

**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
OCTOBER 20, 2015**

- A. **Mayor Rose** will call the meeting of **October 20, 2015** to order. Clerk will call the roll.
- B. **Mayor Rose** will invite all present to salute the flag and to remain standing for a moment of silence.
- C. **Mayor Rose** 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 October 20, 2015.

E. **PRESENTATIONS:**

Mr. Larry Kovar from Aquatic Analysts, Inc. will present a report of three surveys conducted on Clove Lake.

Mr. Gerry Gardner, Utility Manager will present an update of the Water/Sewer Utility.

F. **EXECUTIVE SESSION – IF REQUESTED**

Mayor Rose will request a motion to adopt a resolution to adjourn into Executive Session to discuss **possible litigation 13 Roy Court and contract negotiations.**

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

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

- H. **CONSENT AGENDA:** **Mayor Rose** 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 Rose** 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 Rose** will request a motion to approve the consent agenda.

- I. **OPEN PUBLIC SESSION:** **Mayor Rose** 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 5 minutes with a total of 10 minutes for the Council to discuss. After giving all persons present an opportunity to address the Governing Body, **Mayor Rose** 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 held on September 15, 2015. (Absent: None) (Motion requested by Clerk)

2. **Approval of Meeting Minutes**

A motion is in order to approve the meeting minutes of the Regular Meeting and Executive Session held on October 6, 2015. (Absent: Stendor)
(Motion requested by Clerk)

3. **Resolution 2015-153R – 96th Annual Inspection Day Parade**

A motion is in order to adopt Resolution 2015-153R approving and supporting the Sussex Fire Department hosting the Sussex County's Fireman's Association 96th Annual Inspection Day Parade on Saturday October 1, 2016. (Rain date October 2, 2016) (Motion requested by Sussex Fire Department)

4. **Resolution 2015-155R – Small Cities CDBG Citizen Participation Plan**

A motion is in order to adopt Resolution 2015-155R adopting the Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program. (Motion requested by Grant Writer)

5. **Resolution 2015-156R – Fair Housing - Statement of Actions**

A motion is in order to adopt Resolution 2015-156R appointing Mark Zschack 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)

6. **Adoption Ordinance 2015-11 – \$80,000.00 from Capital Improvement Fund**

A motion is in order to adopt Ordinance 2015-11 entitled "AN ORDINANCE OF THE BOROUGH OF SUSSEX, SUSSEX COUNTY, NEW JERSEY, PROVIDING FOR THE PURCHASE OF DPW TRUCK APPROPRIATING \$80,000.00 FROM THE CAPITAL IMPROVEMENT FUND" (Motion requested by DPW Committee)

Before final roll call Mayor Rose will open the meeting to the public for any questions or concerns regarding Ordinance #2015-11

7. **Introduction Ordinance 2015-12 – Pressure Relief Valve Section 12**

A motion is in order to introduce Ordinance 2015-12 entitled "AN ORDINANCE AMENDING SUBSECTION 12-1.6, ENTITLED "CERTIFICATE OF OCCUPANCY", OF SECTION 12-1, ENTITLED "BUILDING CODE", OF CHAPTER XII, ENTITLED "BUILDINGS AND HOUSING", OF THE CODE OF THE BOROUGH OF SUSSEX BY ADDING NEW SUBPARAGRAPH ENTITLED "PRESSURE RELIEF VALVE COMPLIANCE AS CONDITION FOR ISSUANCE OF CERTIFICATE OF OCCUPANCY"." (Motion requested by Mayor)

8. Introduction Ordinance 2015-13 – Pressure Relief Valve Section 13

A motion is in order to introduce Ordinance 2015-13 entitled “AN ORDINANCE AMENDING SUBSECTION 13-2.1, ENTITLED “SERVICE CONNECTIONS”, OF SECTION 13-2, ENTITLED “WATER REGULATIONS”, OF CHAPTER XIII, ENTITLED “WATER AND SEWER”, OF THE CODE OF THE BOROUGH OF SUSSEX BY ADDING NEW SUBPARAGRAPH ENTITLED “PRESSURE RELIEF VALVE”.” (Motion requested by Mayor)

9. Introduction Ordinance 2015-14 – Amending Chapter XIII, Entitled “Water and Sewer”

A motion is in order to introduce Ordinance 2015-14 entitled “AN ORDINANCE AMENDING CHAPTER XIII, ENTITLED “WATER AND SEWER”, OF THE CODE OF THE BOROUGH OF SUSSEX TO ADD NEW SECTION ENTITLED “SALE OR LONG-TERM LEASE OF WATER OR WASTEWATER ASSETS”.” (Motion requested by Council)

10. Introduction Ordinance 2015-15– Amending Chapter II, Entitled Administration

A motion is in order to introduce Ordinance 2015-15 entitled “AN ORDINANCE AMENDING CHAPTER II, ENTITLED “ADMINISTRATION”, OF THE CODE OF THE BOROUGH OF SUSSEX TO ADD NEW SECTION ENTITLED “SALES OF ASSETS REQUIRING VOTER APPROVAL”.” (Motion requested by Council)

- L. OPEN PUBLIC SESSION: **Mayor Rose** 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 5 minutes with a total of 10 minutes for the Council to discuss.

After giving all persons present an opportunity to address the Governing Body, **Mayor Rose** 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 Rose will request a motion to adopt a resolution to adjourn into Executive Session to discuss **contract negotiation over possible purchase of real property and personnel matters.**

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11. Resolution 2015-154R – Contract for Position of Administrator/Clerk

A motion is in order to adopt Resolution 2015-154R approving a one year employee agreement for the position of Administrator/Clerk with Mr. Mark Zschack starting July 1, 2015 in the amount of \$_____ per annum.
(Motion requested by Contract Review Committee)

12. Appointment of DPW Laborer

A motion is in order to enter into an agreement with _____ as a DPW Laborer in the amount of \$_____ per hour.
(Motion requested by DPW Director)

13. Appointment of DPW Laborer

A motion is in order to enter into an agreement with _____ as the DPW Laborer in the amount of \$_____ per hour.
(Motion requested by DPW Director)

N. OLD BUSINESS:

1. Adoption Ordinance 2015-04 - \$100,000.00 Bond Ordinance

A motion is in order to adopt Ordinance 2015-04 entitled "BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF LANDS IN AND BY THE BOROUGH OF SUSSEX, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND THE CONSTRUCTION OF A PARKING LOT THEREON, APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$95,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION."
(Motion requested by CFO)

Before final roll call Mayor Rose will open the meeting to the public for any questions or concerns regarding Ordinance #2015-04

O. ADJOURNMENT: Mayor Rose will request a motion to adjourn the meeting.