

**CONSENT AGENDA
FOR THE MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF SUSSEX
AT 2 MAIN STREET, SUSSEX NJ HELD ON
SEPTEMBER 6, 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 Montague Township opposing Assembly Bill 1780.
2. Resolution from the Township of Wantage opposing the Gas Tax.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Animal Control Reports January 2016 through June 2016.
2. Delinquent Utility Properties report as of September 2, 2016.
3. Unpaid Utility Properties report as of September 2, 2016.
4. Water Shut Off report as of September 2, 2016

APPLICATIONS (APPROVAL OF THE FOLLOWING):

NONE

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of September 6, 2016.

MONTAGUE TOWNSHIP

RESOLUTION 2016-66

RESOLUTION OPPOSING ASSEMBLY BILL 1780

WHEREAS, Assembly Bill 1780, sponsored by Assemblyman John J. Burzichelli, modifies interest rates and accrual of interest on certain unpaid water and sewer utility bills and delinquent municipal taxes, assessments, and other municipal liens and charges; and

WHEREAS, currently, the rate set by the governing body of each municipality for interest on unpaid taxes shall not exceed 8% per year on the first \$1,500.00 of delinquency and 18% per year on any amount in excess of \$1,500.00, and Assembly Bill 1780 would fix the maximum interest rate at three percentage points above the prime rate; and

WHEREAS, the Bill would significantly reduce the maximum interest rate municipalities could charge and cause a drop in the amount of interest collected; and

WHEREAS, the number of liens sold at a tax sale to outside buyers would be reduced drastically due to a reduction in profit for lien holders, who would use other sources or go out of the State of New Jersey to where profits are higher, leaving lower tax collection rates and a rise in the reserve for uncollected taxes; and

WHEREAS, under the Bill, municipalities would see net losses in revenue and a rise in the tax rate.

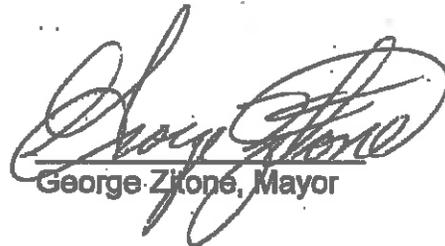
NOW, THEREFORE, BE IT RESOLVED that the Mayor and Committee of the Township of Montague, in the County of Sussex, State of New Jersey hereby vehemently opposes Assembly Bill 1780; and

BE IT FURTHER RESOLVED that copies of this resolution be sent to Assemblyman John J. Burzichelli, sponsor of the Bill, Governor Chris Christie, District 24 Legislature and all Sussex County Municipalities.

Approved: August 23, 2016

ATTEST:


Eileen DeFabiis, RMC

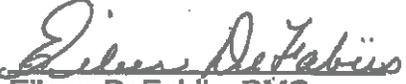

George Zitone, Mayor

Upon roll call, the vote was recorded as follows:

| | | | |
|--------------------------|-----|-----------------------|-----|
| Committeeman Barbagallo: | aye | Committeeman Innella: | aye |
| Committeeman Brislin: | aye | Mayor Zitone: | aye |
| Committeewoman Crawford: | aye | | |

CERTIFICATION

I hereby certify that this is a true and accurate copy of a resolution adopted by the Montague Township Committee, in the County of Sussex, State of New Jersey at a regular meeting held on August 23, 2016.


Eileen DeFabiis, RMC
Montague Township Clerk

AUG 24 '16

RESOLUTION OF THE TOWNSHIP OF WANTAGE, COUNTY OF SUSSEX AND ^{BY} STATE
OF NEW JERSEY OPPOSING THE STATE LEGISLATURE'S PROPOSED INCREASE OF
GAS TAX OF \$0.23 PER GALLON

WHEREAS, the Mayor and Township 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 Township 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, the percentage of out-commuters in Sussex County (that being the number of commuters leaving Sussex County each day) is higher than the percentage of out-commuters in many of the North Jersey counties; and

WHEREAS, in 2012, residents of Sussex County had the longest commute in the 13 country North Jersey region; 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 Township 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 Wantage Township and Sussex County; and

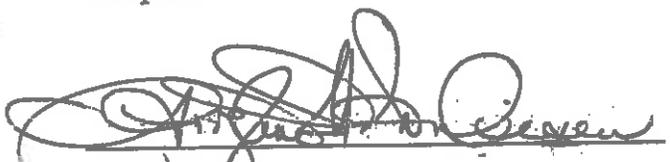
WHEREAS, the Mayor and Township Committee hereby explore that our local legislators recognize the inequity of a gas tax that is exacerbated by the fact that residents of Sussex County will pay even more than the average \$300 per year in additional taxes to the State of New Jersey if in an increase in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

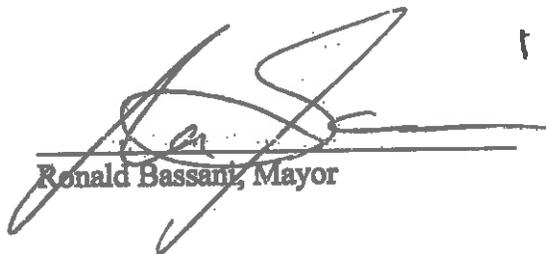
NOW, THEREFORE, BE IT RESOLVED, BY THE Mayor and Township Committee of the Township of Wantage, County of Sussex and State of New Jersey that the governing body of the Township of Wantage vigorously opposes, objects and urges our State Legislative representatives to oppose this \$0.23 gas tax.

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

This Resolution shall take effect immediately.

Adopted:


Christine M. Von Oesen, Deputy Clerk


Ronald Bassani, Mayor

List of Bills - CLEARING ACCOUNT - Sussex

| Check# | Vendor | Description | Payment | Check Total |
|--------|---|---|------------|-------------|
| 13226 | 1675 - Action Data Services | PO 9738 Payroll we 7-23-16 & 8-6-16 | 153.40 | |
| | | PO 9739 Quarterly payroll and pension repor | 143.10 | 296.50 |
| 13227 | 1661 - Agra Environmental & Lab Services | PO 9772 3' x 8' Long Rule Adhesive Backed | 65.78 | |
| | | PO 9773 Parts to repair the chemical delive | 51.05 | 116.83 |
| 13228 | 1095 - Airgas East | PO 9719 Customer # 2563803 | 19.46 | 19.46 |
| 13229 | 1815 - American Wear | PO 9687 Uniform delivery Acct#1650700 | 30.50 | 30.50 |
| 13230 | 1862 - ATD Highway Products LLC | PO 9717 Invoice # 687 | 495.21 | 495.21 |
| 13231 | 1826 - Atlantic Switch & Generator | PO 9767 Repairs due to lightning strike | 680.00 | |
| | | PO 9768 Generator Preventative Maintenance | 123.75 | |
| | | PO 9768 Generator Preventative Maintenance | 123.75 | 927.50 |
| 13232 | 1247 - Aurora Electrical Supply | PO 9704 Customer #10165 | 834.30 | 834.30 |
| 13233 | 1174 - Bassani Power Equipment | PO 9706 Diamond fidelity blade Inv#9247 | 109.95 | |
| | | PO 9733 Inv# 9379 & 9600 | 158.32 | 268.27 |
| 13234 | 1077 - Beaver Run Farms | PO 9683 Quarry Process | 111.20 | 111.20 |
| 13235 | 1838 - Bi-Lo Industries | PO 9757 Hydraulic Oil 55 gallon drum | 262.38 | 262.38 |
| 13236 | 1793 - Bruno Associates | PO 9734 Invoice # 2244 August 2016 Grant Wr | 2,400.00 | |
| | | PO 9734 Invoice # 2244 August 2016 Grant Wr | 600.00 | 3,000.00 |
| 13237 | 1401 - County of Sussex | PO 9744 June fuel charges for the fire depa | 185.48 | 185.48 |
| 13238 | 1497 - EarthCare | PO 9730 Vactor out lift station 6 yds Inv#3 | 1,870.00 | 1,870.00 |
| 13239 | 1714 - Fastenal Insutrial & Construction S | PO 9729 Inv#NJSPA30358 | 398.18 | 398.18 |
| 13240 | 1847 - Fred Devens Construction | PO 9540 Replacement of Compressor at Water | 4,840.00 | |
| | | PO 9748 Replacement breaker | 1,640.75 | 6,480.75 |
| 13241 | 1266 - Garden State Highway Products, Inc | PO 9714 Customer # Sussexb | 144.70 | |
| | | PO 9732 Cust# SUSSEXB | 16.00 | 160.70 |
| 13242 | 1856 - Genova Burns Attorneys at Law | PO 9727 legal services rendered in connecti | 371.41 | 371.41 |
| 13243 | 1168 - Hamburg Plumbing Supply | PO 9746 Storm Water Supplies | 620.80 | 620.80 |
| 13244 | 1556 - Harold E. Pellow & Associates, Inc | PO 9755 Invoice # 63145 - Council Business | 531.50 | 531.50 |
| 13245 | 1736 - Houser Engineering, LLC | PO 9136 Public Wastewater Collection System | 833.33 | |
| | | PO 9137 Water Treatment CTA Project #1210.1 | 1,075.00 | |
| | | PO 9677 Utility Manager Services | 4,000.00 | |
| | | PO 9678 Water/sewer engineering fees | 1,000.00 | |
| | | PO 9737 Project 1646.16 Sussex Boro Water M | 2,100.00 | |
| | | PO 9741 Sussex Pipeline Land Acq - Project | 4,625.00 | |
| | | PO 9742 Small Cities Community Development | 3,675.00 | 17,308.33 |
| 13246 | 1736 - Houser Engineering, LLC | PO 9749 Pump Station Mod Project 1648.16 | 18,450.00 | 18,450.00 |
| 13247 | 1861 - Hughes Environmental Services, Inc | PO 9697 Water Distribution Center Licensed | 1,200.00 | 1,200.00 |
| 13248 | 1103 - Jersey Central Power & Light | PO 9765 Account # 200 000 020 806 | 1,413.64 | |
| | | PO 9765 Account # 200 000 020 806 | 1,272.96 | 2,686.60 |
| 13249 | 1267 - Kieffer Electric, Inc. | PO 9657 Repairs to Indoor Air Circulating F | 4,472.00 | 4,472.00 |
| 13250 | 1105 - Kuiken Brothers Co. Inc | PO 9703 Account # 070009 | 78.21 | |
| | | PO 9703 Account # 070009 | 45.68 | |
| | | PO 9747 Supplies | 32.52 | 156.41 |
| 13251 | 1745 - McGovern & Roseman, P.A. | PO 9725 July 2016 retainer for legal fees | 2,200.00 | 2,200.00 |
| 13252 | 1154 - Montague Tool & Supply | PO 9684 Customer # SUSBO | 135.57 | |
| | | PO 9701 Account# SUSBO | 407.93 | |
| | | PO 9701 Account# SUSBO | 293.03 | 836.53 |
| 13253 | 1727 - One Call Concepts | PO 9721 Utility mark outs Inv#6075581 | 21.25 | 21.25 |
| 13254 | 1321 - Pitney Bowes | PO 9705 postage machine ink Inv# | 169.98 | 169.98 |
| 13255 | 1161 - R & R Pump Control | PO 9694 Inv# P9244-16 | 194.04 | |
| | | PO 9758 Emergency Pump Repair Inv# 7524-16 | 11,691.00 | |
| | | PO 9761 Emergency Replacement Grinder/Commi | 28,218.00 | 40,103.04 |
| 13256 | 1478 - RER Supply, LLC | PO 9606 Invoice # 199860 | 39.00 | 39.00 |
| 13257 | 1763 - Route 23 Patio & Mason | PO 9707 Quikrete Inv#94602 | 208.90 | |
| | | PO 9740 Shovels Inv#95860 | 33.70 | 242.60 |
| 13258 | 1135 - Rutgers, The State University | PO 9745 Introduction to the Duties of the M | 819.00 | 819.00 |
| 13259 | 1485 - SeptiCare | PO 9712 Invoice # 0840618 | 750.00 | 750.00 |
| 13260 | 1198 - Staples Advantage | PO 9726 department supplies | 26.21 | |
| | | PO 9726 department supplies | 143.31 | 169.52 |
| 13261 | 1069 - Sussex Cty League of Munic | PO 9723 2016 dues Inv#1541 | 50.00 | 50.00 |
| 13262 | 1089 - Sussex Wantage Regional | PO 9511 2nd Half School Year Tax Payments | 272,781.34 | 272,781.34 |
| 13263 | 1194 - Township of Vernon | PO 9561 2016 Animal Control Agreement | 2,502.00 | 2,502.00 |
| 13264 | 1748 - Universal Supply Group Inc | PO 9702 Air Conditioner filters Inv#S544076 | 33.96 | 33.96 |
| 13265 | 1780 - US Bank Cust for PC4 Firsttrust Bank | PO 9760 Lien redemption B 504 L 22 Cert# 14 | 10,543.44 | 10,543.44 |
| 13266 | 1816 - US Bank Cust for PC6, LLC | PO 9722 Redemption of Cert #15-05, Block 50 | 8,705.84 | 8,705.84 |
| 13267 | 1834 - US Bank Cust for PFS Financial 1 LL | PO 9759 Lien Redemption B 504 L 22 Cert #13 | 2,167.92 | 2,167.92 |

List of Bills - CLEARING ACCOUNT - Sussex

| Check# | Vendor | Description | Payment | Check Total |
|--------------|--|------------------------------------|---------|-------------------|
| 13268 | 1207 - Wantage Township | PO 9731 July Gasoline & Diesel | 510.36 | 510.36 |
| 13269 | 1087 - Waste Management of New Jersey, Inc | PO 9724 Account#100-0019730-0836-8 | 310.68 | 310.68 |
| 13270 | 1171 - Waldon Asphalt Co. | PO 9715 Account # 665566 | 663.30 | 663.30 |
| 13271 | 1076 - Winter's Auto Supply | PO 9709 Account # 7498 | 99.90 | 99.90 |
| TOTAL | | | | 404,973.97 |

Summary By Account

| ACCOUNT | DESCRIPTION | CURRENT YR | APPROP. YEAR | NON-BUDGETARY | CREDIT |
|-------------------|--|------------------|--------------|-------------------|-------------------|
| 01-201-20-100-020 | General Admin Other Expenses | 1,987.30 | | | |
| 01-201-20-130-020 | Finance Administration Other Expenses | 26.20 | | | |
| 01-201-20-155-020 | Legal Services | 2,200.00 | | | |
| 01-201-20-165-020 | Engineering Other Expenses | 531.50 | | | |
| 01-201-26-290-020 | Streets & Roads Other Expenses | 4,047.01 | | | |
| 01-201-26-300-020 | Street Lighting | 156.56 | | | |
| 01-201-26-305-020 | Garbage & Trash Removal Other Expenses | 310.68 | | | |
| 01-201-26-310-020 | Building & Grounds Other Expenses | 1,692.84 | | | |
| 01-201-30-460-020 | Gasoline and Fuel | 695.84 | | | |
| 01-201-42-340-020 | Interlocal Vernon Animal Cnt. | 2,502.00 | | | |
| 01-207-55-000-000 | Regional School Taxes Payable | | | 272,781.34 | |
| 01-260-05-100 | Due To Clearing | | | 0.00 | 286,931.27 |
| TOTALS FOR | Current Fund | 14,149.93 | 0.00 | 272,781.34 | 286,931.27 |
| 03-260-05-100 | Due To Clearing | | | 0.00 | 21,417.20 |
| 03-292-56-851-000 | Reserve For Outside Liens | | | 21,417.20 | |
| TOTALS FOR | Trust Fund | 0.00 | 0.00 | 21,417.20 | 21,417.20 |
| 04-216-55-975-000 | Imp Auth 2016-06 - DPW EQUIPMENT | | | 879.98 | |
| 04-260-05-100 | Due To Clearing | | | 0.00 | 879.98 |
| TOTALS FOR | General Capital Fund | 0.00 | 0.00 | 879.98 | 879.98 |
| 08-216-55-990-000 | Imp Auth Ord 2016-05 - Imp to W/S system | | | 26,750.00 | |
| 08-260-05-100 | Due To Clearing | | | 0.00 | 26,750.00 |
| TOTALS FOR | Water Sewer Capital Fund | 0.00 | 0.00 | 26,750.00 | 26,750.00 |
| 09-201-55-502-020 | Water Sewer Operat. OE Water | 17,980.23 | | | |
| 09-201-55-503-020 | Water Sewer Operat. OE Sewer | 47,015.29 | | | |
| 09-201-55-504-002 | W/Sr Operating S&W | 4,000.00 | | | |
| 09-260-05-100 | Due To Clearing | | | 0.00 | 68,995.52 |
| TOTALS FOR | Water Sewer Operating Fund | 68,995.52 | 0.00 | 0.00 | 68,995.52 |

| | |
|--|------------|
| Total to be paid from Fund 01 Current Fund | 286,931.27 |
| Total to be paid from Fund 03 Trust Fund | 21,417.20 |
| Total to be paid from Fund 04 General Capital Fund | 879.98 |
| Total to be paid from Fund 08 Water Sewer Capital Fund | 26,750.00 |
| Total to be paid from Fund 09 Water Sewer Operating Fund | 68,995.52 |

Summary By Account

| ACCOUNT | DESCRIPTION | CURRENT YR | APPROP. YEAR | NON-BUDGETARY | CREDIT |
|------------|-------------|------------|--------------|---------------|--------|
| ----- | | | | | |
| ----- | | | | | |
| 404,973.97 | | | | | |

Checks Previously Disbursed

| | | | | | |
|-------|------------------------------|-----------------------------|------------------------------------|-----------|-----------|
| 9999 | State of NJ Health Benefits | PO# 9770 | September Health Insurance Payment | 2,113.37 | 9/02/2016 |
| 9999 | State of NJ Health Benefits | PO# 9769 | September Health Insurance Payment | 3,744.91 | 9/02/2016 |
| 13225 | One Call Concepts | PO# 9632 | Utility Mark outs | 27.50 | 8/29/2016 |
| 13224 | Purchase Power | PO# 9756 | Account# 8000-9000-0264-0377 | 59.70 | 8/24/2016 |
| 13223 | CenturyLink | Multiple: PO# 9743 PO# 9751 | | 975.13 | 8/24/2016 |
| 13222 | Jersey Central Power & Light | Multiple: PO# 9752 PO# 9753 | | 1,763.89 | 8/24/2016 |
| 82016 | Borough of Sussex Payroll | | payroll we 8/20/2016 | 14,010.52 | 8/23/2016 |
| 8 | Borough of Sussex Payroll | | payroll w/e 08-06-16 | 13,337.07 | 8/10/2016 |
| | | | | ----- | |
| | | | | 36,032.09 | |

| | |
|--|-----------|
| Total paid from Fund 01 Current Fund | 27,817.10 |
| Total paid from Fund 09 Water Sewer Operating Fund | 8,214.99 |
| | ----- |
| | 36,032.09 |

Total for this Bills List: 441,006.06

**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
SEPTEMBER 6, 2016**

- A. **Mayor Little** will call the meeting of **September 6, 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 September 6, 2016.

E. **NEW BUSINESS:**

1. **Adoption Ordinance 2016-18 – \$2,500,000 Bond Ordinance**

A motion is in order to adopt 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)

Before final roll call Mayor Little will open the meeting to the public for any questions or concerns regarding Ordinance #2016-18

2. **Resolution 2016-182R – Issuance of \$2,200,000 Bond Anticipation Notes**

A motion is in order to adopt Resolution 2016-182R authorizing the issuance of not exceeding \$2,200,000 bond anticipation notes of the Borough of Sussex, County of Sussex, New Jersey (Motion requested by Bond Counsel)

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: (Continued)

3. Approval of Meeting Minutes

A motion is in order to approve the meeting minutes of the Regular Meeting and Executive Session held on August 16, 2016. (Absent: None)
(Motion requested by Clerk)

4. Resolution 2016-188R – Authorizing Refunds

A motion is in order to adopt Resolution 2016-188R authorizing the refunds of \$10,543.44 to US Bank Cust for PC4 Firstrust Bank for redemption of tax sale Certificate #14-08 and \$2,167.92 to US Bank Custodian/PFS Financial 1, LLC for redemption of tax sale Certificate # 13-13.
(Motion requested by Tax Collector)

5. Resolution 2016-189R – Emergency Contract

A motion is in order to adopt Resolution 2016-189R awarding an emergency contract to R & R Pump and Control Services, LLC for the repair of the #1 pump at the borough's DPW pump station. (Motion requested by QPA)

6. Resolution 2016-191R – Purchase of ArcGIS for Desktop

A motion is in order to adopt Resolution 2016-191R authorizing the Qualified Purchasing Agent and/or Clerk to purchase ArcGIS for Desktop Standard Single Use License for a cost not to exceed \$6,000.00. (Motion requested by Clerk)

7. Resolution 2016-192R – Third Quarter 2016 Water/Sewer Adjustments

A motion is in order to adopt Resolution 2016-192R approving the Water/Sewer Collector's adjustments for the third quarter 2016.
(Motion requested by Water/Sewer Collector)

8. Resolution 2016-193R – Temporary Part Office Worker

A motion is in order to adopt Resolution 2016-193R approving the hire of Dixie Ferrington as a temporary part time office worker for the Borough of Sussex working approximately 29 hours per week at a rate of \$12.00 per hour.
(Motion requested by Clerk)

9. Resolution 2016-194R – Resignation of Borough Employee

A motion is in order to adopt Resolution 2016-194R accepting the resignation of Mark Zschack effective September 17, 2016. (Motion requested by Clerk)

10. Resolution 2016-195R – Appointment of Acting Municipal Clerk

A motion is in order to adopt Resolution 2016-195R appointing Antoinette Smith Acting Municipal Clerk for a term of one year at a yearly salary of \$41,800.00.
(Motion requested by Clerk)

11. Resolution 2016-196R – Appointment of Borough Administrator

A motion is in order to adopt Resolution 2016-196R approve the Mayor,s appointment of Mr. Michael Restel to the Position of Borough Administrator and Superintendent of Public Works at a yearly salary of \$73,500.00 with a \$50.00 per month phone stipend.(Motion requested by Clerk)

12. Resolution 2016-197R – Customers Request Water/Sewer Adjustment

A motion is in order to adopt Resolution 2016-197R approving the customer's request for a \$320.00 credit to be applied to their account.
(Motion requested by Water/Sewer Customer)

13. Resolution 2016-198R – Engineering Services Water Meter Replacement

A motion is in order to adopt Resolution 2016-198R authorizing the Mayor and/or Clerk to execute a contract with Houser Engineering, LLC., to provide observation and consulting services for the Water Meter Replacement project, for a cost not to exceed \$25,000.00. (Motion requested by Clerk)

14. Resolution 2016-199R – Customers Request Water/Sewer Payment Plan

A motion is in order to adopt Resolution 2016-199R approving a payment plan for account # 1043. (Motion requested by Water/Sewer Customer)

15. Request to Hang Pink Ribbons

A motion is in order to approve a request from the Sussex County Chronic Disease Coalition to hang pink ribbons on Main Street for the month of October 2016 in observance of Breast Cancer Awareness Month. (Motion requested by Clerk)

16. Adoption Ordinance 2016-17 – Amend Chapter VI Section 6.5

A motion is in order to adopt 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)

Before final roll call Mayor Little will open the meeting to the public for any questions or concerns regarding Ordinance #2016-17.

17. Introduction Ordinance 2016-19 – Permit Sidewalk Usage

A motion is in order to introduce Ordinance 2016-19 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)

FINAL READING: September 20, 2016

18. Introduction Ordinance 2016-20 – Salary Ordinance

A motion is in order to introduce Ordinance 2016-20 entitled “ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND STATE OF NEW JERSEY.” (Motion requested by Clerk)

FINAL READING: September 20, 2016

19. Introduction Ordinance 2016-21 – Establish Borough Administrator

A motion is in order to introduce Ordinance 2016-21 entitled “AN ORDINANCE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING SECTION 2-6A, ENTITLED “RESERVED”, OF CHAPTER II, ENTITLED “ADMINISTRATION”, OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF SUSSEX.” (Motion requested by Clerk)

FINAL READING: September 20, 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

Mayor Little will request a motion to adopt a resolution to adjourn into Executive Session to discuss **Purchase of Real Property**.

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.

20. Introduction Ordinance 2016-22 – \$25,000.00 from Capital Improvement Fund

A motion is in order to introduce Ordinance 2016-22 entitled "AN ORDINANCE OF THE BOROUGH OF SUSSEX, SUSSEX COUNTY, NEW JERSEY, PROVIDING FOR THE PURCHASE OF 1 EAST MAIN ST AND APPROPRIATING \$25,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND".

(Motion requested by Clerk)

FINAL READING: September 20, 2016

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

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 16th 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 6th 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: August 16, 2016

Adopted:

EXTRACT from the minutes of a regular meeting of the Borough Council of the Borough of Sussex, in the County of Sussex, New Jersey, held at the Municipal Building, 2 Main Street, Sussex, New Jersey, on September 6, 2016, at 7:30 o'clock P.M.

PRESENT:

ABSENT:

* * *

_____ introduced and moved the adoption of the following resolution and
_____ seconded the motion:

**BOROUGH OF SUSSEX
RESOLUTION #2016-182R**

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$2,200,000
BOND ANTICIPATION NOTES OF THE BOROUGH OF SUSSEX,
IN THE COUNTY OF SUSSEX, NEW JERSEY.**

**BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH
OF SUSSEX, IN THE COUNTY OF SUSSEX, NEW JERSEY, AS FOLLOWS:**

Section 1. Pursuant to a bond ordinance of the Borough of Sussex (the "Borough"), entitled: "Bond ordinance appropriating \$1,200,000, and authorizing the issuance of \$1,200,000 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Sussex, in the County of Sussex, New Jersey, for the water supply and distribution system and the sanitary sewerage system of the Borough", finally adopted on April 19, 2016 (#2016-05), bond anticipation notes of the Borough in a principal amount not exceeding \$1,200,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent

BOROUGH OF SUSSEX
RESOLUTION #2016-182R

necessary) the renewal of any bond anticipation notes heretofore issued therefor, and any action heretofore had or taken with respect to said notes is hereby approved, ratified and confirmed.

Section 2. Pursuant to a bond ordinance of the Borough 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", finally adopted on September 6, 2016 (#2016-18), bond anticipation notes of the Borough in a principal amount not exceeding \$1,000,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor, and any action heretofore had or taken with respect to said notes is hereby approved, ratified and confirmed.

Section 3. All bond anticipation notes (the "notes") issued hereunder shall mature at such times as may be determined by the treasurer, the chief financial officer or the acting chief financial officer of the Borough (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 and shall be signed and sealed by officials and officers of the Borough in any manner permitted by N.J.S.A. §40A:2-25. The Chief Financial Officer shall determine all matters in connection with the notes issued hereunder, 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

BOROUGH OF SUSSEX
RESOLUTION #2016-182R

sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price. 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 hereunder 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 4. Any note issued pursuant to this resolution shall be a general obligation of the Borough, and the Borough's faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 5. The chief financial officer of the Borough is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of said notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to said notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to said notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to said notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Borough, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on said notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

BOROUGH OF SUSSEX
RESOLUTION #2016-182R

Section 6. All action heretofore taken by Borough officials and professionals with regard to the sale and award of the notes is hereby ratified, confirmed, adopted and 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 September 6, 2016.

Mark Zschack, RMC
Sussex Borough

Upon motion of _____, seconded by _____

_____, the foregoing resolution was adopted by the following vote:

AYES:

NOES:

**BOROUGH OF SUSSEX
RESOLUTION #2016-188R**

RESOLUTION AUTHORIZING REFUND

WHEREAS the Tax Collector has recommend the Mayor and Council of the Borough of Sussex reimburse the cost of sale that had been previously paid by property owner.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Sussex, County of Sussex, does hereby authorized the refund of

\$10,543.44 to US Bank Cust for PC4 Firstrust Bank for redemption of tax sale
Certificate #14-08.

\$2,167.92 to US Bank Custodian/PFS Financial 1, LLC for redemption of tax sale
Certificate # 13-13.

This Resolution shall take effect immediately.

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 September 6, 2016.

Mark Zschack, RMC
Sussex Borough

**SUSSEX BOROUGH
RESOLUTION #2016-189R**

**RESOLUTION TO AWARD AN EMERGENCY CONTRACT TO R & R PUMP AND
CONTROL SERVICES, LLC FOR THE REPAIR OF THE #1 PUMP AT THE
BOROUGH'S DPW PUMP STATION**

WHEREAS, NJSA 40A:11-16 allows contracts to be negotiated or awarded without public advertising for bids when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or services; and

WHEREAS, on, or around, August 11, 2016, an apparent lightning strike had damaged the #1 pump at the borough's DPW pump station which required immediate attention; and

WHEREAS, R & R Pump and Control Services, LLC was contacted and provided the service to repair the #1 pump; and

WHEREAS, Borough Administrator, Mark Zschack has certified that an emergency affecting the public health, safety and welfare existed in respect to the aforementioned pump repair.

NOW, THEREFORE BE IT RESOLVED, by the Council of the Borough of Sussex that an emergency contract is awarded to R & R Pump and Control Services, LLC for the repair of the #1 pump at the borough's DPW pump station.

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

EMERGENCY CERTIFICATION

I, Mark Zschack, Administrator for the Borough of Sussex, hereby certify that an emergency affecting the public health, safety or welfare existed with respect to the repair of the #1 pump at the DPW pump station. On, or around, August 11, 2016 an apparent lightning strike had damaged the #1 pump at the aforementioned pump station and was in need of immediate repair to keep potable water available to borough water customers.



Mark Zschack, Borough Administrator.

**SUSSEX BOROUGH
RESOLUTION #2016-191R**

AUTHORIZING THE PURCHASE OF ARCGIS FOR DESKTOP

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Sussex, County of Sussex, State of New Jersey, authorizes the Qualified Purchasing Agent and/or Clerk to purchase ArcGIS for Desktop Standard Single Use License for a cost not to exceed \$6,000.00.

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 September 6, 2016.

Mark Zschack, RMC
Sussex Borough

**SUSSEX BOROUGH
RESOLUTION 2016-192R**

THIRD QUARTER 2016 – WATER/SEWER ADJUSTMENTS

Acct# 3587 – 14 Newton Avenue – This account received a high estimate. A reading was obtained, the old reading was adjusted and a credit should be applied for \$160.59.



**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 September 6, 2016.

**Mark Zschack, RMC
Sussex Borough**

**SUSSEX BOROUGH
RESOLUTION #2016-193R**

TEMPORARY PART TIME OFFICE HIRE

BE IT RESOLVED by the Governing Body of the Borough of Sussex hereby approves the hire of Dixie Ferrington as a temporary part time office worker for the Borough of Sussex working approximately 29 hours per week at a rate of \$12.00 per hour commencing August 24, 2016.

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 September 6, 2016.

Mark Zschack, RMC
Sussex Borough

**SUSSEX BOROUGH
RESOLUTION #2016-194R**

RESIGNATION OF BOROUGH EMPLOYEE

WHEREAS, the Administrator/Clerk has resigned from his position effective September 17, 2016.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Sussex hereby accepts the resignation of Mr. Mark Zschack as stated in a letter to Mayor Katherine Little dated August 9, 2016.

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 September 6, 2016.

Mark Zschack, RMC
Sussex Borough

**SUSSEX BOROUGH
RESOLUTION #2016-195R**

APPOINTMENT OF ACTING MUNICIPAL CLERK

WHEREAS, pursuant to N.J.S.A. 40A:133-9 the Borough of Sussex is required to have a Municipal Clerk; and

WHEREAS, the current Municipal Clerk resigned effective September 17, 2016; and

WHEREAS, the Borough of Sussex desires to appoint Antoinette Smith as Acting Municipal Clerk effective September 17, 2016.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Sussex, County of Sussex, State of New Jersey, that Antoinette Smith be and hereby is appointed to the position of Acting Municipal Clerk to hold office for one year.

BE IT FURTHER RESOLVED, that while serving in the position of Acting Municipal Clerk and commencing September 17, 2016, Antoinette Smith's salary shall be \$41,800 annually.

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 September 6, 2016.

Mark Zschack, RMC
Sussex Borough

**SUSSEX BOROUGH
RESOLUTION #2016-196R**

APPOINTMENT OF BOROUGH ADMINISTRATOR

WHEREAS, the Governing Body of the Borough of Sussex wishes to replace the Administrator who resigned effective September 17, 2016, and

WHEREAS, it is in the best interest of Sussex Borough to combine the positions of Superintendent of Public Works and Borough Administrator.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Sussex, County of Sussex, State of New Jersey, does hereby approve Mayor Little's appointment of Mr. Michael Restel to the Position of Borough Administrator and Superintendent of Public Works commencing September 17, 2016, at a yearly salary of \$73,500.00 with a \$50.00 per month phone stipend.

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 September 6, 2016.

Mark Zschack, RMC
Sussex Borough

**SUSSEX BOROUGH
RESOLUTION #2016-197R**

CUSTOMER REQUEST FOR WATER ADJUSTMENT

Acct. # 1332 15 New Street, Sussex – Ms. Debra Freeman submitted a letter dated August 23, 2016 that stated:

"I am resubmitting my claim that my water meter malfunctioned for my Jan 16, 2016 quarterly reading of 23,380 gallons. Even though there seemed to be nothing found to be wrong with my meter, I have now returned back to my normal reading of approx 5500 gallons per quarter. If this was thought to be a leak I have not found one or made any changes or repairs and still I am back to using only approx. 5500 gallons a quarter. I spoke with James Schappell from Houser Engineering and he said that maybe you could credit me the sewer charge if this was thought to be a leak somewhere. I know there have been a lot of problems with the meters and I am certain that mine must have malfunctioned for that quarter. Please consider this because in 20 years I have never even come close to using 23,000 gals of water. What could I have done to use 17,000 more gallons in one quarter. That is just absurd.

I have enclosed my record of readings dating back to 2013 and there is nothing even close to a 23,000 gal reading and if you could go back further I'm sure you would see the same result.

One more thing I'd like to add is that I know of someone who had the same problem in the borough recently and got a credit to his account. I know he hired a plumber to check out everything but I see no reason to spend more money when my last 2 readings were under 6000 gals."

Please take another look at this problem.

*Sincerely
Debra Freeman*

*Debra & Jerry Freeman
15 New Street
Sussex, NJ*

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 **\$320.00** be removed from the billing of account # 1332

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 September 6, 2016.

**Mark Zschack, RMC
Sussex Borough**

**SUSSEX BOROUGH
RESOLUTION #2016-198R**

**AUTHORIZING THE AWARD OF A CONTRACT
FOR ENGINEERING AND CONSULTING
WATER METER REPLACEMENT**

WHEREAS, there is a need to provide observation and consulting services for the replacement of the Borough's water meters.

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 observation and consulting services for the replacement of the Borough's water meters as per proposal dated August 16, 2016 for a not to exceed cost of \$25,000.00

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 September 6, 2016.

Mark Zschack, RMC
Sussex Borough

**SUSSEX BOROUGH
RESOLUTION #2016-199R**

CUSTOMER REQUEST FOR WATER ADJUSTMENT

Acct. # 1043 16 Loomis Avenue, Sussex – Mr. William Stormes sent an email on August 18, 2016 that stated:

To Whom It May Concern,
Recently we have reviewed a water/sewer bill in the amount of \$1,400.00. When the Boro was contacted in regard to this matter, we were advised that the water bill had been estimated on this account for the last 14 years. We are not able to pay this amount in full at this time. I would request that a payment plan be accepted in place of payment in full. Monthly installments of \$125.00 until the balance is paid in full. I would like to add that I am not the owner of said property and I have only been a customer on the bill for approx 4 years. I would like further information on the reasoning why this account hasn't had the meter read in 14 years as well. Thank you, William Stormes
16 Loomis Ave Sussex, NJ

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Sussex, in the County of Sussex and State of New Jersey, hereby approves a payment plan for account # 1043 consisting of an additional monthly payment of \$125.00 be made until a total of \$1,400.00, plus interest, is collected.

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 September 6, 2016.

Mark Zschack, RMC
Sussex Borough

AUG 25 '16



DEPARTMENT OF ENVIRONMENTAL AND
PUBLIC HEALTH SERVICES
201 Wheatsworth Road
Hamburg, New Jersey 07419
Telephone: (973) 579-0370
FAX: (973) 579-0399

EMRICK G. SEABOLD, M.A., R.E.H.S.
Acting Administrator/Health Officer

County of Sussex

August 25, 2016

Sussex Borough Mayor and Town Council
Municipal Building
2 Main Street
Sussex, NJ 07461

Dear Mayor, Town Clerk and Council Members,

Last year was an amazing success thanks to all of your staff and volunteers that participated in the *Tie a Ribbon* campaign!! October remains Breast Cancer Awareness Month. **We need your assistance to do it again!**

The Sussex County Chronic Disease Coalition has partnered with New Jersey Cancer Education and Early Detection program on the project to increase breast cancer awareness throughout the county. This annual *Tie a Ribbon* campaign provides a visual opportunity to highlight breast health during the month of October. **Please help us to achieve this amazing community response again!**

With your municipality's permission, during the entire month of October the following will occur:

- Pink ribbons will be supplied and tied onto trees and lampposts along main streets or thoroughfares in each participating municipality in Sussex County. Your municipality makes the location choice.
- Ribbons (maximum number 50) will be provided to each municipality that agrees to participate in the program.
- The ribbons remain in place the entire month of October.
- This campaign requires your assistance to implement the program.
- Your participation would require
 - 1) Identifying the main road or thoroughfare in your area.
 - 2) Determining the number of ribbons needed for ribbon placement (cannot exceed 50).
 - 3) Form a team to place the ribbons on October 1st and remove them October 30th.
 - This is a wonderful opportunity for high school seniors seeking community service projects, Girl Scout troops, 4-H clubs, senior citizen groups, or other community groups to participate in a county wide effort.

*****Please Note the enclosed list of participating municipalities, previous identified placement, and groups that assisted in the placement. We will assume this will again be the plan of action for your town. If you decide not to participate, or need assistance with the placement of the ribbons or have questions, please contact me at 973-579-0570 ext. 1212. Ribbons will be delivered to your municipality as soon as they become available.**

Please also consider displaying our sign that "Every Woman in Sussex County Can Have a Mammogram Regardless of Insurance Status".

During this period we plan to place educational information about breast health in libraries throughout Sussex County. These poster presentations and handouts will correlate the *Tie a Ribbon* campaign with take home information on self exam, mammograms, and screenings.

Pink ribbons have become an internationally recognized sign of courage, support and hope for a cure. Displaying them during Breast Cancer Awareness Month is a wonderful way to encourage residents of Sussex County to stand together against this disease.

We hope your municipality will choose to join us in this important effort.

Yours in Good Health,

Heleen Homeijer, RN, BSN
Heleen Homeijer RN, BSN

Sussex Warren Chronic Disease Coalition Coordinator

Cc Emrick G. Seabold, M.A., R.E.H.S. Acting Administrator/ Health Officer

County of Sussex is an Equal Opportunity Employer

**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 16th 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 6th 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: August 16, 2016
Adopted:

**SUSSEX BOROUGH
ORDINANCE NO. 2016-19**

**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 #2016-19 was introduced at a regular meeting of the Mayor and Council of the Borough of Sussex, Sussex County, New Jersey, held on the 6th day of September, 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 20th 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:

**BOROUGH OF SUSSEX
ORDINANCE #2016-20**

**ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF
THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX
AND STATE OF NEW JERSEY.**

BE IT ORDAINED by the Governing Body of the Borough of Sussex, County of Sussex and State of New Jersey that the following shall constitute the annual base salary range for the various Borough Officers and Employees.

SECTION 1.

The following salaries for the officers hereafter set forth for the year 2016 beginning September 17th and each year thereafter until amended or repealed are hereby established and fixed within the following salary ranges. The specific salary level for each employee shall be set by Resolution of the Governing Body.

| ADMINISTRATION | SALARY RANGE |
|--|---------------------------------|
| Mayor | \$1,200 - \$3,000 per annum |
| Council Members | \$1,000 - \$2,500 per annum |
| Administrator | \$35,000 - \$75,000 per annum |
| Municipal Clerk/ Registrar | \$35,000 - \$75,000 per annum |
| Deputy Treasurer/ Deputy Clerk/Deputy Registrar | \$20,000 - \$47,000 per annum |
| Water Sewer Collector/ Zoning Secretary/ Alternate Deputy Registrar | \$15.00 - \$20.00 per hour |
| Zoning & Enforcement Officers | \$15.00 - \$25.00 per hour |
| Planning/Zoning Secretary | \$500.00 per month |
| Chief Financial Officer/Treasurer | \$10,000 - \$30,000 per annum |
| Tax Collector | \$5,000 - \$20,000 per annum |
| Emergency Management Coordinator | \$500.00 – \$1,200.00 per annum |
| Assessment Search Officer | \$10.00 per search |
| Tax Search Officer | \$10.00 per search |
| Administrative Staff Temporary/Part-time | minimum wage - \$12.00 per hour |
| School Crossing Guard | minimum wage – \$14.00 per hour |
| Cleaning Stipend | \$20.00 per week |
| Phone Stipend | \$40.00 - \$50.00 per month |
| Mileage Stipend | \$7.00 per day |
| DEPARTMENT OF PUBLIC WORKS | |
| Superintendent of Public Works | \$35,000 - \$75,000 per annum |
| Foreman | \$20.00 - \$30.00 per hour |
| Laborer - Streets/Roads/Utility | \$12.00 - \$20.00 per hour |
| Part Time/Temporary Laborer | minimum wage - \$12.00 per hour |
| Custodian | \$10.00 - \$15.00 per hour |

**BOROUGH OF SUSSEX
ORDINANCE #2016-20**

SECTION 2.

All hourly wages paid employees shall be compensated at the rate of time and one half for all hours worked in excess of 40 hours for DPW and 35 Hours for office staff in any work week, unless otherwise arranged through negotiated agreements.

SECTION 3.

The salaries or wages fixed by this ordinance do not reflect amounts to be paid for overtime compensation. Said salaries and wages shall remain in effect until this ordinance is amended or repealed.

SECTION 4.

All Borough benefits shall be provided in accordance with contractual obligations, personnel manual, negotiated agreements, and in accordance with existing Borough Ordinances governing municipal employee benefits.

SECTION 5.

All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance are hereby repealed. This Ordinance shall take effect upon passage and publication as provided by law.

NOTICE IS HEREBY GIVEN that the attached Ordinance 2016-20 was introduced at a regular meeting of the Mayor and Council of the Borough of Sussex, Sussex County, New Jersey, held on the 6th day of September, 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 20th 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, Municipal Clerk

Katherine Little, Mayor

Introduced:

Adopted:

**SUSSEX BOROUGH
ORDINANCE NO. 2016-21**

**AN ORDINANCE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND STATE OF
NEW JERSEY AMENDING SECTION 2-6A, ENTITLED "RESERVED", OF CHAPTER II,
ENTITLED "ADMINISTRATION", 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. Section 2-6A, entitled "Reserved", of Chapter II, entitled "Administration", of the General Revised Ordinances of the Borough of Sussex is amended to read as follows:

2-6A. BOROUGH ADMINISTRATOR.

A. The position of borough administrator of the Borough of Sussex is hereby created, and employment of a qualified person for that position is hereby authorized.

B. Method of appointment; term and qualifications.

(1) The borough administrator shall be appointed by the Mayor with the advice and consent of the council. The borough administrator's employment shall be evidenced by a contract approved by the mayor and council.

(2) The term of office of the borough administrator shall be at the pleasure of the mayor and council and as specified in the contract as approved per subparagraph 1 hereof.

(3) The borough administrator may be removed by a two-thirds vote of the mayor and council, the resolution of removal to become effective three months after its adoption. The mayor and council may provide, however, that the resolution shall have immediate effect, provided that there shall be paid to the administrator forthwith any unpaid balance of his/her salary and his/her salary for the next three months following adoption of the resolution.

(4) The borough administrator shall be appointed on the basis of administrative qualifications, with special regard to education and training in government affairs and experience therein. Members of the mayor and council may not receive such appointment during their term or within two years after the expiration of said term.

(5) The borough administrator shall be reviewed annually by the Personnel Committee in November, and its performance evaluation report shall be presented to the mayor and council and privately to the borough administrator by the council president.

C. Disability or absence. During any approved absence or disability of the borough administrator, an officer or employee of the borough may be appointed by the mayor and council to temporarily perform the duties and responsibilities of the position.

D. Compensation. The compensation of the borough administrator shall be fixed by the council by appropriate ordinance.

E. Duties and responsibilities.

(1) The borough administrator shall work with the administrative team, which shall include the borough clerk, the chief financial officer and the mayor.

(2) The Borough Administrator shall have the responsibility and authority to perform the following duties as may be assigned to him or her by the mayor with the consent of the borough council:

SUSSEX BOROUGH
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- (a) Serve as the chief administrative officer of the borough.
- (b) Attend all meetings of the mayor and council and other boards, as required, with the right to participate in all discussions, but without the right to vote.
- (c) Advise the mayor and council on policy decisions.
- (d) Execute all applicable laws of the State of New Jersey and ordinances and resolutions of the Borough.
- (e) Recommend the appointment and/or removal of employees for whose selection and removal no other method is provided by law.
- (f) As instructed by the council, negotiate contracts which are subject to the approval of the mayor and council.
- (g) Represent, or so direct the administrative team to represent, the borough, with the approval of the mayor and council, in its relations with the federal government, state, county and other municipalities and assess the borough's interest in contracts, franchises and other business transactions.
- (h) Investigate the affairs of any officer, employee or department at the request of the mayor and council and report thereon.
- (i) Work with the residents and business owners of the borough to ensure that their inquiries or complaints are properly followed up by the appropriate borough department.
- (j) Work with the borough clerk, chief financial officer and mayor to establish and maintain effective personnel practices and maintain appropriate records of all employees, including the development of a systematic review of employee performance.
- (k) Carry out or so direct the borough staff to carry out the policies established by the mayor and council.
- (l) Oversee and disseminate information to the mayor and council.
- (m) Work with the chief financial officer, prepare the annual and capital budgets, in consultation with department heads and committees as may be established by the mayor and council, and submit them to the mayor and council as needed or requested by the mayor and council.
- (n) Work with the mayor and council, chief financial officer, and borough clerk to annually establish the priority of capital projects needed in the borough, research the projects and budget the necessary funding to adequately and realistically complete the projects in a prudent and expedient time frame.
- (o) Work with the borough clerk to receive copies of all reports and documents required by the mayor and council of all borough department heads, officers, employees, committees, commissions, authorities and/or contractors/vendors.
- (p) Work with the chief financial officer, qualified purchasing agent and borough clerk to develop procedures for the purchase and distribution of materials, supplies and equipment.
- (q) Serve as one of the borough's purchasing agents. In such capacity, the borough administrator shall purchase, in accordance with the provisions of the governing statutes and generally accepted purchasing practices and in coordination as applicable with the qualified purchasing agent, supplies and equipment for the various boards, departments and offices of the borough.
- (r) Delegate to such individuals, officers or departments as may be appropriate, as he or she may deem necessary for the efficient administration of the borough.
- (s) Keep the mayor and council informed as to federal aid projects and state aid projects and other aid programs or grants that the borough may qualify for.
- (t) Perform such other duties as may be required by ordinance, resolution or direction of the mayor and council.

**SUSSEX BOROUGH
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(u) Work with the borough's water operator, Department of Public Works and other staff and vendors providing services in connection with the operation of the borough's water and sewer system with respect to the financial, personnel, administrative and office needs and requirements. The borough administrator shall report to the mayor and council on these matters.

F. Reports to council members. All requests by individual council members for information, documents, research and reports shall be directed to the borough administrator. If the borough administrator determines that the effort required to comply with an individual council member's request will be extraordinary or will unduly interfere with staff requirements, the request shall be placed on the next available regular council meeting agenda for discussion and decision. The foregoing shall not result in an obligation by the borough administrator to provide information or documents with regard to confidential or privileged communications and matters.

G. Consistency with law. Nothing herein shall derogate from or authorize the borough administrator to exercise the powers and duties of elected officials of the borough and of the boards and agencies thereof established pursuant to law.

H. Residency not required. The person appointed to the office of borough administrator need not be a resident of the borough.

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 #2016-21 was introduced at a regular meeting of the Mayor and Council of the Borough of Sussex, Sussex County, New Jersey, held on the 6th day of September, 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 20th 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:

**BOROUGH OF SUSSEX
ORDINANCE 2016-22**

**AN ORDINANCE OF THE BOROUGH OF SUSSEX, SUSSEX COUNTY,
NEW JERSEY, PROVIDING FOR THE PURCHASE OF 1 EAST MAIN ST AND
APPROPRIATING \$25,000.00 FROM THE GENERAL CAPITAL
IMPROVEMENT FUND**

BE IT ORDAINED by the Governing Body of the BOROUGH of SUSSEX, County of Sussex, New Jersey, as follows:

Section 1. The funding for the purchase of 1 East Main Street and associated expenses is hereby authorized; and the cost is not to exceed \$25,000.00 which sum is hereby appropriated for such purposes.

Section 2. The total amount of \$25,000.00 is hereby appropriated from the General Capital Improvement Fund.

Section 3. This Ordinance shall take effect upon publication of notice of final adoption as provided by law.

Katherine Little, Mayor

ATTEST:

Mark Zschack, Municipal Clerk

NOTICE IS HEREBY GIVEN that the attached Ordinance #2016-22 was introduced at a regular meeting of the Mayor and Council of the Borough of Sussex, Sussex County, New Jersey, held on the 6th day of September 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 20th 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:

Date Adopted: