

**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
MARCH 2, 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. Dykstra, Mr. Fransen, Mr. LaBar, Mrs. Little Mr. Meyer, Mr. Rose, Mayor Parrott.

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 Mayor Parrott recognized Girl Scout Troop #805 and proclaimed the week of March 7, 2010 as Girl Scout Week in the Borough of Sussex.

Resolution #2010-25R – 2010 Girl Scout Week Proclamation

Mrs. Little made a motion to proclaim the week of March 7, 2010 as Girl Scout Week in the Borough of Sussex. Seconded by Mr. Meyer.

Upon roll call vote:

Ayes: Dykstra, Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: None Abstentions: None

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. Fransen made a motion to accept the consent agenda of March 2, 2010. Seconded by Mr. LaBar.

Mr. Rose asked if we decided that we weren't going to renew the Morris County Co-op.

Mayor Parrott stated that we have not used the service and he recommended that we do not renew the membership.

Mrs. Little asked if the co-op sold the water and sewer supplies that we needed and Mrs. Gleason stated that they do not.

Mayor Parrott stated that we got other quotes for those supplies and that it will be voted on later in the meeting.

Mrs. Little asked if the Tax Collector sends out delinquent notices for small amounts such as one cent and Mrs. Gleason stated that she would check.

Mr. Rose asked about the bill for the plow and Mrs. Gleason responded that Hank purchased a used plow for one of the vehicles. It broke during the last storm.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Resolution from Lafayette Township supporting Senate Bill S-1
2. Resolution from Andover Township in opposition of the legislation amending the time of decision rule
3. Letter dated February 12, 2010 from John Ruschke to Cliff Lundin re: Clove Brook watershed manhole rehabilitation project
4. Memo from Elaine Morgan to All Sussex County Clerks regarding authorizing the clerk of the board of chosen freeholders to provide notice of the proposed auction sale of real properties
5. Freshwater wetlands application from Tennessee Gas Pipeline Company
6. Delinquent tax report as of the 1st Quarter

7. Letter dated February 18, 2010 from Grant Rome to Anita Doerr re: Membership in Morris County Co-op
8. Statement of expenditures for the DPW year ended 12/31/2009

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Construction report for January 2010.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Application from Sussex Wantage Little League to use Brookside Park for Spring baseball season. (with the condition that they provide a valid insurance certificate)

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of March 2, 2010.

Upon roll call vote:

Ayes: Dykstra, Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: None Abstentions: None

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. Meyer. All were in favor.

Mr. Andre Andrutchuk, 11 East Main Street addressed the Governing Body about his water bill. It is so high and he asked why it keeps going up and if they anticipate it going down in the near future.

Mayor Parrott explained to him the issues with SCMUA and there ever increasing bills. He also discussed what the Borough is planning to do to try to reduce the bills, such as the I & I project that should begin this year and alternative ways that the Borough can provide water to the residents. Right now the way that the Borough is providing water, is by a reservoir feeding water over the ground to a treatment plant, which is the most expensive way of doing it.

Mr. Ursin stated that there is a budget hearing that will be coming up in the next couple of months where the budget for the water system is presented. The auditor is present at that meeting and explains all of the charges and the public can see the actual numbers.

Mr. Andrutchuk asked if there is a budget plan that a homeowner can go on to make the payments easier to handle.

Mrs. Gleason stated that if he calls the office that Maria will be glad to work out some kind of payment plan for him.

Mr. Andrutchuk wanted to know why other towns seem to be able to provide the service so much cheaper.

Mayor Parrott stated that some towns have wells, which is a cheaper way of providing water. Surface water is much more expensive to treat than ground water. Right now the water that comes out of our reservoir has to travel many miles over ground before it gets to the treatment plant. Because of that all of the mud and debris has to be filtered out and the water needs to be treated. We have to pay United Water a lot of money a year to treat the water. If we go another route then perhaps we could sell off the assets that the Borough owns which means we would not be responsible for the dams or the reservoir any longer. It is a multi-year plan however.

Mr. Ursin stated that the well permitting process could take up to three years

Mr. Andrutchuk asked when the Borough plans to start on the I & I project and the Mayor responded that we hope to get it started this year. Once we take care of it then hopefully SCMUA will start to allow us to sell some more of our allocation.

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

COMMITTEE REPORTS

Mr. Fransen reported that he, Ken Nelson and Rich Klein met with the Plan Endorsement Committee from Wantage and that the meeting was very productive. They were very receptive to working with the Borough to look at all of the properties surrounding the Borough to make sure that zoning was consistent. Although Ken focused on the Walling Ave/Route 23 property they agreed that it was a good idea to look at the entire town and its boundary with Wantage. This will make it much easier if a developer comes in. Wantage officials agreed that it should have been done years ago.

Mr. Fransen also stated that they are looking into the old railway bed to see if it can become a walking/bike trail connecting the two towns.

Mr. Fransen also reported that the Planning Board meeting is scheduled for this Thursday and that the applicant will be presenting a concept plan for a development behind the Christian School on Unionville Avenue. Some of the homes will be along Highland Avenue so it would be nice if there would be access to the development from there. Right now they are proposing accessing it off of Route 284. It might be easier to come in off of Highland especially if they are going to want to be connected to the Borough's water system.

Mr. Dykstra reported stated that he thinks that it is a good idea to entertain a monthly payment plan for residents to pay their water and sewer bills. We do it with our other utilities that we pay. It might help in collections. It may mean extra bills going out but it may be something that we want to look at. People can budget more accordingly. The bills can be estimated.

Mr. Ursin stated that people can already do that.

Mrs. Gleason stated that if anyone ever calls to say that they are having a hard time paying the bill they are told that we are more than willing to work out some kind of payment plan.

Mr. Dykstra stated that bills could go out every month even though the meters would only be read every quarter. It could easily be done. We have to make some kind of attempt to temper this thing. We don't make money on the utility. Whatever our costs are we have to charge out to the user. It is all about the number of customers.

Mayor Parrott stated that the clerk will look into the possibility of sending the bills out monthly. We want to be accommodating. It may require more clerical work. If someone requests it we are more than willing to work with them. We will discuss it further to see if we can come up with a solution.

Mr. Dykstra stated that he is in support of it.

Mrs. Gleason stated that she is also in support of it but that Maria currently only works five hours a day.

Mr. Dykstra stated that we may have to bend to accommodate the public. He hates to say it but we may have to work a little harder in here and that is just the way it is. Demands are being made at his work and he has to do a person and a half's job and he doesn't get a raise. These are just things that we have to do. These are tough times and we need tough people to get in gear. Not that none of us are doing our jobs but sometimes we have to work 150%. We are here to serve and we have to do whatever we can.

Mr. Dykstra stated that he did not make the High Point meeting but he made it to the Sussex/Wantage meeting. The whole situation up there can only be described as odd. They were only there for ½ an hour. It went very quickly. Someone asked for a printout, in preparation of the budget, regarding the overtime of the custodians. They voted it down. One of the members actually requested it but the rest of the members stated that they were not interested in seeing it so they voted it down.

Mr. Rose stated that he thinks that three people wanted to see the information but that four of them didn't. The information is OPRA discoverable however so it doesn't make sense.

Mr. Dykstra stated that he wanted to get up and tell them that it is public information but that he did not say a word. They went into Executive Session. The tone is that there was a 15% cut by the government. The schools were told to go into the surplus, to run it down and to utilize that money. The bottom line that no one wants to talk about is that enrollment is going down. In this area and in the state it is trending down. If enrollment is down we don't need that many teachers. What is happening is that they are going to have to stop cutting things such as

repairs and have to cut staff. There is a lot of tension up in Sussex/Wantage. They are going to have to go into their surplus for expenses this year. The Borough is going to have cuts also. There is no money and it is a blessing in disguise that the referendum did not pass in November. The pension plan is 34 billion dollars underfunded in the State. They have to come up with 6.1 billion dollars a year just to pay the people that are currently enrolled. That includes teachers. Teachers and public employees may have to contribute 1.5% of their total salary to their benefit package. We are all going to have to tighten our belts. Things are going to get worse.

Mr. Rose reported that he, Bruce and Ed met with Hardyston to discuss the possibility of an Interlocal agreement for DPW services. The meeting was very productive and it seems like Hardyston really wants to work with us. They asked for some information from us.

Mrs. Gleason stated that it was already sent to them.

Mr. Rose stated that Bob Schultz, the DPW Supervisor seems like a really good guy and has a really good operation going on down there. We will see what the numbers come back as. If they are decent it certainly felt very comfortable working with them. We have started to get some resumes in for the DPW position in case we decide to go that route.

Mrs. Little stated that on February 23rd the Board of Health meeting was canceled because of snow as was the Recycling Workshop that she was supposed to attend on the 25th. It has been rescheduled for March 11, 2010. She stated that a mass communication came addressed to Jeff Card from the Clean Communities program stating that the Borough did not file a report in 2008. We are not alone though. 17 of the other towns in the County did not file either. She will work with Hank on seeing about getting a report done. She doesn't think that much was coming through from the County on this and now they are blaming the municipalities. She thinks that it may have started higher up than us.

Mrs. Little also reported that she was a celebrity reader at the Wantage School. She read a book about the Titanic and she really enjoyed it. She stated that she obtained the Court calendar on yesterday's docket. The cases are not separated into Sussex and Wantage cases. There seems to be a problem separating the cases that are initiated by the State Police. Unless she sees the summons she does not know if it is a case for Sussex or Wantage. From January 1, 2010 to March 1, 2010 there were three traffic violations and 20 parking tickets issued in the Borough. There is no record however of other violations. She will try to get that information as soon as possible.

Mr. LaBar reported that he still has not heard from the Fire Department regarding the issues that they are having with Wantage. We were supposed to meet with them before the meeting tonight but they were not able to attend. It has been rescheduled for the 16th before the council meeting.

Mayor Parrott stated that we need to talk to them about getting a club license.

Mr. LaBar also reported that they had a Shade Tree Commission meeting. They discussed replacing the trees on Chestnut that didn't make it from last year. They might try to do it in conjunction with Arbor Day. They would also like to send out flyers to the residents to promote the Shad Tree Commission but postage is very expensive. Perhaps something can be put in the tax bills when they go out but that would be after Arbor Day. A table could also be set up at the Harvest Festival.

Mr. Meyer gave the DPW report, a copy of which is on file in the Clerk's office. He commended the DPW for doing a very good job during the last snow storms.

Mrs. Little stated that she has gotten many complements on how well the Borough roads are maintained.

Mr. Meyer stated that Hank compiled a list of all of the equipment and the list is pretty extensive. One of the trucks needs to be looked at because Hank thinks that it needs a new clutch. The Committee will be going over the list and doing a physical inspection.

Mayor Parrott stated that we are sending our equipment to Wantage to be repaired but they are backed up because of the storm last week.

Mr. Meyer stated that we do have a pretty good working relationship with Wantage with regard to the DPW and them helping us out with our equipment repairs.

Mayor Parrott stated that we have never had such a good relationship with Wantage before and it is very nice to be able to take the equipment up there and have it fixed in such a timely fashion.

Mr. Meyer stated that there was some overtime paid out because of the snow storm, approximately 120 hours of overtime between the three gentlemen. In order to clean Main Street we had to accrue some overtime. We could normally do it on regular time but there was just so much snow. The DPW has purchased some cold patch to patch a hole on Walling Avenue. We will need to purchase more however. Hank also told him that they had some plowing difficulties up on Lakeview Terrace. Some of the mailboxes need to be moved back further off of the road so that they can plow up to the curb. We will be finding out what the federal regulations are regarding mailboxes and notify the residents who are effected.

Mr. Meyer also stated that we did get more quotes for the water/sewer supplies that we need and the one from Schneider was still the best price. The sewer router that we own is currently 21 years old and Hank is the only one who can operate it. We are going to have to decide what we are going to do once Hank retires and whether we should try to enter into a shared service agreement with another municipality to purchase a jetter. They cost approximately \$40,000 and would be cost prohibitive for us to buy one ourselves.

Mayor Parrott stated that Wantage Excavating was called to help us plow out the water treatment plant during the last snowstorm.

Mr. Fransen stated that he thinks that it might be a good idea to purchase flags to put on the hydrants so that they can be found easily during a snowstorm. Sometimes the residents help dig them out if the DPW is too busy. Maybe they can even paint a line on the street to indicate where they are.

Mayor Parrott stated that some towns have an "Adopt a Hydrant" program where residents are responsible for digging out the hydrants after a snow storm.

Mr. Meyer stated that we have received resumes for the DPW Supervisor position and that the deadline for their submission is March 19, 2010. There already seem to be some good applicants.

Mr. Meyer reported that on February 24, 2010, he, Bruce and Jonathan met with Hardyston to discuss their interest in an Interlocal agreement for DPW services. The meeting went very well. They can offer us a menu of services depending on how it is we wish to proceed. One of the most encouraging things is that they are willing to come in on an interim basis immediately so that we could get someone in place before Hank retires. Right now we don't have a DPW chief and we do know that we want to get someone in place as quickly as possible. They did discuss some of the building department information and they are going to give us some quotes for next year. Their initial assessment was that they could save us money if they were to provide that service.

On the DPW side, Mr. Meyer stated that Bob Schultz is their Director of Public Works and he also handles the sewer and water issues some of the time for the HTMUA.

Mr. Rose stated that they split off their municipal utility authority into a separate branch even though they are really tied at the hip. It really is a separate entity completely.

Mr. Meyer stated that if we had consolidated with Wantage there is no backing out but with an Interlocal at least we can try it out and see how it works. The feeling of the committee right now is to really try and keep the services in house. The committee is looking at all of the different ways that the Borough can accomplish that. Hardyston talked about helping us look into getting some grants through Homeland Security for our treatment plant. They are looking at keeping our employees. They have a garbage truck which enables them to pick up the recyclables, brush and bulk trash. The committee is scheduled to meet with Hardyston again on March 10th.

Mr. Meyer requested an Executive Session to discuss contracts and personnel.

The Council discussed putting the DPW ad in the Star Ledger and the Morris Daily Record and it was decided that the clerk would call to see how much it would cost and then the mayor would phone everyone to see if they wanted to run the ad.

Mrs. Gleason stated that the Tank Painting project was going out to bid shortly and that there will be a public hearing on April 13, 2010 for the I & I project.

Mayor Parrott stated that because of the concerns that Mr. Dykstra voiced at the last meeting regarding communication between the DPW and administration he spoke to Tucker directly regarding the DPW position and was told exactly what he heard from Hank. Tucker is not interested in becoming the supervisor and is happy being a laborer in the department.

OLD BUSINESS

NEW BUSINESS

Approval of Meeting Minutes

Mr. Fransen made a motion to approve the meeting minutes of the Regular Meeting held on February 16, 2010. Seconded by Mrs. Little.

Upon roll call vote:

Ayes: Dykstra, Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: None Abstentions: None

DPW Purchase – Water/Sewer Supplies

Mr. Meyer made a motion to approve the purchase of Water/Sewer Department supplies from Schmidt's Wholesale, Inc. in the amount of \$4,913.38. Seconded Mrs. Little.

Upon roll call vote:

Ayes: Dykstra, Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: None Abstentions: None

Adoption Ordinance #2010-02 – Recreation

Mr. Meyer made a motion to adopt an ordinance entitled "AN ORDINANCE AMENDING CHAPTER 2, SECTION 14, OF THE CODE OF THE BOROUGH OF SUSSEX ENTITLED 'BOARD OF RECREATION AND PARKS COMMISSIONERS'". Seconded by Mr. Rose.

Before Final Roll Call Mayor Parrott opened the meeting to the public for any questions or concerns that they may have regarding Ordinance #2010-02.

There being no one who wished to address the Governing Body regarding Ordinance #2010-02, Mayor Parrott closed the meeting to the public and returned to the regular order of business.

Upon roll call vote:

Ayes: Dykstra, Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: None Abstentions: None

Introduction Ordinance #2010-03 – SECTV Franchise Agreement

Mr. Fransen made a motion is to introduce an ordinance replace Chapter XVI of the Code of the Borough of Sussex, County of Sussex, and State of New Jersey entitled "CATV" permitting cable television franchise to construct, own, operate, extend and maintain a cable television system in the Borough of Sussex; setting forth terms and conditions related thereto; and providing for the regulation and use thereof. Seconded by Mr. Dykstra.

Upon roll call vote:

Ayes: Dykstra, Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: None Abstentions: None

FINAL READING: MARCH 16, 2010

Sussex/Wantage Interlocal Agreement – Construction Services

Mr. Meyer made a motion to approve an Interlocal agreement with Wantage Township for Construction Services for the year 2010 at the cost of \$90,000.00. Seconded by Mr. Fransen.

Upon roll call vote:

Ayes: Dykstra, Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: None Abstentions: None

Resolution #2010-28R – Personnel Manual

Mr. Dykstra made a motion to approve a resolution amending the Sussex Borough Personnel Manual regarding Section 4, Uniforms. Seconded by Mr. Fransen.

Upon roll call vote:

Ayes: Dykstra, Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: None Abstentions: None

Resolution #2010-29R – Water/Sewer Adjustments

Mr. LaBar made a motion to approve a resolution authorizing first quarter 2010 Water/Sewer Adjustments. Seconded by Mr. Dykstra.

Upon roll call vote:

Ayes: Dykstra, Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: None Abstentions: None

OPEN PUBLIC SESSION #2

Mr. Fransen 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. Andrutchuk, 11 East Main Street suggested that we advertise for the DPW position on the web.

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

EXECUTIVE SESSION

In accordance with the provisions of the Open Public Meetings Act, Mr. Meyer made a motion to adjourn into closed executive session to discuss personnel and contracts. Motion seconded by Mr. Fransen.

Upon roll call vote:

Ayes: Dykstra, Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: None Abstentions: None

After meeting in closed session, the Governing Body returned to their seats at p.m. and Mayor Parrott declared the meeting to be reconvened into open public session.

MISCELLANEOUS COMMENTS

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.

Christian Parrott, Mayor

Catherine Gleason, RMC