

**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 19, 2010**

Mayor Parrott 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. Fransen, Mr. LaBar, Mrs. Little, Mr. Meyer, Mr. Rose, Mayor Parrott.

Absent: Mr. Dykstra

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

Mayor Parrott stated "This meeting is being held in compliance with the provisions of the Open Public Meetings Act, P.L. 1975, Ch. 231. It has been properly advertised and certified by the Clerk."

**PRESENTATIONS**

At this time Linda Alvarez, Business Administrator from High Point Regional High School, explained the proposed facilities renovation. She introduced Chuck Masselli who went over the 13 million dollar project. Because 12 million dollars of debt service will be paid off in June the administration believes that this is a good time to complete these projects, part of which will be paid for with State grants. The projects will only cost the tax payers approximately 8.6 million dollars. Right now, with the current debt service payments Sussex Borough residents are paying approximately \$36.00 a year. Once the debt service is paid off and if the new debt is approved by the voters the average taxpayer will be paying about \$33.00 a month. So people will actually see a slight decrease in that part of their taxes. Proposed renovations include a new roof, window and door replacement, improvements to the sewer treatment plant, 8 science labs, air conditioning for the auditorium and some classrooms that have heavy technology loads, increased security, renovation of the football field to include artificial turf and renovation of the existing tennis courts. They will also add two more tennis courts for a total of five. They will also refinish the gym floors and make the bleachers ADA compliant. The vote will take place on January 26, 2010 from 2:00 pm to 9:00 pm.

Mr. LaBar asked what they would do if the bids came in substantially lower than was expected.

Ms. Alvarez stated that they would perhaps add more heating/air conditioning but that they would be limited as to what they could do based on the aid application.

Mrs. Little asked if it would affect the overall school budget and Ms. Alvarez stated that it would not.

Mayor Parrott asked if these projects will take care of the school for the next several years and Mr. Masselli stated that they have projected out 10 or 12 years and that they don't foresee any major projects that will have to be done, barring any unforeseen problems.

Mayor Parrott asked why, if the tennis court location was a problem, they are adding two more courts and Mr. Masselli stated that he believes that once the trees in the area are taken down that the conditions will improve significantly.

Mr. LaBar asked if they had approached Elizabethtown Gas at any time to get connected. Ms. Alvarez stated that the line is very far away from the school and that it would cost them a fortune at this time to make the connection.

**CONSENT AGENDA**

Mayor Parrott requested that all persons present review the consent agenda and offer any comments they may have at this time regarding the consent agenda.

Mr. LaBar made a motion to accept the consent agenda of January 19, 2010. Seconded by Mr. Meyer.

Mr. LaBar stated that the bill for the grinder was lower than the estimate but it wasn't caught on the bill list. The bill is not \$22, 098.00 but \$19,798.00. That is a huge difference and he stated that the bill list has to be reviewed more carefully.

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

1. Letter dated December 29, 2009 from the State of New Jersey to Salvatore Lagattuta, regarding the compliance of the Remedial Action Progress Report II.
2. Letter dated December 30, 2009 from United Waters to Sussex Borough regarding United Waters to merge as a flagship entity, United Water Environmental Service Inc. Effective January 1, 2010.
3. Letter dated December 23, 2009 from Guerin & Vreeland to Hardyston Township MUA, Hardyston Township Municipal Building regarding the revised and supplemental information for the proposed sanitary sewer service for Beaver Run Shopping Center.
4. Letter dated December 16, 2009 from State of NJ DEP to Rich Flynn, Shade Tree Commission, congratulating Sussex Borough on the approval of the plans that were submitted to them.
5. Letter dated December 28, 2009 from Richard Pumphrey CPWM, EMC Frankford Township to Director Moriarty FEMA Region II, regarding de-obligation of funds that were forwarded to the Township of Frankford.
6. Letter dated December 24, 2009 to John K. Ruschke, PE Hatch Mott Mac Donald, from the State of NJ Dept. of DEP, regarding the approval of Project No. 19211991-003 Water Storage Tanks renovation and painting.
7. Letter dated January 4, 2010 to Sussex Borough from the State of NJ DEP regarding Dam Safety Enforcement.
8. Letter dated January 7, 2010 to Harold Pellow, PE from the State of NJ Dept. of Transportation, regarding Final Inspection for the Newton Avenue project.
9. Memo from Terry Beshada, CTC to Catherine Gleason, CMC, regarding delinquent taxes and the collection rate for Sussex Borough

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

1. Sussex Borough Tax Collection report for the month of December 2009
2. Sussex Borough Fire Department yearly call out Totals for 2009
3. Sussex Borough Construction Department report for the month of November 2009
4. Sussex Borough Court Report for the month of November 2009
5. Sussex Borough Water/Sewer report for the month of December 2009
6. Sussex Borough Registrar report for the month of December

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

1. Junior Membership application from Larissa K. Sutphen for the Sussex Fire Department
2. Junior Membership application from Kelsey L. Stoll for the Sussex Fire Department
3. Junior Membership application from Andrew Fedynich for the Sussex Fire Department
4. Junior Membership Application from Ellen M. Rome for the Sussex Fire Department
5. Application for a blue light permit from James McGuire

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

1. Payment of bills for the meeting of January 19, 2010

**OPEN PUBLIC SESSION #1**

Mrs. Little made a motion to open the meeting to the public for anyone wishing to address the Governing Body. Seconded by Mr. Fransen. All were in favor.

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

**COMMITTEE REPORTS**

Mr. Fransen stated that the Reorganization meeting for the Planning/Zoning Board will be held on February 4, 2010.

Mr. LaBar stated that there are some issues with the Fire Department regarding Wantage and the cost of the equipment and fire coverage. He, along with the Mayor and the Chief will meet

with Jim Doherty in the near future to get it straightened out. 80% of the calls that the Borough goes on are in Wantage.

Mr. LaBar also stated that the Shade Tree Commission received its approval for their five year forestry plan. The Governing Body will have to create new ordinances which will allow for a little more policing powers. They will hear sometime this month about the grant that they submitted.

Mr. Meyer stated that he thinks that a committee should be set up to discuss what the Borough is going to do regarding the DPW since Hank will be leaving in June. We have to consider all of our options. He also requested that the Water/Sewer agreement be pulled from the agenda tonight until it can be discussed with the attorney.

Mrs. Little reported that she attended the Solid Waste meeting on January 12, 2010 and that the issue of flow control was discussed. They are hoping that it will help control their revenue stream. She also stated that it was discussed about the recycling of rechargeable batteries. They are supposed to be put in individual plastic bags but they didn't consider what was going to be done with the bags. There is a lack of follow through with a lot of their programs.

Mrs. Little also stated that she attended the Water Quality Management meeting and that Nathaniel Sajdak informed them that they have the monies available to clean up the creek in the Borough. They are waiting for DEP approval.

Mrs. Little stated that she would like to discuss the Construction Contract with regard to the fees that we collect.

Mayor Parrott stated that he talked to the new mayor in Wantage and that she stated that the cost could be negotiated. The fees collected have been approximately \$50,000 the last two years. We will pull it from the agenda tonight so that it can be discussed further.

Mr. Rose stated that there was a Recreation Commission meeting on Tuesday and that 6 events have been planned for the Borough. A listing of the events is available in the Clerk's office and will be put on the Borough website. They are hoping to perhaps have a combined pageant this year with Wantage. One of the issues last year was the hiring of a photographer to take pictures and frame them for the contestants. Mr. Meyer stated that his wife has volunteered to take the pictures and to have them framed.

Mr. Rose also stated that he does not think that it is a good idea for him to be both the Council liaison to the Commission and the Chairperson. He doesn't feel that he can effectively communicate the Council's wishes if he is also the chairperson. He would like to be able to stay neutral. Mrs. Gleason stated that she would send ordinances from other towns to Mr. Rose to have him take a look at. Then perhaps the Borough could model the ordinance after one of them.

Mrs. Gleason stated that she would like the Councils' permission to change the fee that we charge for having water meters tested. The fee needs to change to take into affect the actual cost of the testing plus the postage to send the meter to the independent company. The Council agreed and Mrs. Gleason stated that she will have the ordinance redone for the next meeting.

Mayor Parrott reported that he, Cathy and Hank met with our new water/sewer engineer John Ruschke to go over projects and problems in the Borough. John came up to collect the files and will be reviewing them free of charge so that he is up to date with all of the issues in the Borough.

Mayor Parrott also stated that he attended a meeting where SCMUA proposed that all of the towns in the County be responsible for paying for the cost of the landfill. There is a huge shortfall in their budget. Not only will Borough residents have to pay for the shortfall through their taxes but they will also be hit by the haulers who have to raise their prices to cover the increased tipping charges. He stated that he has already spoken to John Ursin about the proposed fee. John told him that he will look into the legality of it and report back to the Council.

### **OLD BUSINESS**

Mr. LaBar stated that he thinks that it would be a good idea if Harold Pellow were to drive around with Hank so that he could let Harold know of any problem areas in town.

## **NEW BUSINESS**

### **Approval of Meeting Minutes**

Mr. Fransen made a motion to approve the meeting minutes of the Regular Meeting held on December 18, 2009. Seconded by Mr. LaBar.

Upon roll call vote:

Ayes: LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: Fransen

Mr. Meyer made a motion to approve the meeting minutes of the Reorganization Meeting held on January 5, 2010. Seconded by Mrs. Little

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

### **Tank Renovation and Painting Engineering Proposal – Hatch Mott McDonald**

Mr. LaBar made a motion to approve a proposal submitted by John Rushke from the engineering firm of Hatch Mott McDonald, in the amount of \$8,500.00, for the preparation of the bid documents and the bidding process for the water tank renovation and painting project. Seconded by Mr. Meyer.

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

### **Sussex/Wantage Interlocal Agreement – Tax Assessor**

Mr. LaBar made a motion to approve an Interlocal agreement with the Township of Wantage in the amount of \$11,000 (no increase from last year) for Tax Assessor Services. Seconded by Mr. Fransen.

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

### **Sussex/Wantage Interlocal Agreement – Court Services**

Mr. Fransen made a motion to approve an Interlocal agreement with the Township of Wantage in the amount of \$44,500 (no increase from last year) for Court Services. Seconded by Mrs. Little.

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

### **Sussex/Wantage Interlocal Agreement – Construction Services**

This agreement was tabled until a future meeting.

### **Sussex/Wantage Interlocal Agreement – Water and Sewer Services**

This agreement was tabled until a future meeting.

### **Appointments – Planning/Zoning Board Class IV Members**

Mr. Fransen made a motion to appoint to the Sussex Borough Planning/Zoning Board, Larry Gutlerner as a Class IV member with his term expiring 12/12 and Sal Lagattuta as a Class IV member with his term expiring 12/13. Seconded by Mr. LaBar.

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

### **Social Affair Permit – Sussex Fire Department**

Mrs. Little made a motion to approve a Social Affair Permit for the Sussex Fire Department for an event to be held on February 13, 2010 from 5:30 pm to 1:30 pm at the Sussex Fire Department. Seconded by Mr. Fransen.

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

#### Resolution #2010-19R – Forgive Taxes

Mr. LaBar made a motion to approve a resolution authorizing the Tax Collector to forgive taxes in the amount of \$2,670.66 for Block 102, Lot 1 also known as 1 Loomis Avenue. Seconded by Mr. Meyer.

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

#### Crew Engineers – Bill for Manhole Rehabilitation Project

Mr. Meyer made a motion to approve a voucher in the amount of \$7,442.00 from Crew Engineers for work done on the Clove Brook Watershed Manhole Rehabilitation Project. Seconded by Mr. LaBar.

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

#### Appointment – Borough Planner

Mr. Fransen made a motion to appoint Ken Nelson of the Nelson Consulting Group as the Borough Planner for a one year term ending 12/31/10. Seconded by Mrs. Little.

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

#### Raffle Application #2010-02 – Sussex Fire Department

Mrs. Little made a motion to approve Raffle Application #2010-02 from the Sussex Fire Department to hold raffles throughout the 2010 calendar year and to waive the municipal licensing fees. Seconded by Mr. LaBar.

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

#### Resolution #2010-20 – National Wear Red Day for Women

Mrs. Little made a motion to approve a resolution proclaiming February 5, 2010 as “National Wear Red for Women” day in the Borough of Sussex. Seconded by Mr. LaBar.

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

#### **OPEN PUBLIC SESSION #2**

Mrs. Little made a motion to open the meeting to the public for anyone wishing to address the Governing Body. Seconded by Mr. Meyer. All were in favor.

Mr. Patrick Dwyer, attorney for High Ridge Properties, addressed the Council regarding the submittal of the TWA and once again asked the Governing Body to allow the Borough Engineer to review it.

Robert McBriar, sitting in for Borough Attorney John Ursin, stated that he has recommended to the Council, as per John's direction, to allow the engineer to begin reviewing the TWA as long as sufficient escrow is posted.

Mrs. Gleason stated that she will check with the engineer to see how much money he recommends putting in an escrow account for the review.

Mayor Parrott stated that the last time we actually received a payment from High Ridge for their sewer bill was last August and asked Mr. Dwyer why.

Mr. Dwyer stated that he would check into it tomorrow and let the clerk know.

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

### **ADJOURNMENT**

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

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Christian Parrott, Mayor

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Catherine Gleason, RMC