

**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 18, 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. Rose, Mayor Parrott.

Absent: Mr. Meyer

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."

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 May 18, 2010. Seconded by Mr. LaBar.

Mr. LaBar stated that there was one addition to the bill list – a check in the amount of \$6200.00 for Great Renovations, one of the contractor's that did work on the rehab housing in the Borough. Pat Fischer, the grant coordinator asked that the check be put on the bill list but that the check be held for a few days to make sure that the work was actually completed.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Letter dated May 4, 2010 from Sandra Santora, President SWEA in regards to the teachers taking a pay freeze.
2. Letter dated May 13, 2010 from Catherine Gleason to Steve Losey, SC DPW, regarding the return of the fuel key.
3. Letter dated May 6, 2010 from Chris Christie, Governor, to Mayor Parrott thanking him for his support of Cap 2.5 and our "toolkit" of reforms.
4. Letter dated May 13, 2010 from Catherine Gleason to Jim Doherty, Wantage Administrator, regarding the return of the fuel key.
5. Invitation from the United Way of Sussex County to attend the Public Officials forum.
6. Public meeting notice from the County of Sussex regarding transportation services to senior citizens and people with disabilities.
7. Letter dated April 30, 2010 from Richard Schroeder to Hank Hotalen regarding the Division of Project Planning & Development Region North NJ Route 23 realignment.
8. Delaware Water Gap National Recreation Area & Appalachian National Scenic Trail news release regarding the Transmission Line Public scoping comment analysis report
9. Notice of hearing from Wantage Township Land Use Board regarding Block 113 Lot 1 (30 Old Clove Road).
10. Letter dated April 2010 from NJ DEP regarding Green Acres Funding
11. Sussex County Soil Conservation District soil erosion & sediment control plan certification status report.
12. Letter dated May 4, 2010 from Harold Pellow to Mike Simone, Crew Engineers, regarding Maple Avenue Project.
13. Letter dated May 7, 2010 from Michael Ernst, Franklin Band, to Mayor Parrott inviting the Mayor and other officials to their concert on May 23, 2010.
14. Letter dated May 5, 2010 from John Ursin to Richard Kelin Esq. regarding the Borough of Sussex – Alpine Village Apartments easements.
15. Resolution from Stanhope Borough authorizing participation in the recommended consolidated county operated 9-1-1
16. Resolution from the Township of Byram authorizing participation in the recommended consolidated county operated 9-1-1 PSAP
17. Resolution from the Sussex Wantage Board of Education, Wantage Township Committee and the Sussex Borough Mayor & Council accepting the tax levy for the

Sussex Wantage Regional School Board of education budget for the 2010-2011 year.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. April 2010 report from the Animal Control Officer
2. April 2010 Registrar Report
3. April 2010 Water Sewer Report
4. 2009 Active Firemen's Membership Report from the Sussex Fire Department

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Blue Light Application permit from Colleen Little.

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of May 18, 2010

Upon roll call vote:

Ayes: Dykstra, Fransen, LaBar, Little, Rose

Nays: None Absent: Meyer 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. Rose. All were in favor.

Mr. Mike Strada, Republican candidate for Sheriff, spoke to the council regarding the upcoming election and what he planned on doing if he were to be elected. He stated that one of the things that he would like to do would be to put the inmates in the County jail to work so that they would be giving something back to the taxpayers. He stated that he would also like there to be a screening process for the inmates when they are brought in regarding their overall health. Currently we spend approximately 1.5 million dollars on inmate health care. He would recommend that if the inmate, if they had serious health problems, be put on house arrest and be monitored. We already do that with juvenile offenders in the Borough. He also stated that he is big on communication and would like to see what the sheriff's office could do to help the Borough considering that we currently are covered by the State Police.

Mrs. Little asked Mr. Strada what he could do to help us with some of the problems currently affecting the Borough and Mr. Strada responded that he believes that there needs to be better communication between the sheriff's office, the state police and the prosecutor's office. They all need to work together.

Mr. Rose asked if he would be interested in looking into shared services with the Borough, if they might be able to provide us with some coverage. When the Borough had looked into that previously the cost was prohibitive.

Mr. Strada stated that he would love to look into that and believes that it could be done at a reasonable cost.

Mayor Parrott asked if he would still be continuing the "Crime Stoppers" program if he were to be elected.

Mr. Strada stated that he would definitely keep that program in place. He is not looking to cut programs but to see how they could be run more efficiently.

Mr. Mike Johnson, Great Renovations, addressed the Council regarding his payment. He is involved in the rehab grant program and has been waiting for his money. He stated that it is not his fault that the previous consultant did not do things correctly and now he feels like the new consultant is not doing her job either. He stated that Mrs. Fischer told him that she would be in attendance at this evening's meeting

Mrs. Gleason stated that there is a payment on the bill list for \$6200 that will be available for Mr. Johnson to pick up this week. It is only a partial payment because the rest of the money can not be released until the lead certification clearance comes back. The Council is voting on the contract tonight to hire the lead clearance certification company.

Mr. Johnson stated that he followed all of the safe lead practices and doesn't understand why he is only receiving a partial payment.

Mrs. Gleason explained that the consultant has only been on the job a few weeks and that she is in the process of straightening everything out

Mayor Parrott stated that he does not know if Mrs. Fischer is going to be at the meeting tonight but that Mr. Johnson is welcome to stay for the meeting. There is another open public session later in the evening. He will make sure that we get in touch with Mrs. Fischer first thing in the morning if she does not come to the meeting tonight.

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. Rose. All were in favor.

COMMITTEE REPORTS

Mr. Dykstra stated that the Borough took a firm position with the Sussex/Wantage school board and that we, along with Wantage, agreed on a 1.5% decrease in their budget. All of the 5 towns involved in the High Point Budget agreed to a 2% overall decrease. He got many compliments about how prepared Sussex Borough was with regard to the budget process. He was disturbed at the amount of bashing that the Governor took considering there are so many unions. They incapacitate the system.

Mr. Fransen and Mr. Rose stated that they had no reports this evening.

Mrs. Little reported that on May 6th she attended the "World Day of Prayer" services outside of Borough hall and that on the 11th she attended a Clean Communities luncheon. The 2009 report needs to be submitted. On May 11th she met with Renee Casapulla regarding the tonnage report. Mrs. Little stated that she gave Renee the resolution passed by the Council at the last meeting. On May 12th she attended the special council meeting regarding Brookside Park but she was unable to attend the Sussex/Wantage BOE meeting to discuss the defeated budget. Instead she attended a meeting regarding the Grange and the possible lease with the Recreation Commission. The Grange would consider leasing the building to the Recreation Commission on a 3 month trial basis under the condition that the Borough would be responsible for any damage that occurs. They also would like some kind of guarantee that if the water/sewer bill goes over the amount for the minimum usage charge that the Borough would pay the difference.

Mrs. Little also reported that on May 13, 2010 she attended the PAC meeting. The DEP is reorganizing and they plan on reducing the staff and the fees and concentrate more on planning issues. They would like to give more control back to the local towns and communities. On May 17th she attended the High Point Board of Education meeting to discuss the defeated school budget. There is a Board of Health meeting scheduled for the 25th of May. The County Representative has not been attending the meetings and they really need his input to discuss ordinance changes.

Mayor Parrott asked Mr. Rose if he would like to comment on Recreation's position with regards to the Grange Hall.

Mr. Rose stated that Alison Luke is the Chairperson and that she is responsible for it but that in his opinion he thinks that the water usage is going to be an issue as is the three month trial period. He does not think that the lease should be attached to the water bill at all. He thinks that the problem with the three month trial is that it usually takes that long for a program to get off the ground. They would then have a program to run and have to look for another place to hold it. He does not think that there would be an issue with the damage clause.

Mrs. Little stated that usually after the Grange rents out the hall they have a representative go to make sure that no damage was done and the building is secure after it is used. They check to make sure the lights are off, heat is down etc....

Mr. Rose stated that the Recreation Commission is working with the Grange to see if the issues can be settled. The lease agreement however will have to come before the Council.

Mr. LaBar reported that he will be meeting with the Fire Department this coming Friday.

Mr. Ursin reported that Harold Pellow will be meeting with representatives from Alpine Village on Thursday to discuss the easement. There seems to be an issue with a retaining wall on the

property that needs to be addressed. Mr. Ursin also stated that he sent a follow-up letter to the neighbor next door regarding the drainage issue.

Mrs. Gleason requested an Executive Session to discuss personnel.

OLD BUSINESS

NEW BUSINESS

Approval of Meeting Minutes

Mr. Fransen made a motion to approve the meeting minutes of the Regular Meeting held on April 20, 2010. Seconded by Mr. LaBar.

Upon roll call vote:

Ayes: Dykstra, Fransen, LaBar, Little, Rose

Nays: None Absent: Meyer Abstentions: None

Mr. LaBar made a motion to approve the meeting minutes of the Regular Meeting held on May 4, 2010. Seconded by Mrs. Little.

Upon roll call vote:

Ayes: Dykstra, Fransen, LaBar, Little, Rose

Nays: None Absent: Meyer Abstentions: None

Mr. LaBar made a motion to approve the meeting minutes of the Emergency Meeting held on May 12, 2010. Seconded by Mr. Rose.

Upon roll call vote:

Ayes: LaBar, Little, Rose

Nays: None Absent: Meyer Abstentions: Dykstra, Fransen

Resolution #2010-41R – Brookside Park Rehabilitation Project

Mr. Rose made a motion to memorialize a resolution approved on May 12, 2010 awarding a contract to Robert W. Wogisch Landscape Contractor, Inc., in the amount of \$24,996.00 for the rehabilitation of the Brookside Park Recreation Field. Seconded by Mr. LaBar.

Upon roll call vote:

Ayes: LaBar, Little, Rose

Nays: None Absent: Meyer Abstentions: Dykstra, Fransen

Award of Contract – Water Tank Painting

Mr. Dykstra made a motion to award a contract to U.S. Tank Painting, Inc. in the amount of \$591,000.00 for the painting and renovation of the two water tanks owned by Sussex Borough as recommended by John Ruschke, Water/Sewer Engineer, pending the certification of available funds, approval by the NJDEP and endorsement by the Borough Attorney. Seconded by Mr. Fransen.

Upon roll call vote:

Ayes: Dykstra, Fransen, LaBar, Little, Rose

Nays: None Absent: Meyer Abstentions: None

Award of Contract – Hatch, Mott MacDonald

Mr. Fransen made a motion to award a contract in an amount not to exceed \$30,000 to Hatch Mott MacDonald to undertake the scope of services necessary to oversee the Water Tank Renovation and Painting Project. Seconded by Mr. LaBar.

Upon roll call vote:

Ayes: Dykstra, Fransen, LaBar, Little, Rose

Nays: None Absent: Meyer Abstentions: None

Discussion – Ordinance Regarding Peddling and Soliciting

At this time a discussion took place about re-introducing an ordinance replacing Chapters 4-1 of the Code of the Borough of Sussex regarding Licensing. Mr. Ursin stated that there is a copy of

a draft ordinance in the agenda and he asked that the Council take a look at it and have comments for the next meeting. The old ordinance dates back to 1941 and needs to be updated.

Discussion – Criminal Background Check Ordinance

At this time a discussion took place regarding the adoption of a Criminal Background Check Ordinance. Mr. Ursin stated that it might be a good idea for the Borough to adopt such an ordinance for any one who deals with children at Borough sponsored events and for those who use municipal owned property. The sports leagues are already doing checks so all the town would have to do would be to ask the leagues to sign an affidavit saying that all of their volunteers have been checked. The Council directed Mr. Ursin to create an ordinance for the next meeting.

Award of Contract – R & R Pump

Mr. LaBar made a motion to award a contract to R & R Pump & Control Services in the amount of \$3,448.00 for the replacement of suction valve number one in the pump station. Seconded by Mr. Dykstra.

Upon roll call vote:

Ayes: Dykstra, Fransen, LaBar, Little, Rose

Nays: None Absent: Meyer Abstentions: None

Award of Contract – R & D Trucking

Mr. Fransen made a motion to award a contract to R & D Trucking, Inc in the amount of \$150.00 an hour, per truck, (estimated time needed, as per Hank – 4 hours) for the hauling of the sewerage down to SCMUA while the valve is being repaired. Seconded by Mr. LaBar.

Upon roll call vote:

Ayes: Dykstra, Fransen, LaBar, Little, Rose

Nays: None Absent: Meyer Abstentions: None

Contract – LEW Corporation – Lead Clearance

Mr. Rose made a motion to enter into a contract with LEW Corporation for lead clearance services for the five homes in the process of being rehabilitated under the Small Cities Rehabilitation grant at a price of \$395.00 per home plus \$12.00 a swipe. Seconded by Mr. Fransen.

Upon roll call vote:

Ayes: Dykstra, Fransen, LaBar, Little, Rose

Nays: None Absent: Meyer 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 All were in favor. Seconded by Mrs. Little.

Mr. Mike Johnson, Great Renovations, once again addressed the Council regarding his bill, since Mrs. Fischer did not attend the meeting tonight.

Mayor Parrott told him that we would contact Ms. Fischer first thing in the morning and let him know as soon as we hear anything.

TerryAnn Zander, Advertiser News, asked Mr. Rose if he had dates for any of the upcoming Recreation sponsored events.

Mr. Rose stated that the Fishing Contest is scheduled for June 20, 2010 from 10:00 am to 3:00 pm and that the pageants are scheduled for June 26, 2010 from 6:30 to 8:30 pm. They are still not sure of the venue however for the pageants.

Upon roll call vote:

Ayes: Dykstra, Fransen, LaBar, Little, Rose

Nays: None Absent: Meyer Abstentions: None

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.

EXECUTIVE SESSION

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

Upon roll call vote:

Ayes: Dykstra, Fransen, LaBar, Little, Rose

Nays: None Absent: Meyer Abstentions: None

After meeting in closed session, the Governing Body returned to their seats and Mrs. Little made a motion that the meeting be reconvened into open public session. Seconded by Mr. Fransen.

Harold Hotalen – Promotion and Salary Increase

Mr. LaBar made a motion to promote Harold Hotalen to the position of Department of Public Works Supervisor with a salary increase of \$10,000.00 retroactive to January 1, 2010 with the understanding that he will be retiring from the Borough on June 30, 2010. Seconded by Mrs. Little.

Upon roll call vote:

Ayes: Dykstra, Fransen, LaBar, Little, Rose

Nays: None Absent: Meyer Abstentions: None

MISCELLANEOUS COMMENTS

Mayor Parrott stated that he has Mr. Ursin looking into the legality of having to pay the health benefits for some of our retirees.

Mr. Ursin stated that he has given the Clerk a list of questions pertaining to that issue.

Mr. LaBar stated that he will be meeting with Dr. Izbicki regarding possible shared services.

Mrs. Gleason stated that Bob Schultz is going to be meeting with Dr. Izbicki to discuss the possibility of sharing services with regard to lawn maintenance.

Mr. Fransen stated that he was proud of the way that Sussex Borough handled themselves with regard to the defeated school budgets. We came very well prepared to both meetings.

ADJOURNMENT

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

Christian Parrott, Mayor

Catherine Gleason, RMC