 0283 0434	147.84	
		PO 9700 Account # 6035 3012 0283 0434	3.98	151.82
13219	1136 - Treasurer, State of NJ	PO 9638 Program Interest ID 1921001 NJ Safe	720.00	720.00
13220	1288 - USA Blue Book	PO 9672 2 inch engine driven pump	785.05	785.05
13221	1729 - USA Hoist Co., Inc.	PO 9691 August contract billing inv#26267	210.00	210.00
13222	1207 - Wantage Township	PO 9249 2016 Tax Collector Interlocal (Janu	721.50	721.50
TOTAL				294,167.40

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-20-100-020	General Admin Other Expenses	939.34			
01-201-20-120-020	Elections Other Expenses	173.08			
01-201-20-130-020	Finance Administration Other Expenses	392.28			
01-201-20-165-020	Engineering Other Expenses	87.60			
01-201-21-180-020	Planning Board Other Expenses	200.00			
01-201-23-211-020	Insurance Other Insurance Premiums	10,972.65			
01-201-23-215-020	Insurance Workers Compensation Insurance	3,990.60			
01-201-23-220-020	Insurance Employee Group Insurance	314.70			
01-201-25-255-020	Volunteer Fire Company	3,751.66			
01-201-26-290-020	Streets & Roads Other Expenses	4,535.92			
01-201-26-300-020	Street Lighting	4.14			
01-201-26-310-020	Building & Grounds Other Expenses	3,043.99			
01-201-26-320-000	CLOVE LAKE RESTORATION	856.80			
01-201-28-370-020	Recreation Other Expenses	10.69			
01-201-30-460-020	Gasoline and Fuel	483.74			
01-201-41-770-020	Clean Communities Grant	62.91			
01-201-42-160-020	Interlocal Wantage Tax Collector	721.50			
01-260-05-100	Due To Clearing			0.00	30,541.60
<b>TOTALS FOR</b>	<b>Current Fund</b>	<b>30,541.60</b>	<b>0.00</b>	<b>0.00</b>	<b>30,541.60</b>
03-260-05-100	Due To Clearing			0.00	33.60
03-296-56-852-000	Due State Board Of Health			33.60	
<b>TOTALS FOR</b>	<b>Trust Fund</b>	<b>0.00</b>	<b>0.00</b>	<b>33.60</b>	<b>33.60</b>
04-216-55-975-000	Imp Auth 2016-06 - DPW EQUIPMENT			448.13	
04-260-05-100	Due To Clearing			0.00	448.13
<b>TOTALS FOR</b>	<b>General Capital Fund</b>	<b>0.00</b>	<b>0.00</b>	<b>448.13</b>	<b>448.13</b>
08-170-07-000-001	NJ DOT REIMBURSEMENT			304.16	
08-216-55-990-000	Imp Auth Ord 2015-06 - Imp to W/S system			9,755.53	
08-260-05-100	Due To Clearing			0.00	10,059.69
<b>TOTALS FOR</b>	<b>Water Sewer Capital Fund</b>	<b>0.00</b>	<b>0.00</b>	<b>10,059.69</b>	<b>10,059.69</b>
09-201-55-502-020	Water Sewer Operat. OE Water	44,379.30			
09-201-55-503-020	Water Sewer Operat. OE Sewer	193,620.33			
09-201-55-504-002	W/Sr Operating S&W	4,000.00			
09-203-55-502-020	(2015) Water Sewer Operat. OE Water		11,029.75		
09-260-05-100	Due To Clearing			55.00	253,084.38

## Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
TOTALS FOR	Water Sewer Operating Fund	241,999.63	11,029.75	55.00	253,084.38

Total to be paid from Fund 01 Current Fund	30,541.60
Total to be paid from Fund 03 Trust Fund	33.60
Total to be paid from Fund 04 General Capital Fund	448.13
Total to be paid from Fund 08 Water Sewer Capital Fund	10,059.69
Total to be paid from Fund 09 Water Sewer Operating Fund	253,084.38
	294,167.40

## Checks Previously Disbursed

13173	Project Graphics, Inc	PO# 9685	Banners	994.60	8/09/2016
8888	State of NJ Health Benefits	PO# 9674	August Health Insurance Payment	3,748.09	8/08/2016
9999	State of NJ Health Benefits	PO# 9675	August Health Insurance Payment Re	2,113.37	8/08/2016
13172	Wantage Township Tax Collector	PO# 9651	3rd Quarter 2016 Taxes	2,623.12	7/28/2016
13171	Sussex County Treasurer	PO# 9648	3rd Quarter County Open Space Tax	745.19	7/28/2016
13170	Sussex County Treasurer	PO# 9647	3rd Quarter County Library Tax	10,381.14	7/28/2016
12169	Sussex County Treasurer	PO# 9646	3rd Quarter County Health Tax	4,445.55	7/28/2016
13168	Sussex County Treasurer	PO# 9645	3rd Quarter County Purpose Tax	165,562.25	7/28/2016
13167	State of NJ, Dept. of Labor	PO# 9655	Ein 0-226-002-334/000-00 Year end	72.95	7/28/2016
13166	Purchase Power	PO# 9662	Account# 8000-9000-0264-0377	1,020.99	7/28/2016
13165	Jersey Central Power & Light	Multiple: PO# 9652 PO# 9663 PO# 9670		3,536.02	7/28/2016
13164	Country Classic Auto Body	PO# 9656	Repairs to Ambulance	5,983.63	7/28/2016
13163	CenturyLink	Multiple: PO# 9649 PO# 9661		961.48	7/28/2016
72316	Borough of Sussex Payroll		payroll w/e 7/23/16	14,064.64	7/28/2016
70916	Borough of Sussex Payroll		payroll w/e 7/9/16	13,915.44	7/14/2016
				230,168.46	

Total paid from Fund 01 Current Fund	216,815.94
Total paid from Fund 02 State Grant Fund	760.00
Total paid from Fund 09 Water Sewer Operating Fund	12,592.52
	230,168.46

**Total for this Bills List: 524,335.86**

**REGULAR AGENDA  
FOR THE MAYOR AND COUNCIL MEETING, BOROUGH  
OF SUSSEX, HELD AT THE MUNICIPAL BUILDING, 2 MAIN STREET  
SUSSEX, NEW JERSEY AT 7:30 P.M. ON  
AUGUST 16, 2016**

---

- A. **Mayor Little** will call the meeting of **August 16 2016** to order. Clerk will call the roll.
- B. **Mayor Little** will invite all present to salute the flag and to remain standing for a moment of silence.
- C. **Mayor Little** will state that "This meeting is being held in compliance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. It has been properly advertised and certified by the Clerk."

D. **APPROVAL OF AGENDA**

A motion is in order to approve the agenda for August 16, 2016.

E. **PUBLIC HEARING**

The Borough of Sussex is proposing a grant application under the Small Cities Community Development Block Grant Program in the amount of \$400,000 for Lake Rutherford Water Line Installation project. Stephen Welsh, Bruno Associates, will explain the purpose of the hearing.

**Mayor Little** will request a motion to open the meeting to the public for any questions or comments concerning the Small Cities Community Development Block Grant in the amount of \$400,000 for Lake Rutherford Water Line Installation project.

After giving all persons present an opportunity to address the Governing Body, **Mayor Little** will request a motion to close the meeting to the public and return to the regular order of business.

F. **PRESENTATIONS:**

No presentations are scheduled for tonight's meeting.

- G. **COMMITTEE REPORTS:** **Mayor Little** will allow each member of the Council to present their respective committee reports.

- H. **CONSENT AGENDA:** **Mayor Little** will request that the Governing Body review the consent agenda. If any member of the Council desires an item to be removed, the Municipal Clerk shall remove said item, which will then be considered separately. (**Mayor Little** will allow time for the Council to consider changes.)

After all persons have had an opportunity to review the consent agenda and offer requests for changes, **Mayor Little** will request a motion to approve the consent agenda.

- I. **OPEN PUBLIC SESSION:** **Mayor Little** will request 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. All comments should be directed to the Mayor and are limited to 10 minutes.

After giving all persons present an opportunity to address the Governing Body, **Mayor Little** will request a motion to close the meeting to the public and return to the regular order of business.

J. **OLD BUSINESS:**

K. NEW BUSINESS:

1. Approval of Meeting Minutes

A motion is in order to approve the meeting minutes of the Regular Meeting and Executive Session held on July 19, 2016. (Absent: None)  
(Motion requested by Clerk)

2. Resolution 2016-164R – Corrective Action Plan 2015 Audit

A motion is in order to adopt Resolution 2016-164R approving the Corrective Action Plan for the 2015 Audit. (Motion requested by CFO)

3. Resolution 2016-171R – Commence Foreclosure Proceedings

A motion is in order to adopt Resolution 2016-171R authorizing the commencement of foreclosure proceedings regarding certain tax certificates owned by the Borough. (Motion requested by Council)

4. Resolution 2016-177R – Third Quarter 2016 Water/Sewer Adjustments

A motion is in order to adopt Resolution 2016-177R approving the Water/Sewer Collector's adjustments for the third quarter 2016.  
(Motion requested by Water/Sewer Collector)

5. Resolution 2016-178R – Hazard Mitigation Plan

A motion is in order to adopt Resolution 2016-178R adopting the Sussex County Multi-Jurisdictional Hazard Mitigation Plan (Motion requested by OEM Coordinator)

6. Resolution 2016-179R – Change Order #1 Fire Apparatus Purchase

A motion is in order to adopt Resolution 2016-179R approving change order #1 with Rosenbauer Firefighting in the amount of \$21,185.00. (Motion requested by QPA)

7. Resolution 2016-180R – Purchasing Policy and Procedures

A motion is in order to adopt Resolution 2016-180R approving the purchasing policy and procedure manual. (Motion requested by CFO)

8. Resolution 2016-181R – Engineering Services CDBG Grant Application

A motion is in order to adopt Resolution 2016-181R authorizing the Mayor and/or Clerk to execute a contract with Houser Engineering, LLC., to provide engineering and consulting services for the preparation of the CDBG grant application, for a cost not to exceed \$28,530.00. (Motion requested by Clerk)

9. Resolution 2016-183R – Engineering Services Land Acquisition

A motion is in order to adopt Resolution 2016-183R authorizing the Mayor and/or Clerk to execute a contract with Houser Engineering, LLC., to provide engineering and consulting services for land acquisition technical assistance for the Lake Rutherford raw water transmission line for a cost not to exceed \$15,000.00.  
(Motion requested by Clerk)

10. Resolution 2016-184R – CDBG Grant Management Plan Endorsement

A motion is in order to adopt Resolution 2016-184R endorsing the Grant Management Plan prepared as a requirement of the SFY 2017 Small Cities CDBG Grant Application. (Motion requested by Grant Writer)

11. Resolution 2016-185R – Fair Housing - Statement of Actions

A motion is in order to adopt Resolution 2016-185R appointing the Administrator and/or Clerk as the Fair Housing Officer and make assurances that Sussex Borough will comply with the Housing and Community Development Act of 1974, Civil Rights Act of 1964, Fair Housing Act of 1968, Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973. (Motion requested by Grant Writer)

**12. Resolution 2016-186R – Small Cities CDBG Citizen Participation Plan**

A motion is in order to adopt Resolution 2016-186R adopting the Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program. (Motion requested by Grant Writer)

**13. Resolution 2016-187R – Customers Request Water/Sewer Adjustment**

A motion is in order to adopt Resolution 2016-187R approving the customer's request that \$8,646.12 be removed from the billing of account # 970. (Motion requested by Water/Sewer Customer)

**14. Adoption Ordinance 2016-13 – Amend Chapter XXIV Section 24-1.5**

A motion is in order to adopt Ordinance 2016-13 entitled "AN ORDINANCE TO AMEND SUBSECTION 24-1.5, ENTITLED "LAND USE FEES", OF SECTION 24-1, ENTITLED "APPLICATIONS FOR LICENSES, PERMITS OR APPROVALS", OF CHAPTER XXIV, ENTITLED "FEES", OF THE CODE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX, STATE OF NEW JERSEY."  
(Motion requested by Clerk)

**Before final roll call Mayor Little will open the meeting to the public for any questions or concerns regarding Ordinance #2016-13**

**15. Adoption Ordinance 2016-14 – Amend Chapter XXIII Section 13-3.4**

A motion is in order to adopt Ordinance 2016-14 entitled "AN ORDINANCE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AMEND CHAPTER XXIII, SECTION 13-3.4, ENTITLED "SEWER SYSTEM CHARGES," OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF SUSSEX." (Motion requested by Council)

**Before final roll call Mayor Little will open the meeting to the public for any questions or concerns regarding Ordinance #2016-14**

**16. Adoption Ordinance 2016-15 – Amend Chapter III Section 3-6.1**

A motion is in order to adopt Ordinance 2016-15 entitled "AN ORDINANCE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING SUBSECTION 3-6.1, ENTITLED "OBSTRUCTIONS PROHIBITED", OF SECTION 3-6, ENTITLED "USE OF SIDEWALKS", OF CHAPTER III, ENTITLED "POLICE REGULATIONS", OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF SUSSEX." (Motion requested by Council)

**Before final roll call Mayor Little will open the meeting to the public for any questions or concerns regarding Ordinance #2016-15**

**17. Adoption Ordinance 2016-16 – Amend Chapter XXIII Section 13-3.4**

A motion is in order to adopt Ordinance 2016-16 entitled "AN ORDINANCE GRANTING MUNICIPAL CONSENT TO THE ISSUANCE OF A FRANCHISE TO SERVICE ELECTRIC CABLE T.V. OF NEW JERSEY, INC., TO CONSTRUCT, OWN, OPERATE, EXTEND AND MAINTAIN A CABLE TELEVISION SYSTEM IN THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX, SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF SAID MUNICIPAL CONSENT AND PROVIDING FOR THE REGULATION AND USE OF SAID SYSTEM." (Motion requested by Clerk)

**Before final roll call Mayor Little will open the meeting to the public for any questions or concerns regarding Ordinance #2016-16**

**18. Introduction Ordinance 2016-17 – Amend Chapter VI Section 6.5**

A motion is in order to introduce Ordinance 2016-17 entitled "AN ORDINANCE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING SECTION 6.5, ENTITLED "MINORS", OF CHAPTER VI, ENTITLED "ALCOHOLIC BEVERAGE CONTROL", OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF SUSSEX TO ADD SUBSECTION 6-5.7 ENTITLED "CONSUMPTION OR POSSESSION PROHIBITED ON PRIVATE PROPERTY" AND SUBSECTION 6-5.8 ENTITLED "PENALTIES"  
(Motion requested by Council)

**FINAL READING: September 6, 2016**

**19. Introduction Ordinance 2016-18 – \$2,500,000 Bond Ordinance**

A motion is in order to introduce Ordinance 2016-18 entitled "BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE WATER SUPPLY AND DISTRIBUTION SYSTEM IN AND BY THE BOROUGH OF SUSSEX, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$2,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,380,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION."  
(Motion requested by Clerk)

**FINAL READING: September 6, 2016**

- L. **OPEN PUBLIC SESSION:** **Mayor Little** will request a motion to open the meeting to the public for any questions or comments concerning the good and welfare of the Borough. All comments should be directed to the Mayor and are limited to 10 minutes.

After giving all persons present an opportunity to address the Governing Body, **Mayor Little** will request a motion to close the meeting to the public and return to the regular order of business.

M. **EXECUTIVE SESSION – IF REQUESTED**

**Mayor Little** will request a motion to adopt a resolution to adjourn into Executive Session to discuss **Personnel Matters**.

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 SUSSEX, 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.

**Mayor Little** will request a motion to adjourn out of Executive Session and return to the regular order of business.

- N. **ADJOURNMENT:** **Mayor Little** will request a motion to adjourn the meeting.

**SUSSEX BOROUGH  
RESOLUTION #2016-164R**

**CORRECTIVE ACTION PLAN 2015 AUDIT**

**WHEREAS**, the 2015 Annual Audit Report was delivered on July 1, 2016 and regulations promulgated by the Local Fiscal Affairs Law, N.J.S.A. 40A:5 requires that the Chief Financial Officer prepare a Corrective Action Plan covering all findings and recommendations in the audit report; and

**WHEREAS**, N.J.S.A. 40A:5 further requires approval of the Corrective Action Plan within 60 days of audit receipt by the Borough Council;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body, of the Borough of Sussex that the Corrective Action Plan for the 2015 Annual Audit Report prepared by the Borough Chief Financial Officer and attached hereto as "Appendix A" be approved.

**CERTIFICATION:** I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Governing Body of the Borough of Sussex, in the County of Sussex, New Jersey, at a meeting held on August 16, 2016.

Mark Zschack, RMC  
Borough of Sussex

**APPENDIX "A"**

**BOROUGH OF SUSSEX**  
**RESOLUTION #2016-164R**

**Corrective Action Plan for the 2015 Audit Report**

**1. Findings:**

The Borough does not maintain an adequate segregation of duties within the Treasury Department. Segregation of duties refers to separating those functions that place too much control over a transaction or class of transactions that would enable a person to misappropriate funds and prevent detection within a reasonable period of time. The various departments/offices of the Borough are responsible for the issuance of permits and licenses; collection of taxes, utility charges and permits and license fees; and recording of collections. The Deputy Treasurer deposits, disburses funds and posts the activity to the finance software. This situation occurred because of the limited number of employees qualified to perform other accounting functions. The Borough also does not have adequate controls within the software system. The Borough was made aware of this lack of internal control and will consider strengthening Internal Control within reason of the costs and benefits derived.

***Recommendation:***

That adequate segregation of duties within the Treasury Department, Water/Sewer Utility Collector Departments be maintained.

***Corrective Action:***

The Borough Mayor and Council are aware that the state recommends segregation of duties with respect to the recording and treasury functions. Due to the limited staffing, this is not possible at this time. The Borough Mayor and Council will continue to monitor this situation and will make any necessary changes when/if staffing permits.

***Implementation Date:***

**2. Finding:**

There is no formal purchasing and procurement policy.

***Recommendation:***

Recommendation has been made to the council to implement a formal purchasing policy using an online requisition system available as an addition to our existing finance software.

***Corrective Action:***

This matter will again be brought to the attention of the Mayor and Council for consideration.

***Implementation Date:***

Pending

APPENDIX "A"  
BOROUGH OF SUSSEX  
RESOLUTION #2016-164R

3. *Findings:*

That 1099-MISC forms be issued in accordance with IRS requirements.

*Recommendations:*

Finance department will update vendor files to include Federal ID numbers so that the software will generate 1099-MISC automatically.

*Corrective Action:*

Finance Department will send out letters requesting W-9 forms for all current vendors.

*Implementation Date:*

Immediately

4. *Finding:*

That all purchases be properly encumbered and Business Registration Certificates be obtained, as applicable.

*Recommendations:*

In conjunction with the formal purchasing policy, adding the online requisition system to our current software will insure that all purchases are encumbered and purchase orders are issued prior to the purchase. Letters will be sent to all current vendors requesting their Business Registration Certificate.

*Corrective Action:*

This matter will again be brought to the attention of the Mayor and Council for consideration. Also, letters will be sent to all current vendors requesting copies of their Business Registration Certificates.

*Implementation Date:*

August 19, 2016 – Immediately

5. *Finding:*

That ending balances, in the Municipal Court, be reviewed for adjustment or cancellation.

*Recommendations:*

That the Municipal Court contact the AOC for approval to clear up old outstanding balances.

*Corrective Action:*

The Municipal Court Clerk will be contacted in regard to this issue.

*Implementation Date:*

Immediately

**SUSSEX BOROUGH  
RESOLUTION #2016-171R**

**AUTHORIZING COMMENCEMENT OF FORECLOSURE PROCEEDINGS**

WHEREAS, pursuant to N.J.S.A. 54:5-104.35, a list of properties scheduled for tax foreclosure has been prepared by the Tax Collector, which list is as follows:

2016 FORECLOSURE LIST as of August 16, 2016

Schedule #	Certificate #	Name of Owner as if appears on last tax duplicate	Description of land as it appears on Tax Duplicate and Certificate of Sale Block & Lot	Date of Tax Sale	Amount of Tax Sale	Amount of liens accruing subsequent to tax sale	8/19/16 Total	Date of Recording	Book or Page or Instrument number in County Clerk's Office
1	12-01	Gusrieri, Joan	B202,L3	12/19/2012	2,619.02	46,925.24	49,544.26	2/12/2013	MB9097/374
2	10-01	Lott, Elizabeth	B301.04, L212	10/21/10	60.65	1,141.43	1,202.08	11/19/2010	MB8806/672
3	07-05	Morrison, Henry c/o Morrison, Don	B301.13,L199	10/28/08	621.33	19,071.88	19,693.21	12/15/2008	MB8543/565

WHEREAS, the Borough Council of the Borough of Sussex desires to authorize the Borough Attorney to commence tax foreclosure proceedings on these properties.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sussex, in the County of Sussex, in the State of New Jersey at their regular meeting on August 16, 2016, that the Borough Attorney is hereby authorized to commence formal tax foreclosure proceedings regarding the properties and tax certificates reflected on the Tax Foreclosure List set forth above.

**MOTION:**  
**SECOND:**  
**ROLL CALL VOTE:**  
**AYES:**  
**NAYS:**  
**ABSTAIN:**  
**ABSENT:**

**CERTIFICATION:** I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Governing Body of the Borough of Sussex, in the County of Sussex, New Jersey, at a meeting held on August 16, 2016.

Mark Zschack, RMC  
Sussex Borough

**SUSSEX BOROUGH  
RESOLUTION 2016-177R**

**THIRD QUARTER 2016 – WATER/SEWER ADJUSTMENTS**

**Acct# 2696 – 71-73 Main Street** – Due to a high reading last quarter this account received a high estimate. A reading was obtained, the old reading was adjusted and a credit should be applied for \$224.00.

**Acct# 4728 – 6 Lakeview Terrace** – Due to a data error this address was grossly overbilled. A credit of \$3,567.87 should be given and the reading has been altered.

**Acct# 7180 – 409 Route 23** – An interest charge of \$1.30 was removed from this account due to the fact the State of New Jersey, by law, has 60 days to make payment.



**Toni Smith, Water/Sewer Collector  
Borough of Sussex**

**CERTIFICATION:** I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Governing Body of the Borough of Sussex, in the County of Sussex, New Jersey, at a meeting held on August 16, 2016.

**Mark Zschack, RMC  
Sussex Borough**

**SUSSEX BOROUGH  
RESOLUTION 2016-178R**

**HAZARD MITIGATION PLAN**

**WHEREAS** the Borough of Sussex, County of Sussex, New Jersey, has experienced natural hazards that result in public safety hazards and damage to private and public property; and

**WHEREAS** the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk; and

**WHEREAS** the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan; and

**WHEREAS** a *Hazard Mitigation Plan* (HMP) has been developed by the Mitigation Steering and Planning Committees; and

**WHEREAS** the *Hazard Mitigation Plan* includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and

**WHEREAS** the draft plan was provided to each participating jurisdiction and was posted on the Sussex County website so as to introduce the planning concept and to solicit questions and comments; and to present the HMP and request comments, as required by law, and

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Sussex:

1. The *Sussex County Multi-Jurisdictional Hazard Mitigation Plan*, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on **May 31, 2016** by the Sussex County Sheriff's Office, Division of Emergency Management, is hereby adopted as an official plan of the Borough of Sussex; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The Borough of Sussex departments identified in the HMP are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.

**SUSSEX BOROUGH  
RESOLUTION 2016-178R**

3. Any action proposed by the HMP shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Borough of Sussex, and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Sussex County Deputy OEM Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Sussex County Sheriff's Office, Division of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

**CERTIFICATION:** I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Governing Body of the Borough of Sussex, in the County of Sussex, New Jersey, at a meeting held on August 16, 2016.

Mark Zschack, RMC  
Sussex Borough

**SUSSEX BOROUGH  
RESOLUTION 2016-179R**

**CHANGE ORDER #1 – ROSENBAUER FIREFIGHTING  
FIRE APPARATUS PURCHASE**

**WHEREAS**, Rosenbauer Firefighting was awarded a contract to provide a fire apparatus to the Borough in the amount of \$457,009; and

**WHEREAS**, additional items have been requested to be added to the apparatus and other items identified in the original proposal, are requested to be deleted (see attached list); and

**WHEREAS**, the Fire Chief, Jake Little, recommends that the following Change Order be approved:

Change Order #1 – The addition and deletion of certain items for the recently purchased fire apparatus;

**WHEREAS**, the original contract is now amended as follows:

Original Contract	\$457,009
Change Order #1	<u>\$21,185</u>
Revised Contract Totals	\$478,194

**WHEREAS**, the revised contract with Rosenbauer Firefighting, including this Change Order is \$478,194; and

**WHEREAS**, The Chief Financial Officer has certified that funds are available in account # 04-216-55-975-100.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Sussex, County of Sussex, State of New Jersey that Change Order #1 is approved and the above referenced contract shall be amended accordingly.

**CERTIFICATION:** I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Governing Body of the Borough of Sussex, in the County of Sussex, New Jersey, at a meeting held on August 16, 2016.

\_\_\_\_\_  
Mark Zschack, RMC

Sussex Borough

**BOROUGH OF SUSSEX  
RESOLUTION # 2016-180R**

**RESOLUTION ADOPTING PURCHASING POLICY AND PROCEDURE MANUAL**

**WHEREAS**, the Borough of Sussex does not have a written purchasing policy manual, and;

**WHEREAS**, it is necessary to have a written formal policy,

**NOW, THEREFORE BE IT RESOLVED** by the Borough Council of Sussex that the attached purchasing policy and procedure manual be adopted.

**CERTIFICATION:** I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Governing Body of the Borough of Sussex, in the County of Sussex, New Jersey, at a meeting held on August 16, 2016.

Mark Zschack, RMC  
Sussex Borough

**SUSSEX BOROUGH  
RESOLUTION #2016-181R**

**AUTHORIZING THE AWARD OF A CONTRACT FOR  
ENGINEERING AND CONSULTING CDBG GRANT APPLICATIONS**

**WHEREAS**, there is a need to provide engineering and consulting services associated with the preparation of applications for Small Cities Community Development Block Grant (CDGB) for the Lake Rutherford raw water transmission line.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Sussex, County of Sussex, State of New Jersey, authorizes the Mayor and/or Clerk to enter into a contract with Houser Engineering, LLC., 1141 Greenwood Lake Turnpike Ringwood, New Jersey 07456 to provide engineering and consulting services as per proposal No. L160255 dated July 21, 2016 for a not to exceed cost of \$28,530.00

**CERTIFICATION:** I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Governing Body of the Borough of Sussex, in the County of Sussex, New Jersey, at a meeting held on August 16, 2016.

Mark Zschack, RMC  
Sussex Borough

**SUSSEX BOROUGH  
RESOLUTION #2016-183R**

**AUTHORIZING THE AWARD OF A CONTRACT  
FOR ENGINEERING AND CONSULTING  
LAND ACQUISITION TECHNICAL ASSISTANCE**

**WHEREAS**, there is a need to provide technical documentation to the State Agricultural Development Committee (SADC) and the New Jersey Department of Environmental Protection (NJDEP) for land acquisition concerning the Lake Rutherford raw water transmission line.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Sussex, County of Sussex, State of New Jersey, authorizes the Mayor and/or Clerk to enter into a contract with Houser Engineering, LLC., 1141 Greenwood Lake Turnpike Ringwood, New Jersey 07456 to provide Land Acquisition Technical Assistance services as per a supplemental proposal dated August 4, 2016 for a not to exceed cost of \$15,000.00

**CERTIFICATION:** I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Governing Body of the Borough of Sussex, in the County of Sussex, New Jersey, at a meeting held on August 16, 2016.

**Mark Zschack, RMC  
Sussex Borough**

**SUSSEX BOROUGH**

**RESOLUTION # 2016-184R**

**SFY 2017 Small Cities CDBG Grant Management Plan Endorsement**

Borough of Sussex  
Sussex County  
State Of New Jersey

**WHEREAS**, the Borough of Sussex has applied for a grant from the New Jersey Department of Community Affairs for approximately \$400,000 to carry out a project to install a water line from Lake Rutherford to the Sussex Borough Water Treatment Facility; and

**WHEREAS**, in accordance with the Application Guidelines, a Grant Management Plan endorsed by the Mayor and Council of the Borough of Sussex is required;

**NOW, THEREFORE, BE IT RESOLVED**

1) That the Mayor and the Borough Council of the Borough of Sussex, County of Sussex and State of New Jersey does hereby endorse the attached Grant Management Plan prepared as a requirement of the SFY 2017 Small Cities CDBG Grant Application.

**BE IT FURTHER RESOLVED**, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign any other documents necessary in connection therewith.

---

Katherine Little, Mayor

---

Mark Zschack, Administrator/Clerk

This is to certify that the foregoing Resolution was duly adopted at a Regular Meeting of the Borough of Sussex Borough Council which was held on August 16, 2016.

**ATTEST:**

---

Mark Zschack, Administrator/Clerk  
Borough of Sussex

Sussex Borough Resolution 2016-184R  
Grant Management Plan

**Grant Management Staff**

Mayor Katherine Little is the Project Director for the Lake Rutherford Water Line Installation project. She will be responsible for overseeing all grant activities and must certify that Monthly Fiscal and Program Progress Reports are accurate. The Project Coordinator is also responsible for labor standards compliance.

Administrator/Clerk Mark Zschack is the Project Coordinator with overall responsibility for day to day administration of the grant and liaison with the Small Cities Program. He is an employee of Sussex Borough and may not be the Project Director or Chief Financial Officer for Sussex Borough.

Chief Financial Officer Gail Magura is responsible for fiscal administration of this grant.

Gerald Gardner of Houser Engineering, LLC is the Project Engineer for the Lake Rutherford Water Line Installation project.

Stephen Welsh of Bruno Associates, Inc. is the Grant Writer for the Lake Rutherford Water Line Installation project. He submits all grant materials for review by the CDBG Small Cities grant staff.

<b><u>Administrative Task Schedule</u></b>	<b><u>Resp</u></b>	<b><u>Hours</u></b>	<b><u>Task Start</u></b>	<b><u>Task End</u></b>
Prepare and Submit Grant Application	GW	90	July 2016	September 2016
Receive Notice of Award	PD	1	November 2016	November 2016
Project Design	ENG	100	November 2016	April 2017
NJ DEP Review	ENG	50	April 2017	July 2017
Prepare Bid Specifications	ENG	50	July 2017	September 2017
Advertise for Bids	PC	8	September 2017	September 2017
Receive and Award Bids	PC	8	November 2017	December 2017
Track Project Progress	PC	50	November 2016	August 2018
Advertise for and Hold Public Hearing at	PC	6	April 2018	April 2018
<b>Midway of Project Completion</b>				
Submit Grant Status Reporting	PC, CFO	24	April 2017	January 2019

Key—GW = Grant Writer; PD = Project Director; ENG = Engineer; PC = Project Coordinator; CFO = Chief Financial Officer

Sussex Borough Resolution 2016-184R  
Grant Management Plan

<u>Project Schedule</u>	<u>Task Start</u>	<u>Task End</u>
3100' open cut	December 2017	February 2018
Rock Removal	March 2018	April 2018
PRV	March 2018	March 2018
Intake Structure	April 2018	June 2018
Pressure Monitoring Sites	April 2018	June 2018
600' Directional Drill	April 2018	June 2018
Environmental Containment & Cleanup	May 2018	May 2018
Rutherford Level Lowering	May 2018	July 2018
Colesville Dam Removal	June 2018	August 2018
Construction Completed	December 2017	August 2018

**Grant Management Staff Contact Information**

Project Director, Mayor, Katherine Little  
2 Main Street  
Sussex, NJ 07461-2305  
Email: mayor@sussexboro.com  
Phone: 973-875-4422  
Fax: 973-875-6261  
Cell: Not Available

Project Coordinator, Administrator/Clerk, Mark Zschack  
2 Main Street  
Sussex, NJ 07461-2305  
Email: admin@sussexboro.com  
Phone: 973-875-4831  
Fax: 973-875-6261  
Cell: 973-903-4544

Chief Financial Officer, Gail Magura  
2 Main Street  
Sussex, NJ 07461-2305  
Email: cfo@sussexboro.com  
Phone: 973-875-4831  
Fax: 973-875-6261  
Cell: Not Available

Sussex Borough Resolution 2016-184R  
Grant Management Plan

Project Engineer, Gerald Gardner  
Houser Engineering  
1141 Greenwood Lake Tpke.  
Ringwood, NJ 07456  
P.O. Box 760  
Stockholm, NJ 07460-0760  
Sussex, NJ 07461-2305  
Email: [gerry@housereng.com](mailto:gerry@housereng.com)  
Phone: 973-728-2945  
Fax: 973-506-1524  
Cell: 201-966-3844

Grant Writer, Stephen Welsh  
Bruno Associates, Inc.  
1373 Broad Street  
Clifton, NJ 07013  
Email: [swelsh@brunoassociatesinc.com](mailto:swelsh@brunoassociatesinc.com)  
Phone: 973-249-6225  
Fax: 973-249-6301  
Cell: 201-274-4965

**SUSSEX BOROUGH  
SUSSEX COUNTY, NJ**

**RESOLUTION #2016-185R**

**FAIR HOUSING - STATEMENT OF ACTIONS**

**WHEREAS**, the Borough of Sussex will be entering into a grant agreement with the New Jersey Department of Community Affairs (hereafter NJDCA) for the Lake Rutherford Water Line Installation Project; and

**WHEREAS**, the Borough of Sussex must make efforts to affirmatively further fair housing; and

**WHEREAS**, the Borough of Sussex has reviewed various actions that would be acceptable to the NJDCA and the U.S. Department of Housing and Urban Development (hereafter USHUD) and

**WHEREAS**, the Borough of Sussex has made assurances that:

- (1) It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issued thereto; and
- (2) It will comply with the Civil Rights Act of 1964, and the regulations issued thereto; and
- (3) It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing; and
- (4) It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

**NOW, THEREFORE, BE IT RESOLVED** that, Administrator and/or Clerk shall be designated as the Fair Housing Officer for the Borough of Sussex; and

**BE IT FURTHER RESOLVED** that the Fair Housing Officer shall contact the USHUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of his/her appointment as Fair Housing Officer and request Fair Housing Information; and

**BE IT FURTHER RESOLVED** that the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance from the Borough of Sussex; and

**BE IT FURTHER RESOLVED** that the Borough of Sussex will publish in the local newspaper of record and post at the municipal building a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing advisory services.

**CERTIFICATION:** I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Governing Body of the Borough of Sussex, in the County of Sussex, New Jersey, at a meeting held on August 16, 2016.

**Mark Zschack, RMC**  
Borough of Sussex

**SUSSEX BOROUGH  
SUSSEX COUNTY, NJ**

**RESOLUTION #2016-186R**

**CITIZEN PARTICIPATION PLAN**

**WHEREAS**, the Borough of Sussex will be entering into a Grant Agreement with the New Jersey Department of Community Affairs; and

**WHEREAS**, that Grant Agreement requires the Borough of Sussex to comply with all federal regulations with respect to citizen participation; and

**WHEREAS**, the Borough of Sussex has reviewed the Citizen Participation Plan prepared for Small Cities CDBG grantees.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Sussex, County of Sussex and State of New Jersey, that:

The Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the Borough of Sussex; and

The Borough of Sussex will follow all regulations set forth in that document throughout the term of the Grant Agreement cited above.

**CERTIFICATION:** I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Governing Body of the Borough of Sussex, in the County of Sussex, New Jersey, at a meeting held on August 16, 2016.

**Mark Zschack, RMC**  
**Borough of Sussex**

**SUSSEX BOROUGH  
RESOLUTION # 2016-187R**

**CUSTOMER REQUEST FOR  
WATER ADJUSTMENT**

**WHEREAS**, Mr. Edward Garrera (account number 970, 17 Loomis Avenue) was granted a temporary suspension of charges in Resolution 2014-101R, from said account in order to produce evidence and proofs for the Council to consider; and

**WHEREAS**, Mr. Edward Garrera was offered, in Resolution 2015-47R, the establishment of a payment plan to satisfy the delinquent amount; and

**WHEREAS**, Mr. Edward Garrera has submitted additional information for consideration by the Governing Body.

**NOW THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Sussex, in the County of Sussex and State of New Jersey that **\$8,646.12** be removed from the billing of account # 970.

**CERTIFICATION**: I hereby certify that the foregoing to be a true and correct copy of a resolution duly adopted by the Governing Body of the Borough of Sussex, in the County of Sussex, New Jersey, at a meeting held on August 16, 2016.

**Mark Zschack, RMC  
Sussex Borough**

**SUSSEX BOROUGH  
ORDINANCE NO. 2016-13**

**AN ORDINANCE TO AMEND SUBSECTION 24-1.5, ENTITLED  
“LAND USE FEES”, OF SECTION 24-1, ENTITLED  
“APPLICATIONS FOR LICENSES, PERMITS OR APPROVALS”,  
OF CHAPTER XXIV, ENTITLED “FEES”, OF THE CODE OF  
THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX, STATE OF NEW JERSEY.**

BE IT ORDAINED by the Borough Council of the Borough of Sussex, County of Sussex, State of New Jersey, that Subsection 24-1.5, entitled “Land Use Fees”, of Section 24-1, entitled “Applications for Licenses, Permits or Approvals”, of Chapter XXIV, entitled “Fees”, of the Code of the Borough of Sussex, be and is hereby amended as follows:

SECTION 1. The category entitled “Major subdivision – preliminary” of paragraph (a) entitled “Development Application” is amended to change the Review Deposit from “\$2,000.00” to “3,200.00”.

SECTION 2. The category entitled “N.J.S.A. 40:55D-70c” of paragraph (b) entitled “Variance Applications” is amended to change the Review Deposit from “\$750.00” to “1,100.00”.

SECTION 3. The category entitled “N.J.S.A. 40:55D-70d residential zones” of paragraph (b) entitled “Variance Applications” is amended to change the Review Deposit from “\$900.00” to “3,500.00”.

SECTION 4. The category entitled “N.J.S.A. 40:55D-70d all other zones” of paragraph (b) entitled “Variance Applications” is amended to change the Review Deposit from “\$1,200.00” to “3,500.00”.

SECTION 5. Paragraph (g) entitled “Conditional use applications – filing fee” is deleted and replaced with the following:

g. Conditional use applications -- \$250.00 filing fee and \$1,100.00 Review Deposit.”

SECTION 6. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected thereby but shall remain in full force and effect.

SECTION 7. Repealer. All ordinances or parts of ordinances or resolutions inconsistent with or contrary to the provisions of this Ordinance are hereby repealed to the extent of such inconsistency or contrariness. All provisions of Chapter XXIV of the Code of the Borough of Sussex, entitled “Fees”, not amended hereby shall remain in full force and effect.

SECTION 8. This Ordinance shall take effect immediately on its final passage and publication as required by law.

**NOTICE**

NOTICE IS HEREBY GIVEN that the attached Ordinance #2016-13 was introduced at a regular meeting of the Mayor and Council of the Borough of Sussex, Sussex County, New Jersey, held on the 19<sup>th</sup> day of July, 2016 and passed on first reading, and that such Ordinance will be further considered for final passage and adoption at the regular meeting of the Mayor and Council to be held on the 16<sup>th</sup> day of August, 2016 at Borough Hall, 2 Main Street, in the Borough of Sussex, at 7:30 p.m., and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance.

\_\_\_\_\_  
Mark Zschack, Borough Clerk

\_\_\_\_\_  
Katherine Little, Mayor

Introduced: July 19, 2016  
Adopted:

**SUSSEX BOROUGH  
ORDINANCE NO. 2016-14**

**AN ORDINANCE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND  
STATE OF NEW JERSEY TO AMEND CHAPTER XXIII, SECTION 13-3.4, ENTITLED  
"SEWER SYSTEM CHARGES," OF THE GENERAL REVISED ORDINANCES OF  
THE BOROUGH OF SUSSEX**

BE IT ORDAINED by the Mayor and Council of the Borough of Sussex as follows:

**Section 1.** Subparagraph (a) of Section 13-3.4, entitled "Sewer System Charges", is amended to read as follows:

- a. Any property with a connection to the municipal sewer system shall pay the minimum user fees set forth in subsection 24-1.4j regardless of whether the structure or property is using the connection. Except for (i) properties charged transmission fees in accordance with subsection 24-1.4j as of August 16, 2016 and (ii) properties thereafter granted an exemption by resolution of the Borough's governing body, every property connected to the municipal water system must be a direct customer of the Borough under the Borough's sewer allocation arrangements with the Sussex County Municipal Utilities Authority and shall be subject to the minimum "per gallon" and "per EDU" fees established in subsection 24-1.4j(2), regardless whether the property or any structure thereon is using the connection and regardless whether the connection is local or nonlocal.

**Section 2. Severability.**

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected thereby but shall remain in full force and effect.

**Section 3. Repealer.**

All ordinances or parts of ordinances or resolutions inconsistent with or contrary to the provisions of this Ordinance are hereby repealed to the extent of such inconsistency or contrariness.

**Section 4.** This Ordinance shall take effect immediately on its final passage and publication as required by law.

**NOTICE**

NOTICE IS HEREBY GIVEN that the attached Ordinance #2016-14 was introduced at a regular meeting of the Mayor and Council of the Borough of Sussex, Sussex County, New Jersey, held on the 19<sup>th</sup> day of July, 2016, and passed on first reading, and that such Ordinance will be further considered for final passage and adoption at the regular meeting of the Mayor and Council to be held on the 16<sup>th</sup> day of August, 2016, at Borough Hall, 2 Main Street, in the Borough of Sussex, at 7:30 p.m., and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance.

\_\_\_\_\_  
Mark Zschack, Borough Clerk

\_\_\_\_\_  
Katherine Little, Mayor

Introduced: July 19, 2016

Adopted:

**SUSSEX BOROUGH  
ORDINANCE NO. 2016-15**

**AN ORDINANCE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND  
STATE OF NEW JERSEY AMENDING SUBSECTION 3-6.1, ENTITLED  
“OBSTRUCTIONS PROHIBITED”, OF SECTION 3-6, ENTITLED “USE OF  
SIDEWALKS”, OF CHAPTER III, ENTITLED “POLICE REGULATIONS”, OF THE  
GENERAL REVISED ORDINANCES OF THE BOROUGH OF SUSSEX**

BE IT ORDAINED by the Mayor and Council of the Borough of Sussex as follows:

**Section 1.** Subsection 3-6.1, entitled “Obstructions Prohibited”, of Section 3-6, entitled “Use of Sidewalks”, of Chapter III, entitled “Police Regulations”, of the General Revised Ordinances of the Borough of Sussex is amended to read as follows:

**3-6.1 Obstructions Prohibited.**

No person shall place, store or display or cause to be placed, stored or displayed any goods, wares, merchandise or other obstructions on the sidewalks on the business portions of Main Street, Fountain Square and Newton Avenue between the curb line and face of the buildings fronting thereon between the hours of 8:00 a.m. and 12:00 midnight, except during a public event if and to the extent specifically permitted by resolution of the governing body.

**Section 2. Severability.**

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected thereby but shall remain in full force and effect.

**Section 3. Repealer.**

All ordinances or parts of ordinances or resolutions inconsistent with or contrary to the provisions of this Ordinance are hereby repealed to the extent of such inconsistency or contrariness.

**Section 4.** This Ordinance shall take effect immediately upon its final passage and publication as required by law.

**NOTICE**

NOTICE IS HEREBY GIVEN that the attached Ordinance #2016-15 was introduced at a regular meeting of the Mayor and Council of the Borough of Sussex, Sussex County, New Jersey, held on the 19<sup>th</sup> day of July, 2016 and passed on first reading, and that such Ordinance will be further considered for final passage and adoption at the regular meeting of the Mayor and Council to be held on the 16<sup>th</sup> day of August, 2016 at Borough Hall, 2 Main Street, in the Borough of Sussex, at 7:30 p.m., and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance.

\_\_\_\_\_  
Mark Zschack, Borough Clerk

\_\_\_\_\_  
Katherine Little, Mayor

Introduced: July 19, 2016

Adopted:

**BOROUGH OF SUSSEX  
ORDINANCE 2016-16**

**AN ORDINANCE GRANTING MUNICIPAL CONSENT TO THE  
ISSUANCE OF A FRANCHISE TO SERVICE ELECTRIC  
CABLE T.V. OF NEW JERSEY, INC., TO CONSTRUCT, OWN,  
OPERATE, EXTEND AND MAINTAIN A CABLE TELEVISION  
SYSTEM IN THE BOROUGH OF SUSSEX, COUNTY OF  
SUSSEX, SETTING FORTH CONDITIONS ACCOMPANYING  
THE GRANT OF SAID MUNICIPAL CONSENT AND  
PROVIDING FOR THE REGULATION AND USE OF SAID  
SYSTEM.**

**BE IT ORDAINED** by the Governing Body of the Borough of Sussex, County of Sussex and State of New Jersey as follows:

**SECTION 1. Introductory Provisions/ Purpose of the Ordinance.**

The Municipality hereby grants to the company its non-exclusive consent to place in, upon, along, across, above, over and under the highway, streets, alleys, sidewalks, public ways, and public places in the Municipality, poles, wires, cables, and fixtures necessary for the maintenance and operation in the Municipality of a cable television system and cable communications system. Construction, pursuant to said consent, is conditioned upon prior approval of the Board of Public Utilities.

**SECTION 2. Definitions.**

For the purposes of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. Such meaning or definition of terms is supplemental to those definitions given by the Federal Communications Commission (F.C.C.) Rules and Regulations, 47 C.F.R. subsection 76.1 *et seq.*, and the Cable Communications Policy Act, 47 U.S.C. section 521 *et seq.*, as amended, and the Cable Television Act, N.J.S.A.48:5A-1 *et seq.*, and shall in no way be construed to broaden, alter or conflict with federal or state definitions:

- (a) "Municipality" or "Borough" is the Borough of Sussex, County of Sussex, State of New Jersey.
- (a) "Company" is the grantee of rights under this Ordinance and is known as Service Electric Cable T.V. of New Jersey, Inc.
- (b) "Act" or "Cable Television Act" is Chapter 186 of the General Laws of New Jersey, and subsequent amendment thereto, section 48:5A-1 *et seq.*

BOROUGH OF SUSSEX  
ORDINANCE 2016-16

**SECTION 3. Statement of Findings.**

A public hearing concerning the consent herein granted to the Company was held, after proper public notice, on March 15, 2015 pursuant to the terms and conditions of the Act. Said hearing, having been held and fully open to the public, and the Municipality having received all comments regarding the qualifications of the Company to receive this consent, the Municipality hereby finds that the Company possesses the necessary legal, technical, character, financial, and other qualifications, and that the Company's operating and construction arrangements are adequate and feasible.

**SECTION 4. Grant of Municipal Consent.**

The Borough hereby grants to the Company consent to the issuance of a non-exclusive franchise by the New Jersey Board of Public Utilities to construct, erect, operate, modify and maintain, in, upon, along, across, above, over, and under the highways, streets, alleys, sidewalks, public ways and public places now laid out or dedicated and all extensions thereof and additions thereto, in the Borough of Sussex, such poles, wires, cables, underground conduits, manholes, and other television conductors and fixtures necessary for the maintenance and operation in the Borough of a cable television system and cable communications system for the purpose of distributing television and radio signals, and other electronic impulses in order to furnish television and radio programs, and various communications and other electronic services to the public. The rights so granted include the right to use and occupy said highways, streets, alleys, public ways and public places, and all manner of easements for the purposes herein set forth and as provided by federal and state law, and are subject to the terms and conditions herein.

**SECTION 5. Duration of Franchise and Extension of Service.**

The consent herein granted shall expire on September 6, 2026, ten (10) years from the date of expiration of the current Certificate of Approval as issued by the Board of Public Utilities (BPU). The Company shall be required to proffer service to any persons, residents or businesses in conformance with its Tariff on file with the Office of Cable Television including any policies for line extension and/or non-standard installations.

**SECTION 6. Franchise Fee.**

Pursuant to the terms and conditions of the Act, the Company shall, during each year of operation under the consent granted herein, pay to the Municipality two percent (2%) of the gross revenues from all recurring charges in the nature of subscription fees paid by subscribers to its cable television reception service in the Municipality, or any amount permitted by the Cable Television Act or otherwise allowable by law.

BOROUGH OF SUSSEX  
ORDINANCE 2016-16

**SECTION 7. Rates.**

In accordance with N.J.S.A. 48:5A-11, the Board of Public Utilities, through the Office of Cable Television, shall, consistent with federal law, prescribe just and reasonable rates, charges and classifications for the services rendered by a cable television provider. The Borough acknowledges that under the Act, municipalities do not have the authority to regulate the rates the Company charges subscribers for its services.

The Borough is desirous of obtaining reduced rates for senior citizens, disabled residents and other parties for whom reduced rates may currently be available or may be available during the term of this ordinance. Therefore, if the company adopts reduced rates for senior citizens, disabled persons or other parties in the future in accordance with N.J.S.A. 48:5A-11.1 et seq. and the Federal Act or any other law or regulation, these special rates shall be offered to qualified Borough residents.

**SECTION 8. Territory.**

The consent granted herein to the Company shall apply to the entirety of the Municipality, and any property hereafter annexed.

**SECTION 9. Construction Requirements.**

**Restoration:** In the event that the Company or its agents shall disturb any pavement, streets, surfaces, sidewalks, driveways or other surfaces in the natural topography, the Company shall, at its sole expense, restore and replace such places or things so disturbed to as good a condition as existed prior to the commencement of said work.

**Relocation:** If at any time during the period of this consent, the Municipality shall alter or change the grade of any street, alley or other way or place, the Company, upon reasonable notice by the Municipality, shall remove, re-lay and relocate its equipment, at the expense of the Company.

The Company shall temporarily move or remove appropriate parts of its facilities to allow for the moving of buildings, and machinery, or in other similar circumstances. The expense shall be borne by the party requesting such action, except when required by the Municipality, in which case the Company shall bear the cost.

**Removal or Trimming of Trees:** During the exercise of its rights and privileges under this franchise, the Company shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks and public places of the Municipality, so as to prevent the branches

BOROUGH OF SUSSEX  
ORDINANCE 2016-16

of such trees from coming in contact with the wires and cables of the Company. Such trimming shall be only to the extent necessary to maintain proper clearance for the Company's facilities.

**SECTION 10. Local Office.**

During the term of this franchise, and any renewal thereof, the Company shall maintain a local business office in Sussex County for the purpose of receiving, investigating and resolving all complaints regarding the quality of service, equipment, malfunctions, and similar matters.

Said local business office shall be open during normal business hours, and in no event less than 9:00 a.m. to 5:00 p.m. Monday through Friday.

**SECTION 11. Municipal Complaint Officer.**

The Office of Cable Television is hereby designated as the complaint officer for the Municipality, pursuant to N.J.S.A. 48:5a-26(b).

All complaints shall be received and processed in accordance with N.J.A.C. 14:17-6.5.

**SECTION 12. Performance Bond.**

During the life of the franchise, the Company shall give bond to the Municipality, which bond shall be in the amount of \$25,000.00.

Such bond shall be to insure the faithful performance of all undertakings of the Company as represented in its Application and incorporated herein.

**SECTION 13. Local Programming and Public Educational and Governmental Access.**

The Company shall provide public, educational, and governmental (PEG) access channels and facilities in accordance with its Application for Renewal of Municipal Consent.

**SECTION 14. Free Services.**

The Company shall provide services in accordance with its Tariff for cable television service approved by the Board of Public Utilities on January 1, 2016. In addition, the Company shall provide the following locations with complimentary, expanded basic cable service:

**BOROUGH OF SUSSEX  
ORDINANCE 2016-16**

1. One (1) cable connection for the Fire Department and Rescue Squad located at 25 Loomis Ave, Sussex NJ 07461.
2. One (1) cable connection for the Sussex Municipal Building located at 2 Main Street, Sussex NJ 07461.
3. One (1) cable connection for the Sussex DPW garage located at 33 Brookside Avenue, Sussex NJ 07461.

The complimentary services provided herein are for expanded basic cable service only. All subscribers, including those set forth herein, shall be fully responsible for the cost associated with any build out/extension of cable that may be necessary to extend cable to the location in question, including any non-standard or custom installations fees that may be applicable, if any, as well as for the cost of each digital box that the subscriber maintains, which fees are determined by the Company in accordance with the type of digital box(es) that the subscriber maintains.

**SECTION 15. Programming.**

Although nothing herein shall require the Company to carry or transmit any particular television stations or programming source, the Company shall provide the subscribers in the Borough with at least the same broad categories of programming, in approximately the same quantity, as are now provided, and which appear in the Application for Municipal Consent.

**SECTION 16. Liability Insurance.**

The Company shall indemnify, protect and hold the Borough harmless from and against losses and physical damage to property, including those properties owned or under the control of the Borough, and bodily injury or death of persons, including payments made under any workmen's compensation law, if such damage may arise out of or is caused by any act of the Company, its agents or employees.

The Company agrees to maintain and keep in full force and effect, at its sole expense, at all times during the term of this consent, sufficient liability insurance naming the Municipality as an insured and insuring against loss by any such claim, suit, judgment, execution or demand, in the minimum amount of one million dollars (\$1,000,000.00) combined single limit for bodily injury or death to one person, five hundred thousand dollars (\$500,000.00) for property damage resulting from any one accident, and an excess liability (or umbrella) policy in the amount of ten million dollars (\$10,000,000.00).

The contractor building the cable television lines shall file a worker's compensation certificate of insurance with the Borough Clerk prior to commencing any work.

BOROUGH OF SUSSEX  
ORDINANCE 2016-16

All insurance required by this ordinance shall be and remain in full force and effect for the entire life of this franchise. A certificate of insurance must be submitted to the Borough Attorney to review for compliance with the abovementioned limits of liability. The Borough shall be a named insured on said policies. The insurer shall notice the Borough at least 30 days prior of its intention to cancel any policy.

**SECTION 17. Filing with Borough Engineer.**

The Company shall cause all construction plans relating to work which could have significant impact on public works within the Borough, to be filed with the Borough Engineer's Office.

**SECTION 18. Activities Prohibited.**

The Company shall not allow its cable or other operations to interfere with television reception or persons not served by the Company, nor shall the system interfere with, obstruct or hinder in any manner, the operation of the various utilities serving the residents of the Borough.

**SECTION 19. Incorporation of the Application.**

All of the commitments and statements contained in the Application and any amendment thereto submitted in writing to the Municipality by the Company, except as modified herein, are binding upon the Company as terms and conditions of this consent. The Application and any other relevant writings submitted by the Company shall be annexed hereto and made a part hereof by reference, as long as it does not conflict with state or federal law.

**SECTION 20. Severability.**

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court, or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 21. Consistency with Future Federal and State Statutes, Regulations, Rules and Orders.**

This Ordinance is subject to all provisions of the Act and to all lawful rules and regulations of the Board of Public Utilities and the Office of Cable Television., adopted pursuant thereto. The Company shall at all times comply with the rules and regulations governing cable television operations lawfully promulgated and adopted by the Board of Public Utilities.

BOROUGH OF SUSSEX  
ORDINANCE 2016-16

Should any of the Federal or State Acts, Regulations, or pronouncements applicable to the regulation of cable television service be modified in any way, such modification, to the extent it embodies required terms and conditions, and meaningfully can be incorporated into this Ordinance, shall be so incorporated, consistent with any applicable effective dates specified in such modification. To the extent that any such modification(s) place(s) limits on permissible terms and conditions, and any provision of this Ordinance becomes invalid by virtue of such modification(s), the preceding section, SECTION 20, shall apply.

**SECTION 22. Effective Date of Consent.**

This Ordinance shall take effect upon its final passage and publication according to law.

**NOTICE**

NOTICE IS HEREBY GIVEN that the attached Ordinance #2016-16 was introduced at a regular meeting of the Mayor and Council of the Borough of Sussex, Sussex County, New Jersey, held on the 19<sup>th</sup> day of July, 2016, and passed on first reading, and that such Ordinance will be further considered for final passage and adoption at the regular meeting of the Mayor and Council to be held on the 16<sup>th</sup> day of August, 2016, at Borough Hall, 2 Main Street, in the Borough of Sussex, at 7:30 p.m., and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance.

---

Mark Zschack,  
Borough Clerk

---

Katherine Little, Mayor

Introduced: July 19, 2016  
Adopted:

**SUSSEX BOROUGH  
ORDINANCE NO. 2016-17**

**AN ORDINANCE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND  
STATE OF NEW JERSEY AMENDING SECTION 6.5, ENTITLED "MINORS",  
OF CHAPTER VI, ENTITLED "ALCOHOLIC BEVERAGE CONTROL", OF THE  
GENERAL REVISED ORDINANCES OF THE BOROUGH OF SUSSEX TO ADD  
SUBSECTION 6-5.7 ENTITLED  
"CONSUMPTION OR POSSESSION PROHIBITED ON PRIVATE PROPERTY"  
AND SUBSECTION 6-5.8 ENTITLED "PENALTIES"**

BE IT ORDAINED by the Mayor and Council of the Borough of Sussex as follows:

**Section 1.** Section 6.5, Entitled "Minors", of Chapter VI, entitled "Alcoholic Beverage Control", of the General Revised Ordinances of the Borough of Sussex is amended to add a subsection as follows:

**6-5.7 Consumption or Possession Prohibited on Private Property**

- (a) The consumption or possession of alcoholic beverages of any type on private property by a person who is under the legal age and without legal authority is prohibited.
- (b) The provisions of this Section 6-5.7 shall not prohibit any underage person from consuming or possessing an alcoholic beverage in connection with a religious observance, ceremony, or rite, or consuming or possessing an alcoholic beverage in the presence of and with the permission of a parent, guardian or relative who has attained the legal age to purchase and consume alcoholic beverages. "Guardian" means a person who has qualified as a guardian pursuant to testamentary or court appointment. "Relative" means the underage person's grandparent, aunt or uncle, sibling or any other person related by blood or affinity.
- (c) The provisions of this Section 6-5.7 as to underage possession of alcoholic beverages shall not apply to any such person while actually engaged in the performance of employment by a person who is licensed under Title 33 of the New Jersey Statutes, or while actively engaged in the preparation of food while enrolled in a culinary arts or hotel management program at a county vocational school or post-secondary educational institution.
- (d) This section shall not be construed to preclude the imposition of a penalty under N.J.S. 33:1-81, or any other section of law, against a person who is convicted of unlawful alcoholic beverage activities on or at premises licensed for the sale of alcoholic beverages.

**6-5.8 Penalties**

- (a) Any person who shall violate any provision of Section 6-5.7 shall be subject to a fine of two hundred fifty dollars (\$250.00) for the first offense, and three hundred fifty dollars (\$350.00) for any subsequent offense. Upon conviction the court may, in addition to the fine, suspend or postpone for six months the driving privileges of the violator.
- (b) In the event a driver's license is suspended, the court shall forward a report to the New Jersey Motor Vehicle Commission (MVC) stating the first and last day of the suspension or postponement period imposed by the court pursuant to this section. If a person at the time of the imposition of a sentence is less than 17 years of age, the period of license postponement, including suspension or postponement of the privilege of operating a motorized bicycle, shall commence on the day the sentence is imposed and shall run for a period of six months after the person reaches the age of 17 years. If a person at the time of the imposition of a sentence has a valid driver's license issued by this state, the court shall immediately collect the license and forward it to the MVC along

**SUSSEX BOROUGH  
ORDINANCE NO. 2016-17**

with the report. If for any reason the license cannot be collected, the court shall include in the report the complete name, address, date of birth, eye color and gender of the person, as well as the first and last day of the license suspension period imposed by the court. The court shall also inform the person orally and in writing that if the person is convicted of operating a motor vehicle during the period of license suspension or postponement, that person shall be subject to the penalties set forth in N.J.S. 39:3-40. A person shall be required to acknowledge receipt of the written notice in writing. Failure to receive a written notice shall not be a defense to a subsequent charge of a violation of N.J.S. 39:3-40.

- (c) If the person convicted under this ordinance is not a New Jersey resident, the court shall suspend or postpone, as appropriate, the non-resident driving privilege of the person based on the age of the person and submit to the MVC the required report. The court shall not collect the license of a non-resident convicted under this section. Pursuant to N.J.S. 40:48-1.2, upon receipt of a report by the court, the MVC shall notify the appropriate officials in the licensing jurisdiction of the suspension or postponement.

**Section 2. Severability.**

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected thereby but shall remain in full force and effect.

**Section 3. Repealer.**

All ordinances or parts of ordinances or resolutions inconsistent with or contrary to the provisions of this Ordinance are hereby repealed to the extent of such inconsistency or contrariness.

**Section 4.** This Ordinance shall take effect immediately upon its final passage and publication as required by law.

**NOTICE**

NOTICE IS HEREBY GIVEN that the attached Ordinance #2016-17 was introduced at a regular meeting of the Mayor and Council of the Borough of Sussex, Sussex County, New Jersey, held on the 16<sup>th</sup> day of August, 2016 and passed on first reading, and that such Ordinance will be further considered for final passage and adoption at the regular meeting of the Mayor and Council to be held on the 6<sup>th</sup> day of September, 2016 at Borough Hall, 2 Main Street, in the Borough of Sussex, at 7:30 p.m., and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance.

\_\_\_\_\_  
Mark Zschack, Borough Clerk

\_\_\_\_\_  
Katherine Little, Mayor

Introduced:

Adopted:

**ORDINANCE # 2016-18**

**BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE WATER SUPPLY AND DISTRIBUTION SYSTEM IN AND BY THE BOROUGH OF SUSSEX, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$2,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,380,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SUSSEX, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:**

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by the Borough of Sussex, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$2,500,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$120,000 as the down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or capital improvement purposes and including also the sum of \$400,000 received or expected to be received by the Borough from the New Jersey Department of Community Affairs as a grant-in-aid of financing said improvement or purpose and any other grants received by the Borough.

Section 2. For the financing of said improvement or purpose and to meet said \$2,500,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of

\$2,380,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$2,380,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the improvement of the water supply and distribution system in and by the Borough, including the reconstruction and rehabilitation of Rutherford Dam and the construction of a water main pipeline from Rutherford Dam to Colesville Reservoir, a distance of approximately 3,300 linear feet, together with all water lines and pipes, water transmission valves, easement acquisition, structures, site work, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$2,380,000.

(c) The estimated cost of said purpose is \$2,500,000, the excess thereof over said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$120,000 down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially

assessed on property specially benefitted thereby.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is forty (40) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$2,380,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$350,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

Section 5. The funds from time to time received by the Borough on account of the grant referred to in Section 1 of this bond ordinance shall be used for financing the improvement or purpose described in Section 3 of this bond ordinance by application thereof either to direct payment of the costs of said improvement or purpose, or to payment or reduction of the authorization of the obligations of the Borough authorized by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct

payment of such costs shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes at not less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and, unless paid from the revenues of the water supply and distribution system and the sanitary sewerage system of the Borough, the Borough shall be obligated to levy ad valorem taxes upon all the

taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 8. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

### NOTICE

NOTICE IS HEREBY GIVEN that the attached Ordinance #2016-18 was introduced at a regular meeting of the Mayor and Council of the Borough of Sussex, Sussex County, New Jersey, held on the 16<sup>th</sup> day of August, 2016 and passed on first reading, and that such Ordinance will be further considered for final passage and adoption at the regular meeting of the Mayor and Council to be held on the 6<sup>th</sup> day of September, 2016 at Borough Hall, 2 Main Street, in the Borough of Sussex, at 7:30 p.m., and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance.

---

Mark Zschack, Borough Clerk

---

Katherine Little, Mayor

Introduced:

Adopted: