

**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
MAY 3, 2011**

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, N.J.S.A. 10:4-6 et seq. It has been properly advertised and certified by the Clerk."

CY 2011 BUDGET

Public Hearing on CY 2011 Budget Amendment

At this time Mayor Parrott opened the meeting to the public for any questions or concerns that they may have regarding the CY 2011 Budget Amendment.

There being no one from the public who wished to address the Governing Body regarding the CY 2011 budget amendment, Mayor Parrott closed the meeting to the public and returned to the regular order of business.

Adoption CY 2011 Budget

Mr. Fransen made a motion to adopt the CY 2011 Budget for 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. LaBar made a motion to accept the consent agenda of May 3, 2011. Seconded by Mr. Rose.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Resolution dated March 15, 2011 from the County of Sussex establishing the percentage of one hundred percent (100%) as the ratio of assessed value to true value of real property within the County of Sussex for the purpose of assessing the taxable value to be used in levying taxes.
2. Letter dated April 15, 2011 from Barbara C. Miller Sussex County Contract Administrator informing the Borough of Sussex of the annual public hearing on proposed new fare structure for both public and demand response transportation services provided by Sussex County Skylands Ride.
3. Agenda/Review Meeting information for the Clove Brook/Clove Acres Lake Watershed Restoration Projects .

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

APPLICATIONS (APPROVAL OF THE FOLLOWING):

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of May 3, 2011.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

OPEN PUBLIC SESSION #1

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

Ms. Linda Masson, 15 Spruce Avenue, asked the Council why she didn't have any water today and was not notified that the water was going to be off.

Mrs. Gleason stated that they were replacing the water main up in that section of town today. It was shut off for part of the day today and most of the day tomorrow. She stated that the Borough was not informed that they would be shutting off the water today but that as soon as she heard from the contractor, fliers were made up to be distributed to the residents.

Ms. Masson stated that she called the Borough hall this afternoon and told Colleen that she did not get a flier.

Mrs. Gleason stated that she would check with the contractor because they were given to him to hand out.

Ms. Masson asked if anyone was overseeing the project.

Mayor Parrott stated that the boss is on vacation for a week but that our inspector from the engineer's office is on site. The contract states that notification is supposed to be given. He stated that he also had a problem with the contractor today because of insufficient signage by the construction site. Our engineer spoke to the contractor this evening to let them know what is expected from them while they are doing work in the Borough. Even if one resident is going to be without water the contractor has to let them know. As soon as we found out today that there was a problem we contacted the engineer and the contractor. The Borough actually made up the fliers to be handed out to the residents.

Ms. Masson stated that she called Borough Hall around 12:40 because she still didn't have water even though she was told that it was supposed to be back on by 12:00.

Ms. Gleason stated that she was told it would be on approximately by 12:00.

Ms. Masson stated that she spoke to Colleen and Colleen read her the notice.

Ms. Gleason stated that they would be finishing the job tomorrow between 8 am and 3 pm. If they run into an issue however, it could be off longer.

Ms. Masson stated that this is the second time in a little over a month that she has been without water and it has been for an extended period of time. She stated that when the water came on today it was not real brown and it cleared up real fast. So obviously they flushed it outside before they turned it back on.

Ms. Gleason stated that in order to get this problem fixed the residents are going to have some inconveniences.

Ms. Masson stated that she has lived here for over eleven years and there has been work done on the sewer lines. She stated that she has never seen the brown water that she has seen recently.

Mrs. Gleason stated that the sewer lines would not impact her water, only the water lines.

Ms. Masson stated that she knows that it can be done another way. It was done that way today and that was the correct way to do it. She asked who is overseeing the work on a day to day basis.

Mayor Parrott stated that the Borough Engineering Firm is overseeing the project. The engineer that is there reports to John Ruschke and then John reports to the Borough.

Ms. Masson stated that it would be nice if the people in the Borough Hall knew what was going on so that when residents call they can be told.

Mrs. Gleason stated that she agrees with Ms. Masson about this morning. The Borough Hall was not informed about the work but as soon as we found out about it we made calls to the Engineer.

Mayor Parrott stated that there are going to be growing pains since this is the first time that we have worked with this contractor. We are going to make sure that they live up to the conditions that are in the contract.

Mrs. Gleason stated that barring any unforeseen problems, tomorrow should be the last day that the water main is going to be shut down. The water main part of the project will be complete up in that section of town.

Ms. Masson asked if they are going to be done in her area.

Mrs. Gleason replied that they will still be working on the sewer part of the project.

Ms. Masson asked how that will impact her and Mrs. Gleason replied that she will have to find out that information from the engineer.

Mr. Meyer stated that the roads will be closed.

Ms. Masson stated that the recording on the Borough hall doesn't have the Borough garage number on it and is outdated.

Mrs. Gleason stated that she will take care of it.

Ms. Masson stated that there isn't a number on the website either.

Mrs. Gleason stated that she will look into that as well.

Ms. Masson stated that the website is useless.

Mrs. Gleason stated that the Borough doesn't have the money in the budget to pay a website administrator so we are doing the best we can with the staff that we have. She asked Ms. Masson to let her know if she knows anyone who would volunteer to administer the website.

Ms. Masson stated that she brought her water and sewer payment in yesterday and she adjusted it herself because she doesn't think she should have to pay for the hours when she had dirty water. She hasn't heard from the Council in over a month and she doesn't pay her bills late.

Mrs. Gleason stated that it is on the agenda this evening for discussion.

Ms. Masson stated that when she brought her bill to the person who does the water and sewer bills the collector asked her if she would like a payment plan. She stated that the amount she wasn't paying was \$19 and she asked her if she wanted a payment plan. She asked if this is what is done with every person who brings the water and sewer bill in.

Mrs. Gleason stated that every person who comes in and does not pay the full amount is asked if there is a problem and if they need a payment plan.

Ms. Masson stated that she had a letter of explanation attached to the bill.

Mrs. Gleason stated that the letter was addressed to the Mayor and Council and that the collector doesn't open or read their mail. The letter was passed on to the clerk.

Ms. Masson asked where the ordinances are that relate to the payment plans and she was told that there was not an ordinance or resolution outlining the criteria for payment plans.

Mrs. Gleason stated that it is done as a courtesy for those rate payers who are having a difficult time paying the bill.

Ms. Masson stated that she doesn't care. It should be done uniformly for all.

Mrs. Gleason stated that it is up to the Council as to whether or not they want to put that into a resolution. Prior to this Council payment plans were not offered to the residents. The bill either had to be paid in full or the water was shut off.

Ms. Masson asked if Mrs. Gleason was saying that water is never shut off and Mrs. Gleason replied that she did not say that.

Ms. Masson asked if people could wait two years before making a payment if they have a balance.

Mrs. Gleason stated that after the first year that it is delinquent it is put up for tax sale.

Ms. Masson asked who enforces all of this.

Mr. Ursin stated that it goes up for tax sale and that decision is made by the tax collector.

Ms. Masson asked who gives the report to the tax collector.

Mrs. Gleason stated that the tax collector creates her own reports with regard to taxes and the water/sewer collector gives that list to the tax collector.

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. LaBar. All were in favor.

COMMITTEE REPORTS

Mr. Rose stated that the Recreation Commission is holding the Ms. Sussex contest as well as working on the Borough wide garage sale. There is going to be a meeting on Tuesday so he will have more information for the next meeting.

Mrs. Little reported that the Board of Health meeting was cancelled on April 26th and she has not had any other meetings since the last Council meeting.

Mr. LaBar stated that last Saturday the Shade Tree Commission celebrated Arbor Day by planting seven trees on the property by Clove Lake. They also attempted to clean up the mess. They worked four hours and they are not even close to finishing. It was improperly mulched last year so Bob is going to help us get a game plan so that we can fix the area. He stated that they also have a major problem with beavers and wondered if we could call Parker Space to see if they could be taken care of.

Mr. Fransen stated that they will not do anything with them at this time of year because it is breeding season.

Mr. LaBar stated that they have caged all of the plantings that they would chew on.

Mr. LaBar stated that they had a question about one of the bills so he called Maria and she explained to him that if was the reimbursement for the tax lien that had been paid by someone else. It was not any money out of the Borough's pocket.

Mr. Fransen stated that there is a Planning Board meeting scheduled for this Thursday night. He stated that he ran into Scott Mason from the theater group and Mr. Mason told him that he really wants to team up with the Recreation Commission to help out with the Harvest Festival and the Christmas Tree Lighting. They toured the building on Saturday and Mr. Mason told him that it really needs a good cleaning. Mr. Mason did go and talk to some of the local merchants while he was up here. He got the same response as the Sussex Fire Department got.

Mr. Ursin stated that he did speak with the attorney for the theater group and that he is working on the lease and will send it to him when it is completed.

Mr. Fransen stated that once they work it out it is going to be good for everyone involved.

Mrs. Gleason stated that Harold Pellow submitted a proposal to review the potential of subdividing the Harrison Street lot and asked the Council if they would like to enter into a contract with him to provide such services.

Engineering Services – Harold Pellow regarding Harrison Street Lot

Mrs. Little made a motion to enter into a contract with Harold Pellow in an amount not to exceed \$1,850 for the review of the potential to subdivide Block 103, Lot 1, Harrison Street lot. Seconded by Mr. Dykstra.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mrs. Gleason also said that she has requested a price from John Ruschke to prepare the RFP for the solar project and that he will have something for the Governing Body at the next meeting.

Mayor Parrott stated that he spoke with Mayor DeBoer from Wantage regarding the fire departments. He wanted to remind Mayor DeBoer that the ball was in their court with regard to having the next meeting. Mayor DeBoer apologized for it taking this long but that when he spoke to his chiefs that they told him that they would like the meetings to just take place with just fire personnel and not representatives from the governing bodies. They told him that they already have a contract in the works that they want to submit to Sussex Fire Department. They told him that the deal would be between the two fire departments. The Sussex Fire Department wanted to know if when they get the contract they can run it by Mr. Ursin. Mayor Parrott stated that he told them that he is sure that the Council would authorize that we allow Mr. Ursin to review the contract. Chief Stoll told him that if the contract looked anything like the one that was signed in 2004 it would not be acceptable to the Sussex Fire Department.

Mrs. Gleason stated that the contract didn't even include Sussex Borough. It was only between the two fire departments and Wantage Township.

Mayor Parrott stated that it seems like that is what they want in this contract as well. He stated that at the last meeting they had with them that he voiced some of his objections and that they didn't like that. Our chief is not happy with the contract either and Mayor Parrott stated that he feels comfortable with him doing the negotiating whether it's with them merging or being independent. He is going to review all of the options and report on the meeting.

Mrs. Gleason stated that Hardyston is going to pick up the ambulance tomorrow and bring it down there to work on it. The Fire Department is going to pay half of the bill and the Borough is going to pay the other half.

Mayor Parrott also reported that he called the owner of the cookie factory down on Weibel Plaza. The owner told him that someone representing himself as a Councilman from Sussex went down there and told the receptionist that if they didn't stop the trucks from turning down that road off of Route 23 that the Borough was going to shut down the cookie factory. Mayor Parrott told him that he spoke to all of the Councilmen and that it wasn't anyone from Sussex Borough that was down there. The owner told him that he is going to add a surcharge of \$100 to any trucking company's bill if they are caught coming down Weibel Plaza off of Route 23. He said that he will hit them where it hurts the most, in their pocketbook, if they choose to illegally come down that road. Mayor Parrott stated that the owner also told him that Shoprite is interested in leasing the property from him. He is going to come to a council meeting within another month or two. He is not selling it to them but leasing it to them for a long time.

Mayor Parrott also reported that there was an accident on Route 23 that damaged our water line and Hardyston had to fix it. It took such a long time to repair because we couldn't find a valve that worked properly which would allow the water to be shut off. They had to go so far out. The repair of it only took about an hour or two but shutting off the water took forever. We had to keep going further and further out and had to shut off water to many people. It wound up that we had to work on it wet because we couldn't get the water totally turned off. It had to get done so that is what they had to do. It was a job that only should have taken a few hours. We had to pay the guys time and a half. That is why it is so important that we fix the valves so that this doesn't happen again.

Mayor Parrott also reported that he and Cathy met with a potential owner of the Creamery. He has a contract with them but it isn't finalized. He wanted to have copies of the site plans and any information that the Borough may have with regard to the property. He didn't know that the Creamery had come before the Planning Board about a year and a half ago and were denied their request to have residential apartments put on the first floor. He also owns the small mall where Alan's Bar and Liquor is.

Mayor Parrott stated he would like to meet with representatives from Shoprite to discuss with them where they are going to place the building and encourage them to build it all in Sussex since we have the water and sewer utilities that they need. The part of the property that is in Wantage is outside of the sewer service area.

Mr. Fransen stated that the Planning Board has to talk about rezoning that area and what we want to do with it.

Mr. Ursin stated that we should have that meeting sooner rather than later because we can talk about some tax abatement programs to encourage them to locate in Sussex Borough.

Mrs. Gleason stated that Mr. Ursin did provide her with the Clothing Bin ordinance and it will be on the agenda of the next meeting. She also stated that the water and sewer ordinance that was given to them a few meetings ago needs to be discussed. She doesn't know if the Council had a chance to look at it but it is important that it be put on the agenda. She asked if they would like to form a committee to review the ordinance and provide suggestions to Mr. Ursin.

Mr. Meyer stated that he will chair the committee, if that would be acceptable to the Mayor and asked Mr. Dykstra and Mr. Rose to work on it with him. They both agreed.

Mr. Ursin stated that he will be happy to meet with them to go over it. What ever they think will be helpful.

OLD BUSINESS

Mr. Rose stated that the Council talked about the solar panels and some of them were concerned about the value of the SRECs. He stated that there was an article in the NY Times and there was a quote from Governor Christie about renewable energy. There might be some danger that if he does what he is proposing that it will negatively affect the cost of the SRECs. That is something that the Council has to be cognizant of as we move forward with the project.

Mr. Ursin stated he thinks that it is very important to pay attention to that. He is involved with some big solar projects right now and uniformly they all think that SRECs are going to drop dramatically.

Mr. Rose stated that we could hedge the bet and sign on for five years and the worst case scenario is that it would be a net zero for the project.

NEW BUSINESS

Approval of Meeting Minutes

Mr. Fransen made a motion to approve the meeting minutes of the Budget Workshop held on April 12, 2011. Seconded by Mr. Rose.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Certification for Rescue Squad Contribution

Mr. LaBar made a motion to approve the \$3,500 contribution to the Sussex Fire Department and First Aid Squad from the Sussex County Board of Chosen Freeholders. Seconded by Mr. Rose.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Discussion regarding water/sewer adjustment – 15 Spruce Avenue

At this time Mrs. Gleason read the letters sent to the Mayor and Council regarding a request from the resident at 15 Spruce Avenue to have an adjustment made to her water/sewer bill.

Mrs. Little asked Mr. Ursin to give his opinion before the Council made a decision.

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 Mrs. Little. All were in favor.

Ms. Masson asked if the Council was going to take a vote on her adjustment and Mr. Ursin stated that none of the Council saw fit to make a motion.

Ms. Masson stated that she couldn't believe that they would not give her an adjustment considering the Mayor hasn't paid his bill in three years and owes \$39,000.

Mrs. Gleason stated that Ms. Masson should get her facts straight before she makes those accusations.

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. Dykstra. All were in favor.

MISCELLANEOUS COMMENTS

ADJOURNMENT

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

Christian Parrott, Mayor

Catherine Gleason, RMC