

**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 15, 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."

**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 June 15, 2010. Seconded by Mr. Meyer.

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

1. Letter dated June 2, 2010 to Ms. Leigh Ann Meyer from Catherine Gleason, Clerk/Administrator, regarding Ms. Meyer's appointment as a Class IV member to the Sussex Planning/Zoning board of Adjustment.
2. Letter dated June 2, 2010, to Harold Pellow from Catherine Gleason, Clerk/Administrator regarding Lakeview Terrace and Maple Avenue Projects.
3. Letter dated June 3, 2010 from the State of New Jersey to Catherine Gleason, Clerk, regarding Green Acres Program Project # 1921-84-060 Brookside Park, and 1921-88-065 Clove Lake restoration.
4. Letter dated May 28, 2010 from the Sate of New Jersey DOT to Mayor Chris Parrott regarding Sussex Borough's request to use property that is currently being leased by us offer to store DOT trucks in the DPW yard.
5. Letter dated May 27, 2010 from NJ Legislative Offices to the Honorable James S. Simpson, DOT Commissioner, regarding property that the Borough is currently leasing from the State DOT located on Rte 23 in Sussex Borough.
6. Letter dated June 3, 2010 from the State of NJ DOT to Chris Parrott responding to our request and offer regarding Rte. 23 alignment .
7. Letter dated May 4, 2010 from State of NJ DOT to Senator Oroho and Assemblywoman Littell McHose and Assemblyman Chiusano, responding to their letter regarding Route 23.
8. Letter dated June 2, 2010 from John Ruschke, Hatch Mott Macdonald to Martin J. Maloney, P.E. Parsons Brinckerhoff regarding Route 23 Sussex Bypass and Papakating Creek Bridge.
9. Memo dated June 7, 2010 to Colleen Little from Catherine Gleason, Clerk, regarding Ambulance information.
10. Letter dated June 3, 2010 to Mr. James Doherty, Administrator Wantage Township from Catherine Gleason, Clerk/Administrator Sussex Borough regarding the repainting of Sussex Borough water tanks.
11. Letter dated June 1, 2010 from Waste Management regarding increase in rates.

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

Tax Collectors cash book breakdown for April 2010 and May 2010  
Vernon Township Animal Control report for the month of May 2010

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

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

1. Payment of bills for the meeting of June 15, 2010

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

### **OPEN PUBLIC SESSION #1**

Mr. LaBar 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. Rose reported that the merchant's from Main Street would like the American flags to be put up on the poles. The Recreation Commission has scheduled the Harvest Festival for October 17<sup>th</sup> with a rain date of October 24<sup>th</sup>. The merchants do not have a problem with shutting down Main Street for the event.

Mrs. Little stated that on June 9<sup>th</sup> she met with Stephanie and Alison from the Recreation Commission regarding the lease of the Grange for the youth program. On June 10<sup>th</sup> she attended the PAC meeting. They discussed storm water management in backyards. Mrs. Little also stated that she ordered the supplies for the fishing contest out of the monies received from the Clean Communities grant. She also clarified that the Memorial Day services were held by the American Legion, in conjunction with the Sussex Fire Department.

Mr. Meyer reported that he, Bruce and Jon met with Hardyston regarding the possibility of them taking over the operation of the treatment plant. While he was there he also discussed the clearing of the stop signs in the Borough. Some of them were covered by bushes and trees and Bob thought that it was necessary to make sure that they were all visible so as not to cause a safety issue.

Mr. Meyer requested an Executive Session to discuss contracts.

Mr. Rose requested an Executive Session to discuss the negotiation of a water/sewer bill.

Mr. LaBar stated that they did not work on the planting and clean up of Clove Lake as was scheduled. It will be rescheduled for another time.

Mr. Fransen reported that the Planning Board met this month. At the meeting Brookside Auto was discussed. Mr. Nelson worked hand in hand with the owner and soon he will be planting the landscaping and grass. Franklin Sussex Auto Mall is waiting for paperwork from the State before they can begin and Ferguson Funeral Home will be coming before the Board in August. The Planning Board is going to be setting up a subcommittee to discuss the zoning issues that we have in town with regard to multi-family housing. It will take time but once we get it corrected it should help on both the revenue side and the tax side.

Mr. Ursin reported that he was directed to get information from other towns regarding their water/sewer billing procedures. He has given them examples from two towns that bill by EDU. Mr. Ursin also reported that Clove Hill Manor has new attorneys and that they are working in obtaining a settlement. We received the signed Alpine easement today via fax and we are just waiting for the notarized original before we tell the engineer to go forward with the drainage work.

Mrs. Gleason stated that the water tank painting project has begun and that the water tank here in town has been drained and is offline at this time.

Mayor Parrott reported that he met with a resident of Spruce Street regarding a drainage issue. While he was talking to her she indicated that she would be interested in purchasing the property next to her that is owned by the Borough.

Mr. Ursin stated that he will have an ordinance prepared for the next meeting which would allow the Borough to put the property up for sale.

Mayor Parrott also reported that he met with the code enforcement officers this week from Vernon regarding the proposal that they submitted for an Interlocal Construction Department. He was very satisfied with the meeting. Hardyston will also be giving us a proposal but they have indicated that they can not take over in September like Vernon would be able to.

Mayor Parrott also reported that he and Cathy met with representatives from the Sussex and Wantage Fire Departments regarding the water tank painting project. We wanted to make sure that we were all on the same page if there was a fire. The town would have adequate water in the case of an emergency. Dave Kirkham indicated that he should be notified right away so that he can make more water available for them if it is needed. Mayor Parrott stated that Wantage, the County and the State were also notified to call us and ask permission to open a hydrant during the project. Already Wantage has used the hydrant a few times without calling. Mayor Parrott stated that he has made it clear to them that they must notify us before they do it again.

Mayor Parrott also stated that he talked to Dr. Izbicki at the request of Mr. Dykstra. Dr. Izbicki indicated to him that if there is ever a problem that we should not hesitate to call him.

Mr. LaBar stated that he spoke to Mr. Dykstra before the meeting and that Frank indicated that he would make every effort to attend the meeting tonight.

Mayor Parrott also reported that this afternoon he, Cathy, Sam and the Borough's auditor's met with Jim Doherty, Judge Dana, the Court Administrator and Wantage's auditors to discuss the court audit. Our auditor's had found some issues regarding the closing of the accounts and a few other issues. Those issues were quickly settled but then Jim Doherty, in front of everyone, told the Mayor that he was going to recommend to his Committee that the Interlocal Court be dissolved. The discussion got a little heated with Mr. Doherty at first stating that it was because of the mess that the Sussex Court was in when given to them and the overwhelming workload. After discussion Mr. Doherty stated that it was in fact due to possible retirements that they would not be able to continue the shared service. After the meeting Mayor Parrott stated that he went to talk to the Committee members and that they were not aware of the decision made by Mr. Doherty. Mayor Parrott stated that considering the possibility that they may not continue providing court services to the Borough that we need to get proposals from other towns. Both Franklin and Vernon have indicated that they would be interested in giving us a proposal. Mayor Parrott stated that it was unfortunate that this is the way that the Borough had to find out that Wantage will not be continuing the Interlocal.

## **OLD BUSINESS**

## **NEW BUSINESS**

### Approval of Meeting Minutes

Mr. LaBar made a motion to approve the meeting minutes of the Regular Meeting held on June 1, 2010. Seconded by Mr. Meyer.

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

### Resolution #2010-47R – Cancellation of Reserve for Nutrition Project Balances

Mrs. Little made a motion to adopt a resolution authorizing the cancellation of reserve for Nutrition Balances Other Trust Fund, Borough of Sussex. Seconded by Mr. LaBar.

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

### Resolution #2010-49R – Cancellation of Small Cities Loan Receivable Balances

Mr. Meyer made a motion to adopt a resolution authorizing the cancellation of Small Cities Loan Receivable Balances Other Trust Fund, Borough of Sussex. Seconded by Mr. Fransen.

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

### Resolution #2010-50R – Cancellation of Reserve for Small Cities Interest Balances

Mr. LaBar made a motion to adopt a resolution authorizing the cancellation of reserve for Small Cities Interest Balances Other Trust Fund, Borough of Sussex. Seconded by Mr. Rose.

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

Resolution #2010-51R – Roadway Collection Sussex Fire Department

Mrs. Little made a motion to adopt a resolution approving a roadway collection by Sussex Fire Department on July 3, 2010, July 4, 2010, July 5, 2010, September 4, 2010, September 5, 2010 and September 6, 2010 upon approval of the NJ State Police and the Sussex County Sheriff's Office. Seconded by Mr. LaBar.

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

Resolution #2010-52R – Issuance of Estimated Tax Bills

Mr. Fransen made a motion to adopt a resolution authorizing the issuance of estimated tax bills. Seconded by Mr. LaBar.

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

Resolution #2010-53R – Approval of Liquor Licenses

Mrs. Gleason stated that the amended resolution, which includes the Green Restaurant was given to the Council before this evenings meeting.

Mr. Meyer made a motion to adopt a resolution approving the renewal of the following liquor licenses in the Borough of Sussex. Seconded by Mr. LaBar.

TEACH PADRAIG, LLC, T/A THE WINE BARN  
38 Hamburg Avenue, Sussex, NJ 07461  
License #1921-44-005-001

EMERALD CONSTRUCTION SERVICES, LLC, T/A ALLENS BAR & LIQUOR,  
31 Loomis Avenue, Sussex, NJ 07461  
License #1921-33-001-003.

FOUNTAIN SQUARE INN CORP, T/A FOUNTAIN SQUARE INN  
82 Fountain Square, Sussex, NJ 07461,

ZIGGY KPZ INC, T/A THE GREEN RESTAURANT 7 PUB  
3 Harrison Street, Newton, NJ 07860  
License #1921-33-003-004, at 14 Newton Avenue, Sussex, NJ 07461

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

Adoption Ordinance #2010-08 – Licensing

Mr. Fransen made a motion to adopt an ordinance entitled "AN ORDINANCE TO REPLACE CHAPTERS 4-1 OF THE CODE OF THE BOROUGH OF SUSSEX REGARDING LICENSING". Seconded by Mr. LaBar.

Before final roll call Mayor Parrott opened the meeting to the public for any questions or concerns that they may have regarding Ordinance #2010-08.

There being no one from the public who wished to address the Governing Body regarding Ordinance #2010-08, Mayor Parrott closed the meeting to the public and returned to the regular order of business.

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

#### Adoption Ordinance #2010-09 – Water/Sewer Labor Fees

Mr. LaBar made a motion to adopt 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”.  
Seconded by Mr. Meyer.

Before final roll call Mayor Parrott opened the meeting to the public for any questions or concerns that they may have regarding Ordinance #2010-09.

There being on one from the public who wished to address the Governing Body regarding Ordinance #2010-09, Mayor Parrott closed the meeting to the public and returned to the regular order of business.

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

#### Introduction Ordinance #2010-10 – Garage Sales

Mr. Meyer made a motion to introduce an ordinance entitled “AN ORDINANCE TO REPLACE SECTION 4-2 OF THE CODE OF THE BOROUGH OF SUSSEX REGARDING GARAGE SALES”. Seconded by Mr. Fransen.

Mrs. Little stated that she thinks that two times a year is too few. She stated that she would prefer at least four a year.

Mr. Fransen stated that he felt that two was appropriate.

Upon roll call vote:

Ayes: Fransen, LaBar, Meyer

Nays: Little, Rose Absent: Dykstra Abstentions: None

### **FINAL READING: JULY 15, 2010**

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

Mr. LaBar made a motion to approve a Social Affair Permit submitted by the Sussex Fire Department to hold an event on July 24, 2010, from 6 pm to 1 am at the Sussex Fire House.  
Seconded by Mrs. Little.

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

#### Acceptance of Job – Brookside Park Field Rehabilitation

Mrs. Little made a motion to table the acceptance of the Brookside Park Field Rehabilitation until Harold Pellow tells us that the contractor has taken care of a few issues down at the field.  
Seconded by Mr. LaBar. All were in favor.

#### 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”. Seconded by Mr. Meyer.

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

**FINAL READING: JULY 15, 2010**

Lease Agreement – Grange Hall

Mr. Rose made a motion to enter into a lease agreement with the Grange Hall, 50 East Main Street, for the Recreation Commission to sponsor a youth group, for the term of one year at a yearly cost of \$1,200.00 to be paid quarterly. Seconded by Mr. Meyer.

Upon roll call vote:

Ayes: Fransen, LaBar, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: Little

**OPEN PUBLIC SESSION #2**

Mr. LaBar 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.

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 contract issues and negotiations regarding a water bill. Motion seconded by Mr. LaBar.

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: Dykstra Abstentions: None

After meeting in closed session, the Governing Body returned to their seats and Mr. LaBar made a motion to reconvene into open public session. Seconded by Mr. Meyer. 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 Mr. Meyer. All were in favor.

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Christian Parrott, Mayor

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Catherine Gleason, RMC