

**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  
May 1, 2012**

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- A. **Mayor Rose** will call the meeting 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. **CONSENT AGENDA:** **Mayor Rose** will request that all persons present review the consent agenda. If any member of the Council or public wishes an item on the consent agenda to be discussed and considered separately, a motion to this effect shall so be made at this time.

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

| Member    | Aye | Nay | N.V | ABS | Move | Sec |
|-----------|-----|-----|-----|-----|------|-----|
| Dykstra   |     |     |     |     |      |     |
| Holowach  |     |     |     |     |      |     |
| Krynicky  |     |     |     |     |      |     |
| LaBar     |     |     |     |     |      |     |
| Lagattuta |     |     |     |     |      |     |
| Meyer     |     |     |     |     |      |     |
| Rose      |     |     |     |     |      |     |

- E. **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.

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_ All in favor? \_\_\_\_\_

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.

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_ All in favor? \_\_\_\_\_

F. **COUNCIL DISCUSSION OF OPEN SESSION ITEMS**

G. **ADMINISTRATORS REPORT**

The Administrator/Clerk will offer his report.

H. **OLD BUSINESS:**

I. **NEW BUSINESS:**

1. **Approval of Meeting Minutes**

A motion is in order to approve the meeting minutes of the Regular Meeting held on April 3, 2012

| Member    | Aye | Nay | N.V | ABS | Move | Sec |
|-----------|-----|-----|-----|-----|------|-----|
| Dykstra   |     |     |     |     |      |     |
| Holowach  |     |     |     |     |      |     |
| Krynicky  |     |     |     |     |      |     |
| LaBar     |     |     |     |     |      |     |
| Lagattuta |     |     |     |     |      |     |
| Meyer     |     |     |     |     |      |     |
| Rose      |     |     |     |     |      |     |

2. Approval of Meeting Minutes

A motion is in order to approve the Executive Session minutes of the Regular Meeting held on March 6, 2012

| Member    | Aye | Nay | N.V | ABS | Move | Sec |
|-----------|-----|-----|-----|-----|------|-----|
| Dykstra   |     |     |     |     |      |     |
| Holowach  |     |     |     |     |      |     |
| Krynicky  |     |     |     |     |      |     |
| LaBar     |     |     |     |     |      |     |
| Lagattuta |     |     |     |     |      |     |
| Meyer     |     |     |     |     |      |     |
| Rose      |     |     |     |     |      |     |

3. Resolution 2012-61R 2011 Tonnage Grant Application

A motion is in order to adopt a Resolution endorsing the submission of the 2011 Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection and Energy, Office of Recycling

| Member    | Aye | Nay | N.V | ABS | Move | Sec |
|-----------|-----|-----|-----|-----|------|-----|
| Dykstra   |     |     |     |     |      |     |
| Holowach  |     |     |     |     |      |     |
| Krynicky  |     |     |     |     |      |     |
| LaBar     |     |     |     |     |      |     |
| Lagattuta |     |     |     |     |      |     |
| Meyer     |     |     |     |     |      |     |
| Rose      |     |     |     |     |      |     |

4. Resolution 2012-62R Honoring Eagle Scout

A motion is in order to adopt a resolution congratulating Timothy Mitchell for achieving the rank of Eagle Scout as a member of Boy Scout Troop 84.

| Member    | Aye | Nay | N.V | ABS | Move | Sec |
|-----------|-----|-----|-----|-----|------|-----|
| Dykstra   |     |     |     |     |      |     |
| Holowach  |     |     |     |     |      |     |
| Krynicky  |     |     |     |     |      |     |
| LaBar     |     |     |     |     |      |     |
| Lagattuta |     |     |     |     |      |     |
| Meyer     |     |     |     |     |      |     |
| Rose      |     |     |     |     |      |     |

5. Resolution 2012-63R Approve Settlement

A motion is in order to adopt a resolution approving the settlement in the matter of Owen v. Mayor and Council of the Borough Sussex, bearing Docket Number SSX-L-332-11, as recommended.

| Member    | Aye | Nay | N.V | ABS | Move | Sec |
|-----------|-----|-----|-----|-----|------|-----|
| Dykstra   |     |     |     |     |      |     |
| Holowach  |     |     |     |     |      |     |
| Krynicky  |     |     |     |     |      |     |
| LaBar     |     |     |     |     |      |     |
| Lagattuta |     |     |     |     |      |     |
| Meyer     |     |     |     |     |      |     |
| Rose      |     |     |     |     |      |     |

6. Resolution 2012-64R Water/Sewer Adjustments

A motion is in order to adopt a resolution approving the Second Quarter 2012 Water/Sewer Adjustments

| Member    | Aye | Nay | N.V | ABS | Move | Sec |
|-----------|-----|-----|-----|-----|------|-----|
| Dykstra   |     |     |     |     |      |     |
| Holowach  |     |     |     |     |      |     |
| Krynicky  |     |     |     |     |      |     |
| LaBar     |     |     |     |     |      |     |
| Lagattuta |     |     |     |     |      |     |
| Meyer     |     |     |     |     |      |     |
| Rose      |     |     |     |     |      |     |

7. Introduction Ordinance 2012-07 – Modify Chapter 5

A motion is in order to introduce an ordinance entitled “AN ORDINANCE TO MODIFY CHAPTER 5 THE CODE OF THE BOROUGH OF SUSSEX REGARDING DOGS AND CATS”

| Member    | Aye | Nay | N.V | ABS | Move | Sec |
|-----------|-----|-----|-----|-----|------|-----|
| Dykstra   |     |     |     |     |      |     |
| Holowach  |     |     |     |     |      |     |
| Krynicky  |     |     |     |     |      |     |
| LaBar     |     |     |     |     |      |     |
| Lagattuta |     |     |     |     |      |     |
| Meyer     |     |     |     |     |      |     |
| Rose      |     |     |     |     |      |     |

**FINAL READING: May 15, 2012**

8. Adoption Ordinance 2012-08 – Sale of Block 301.08 Lot 66

A motion is in order to adopt an ordinance entitled “AN ORDINANCE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX, STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS BLOCK 301.08 LOT 66

| Member    | Aye | Nay | N.V | ABS | Move | Sec |
|-----------|-----|-----|-----|-----|------|-----|
| Dykstra   |     |     |     |     |      |     |
| Holowach  |     |     |     |     |      |     |
| Krynicky  |     |     |     |     |      |     |
| LaBar     |     |     |     |     |      |     |
| Lagattuta |     |     |     |     |      |     |
| Meyer     |     |     |     |     |      |     |
| Rose      |     |     |     |     |      |     |

**Before final roll call Mayor Rose will open the meeting to the public for any questions or concerns that they may have regarding Ordinance #2012-08**

Discussion – Proposed Sign Ordinance

At this time a discussion will take place regarding the third draft of the proposed sign ordinance.

Discussion – Flynn Sewer Proposal

At this time a discussion will take place regarding the April 23, 2012 letter from William Kehoe concerning the sewer connection of Richard & Pamela Flynn.

- J. 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.

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_ All in favor? \_\_\_\_\_

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.

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_ All in favor? \_\_\_\_\_

- K. COUNCIL DISCUSSION OF OPEN SESSION ITEMS

L. EXECUTIVE SESSION – IF REQUESTED

**Mayor Rose** will request a motion to adopt a resolution to adjourn into Executive Session to discuss certain items excluded from the public.

| Member    | Aye | Nay | N.V | ABS | Move | Sec |
|-----------|-----|-----|-----|-----|------|-----|
| Dykstra   |     |     |     |     |      |     |
| Fransen   |     |     |     |     |      |     |
| Krynicky  |     |     |     |     |      |     |
| LaBar     |     |     |     |     |      |     |
| Lagattuta |     |     |     |     |      |     |
| Meyer     |     |     |     |     |      |     |
| Rose      |     |     |     |     |      |     |

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.

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

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_ All in favor? \_\_\_\_\_