

**CONSENT AGENDA  
FOR THE MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF SUSSEX  
AT 2 MAIN STREET, SUSSEX NJ HELD ON  
FEBRUARY 7, 2017**

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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.

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

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

1. Sussex County Water Quality Management Policy Advisory Committee Minutes for November 10, 2016 and December 8, 2016 are available on the Sussex County website and at the Sussex Borough Municipal Building.
2. Solid Waste Advisory Council Committee Minutes for September 13, 2016, October 11, 2016 and November 8, 2016 are available on the Sussex County website and at the Sussex Borough Municipal Building.
3. Delinquent Utility Properties report as of February 3, 2017.
4. Unpaid Utility Properties report as of February 3, 2017.
5. Water Shut Off report as of February 3, 2017.

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

1. NJ State Firemen's Association Application from Jarrod Smith.
2. Blue Light permit application from Austin Crawn.
3. Application for use of Borough Facilities from Sussex Wantage Little League.

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

1. Payment of bills for the meeting of February 7, 2017.

### List of Bills - CLEARING ACCOUNT - Sussex

Check#	Vendor	Description	Payment	Check Total
13626	1056 - Agnes Burns	PO 10211 2017 Medicare Part B Payments	109.00	109.00
13627	1815 - American Wear	PO 10248 Account # 1650701	117.00	117.00
13628	1088 - High Point Regional High School	PO 10191 2017 School Tax Payments	167,022.50	167,022.50
13629	1063 - James L. Moore	PO 10209 2017 Medicare Part B Payments	109.00	109.00
13630	1103 - Jersey Central Power & Light	PO 10262 Account # 200 000 020 806	865.65	
		PO 10262 Account # 200 000 020 806	1,997.74	2,863.39
13631	1315 - Karen I. Moore	PO 10210 2017 Medicare Part B Payments	107.00	107.00
13632	1549 - Morris Asphalt Supply, Inc	PO 10266 Invoice #16102186	329.89	329.89
13633	1453 - Oriental Trading Company	PO 9901 Supplies for Halloween & Christmas	93.88	93.88
13634	1084 - Sussex County Municipal	PO 10201 1st Quarter 2017 sewer user fees	185,578.00	185,578.00
13635	1089 - Sussex Wantage Regional	PO 10244 1st qtr school tax payments	136,390.50	136,390.50
13636	1722 - Treasurer, State of New Jersey	PO 10275 Program Interest ID 1921001 - Water	1,000.00	1,000.00
13637	1136 - Treasurer, State of NJ	PO 10208 Program Interest ID 5292 - Bureau o	3,380.00	3,380.00
13638	1869 - Tri-State Flagpole Maintenance	PO 10270 Invoice # 1184 - POW Flag	59.39	59.39
TOTAL				497,159.55

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-23-220-020	Insurance Employee Group Insurance	325.00			
01-201-26-290-020	Streets & Roads Other Expenses	117.00			
01-201-26-310-020	Building & Grounds Other Expenses	59.39			
01-203-26-300-020	(2015) Street Lighting		142.52		
01-203-26-310-020	(2015) Building & Grounds Other Expenses		723.13		
01-203-28-370-020	(2015) Recreation Other Expenses		93.88		
01-206-55-000-000	Regional HS Taxes Payable			167,022.50	
01-207-55-000-000	Regional School Taxes Payable			136,390.50	
01-260-05-100	Due To Clearing			0.00	304,873.92
<b>TOTALS FOR</b>	<b>Current Fund</b>	<b>501.39</b>	<b>959.53</b>	<b>303,413.00</b>	<b>304,873.92</b>
04-216-55-975-000	Imp Auth 2016-06 - DPW EQUIPMENT			329.89	
04-260-05-100	Due To Clearing			0.00	329.89
<b>TOTALS FOR</b>	<b>General Capital Fund</b>	<b>0.00</b>	<b>0.00</b>	<b>329.89</b>	<b>329.89</b>
09-201-55-502-020	Water Sewer Operat. OE Water	1,000.00			
09-201-55-503-020	Water Sewer Operat. OE Sewer	188,958.00			
09-203-55-502-020	(2015) Water Sewer Operat. OE Water		1,997.74		
09-260-05-100	Due To Clearing			0.00	191,955.74
<b>TOTALS FOR</b>	<b>Water Sewer Operating Fund</b>	<b>189,958.00</b>	<b>1,997.74</b>	<b>0.00</b>	<b>191,955.74</b>

Total to be paid from Fund 01 Current Fund 304,873.92  
 Total to be paid from Fund 04 General Capital Fund 329.89  
 Total to be paid from Fund 09 Water Sewer Operating Fund 191,955.74  
 =====  
 497,159.55

Checks Previously Disbursed

## Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
2222	State of NJ Health Benefits	PO# 10265	February Health Insurance Active	3,816.50	2/02/2017
2222	State of NJ Health Benefits	PO# 10264	February Health Insurance Payment	2,213.30	2/02/2017
13625	Wantage Township Tax Collector	PO# 10217	1st Quarter 2017 Real Estate Taxes	2,542.33	2/01/2017
2	Borough of Sussex Payroll		payroll w/e 1/21/17	13,955.27	1/27/2017
13624	State of NJ _ PWT	PO# 10232	October-November-December 2016 Pub	133.09	1/27/2017
13623	Jersey Central Power & Light	Multiple: PO# 10249 PO# 10250		1,881.00	1/27/2017
13622	CenturyLink	Multiple: PO# 10219 PO# 10251		930.82	1/27/2017
11317	Borough of Sussex Payroll		payroll w/e 1/7/17	13,192.95	1/13/2017
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				38,665.26	

Total paid from Fund 01 Current Fund	29,279.44
Total paid from Fund 09 Water Sewer Operating Fund	9,385.82
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	38,665.26

**Total for this Bills List: 535,824.81**

**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  
FEBRUARY 7, 2017**

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- A. **Mayor Little** will call the meeting of **February 7, 2017** 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 February 7, 2017.

E. **PRESENTATIONS:**

Presentation by the Center for Prevention and Counseling on smoke-free outdoor parks and recreation areas.

F. **DISCUSSION:**

At this time a discussion will take place concerning street parking issues throughout the Borough.

- 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 January 17, 2017. (Absent: None)  
(Motion requested by Clerk)

2. **Resolution 2017-50R – Elevator Maintenance Agreement**

A motion is in order to adopt Resolution 2017-50R authorizing the Mayor and/or Clerk to enter into a one year agreement with USA Hoist Co., Inc, 75 Mill Street, Newton, New Jersey 07860 for elevator maintenance services at a quarterly rate of \$225.00. (Motion requested by Clerk)

**3. Resolution 2017-56R – First Quarter 2017 Water/Sewer Adjustments**

A motion is in order to adopt Resolution 2017-56R approving the Water/Sewer Collector's adjustments for the first quarter 2017.  
(Motion requested by Water/Sewer Collector)

**4. Resolution 2017-57R – Tax Foreclosures**

A motion is in order to adopt Resolution 2017-57R authorizing Borough officials to proceed with the necessary steps to pursue Rem Foreclosures for various properties in the Borough of Sussex. (Motion requested by Tax Collector)

**5. Approval of Social Affair Permit for Sussex Fire Department**

A motion is in order to approve social affair permit for the Sussex Fire Department on March 18, 2017. (Motion requested by Clerk)

- 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 certain items excluded from the public.

**Personnel  
Purchase of Real Property  
Redevelopment Area  
Contract Negotiations  
Pending Litigation**

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. NEW BUSINESS: (Continued)

**6. Resignation of Full Time DPW Worker**

A motion is in order to accept the resignation of Jacob Kinney as a Full Time DPW worker for the Borough of Sussex effective February 19, 2017.

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

**MINUTES OF THE MEETING OF THE  
MAYOR AND COUNCIL  
OF THE BOROUGH OF SUSSEX  
HELD AT THE SUSSEX MUNICIPAL BUILDING  
2 MAIN STREET, SUSSEX, NJ  
JANUARY 17, 2017**

Mayor Little called the meeting to order and requested the clerk to call the roll. Upon roll call, the following members of the Governing Body were present: Mr. Walter Cleary III, Mr. Frank Dykstra, Mr. Robert Holowach, Mrs. Linda Masson, Mr. Edward Meyer, Mr. Mario Poggi, and Mayor Katherine Little.

Absent: None

Also present: Borough Attorney Mr. Frank McGovern, Esq. of McGovern and Roseman, P.A., Mr. Michael Restel, Municipal Administrator and Antoinette Smith, Acting Municipal Clerk

Mayor Little led the assembly in the flag salute and requested a moment of silence.

Mayor Little stated "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."

**APPROVAL OF AGENDA**

Mr. Holowach made a motion to approve the agenda for January 17, 2017 as submitted. Motion seconded by Mr. Poggi.

Upon roll call vote:

Ayes: Cleary, Dykstra, Holowach, Masson, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

**EXECUTIVE SESSION**

In accordance with the provisions of the Open Public Meetings Act, Mrs. Masson made a motion to adjourn into closed executive session to discuss contract negotiations and attorney client privilege matters. Motion seconded by Mr. Cleary.

Upon roll call vote:

Ayes: Cleary, Dykstra, Holowach, Masson, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

After meeting in closed session, the Governing Body returned to their seats at 8:56 p.m. and Mr. Poggi made a motion to adjourn out of closed executive session and to be reconvened into open public session. Motion seconded by Mrs. Masson. All were in favor.

**NEW BUSINESS**

**Resolution 2017-43R – Authorizing the Administrator to Enter into Administrative Consent Order EA ID# NEA 160001-1921001**

Mr. Holowach made a motion to adopt Resolution 2017-43R authorizing the Administrator to enter into Administrative Consent Order EA ID# NEA 160001-1921001. Motion seconded by Mr. Cleary.

Upon roll call vote:

Ayes: Cleary, Dykstra, Holowach, Masson, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

**Resolution 2017-44R - Authorizing the Award of a Contract for Engineering Services for the Loomis Avenue Bridge Crossing**

Mr. Holowach made a motion to adopt Resolution 2017-44R authorizing 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 services for the Loomis Avenue Bridge Crossing at a cost not to exceed \$18,850.00. Motion seconded by Mrs. Masson.

Upon roll call vote:

Ayes: Cleary, Dykstra, Holowach, Masson, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

**Resolution 2017-45R - Authorizing the Award of a Contract for Engineering Services for the NJDEP Administrative Consent Order**

Mr. Dykstra made a motion to adopt Resolution 2017-45R authorizing 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 services for the Administrative Consent Order at a cost not to exceed \$36,000.00. Motion seconded by Mr. Meyer.

Upon roll call vote:

Ayes: Cleary, Dykstra, Holowach, Masson, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

**Resolution 2017-46R – Authorizing Appointment of Qualified Purchasing Agent**

Mr. Holowach made a motion to adopt Resolution 2017-46R appointing The Canning Group, LLC as the Qualified Purchasing Agent at a cost not to exceed \$4,500.00. Motion seconded by Mr. Poggi.

Upon roll call vote:

Ayes: Cleary, Dykstra, Holowach, Masson, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

Mr. Holowach made a motion to suspend the rules to add Resolutions 2017-54R and 2017-55R to the agenda. Motion seconded by Mr. Meyer.

Upon roll call vote to amend:

Ayes: Cleary, Dykstra, Holowach, Masson, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

**Resolution 2017-54R – Authorizing the Mayor to sign a Contract to Purchase 1 East Main Street**

Mrs. Masson made a motion to adopt Resolution 2017-54R authorizing the Mayor to sign a new contract to purchase 1 East Main Street, Sussex, NJ. Motion seconded by Mr. Dykstra.

Upon roll call vote:

Ayes: Cleary, Dykstra, Holowach, Masson, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

**Resolution 2017-55R – Authorizing the Mayor to Appoint Special Counsel to Conclude Tax Appeal**

Mr. Dykstra made a motion to adopt Resolution 2017-55R authorizing the Mayor to appoint special counsel to conclude a tax appeal at a cost not to exceed \$300.00. Motion seconded by Mr. Meyer.

Upon roll call vote:

Ayes: Cleary, Dykstra, Holowach, Masson, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

**PRESENTATIONS:**

No presentations were scheduled for tonight's meeting.

**COMMITTEE & LIAISON REPORTS:** Mayor Little opened the floor to each member of the Council to offer their respective committee reports.

Mr. Poggi stated on January 10<sup>th</sup> he attended the Recreation Committee reorganization meeting. Stephanie McKay was voted in as chairperson for 2017 and Gerri Buckman was voted in as secretary. Some old business that was carried over was discussed which included making the committee a 501C3 nonprofit organization. This is not possible because we are a municipal government entity. A fund raiser for a Borough family was also discussed which is not possible because fund raisers would have to be done for all Borough families. The 2017 meeting schedule was also discussed.

Mrs. Masson stated the Borough was awarded another \$400,000 grant from the small cities CDBG for the waterline from Lake Rutherford. Mrs. Masson discussed with Steve Welsh the H2 loan project which was decided against because it was all loan. Mrs. Masson stated there was hope that if we did go for the loan some of it would be forgiven. Mrs. Masson and Steve Welsh also discussed possibly putting in an application for emergency funds for the Loomis Avenue Bridge pipe repair. A meeting will be set up for further discussion of this matter.

Mr. Meyer offered no report at this time. Mrs. Masson commented that the High Point Regional School Board meeting should not be meeting on a night when one of their sending districts are holding meetings. Mrs. Masson suggested we send a letter requesting the meeting night be changed. The Council would like the administrator to provide them with the name of the Borough representative for the High Point Regional School Board.

Mr. Dykstra stated the Sussex Borough rabies clinic was held on January 7, 2017. There were 73 dogs and 5 cats vaccinated for a total of 78 animals vaccinated.

Mr. Holowach stated an additional 100 tons of salt was delivered the first week in January. The DPW unclogged a sewer lateral on Newton Avenue. More QP was added to the parking lot on 3 East Main Street. The quarterly meter readings were done. Brian Demarest was in on January 7 for the annual rabies clinic at the DPW garage. Jacob Kinney replaced the brakes on both the pick-up truck and the utility truck. There have been 6 incidences since mid-December that required the DPW to be out salting or plowing. There was a leak at an abandoned house at 12 Grove Street and also on Newton Avenue. On 12/28/16 DPW checked the abandoned properties list for water leaks. In addition, there have been water mark outs, utility mark outs, the picking up of Christmas trees and installing the State required hydrant locator poles throughout the water service area. The next DPW meeting will be held on January 20<sup>th</sup>.

Mr. Cleary stated he went over the bills list with the Mayor on Monday and will be attending a SCMUA meeting on Wednesday, January 18<sup>th</sup>.

Mayor Little stated when she and Mr. Cleary went over the bills list she explained what they look for and the basic process involved. On January 4<sup>th</sup> the Mayor met with Wendy Molnar about third party electric charges. The Mayor asked the Council for their input on that subject. The grant writer will be approached on the possibility of an energy auction and also with the school system to see if they participate in third party electric charges. On January 6<sup>th</sup> a meeting and a conference call was held with eight participants to discuss our water issues and steps to be taken to address these problems. (Mr. Holowach was on the call as



he was away.) On January 11<sup>th</sup> Mayor Little and Administrator Michael Restel met with Senator Oroho and his staff to discuss our problems with the Lake Rutherford Dam and pipeline projects. They explained that the Historic Sites Council has us on hold. The Senator was under the impression that these projects were moving forward. Mayor Little assured him there are still issues with State agencies holding the projects up. Senator Oroho emailed the Commissioner while they were there. Mayor Little stated we are waiting for an update at this point in time. Administrator Michael Restel added he reached out to the Lieutenant Governor Kim Guadagno. Ms. Guadagno responded very quickly and asked that a summary be sent to her for her staff to review. Gerry Garner and James Schappell of Housing Engineering are preparing a summary statement to be sent as soon as possible. On January 12<sup>th</sup> Mayor Little attended the Water Quality PAC meeting. It was discussed that the Wantage Ridge and Wantage Village are resurrecting their project by McCoy's Corner. The Council will need to discuss if the contract we signed with them for water approximately ten years ago would still be in force. The developer will be putting in the water lines which may result in additional users along that line. Administrator Restel stated they are asking for 56,000 gallons per day at peak. Mr. Holowach stated that because the line is in Wantage the customer connections are not mandatory as they would be if the line was in the Borough. Monday morning Mayor Little went over the bills list with Mr. Cleary. In the afternoon she attended a meeting with Gerry Gardner, James Schappell, Mr. Holowach, Mr. Meyer and Toni Smith to go over some water issues and contracts which were discussed with Gerry and James tonight. The Bruno and Associates report stated the Green Acres grant was declined, Mayor Little clarified this by explaining the grant was to purchase property for recreations and environmental reasons and there is no property available to purchase.

Mayor Little read the following letter submitted by the Board of Health President:

*Mayor Katherine Little and Council Members:*

*On January 7<sup>th</sup>, 2017, The Sussex Borough Board of Health held its annual Rabies Clinic at the DPW Garage. It was held from 10 am until Noon.*

*In attendance as volunteers, were Mayor Little, Freeholder Jonathan Rose, and Board members Alexis Horvath and Myself. Our Veterinarian was Dr. Paul Tallamy of Green Valley Veterinary, Branchville.*

*This year about half the number our usual amount of animals were vaccinated. I believe that was due to the snow, very cold weather and also that it is a cyclical event. Most animals are vaccinated every three years. Only a few for one year. So next year may be busy again. We saw 73 dogs, and 5 cats for a total of 78 animals vaccinated.*

*I would like to thank all our volunteers for their efforts. Dr. Tallamy for his many years of service to our Clinic, Colleen Little for all her help, and the DPW for the use of the garage and assistance in helping me set up the event. We received many compliments about the clinic, and also the DPW. Many citizens don't get to see our buildings and how they work, and were impressed about all that goes on there.*

*I have to say that I always enjoy holding the clinic seeing all the animals, but I most enjoy the camaraderie with the other volunteers and getting to speak with the residents of Sussex Borough and surrounding areas.*

*Respectfully Submitted,*

*Karen E. Vander Veer  
President Sussex Borough of Health*

### **CONSENT AGENDA**

Mayor Little requested 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.

Mr. Holowach made a motion to accept the consent agenda of January 17, 2017. Motion seconded by Mr. Meyer.

Upon roll call vote:

Ayes: Cleary, Dykstra, Holowach, Masson, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

**OPEN PUBLIC SESSION #1**

Mr. Poggi made a motion to open the meeting to the public for any questions or comments concerning items on the agenda for which no public discussion is provided. All comments should be directed to the Mayor and are limited to a total of 10 minutes for the Council to discuss. Motion seconded by Mr. Meyer.  
All were in favor.

There being no one present who wished to address the Governing Body, Mr. Meyer made a motion to close the meeting to the public. Motion seconded by Mr. Poggi.  
All were in favor.

**OLD BUSINESS**

There was no old business discussed at this time.

**NEW BUSINESS – Continued**

**Approval of Meeting Minutes**

Mr. Meyer made a motion to approve the meeting minutes of the Regular Meeting and Executive Session held on December 20, 2016. Motion seconded by Mr. Dykstra.

Upon roll call vote:  
Ayes: Cleary, Dykstra, Holowach, Masson, Meyer, Poggi  
Nays: None  
Abstentions: None  
Absent: None

**Approval of Meeting Minutes**

Mr. Poggi made a motion to approve the meeting minutes of the Reorganization Meeting held on January 3, 2017. Motion seconded by Mr. Holowach.

Upon roll call vote:  
Ayes: Cleary, Holowach, Meyer, Poggi  
Nays: None  
Abstentions: Dykstra, Masson  
Absent: None

**Resolution 2017-47R– Place to Place Liquor License Transfer**

Mrs. Masson made a motion to adopt Resolution 2017-47R approving the Place to Place Transfer of Plenary Retail Distribution License Number 1921-44-005-002 heretofore issued to TEACH PADRAIG, LLC, T/A PATRICKS WINE BARN to 38-40A Hamburg Avenue, Sussex, New Jersey 07461. Motion seconded by Mr. Dykstra.

Upon roll call vote:  
Ayes: Cleary, Dykstra, Holowach, Masson, Meyer, Poggi  
Nays: None  
Abstentions: None  
Absent: None

**Resolution 2017-48R – First Quarter 2017 Water/Sewer Adjustments**

Mrs. Masson made a motion to adopt Resolution 2017-48R approving the Water/Sewer Collector's adjustments for the first quarter 2017. Motion seconded by Mr. Poggi.

Upon roll call vote:  
Ayes: Cleary, Dykstra, Holowach, Masson, Meyer, Poggi  
Nays: None  
Abstentions: None  
Absent: None

**Resolution 2017-49R – Bond Anticipation Note**

Mr. Meyer made a motion to adopt Resolution 2017-49R authorizing the issuance of Bond Anticipation Notes not exceeding \$560,500.00. Motion seconded by Mr. Holowach.

Upon roll call vote:

Ayes: Cleary, Dykstra, Holowach, Masson, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

**Resolution 2017-50R – Elevator Maintenance Agreement**

Mr. Meyer made a motion to adopt Resolution 2017-50R authorizing the Mayor and/or Clerk to enter into a one year agreement with USA Hoist Co., Inc, 75 Mill Street, Newton, New Jersey 07860 for elevator maintenance services at a monthly rate of \$215.00. Motion seconded by Mr. Poggi.

Mrs. Masson made a motion to table Resolution 2017-50R until the February 7, 2017 meeting to give time for the Administrator and Clerk to research the possibility of quarterly inspections. Motion seconded by Mr. Holowach.

Upon roll call vote to table:

Ayes: Cleary, Dykstra, Holowach, Masson, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

**Resolution 2017-51R – Authorizing Refunds**

Mr. Holowach made a motion to adopt Resolution 2017-51R authorizing the refund of \$112,879.16 to Avon 368, LLC for redemption of Tax Sale Certificate #15-07. Motion seconded by Mr. Poggi.

Upon roll call vote:

Ayes: Cleary, Dykstra, Holowach, Masson, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

**Resolution 2017-52R – Authorizing Refunds**

Mr. Meyer made a motion to adopt Resolution 2017-52R authorizing the refund of \$7,504.11 to US Bank Cust for PC5 Sterling National, for redemption of Tax Sale Certificate #2016-001. Motion seconded by Mr. Holowach.

Upon roll call vote:

Ayes: Cleary, Dykstra, Holowach, Masson, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

**Resolution 2017-53R – Liberty Digital Recording System Maintenance**

Mr. Holowach made a motion to adopt Resolution 2017-53R authorizing the Mayor and/or Clerk to enter into a contract with Gramco Business Communications, 1149 Bloomfield Ave., Clifton, NJ 07012, from January 29, 2017 through January 28, 2018, at a cost of \$975.00. Motion seconded by Mr. Meyer.

Upon roll call vote:

Ayes: Cleary, Dykstra, Holowach, Masson, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

**Approval of Social Affair Permit for Sussex Fire Department**

Mr. Dykstra made a motion to approve social affair permit for the Sussex Fire Department on February 25, 2017. Motion seconded by Mr. Poggi.

Upon roll call vote:

Ayes: Cleary, Dykstra, Holowach, Masson, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

**OPEN PUBLIC SESSION #2**

Mr. Meyer made 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 a total of 10 minutes for the Council to discuss. Motion seconded by Mr. Poggi.

Upon roll call vote:

Ayes: Cleary, Dykstra, Holowach, Masson, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

There being no one present who wished to address the Governing Body, Mrs. Masson made a motion to close the meeting to the public. Motion seconded by Mr. Meyer. All were in favor.

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mrs. Masson made a motion to adjourn the meeting. Motion seconded by Mr. Poggi. All were in favor.

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

\_\_\_\_\_  
Antoinette Smith, Acting Clerk

Date Approved:

**SUSSEX BOROUGH  
RESOLUTION #2017-50R**

**AUTHORIZING MAINTENANCE AGREEMENT FOR ELEVATOR SERVICE**

**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 one year agreement with USA Hoist Co., Inc, 75 Mill Street, Newton, New Jersey 07860 for elevator maintenance services at a quarterly rate of \$225.00.

**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 February 7, 2017.

\_\_\_\_\_  
Antoinette Smith  
Acting Clerk



**75 Mill Street  
Newton, NJ 07860**

January 23, 2017

Sussex Borough  
2 Main Street  
Sussex, NJ 07461

Attn: Colleen

**Re: Elevator Maintenance Agreement**

USA Hoist agrees to maintain **One (1) Elevator Control 2-Stop Twin-Post Holeless Elevator** located at **2 Main Street, Sussex, NJ** under its FS8 Preventive Elevator Maintenance Agreement.

USA Hoist using trained personnel will examine and lubricate all components of the elevator equipment during quarterly inspections.

**Preventative Maintenance Services:**

- Lubrication of rails, door operators and linkage
- Inspect brake, governor, and safety, adjust if necessary
- Inspect machine and sheaves
- Clean and adjust the motor, valve, controller and all contacts and switches
- Inspect and adjust all safety features
- Relamp all signals devices
- Operational testing to insure proper leveling at all stops
- USA Hoist will provide all necessary tools and test equipment for the testing, lubrication and cleaning of covered equipment
- Fire service testing
- Clean cab top, doorsills and pit
- Check hoist and governor cables, if applicable, for proper tension and adjust if necessary.

**Parts to be included:**

- Limit, landing, leveling and slow-down switches
- Anti-creep devices
- Door and gate operating equipment
- Control, selector and dispatch
- Signal and relay panels
- Contacts, relays, resistors and transistors
- Plunger seals



75 Mill Street  
Newton, NJ 07860

- Muffler and silencers
- Pipe and pipe fittings located above ground
- Guide shoe gibs and rollers
- Hatch door interlocks, gate and door contacts
- Indicator bulbs
- Muffler and silencers
- Control selector dispatchers
- Worm gears, bearings and rotating elements
- Brake coils, linings, shoes and pins
- Brushes, commutators, winding and coils

#### **Inspection and Testing:**

- USA Hoist will perform annual inspections, including pressure tests of hydraulic valves. USA Hoist will also ensure such tests are coordinated with the purchaser's New Jersey State licensed inspector or authorized inspection agency for the observation of such tests, as required by New Jersey State law.
- Five year full-load test is NOT covered under this agreement.
- USA Hoist is not responsible for any damage which occurs to any equipment due to the testing procedures required by New Jersey elevator code.

#### **Exclusions:**

- All proprietary control components, circuit boards, software, etc.
- All underground equipment, jack assembly, oil lines and electrical wiring
- Cover plates or signal fixtures
- Key Cylinders/Switches & Keys
- Smoke and fire sensors and related control equipment
- Mainline power devices to controller
- Emergency power plant and contactors
- Any cab component including wall and door panels, sills, ceiling light fixtures, handrails and cab flooring
- Replacement and repair of other parts, unless otherwise stated under included
- Cracked or broken welds
- Pre-existing conditions
- Guide rails and their alignment
- Violation repairs
- Operating valves, both manual and automatic
- Hydraulic oil
- Obsolete parts or equipment
- Submersible Motors
- Traveling Cables and wiring
- Motor generators or solid state motor drives



**75 Mill Street  
Newton, NJ 07860**

- Hoisting Motor
- Door Protective Devices
- Hydraulic Pump
- Running on arrival

It is mutually agreed that USA Hoist shall not be under any obligation under this contract to make renewals or repairs necessitated by reason of negligence, accident, malicious mischief, theft, fire, water, or misuse of machinery and car apparatus, or other similar causes beyond USA Hoist's control, except ordinary wear and tear.

**Hourly Rates:**

USA Hoist's standard hourly rates for work outside the scope of this agreement are as follows:

During normal working hours 8:30am – 4:30 pm Monday through Friday

1. Mechanic rate is \$185.00 per hour.
2. Team rate is \$340.00 per hour.

Overtime rate is all other hours except Sunday and Holidays

3. Mechanic overtime rate is at time and a half of the normal mechanic rate.
4. Team overtime rate is at time and a half of the normal team rate.

Double time rates are applied during Sunday and Holidays

5. Double time rate is twice the amount of the normal mechanic rate.
6. Double time rate is twice the amount of the normal team rate.

**Conditions:**

- The purchaser will provide full and free access to the equipment to perform the services specified, and will provide a safe workplace for USA Hoist's employees.
- USA Hoist does not at anytime assume possession or control of the equipment covered under the terms of this agreement and when not working on said equipment does not accept responsibility for leveling of cars at landings, erratic operation of car doors, shaft doors, and their locking assemblies or for any situation that may occur that cannot be revealed by the ordinary inspection methods offered with the service. The owner, by execution of this contract, agrees to monitor the operation of the elevator equipment daily, and to report by telephone and in writing of any unsafe condition or improper operation of the equipment which might cause injury to a passenger, if such is detected, the owner agrees to immediately discontinue the elevator from service.
- The purchaser agrees not to permit others to make alterations, additions, adjustments, repairs, or replacements to the equipment. If such work is performed by others, USA Hoist may, at its option, terminate this agreement upon ten (10) days written notice.

**Term of Contract:**

The service will be furnished for the period of twelve (12) months, starting on the date specified





**75 Mill Street  
Newton, NJ 07860**

below, and will continue from year to year, unless terminated in writing by either party, sixty (60) days in advance of the contract termination date.

**Price:**

The price of this service, as herein stated, shall be **Two Hundred Twenty-Five Dollars and no cents (\$225.00)** plus tax per quarter. Failure to make payment within 30 days shall result in termination of contract obligations by USA Hoist.

**Payment:**

Invoices will be rendered on the 1<sup>st</sup> day of the month. Payments shall be made within thirty (30) days after the rendering of the invoice. Payments shall constitute the binder under which USA Hoist warrants the equipment. USA Hoist reserves the right to suspend or cancel all warranties, and this contract, upon failure to make payment within the specified time period. Such suspension or cancellation will be effective upon the mailing of notice; there shall be no further obligation on the part of USA Hoist to rectify any condition previously occurring, or to continue with any repair work then pending.

**Escalation:**

The cost of this service shall be adjusted annually based on the percentage increase or decrease in straight time hourly costs, including fringe benefits of our mechanics covered by the International Union of Elevator Constructors, Local #1. This adjustment shall occur on the anniversary date of this contract.

**Cancellation:**

Should USA Hoist fail to perform according to the terms and conditions of the contract, the purchaser is hereby entitled to cancel this contract upon thirty (30) days written notice to USA Hoist for nonperformance.

ACCEPTED BY PURCHASER:

ACCEPTED BY USA HOIST:

BY: \_\_\_\_\_

BY: Kathy Kember

TITLE: \_\_\_\_\_

TITLE: Contracts Administrator

START DATE: 2/1/17


**SUSSEX BOROUGH  
RESOLUTION 2017-56R**

**FIRST QUARTER 2017 – WATER/SEWER ADJUSTMENTS**

**Acct# – 201 - 47 Harrison Street** – Due to a data entry clerical error this account should be credited \$121.39 and the reading adjusted.

**Acct# - 1357-1 East Main Street** - This account should be credited \$657.00 for usage that was not incurred due to a high estimate and the reading altered to match the actual reading.

**Acct# 2544 – 38 Main Street** – Due to a data entry clerical error this account should be credited \$2,371.08 and the reading altered to match the actual reading.



**Colleen Little, 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 February 7, 2017.

**Antoinette Smith, Acting Clerk  
Sussex Borough**

**SUSSEX BOROUGH  
RESOLUTION #2017-57R**

**TAX FORECLOSURES**

**BE IT RESOLVED** by the Borough Council of the Borough of Sussex, County of Sussex, and State of New Jersey, that the Tax Sale Certificates listed in the foregoing tax foreclosure list prepared by Melissa Caton, Tax Collector, which is incorporated herein and made a part hereof, be foreclosed pursuant to R.S. 54:5-104.29, et seq., familiarly known as the In Rem Foreclosure Act; and

**BE IT FURTHER RESOLVED** that the Tax Collector of the Borough of Sussex, and all other officials of the Borough of Sussex, are authorized to take the necessary steps to effectuate in every way the purpose of this resolution.

---

Antoinette Smith  
Sussex Borough Clerk

**IN FAVOR:**

**OPPOSED:**

**ABSENT:**

**ABSTAIN:**

**CERTIFICATION:** I certify that the foregoing to be a true and correct copy of the Resolution adopted by the Governing Body of the Borough of Sussex, in the County of Sussex, New Jersey, at a meeting held on February 7, 2017.

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Antoinette Smith  
Sussex Borough Clerk



STATE OF NEW JERSEY  
 DEPARTMENT OF LAW AND PUBLIC SAFETY  
 DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
 P.O. BOX 087, 140 EAST FRONT STREET  
 TRENTON, NJ 08625-0087

APPLICATION FOR  
 SOCIAL AFFAIR PERMIT (SAI)

**APPLICATION MUST BE SUBMITTED AT LEAST TWO WEEKS PRIOR TO THE EVENT.**

Applications must be accompanied by a fee of \$100.00 PER DAY for Civic, Religious, or Educational Organizations; \$100.00 PER DAY for all other NON-PROFIT organizations, in the form of a check or money order payable to the DIVISION OF ALCOHOLIC BEVERAGE CONTROL.

**NOTICE: ORGANIZATIONS MAKING APPLICATION FOR THE FIRST TIME, MUST SUBMIT PROOF OF NON-PROFIT STATUS IN NEW JERSEY. COMBINATIONS OF CERTIFICATE OF INCORPORATION, CHARTER OR BY-LAWS, FEDERAL TAX EXEMPT CERTIFICATE, FINANCIAL RECORDS AND MEMBERSHIP LIST (NAMES AND ADDRESSES INCLUDED) ARE ACCEPTABLE FORMS OF PROOF. THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL RESERVES THE RIGHT TO REQUEST ADDITIONAL INFORMATION IF DOCUMENTATION SUBMITTED IS NOT SUFFICIENT.**

Pursuant to N.J.S.A. 33:1-74 and N.J.A.C. 13:2-5.1, the undersigned makes application for a Special Permit to sell, dispense and serve alcoholic beverages for consumption at an affair as stated herein:

- Organization Information**
- Name of Organization: Sussex Fire Dept.  
 Address: 25 Loomis Ave Sussex N.J. 07461
  - Does organization hold a liquor license? Yes  No  If yes, \_\_\_\_\_ 31 \_\_\_\_\_  
(BUSINESS'S ONLY)
  - Has organization held a special permit for Social Affair during the past 3 years? Yes  No  If no, supply proof of non-profit status from NOTICE paragraph above. Previous Permit No: \_\_\_\_\_
  - Contact: LOUIS V. CECCHINI Phone Number: 973-825-6525
  - E-mail address: \_\_\_\_\_
  - Mailing address: 3 Debbie Dr. Sussex N.J. 07461

- Premises Information**
- Location of premises where affair will be held: (Describe Specifically)  
 Name of premises: Sussex Fire House  
 Address of premises: 25 Loomis Ave Sussex N.J. 07461
  - Is the above named premises licensed? Yes  No  If yes, \_\_\_\_\_
  - Are the premises where the affair is to be held owned by a municipality, county or state? Yes  No   
 If yes, state the name of owner: \_\_\_\_\_
  - For what purposes are premises used? Storage Fire Trucks & Equipment - Meeting
  - Does the premise conduct mercantile business? Yes  No  If yes, what is said? \_\_\_\_\_

**Event Information**

10. What date(s) will affair be held and between what hours alcoholic beverages will be dispensed (Dates must be consecutive to be on one application):

MMDDYY	START	END
3/18/2017	6	1
1 1		
1 1		

Rain Date (only give rain date): NONE

- What is the specific fundraising event being held? ST. PATRICK'S DAY DANCE + DINNER
- How is a charge assessed? Ticket  Contribution  Other: \_\_\_\_\_
- Who is the recipient of the proceeds? Sussex Fire Dept. (SEE BY OTHER)

Wine  Distilled Spirits  Malt Alcoholic Beverages

15. What are cup sizes for alcoholic beverages? Wine 7oz Beer 12oz Sprints \_\_\_\_\_

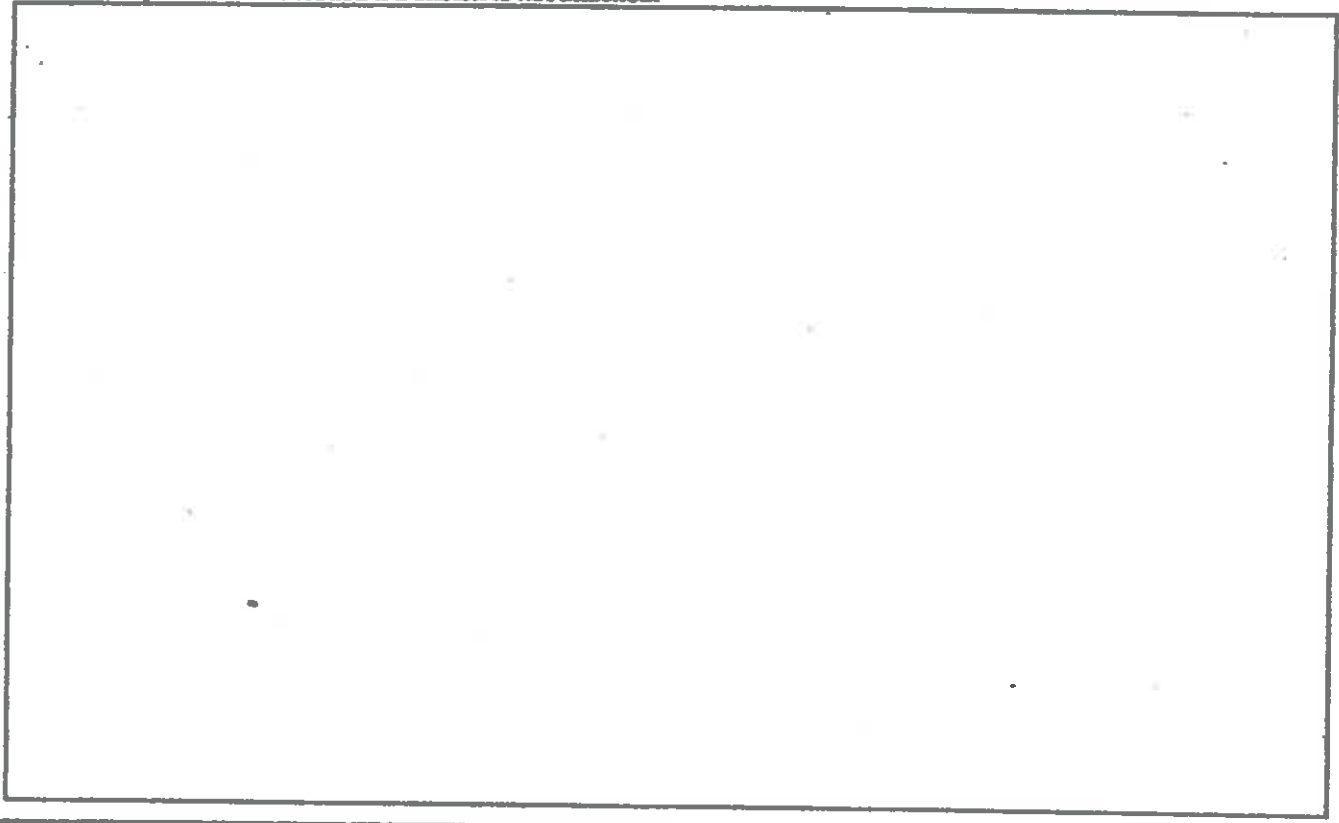
16. How many people are expected to attend your event on a daily basis? 250

17. What is the approximate age group of the attendees? ADULTS OVER 21 ONLY.

18. Will persons under the legal age to consume alcohol be in attendance? Yes  No

19. Explain in detail the security plans for the event. The plan should include the number of people checking for ID's, plans to prevent pass-offs to minors, the type of security at the event, the limit of alcoholic beverages per transaction, and any other relevant information pertaining to the event. Please attach another sheet if necessary.  
2 UNIFORM MEMBERS AT FRONT DOOR, 2 BARTENDER, 2 AT BAR AREA, 4 ON THE FLOOR. ALL MEMBERS IN UNIFORM SHIRTS. ALL MEMBERS ATTENDING WILL BE WATCHING FOR PASS OFF. CONSUMPTION AT BARTENDER DISCRETION.

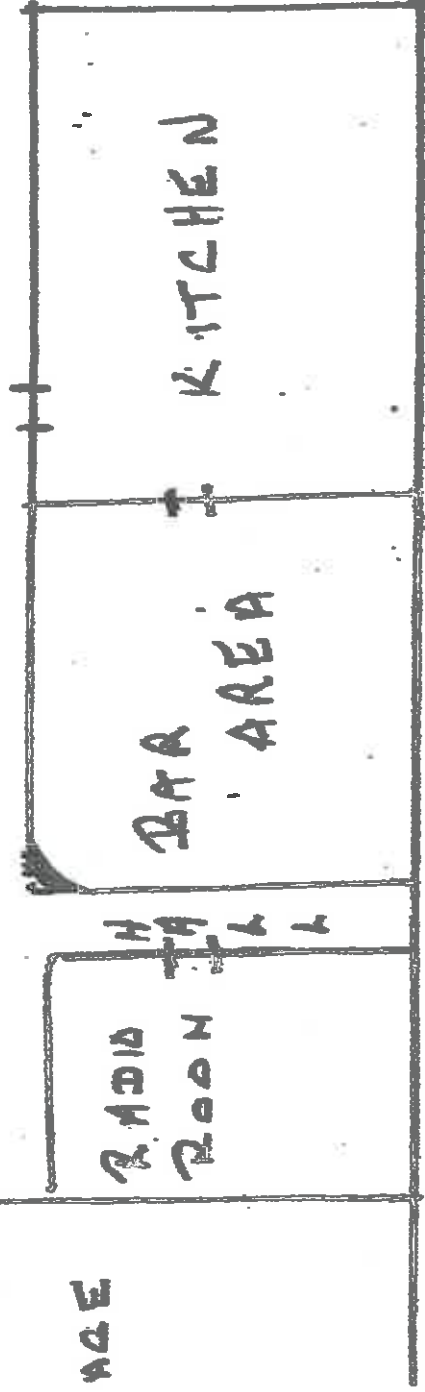
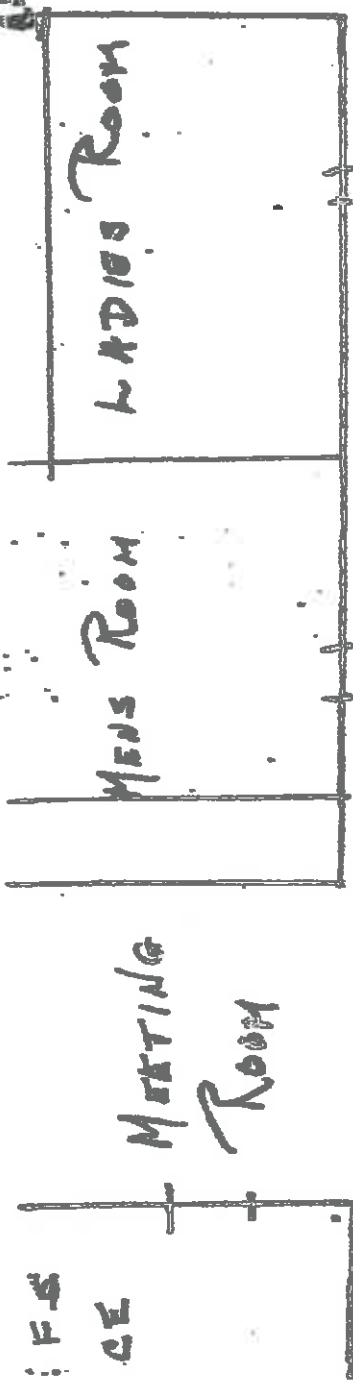
20. Please use the space below or attach a detailed sketch of the area to be licensed. The sketch should include entrances and exits, ID checking area(s), location of where alcoholic beverages will be dispensed and any other relevant information pertaining to the event. No permit will be issued if a sketch is not attached.



**Event Organizer Information**

• Is the event being handled by a promoter, Production Company, or other entities? Yes  No  If yes, attach contract.  
Company Name \_\_\_\_\_  
Company Contact \_\_\_\_\_  
Phone Number \_\_\_\_\_ X \_\_\_\_\_ Title \_\_\_\_\_

SEAL  
DOOR  
6.0.11.11



FRONT  
HALL  
TEMPORARY  
OFFICE  
UNIT

TRUCK BAYS

FRONT GARAGE DOORS

**NO PERMIT WILL BE GRANTED UNLESS WRITTEN APPROVALS FOR BELOW ARE OBTAINED!  
ORIGINAL SIGNATURES ONLY**

If a Special Permit is granted, applicant agrees that alcoholic beverages will not be sold or served to anyone under the legal age, nor will such persons be permitted to consume alcoholic beverages at aforesaid affair and certifies that all conditions set forth in said Permit, all rules and regulations pertaining thereto and all ordinances and/or resolutions of the municipality where aforesaid affair is to be held will be complied with; and that permission is hereby given the Director of the Division of Alcoholic Beverage Control, Division of Taxation, and their duly authorized investigators and agents, and to any local peace officer to investigate the sale of alcoholic beverages at the social affair for which this application is made.

Gambling, mock gambling and gambling paraphernalia are not permitted on the premises licensed by the Special Permit unless otherwise approved by the Legalized Games of Chance Commission (973) 273-8000. I HEREBY CERTIFY THAT THIS ORGANIZATION HAS NOT EXCEEDED ITS LIMIT OF 12 SPECIAL PERMITS DURING THIS CALENDAR YEAR.

Lawrence Leuchter, Chairperson Sussex Fair Dept.  
(Signature of Authorized Officer and Title) (Name of Organization)

Date of Signature 1/27/2017

I hereby certify that there is no objection to the granting of a Special Permit to above applicant to sell alcoholic beverages at the affair to be held on aforesaid date and premises, subject to, however, the following Special Conditions (if any):

SFC Steve Beal #5120  
(Signature of Chief of Police)

Sussex Boro  
(Municipality where affair is to be held)

Date of Signature 1-30-17

I hereby certify that the License Issuing Authority of this municipality has no objection to the granting of a Special Permit herein applied for and consents thereto. I further certify that the issuance of said Permit is not contrary to any local ordinance, resolution, regulation or policy which would prohibit same.

\_\_\_\_\_  
(Signature of Clerk)

\_\_\_\_\_  
(Municipality where affair is to be held)

Date of Signature: \_\_\_\_\_

The following consent is to be signed by the person so authorized of the premises where the affair is to be held.

I hereby certify that I am the person in charge of the premises upon which the herein affair will be held, that I am fully authorized to and do hereby certify that there are no objections to the sale and service of alcoholic beverages upon such premises at such affair. I HEREBY CERTIFY THAT THIS PREMISE HAS NOT EXCEEDED ITS LIMIT OF 25 SPECIAL PERMITS DURING THIS CALENDAR YEAR.

Lawrence Leuchter, Chairperson 1/27/2017  
(Signature and Title) Date of Signature

**NOTE: THE DIVISION MUST BE NOTIFIED FOR CANCELLATION OR RESCHEDULING PRIOR TO THE DATE OF THE EVENT.**

Issuance of the Special Permit will allow the organization to purchase alcoholic beverages for resale at the affair specified in the application from any licensed wholesaler or retailer. All advertising, tickets, etc., for the affair which contain reference to alcoholic beverages must include this Permit Number.