

**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
JUNE 1, 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 Bob Schultz gave the DPW Report. A copy of his report is on file in the Clerk's office.

At this time the Boy Scouts presented a new flag to the Borough to hang on the flag pole in the front of the municipal building.

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. Rose made a motion to accept the consent agenda of June 1, 2010. Seconded by Mr. Fransen.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Township of Lafayette Resolution 2010-21 certifying the tax levy for the high point regional high school board of education budget for the 2010-2011 year.
2. Letter dated May 20, 2010 from John Ruschke, PE, PP, Hatch Mott MacDonald, regarding Tank Renovation and Painting Contract.
3. Letter dated May 13, 2010 from Elaine A. Morgan, Board clerk of the County of Sussex regarding support for the Sussex county YMCA's Pioneering Healthier Communities.
4. Letter dated May 11, 2010 from Christina Riker, Board Secretary for Sussex/Wantage Regional School, to the NJ Herald requesting publication of meeting dates for the 2010-2011 school year.
5. Letter dated May 14, 2010 from Harold Pellow, P.E., L.S., Harold Pellow & Assoc. regarding Brookside Park Recreation Field contract documents.
6. Memo dated May 20, 2010 from John Hatzelis, Admin., Sussex County MUA, regarding rate increase for solid waste disposal at the SCMUA Solid Waste Facilities, in Lafayette, NJ.
7. Letter from State of New Jersey regarding Notice of Deficiency, Henderson's Service Station, 1 Bank Street
8. Letter from Waste Management to Cathy Gleason, Sussex Borough Clerk/Admin. Regarding an added fuel/environmental charge to our service charge.
9. A Resolution from the Borough of Ogdensburg urging the state legislator to enact legislation containing substantial reforms to the police and fire fighters binding arbitration process.
10. Invoice to Township of Hardyston regarding medical insurance coverage reimbursement for John Coursen and Larry Kinney.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Sussex/Wantage Court for April 2010
2. Wantage Animal Control survey for 2009 – for all Municipalities that Wantage served
3. Building Department report for April 2010

APPLICATIONS (APPROVAL OF THE FOLLOWING):

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of June 1, 2010

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

OPEN PUBLIC SESSION #1

Mr. Rose 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, Mr. LaBar made a motion to close the meeting to the public, seconded by Mr. Fransen. All were in favor.

COMMITTEE REPORTS

Mr. Dykstra reported that he attended the Sussex Wantage Board of Education meeting and that they took another vote and reinstated the two positions that were cut at the last meeting. He was not sure what happened because they went into executive session to discuss it and then came out and voted. There is no transparency. It is also impossible to hear what is going on at those meetings because the sound system is so awful.

Mr. Fransen wondered if we should, from the Council as a whole, ask them what is going on regarding these two positions. Perhaps the BOE representative to Sussex Borough should come and talk to the Council.

Mayor Parrott asked Mr. Ursin if the municipality should get involved.

Mr. Ursin responded that the role of the Governing Body is very limited. Although the Council made suggestions about their budget it is really the purview of the school board as to how the money is actually spent. The Council could ask for an explanation but any response would be given out of courtesy.

Mr. Dykstra stated that he really didn't understand the process regarding the reappointment of the two individuals after they were not granted tenure the meeting before and would like an explanation.

Mr. Ursin repeated that he believes that it is beyond the scope of the Governing Body.

Mayor Parrott stated that he will speak to Dr. Izbicki and see if he can get any answers as to what happened.

Mr. Fransen stated that he doesn't have a report because the Planning Board meeting is this coming Thursday.

Mr. LaBar stated that he met with the Fire Department and that they are happy that they can continue to purchase gas and diesel from the County and Wantage Township. He also reported that on Sunday beginning around 12:30 they will be doing a clean up around Clove Lake. Any one who is interested in helping is welcome. Bob is going to be bringing the mulch and Nathaniel Sadjak will be bringing the plantings. The Boy Scouts have offered to help and he asked Mrs. Gleason if she would call High Point High School to see if any of the kids would be interested in helping out as part of their community service requirement.

Mr. Meyer stated that he has reviewed the Energy Audit and he thinks that there are some good suggestions that could be implemented that will give us a good return on our investment in a short amount of time. He and John will discuss it and present a proposal to the Council as to which recommendations he thinks that the Council should consider implementing.

Mrs. Little stated that on May 25th she attended the Youth in Government program here at Borough Hall. She enjoyed the day that she spent with the five girls who participated in the program. She went with them on a tour of the DPW garage and the water treatment plant. On May 27th she participated in the program in Wantage Township regarding the same program. On May 31st she attended the Memorial Day events sponsored by the American Legion. Mrs. Little stated that the Recycling Tonnage Report has been submitted and that our number increased from last year. She gave a copy of the report to the Council. She also thanked Colleen for all of her help when she came with the ambulance when her husband George fell the other day. Colleen convinced him to go to the hospital to be checked out. He is home now and back to normal.

Mr. Rose stated that there is a recreation meeting coming up and that he has not spoken to Alison regarding the pageant or the Grange Hall lease.

Mrs. Little stated that there is a Grange meeting next week and that she would like to be in contact with recreation before the meeting so that she can present their proposal to the members.

Mayor Parrott reported that he wrote a letter to the DOT about being able to use the Mill Street properties as a parking lot. He spoke to Sue Zellman and she was going to contact them as well. He also reported that he has heard from many people that they were impressed with the way that Sussex handled ourselves during the meetings regarding the defeated school budgets.

OLD BUSINESS

NEW BUSINESS

Approval of Meeting Minutes

Mr. LaBar made a motion to approve the meeting minutes of the Regular Meeting and Executive Session held on May 18, 2010.

Upon roll call vote:

Ayes: Dykstra, Fransen, LaBar, Little, Rose

Nays: None Absent: None Abstentions: Meyer

Resolution #2010-43R – Second Quarter Water/Sewer Adjustments

Mr. Meyer made a motion to adopt a resolution approving the 2010 Second Quarter Water/Sewer Adjustments. Seconded by Mr. LaBar.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2010-46R – Emergency Vet Services

Mr. Dykstra made a motion to adopt a resolution entering into a contract for professional veterinary services for emergency care with Animal Hospital of Sussex County. Seconded by Mr. LaBar.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Acceptance of Project – Lakeview Terrace

Mr. LaBar made a motion to accept the project “Improvements to Lakeview Terrace” as per the Borough Engineer, Harold Pellow. Seconded by Mr. Dykstra.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Acceptance of Project – Maple Avenue

Mr. Rose made a motion to accept the project “Maple Avenue Road Improvements” as per the Borough Engineer, Harold Pellow. Seconded by Mr. Meyer.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2010-48R – Certification of the Annual Audit

Mr. Fransen made a motion to adopt a resolution approving the certification of the 2009 Annual Audit of the Borough of Sussex. Seconded by Mrs. Little.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Introduction Ordinance #2010-06 – Trucks Over Four Tons

Mr. LaBar made a motion to introduce an ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 9, SCHEDULE V, TRUCKS OVER FOUR TONS” to include Weibel Plaza. Seconded by Mr. Meyer.

After discussion Mr. Rose made a motion to table this ordinance until such time that the attorney can amend it to include the allowance of “local deliveries” on some of the streets listed in the ordinance. Seconded by Mrs. Little.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

FINAL READING: JUNE 15, 2010

Planning/Zoning Board of Adjustment Appointment – Leigh Ann Meyer

Mr. Fransen made a motion to appoint Leigh Ann Meyer as a Class IV member to the Sussex Borough Planning/Zoning Board of Adjustment to fill an unexpired term ending December 31, 2012. Seconded by Mr. LaBar.

Upon roll call vote:

Ayes: Dykstra, Fransen, LaBar, Little, Rose

Nays: None Absent: None Abstentions: Meyer

Introduction Ordinance #2010-08 – Licensing

Mr. Meyer made a motion to introduce an ordinance entitled “AN ORDINANCE TO REPLACE CHAPTERS 4-1 OF THE CODE OF THE BOROUGH OF SUSSEX REGARDING LICENSING”. Seconded by Mr. LaBar.

After review and discussion Mr. Rose made a motion to table this ordinance until the second part regarding “garage sales” could be amended and reviewed further. Seconded by Mr. Meyer.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mrs. Gleason asked if the Council would consider introducing the first part of the ordinance separately, with the recommendations made by Mr. Rose.

The Council agreed to introduce the ordinance, taking out the section about garage sales but leaving in sections 1, 3 and 4.

Mr. Rose made a motion to introduce an ordinance entitled “AN ORDINANCE TO REPLACE CHAPTERS 4-1 OF THE CODE OF THE BOROUGH OF SUSSEX REGARDING LICENSING” with the changes discussed and the deletion of section 2 of the ordinance. Seconded by Mr. Fransen.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

FINAL READING: JUNE 15, 2010

Water/Sewer Connection Ordinance – Discussion

At this time a discussion took place regarding the draft of a water/sewer connection ordinance. Mr. Ursin explained that our ordinance does not allow for us to charge for each individual residential unit. Changing the ordinance would allow the Borough to charge a minimum for each unit. He stated that we can start by getting a list of all of the rental units that we have in the Borough and that he will look at other town's ordinances to see how they address the billing issues. An ordinance such as this would change the entire way that the Borough bills and should be considered carefully. Once passed, we should allow for some lead time for it to take effect since it would be such a dramatic change.

The Council agreed that the ordinance definitely needs to be amended and that Mr. Ursin should start working on a draft that they can consider for adoption in the very near future.

Introduction Ordinance #2010-09 – DPW Labor Rates

Mr. Meyer made a motion to introduce an ordinance entitled "AN ORDINANCE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AMENDING CHAPTER XIII ENTITLED 'WATER AND SEWER' AND CHAPTER XXIV ENTITLED 'FEES' OF THE CODE OF THE BOROUGH OF SUSSEX REGARDING WATER AND SEWER LABOR RATES", deleting the actual minimum charge, as listed. Seconded by Mr. Rose.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

FINAL READING: JUNE 15, 2010

Meeting Cancellation – Change of Date

A discussion took place about cancelling the meeting of July 20, 2010 and rescheduling it for July 15, 2010 because the clerk is on vacation that week.

Mr. Meyer made a motion to cancel the meeting of July 20, 2010 and rescheduling it for July 15, 2010. Seconded by Mr. LaBar.

Upon roll call vote:

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

Nays: None Absent: None 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. Charlie Fronheiser, 35 Bank Street, addressed the Council regarding the proposed water/sewer ordinance. He owns a 4 family home that is only owner occupied. He chooses not to live with people but still maintains and gets inspected for 4 units. He does not think that it is fair for him to be charged for each unit if he does not rent them out to people. He pays a lot of taxes and doesn't get anything for it. He pays school taxes yet doesn't have any children. He stated that he could rent out the units and then send them up to Main Street to hang out but he chooses not to do so. Why should he be penalized for having four units if he doesn't rent them?

Mr. Dykstra stated that it is Mr. Fronheiser's choice to maintain and have inspected the four units.

Mr. Fronheiser once again stated that he does not think that it is fair that an owner occupied residence should be billed the same as a residence that is rented out.

Terry Ann Zander, reporter for the Advertiser asked what EDU stood for and Mr. Ursin responded that it stands for equivalent dwelling unit. She also inquired about the sale that the church has every year and about the date for the July meeting

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 Mr. Dykstra. All were in favor.

MISCELLANEOUS COMMENTS

Mr. LaBar asked Mr. Ursin if he has heard anything regarding the Alpine Village easement and Mr. Ursin responded that he had not. Mayor Parrott stated that he and Cathy would call the representative from the management company to see what is going on.

Mr. Meyer stated that he would like to meet with Hardyston to review their proposal for taking over the operation of the treatment plant. He will call Marianne Smith to set up a meeting.

Mayor Parrott read the letter from Jim Doherty, Wantage Administrator, regarding the Construction Interlocal Agreement. Wantage has given us notice that they will no longer provide that service to the Borough after December 21, 2010 and have also given us the option to pull out of the agreement in September of this year as long as we notify them of that decision before June 23rd. Ed Vandenberg is retiring in September and Wantage stated that because they will be saving money the Borough's bill will decrease by \$5,500.00. We are in the process of getting proposals from Vernon and Hardyston.

The Council directed the Clerk to ask Wantage for the calculations used to determine the amount of savings that the Borough will realize when Mr. Vanderberg retires in September.

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. Rose. All were in favor.

Christian Parrott, Mayor

Catherine Gleason, RMC