

**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  
AUGUST 17, 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, Mrs. Little Mr. Meyer, Mr. Rose, Mayor Parrott.

Absent: Mr. LaBar

Mr. McBriar an associate of Mr. Ursin represented the Borough at this evening's meeting.

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, DPW Supervisor, gave the DPW report to the Governing Body. A copy of his report is on file in the Clerk's office.

**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. Meyer made a motion to accept the consent agenda of August 17, 2010, pulling voucher 4980, M. Sky Construction from the bill list. Seconded by Mr. Rose.

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

1. Memo dated August 6, 2010 from Harold Pellow to Catherine Gleason regarding FY-2011 Municipal Aid Application for the Improvements to Grove Street.
2. Letter dated August 6, 2010 from Christine Coppola, Northern District Team Leader with the NJDOT to the Borough regarding Route 23 Section 8 Parcel 63C; Route 23 Section 8 Parcel 63D.
3. Memo dated August 6, 2010 from Harold Pellow to NJDOT Local Aid – District 1 regarding FY-2011 Municipal Aid Application for the Improvements to Grove Street.
4. Memo dated August 5, 2010 from JCPL to Catherine Gleason regarding Annual Universal Service Fund Compliance Filing.
5. Memo dated August 5, 2010 from John Hatzelis, SCMUA Administrator, to Solid Waste Facility Customers regarding Tipping Fee Reduction.
6. Memo from Sussex County Water Quality Management regarding the cancellation of the meeting on August 12, 2010. Next meeting will be held September 9, 2010.
7. Letter dated July 8, 2010 from NJDCA to Mayor Parrott regarding Small Cities CDBG 2008 grant for \$400,000.
8. Letter dated July 8, 2010 from NJDCA to Mayor Parrott regarding Small Cities CDBG 2008 grant for \$200,000.
9. Letter dated July 13, 2010 from Hatch Mott MacDonald to Division of Water Supply regarding Sussex Borough Water Dept. NJDEP ID Nos. 1921001 & 5292 exempt request for Full Time T3 operator.
10. Letter dated July 15, 2010 from Catherine Gleason to Marianne Smith, Hardyston Administrator, regarding interlocal construction agreement.
11. Memo dated July 29, 2010 from Elaine Morgan, Clerk of the Board of Chosen Freeholders, to Governor Christie re: urging the NJ State Senate to adopt senate bill 2176 and the NJ State assembly to adopt assembly bill 3101.
12. Letter dated August 5, 2010 from Christina Riker, Sussex Wantage School Board Secretary, to the NJ Herald regarding a special meeting of the Board of Education on September 2, 2010.
13. Letter dated July 22, 2010 from NJ Legislature 24<sup>th</sup> District to Lori Grifa, Esq. Commissioner of DCA regarding Sussex Borough's Transitional Aid Application.

14. Letter dated July 16, 2010 from Stanley Cach, Municipal Finance & Construction Element Division of Water Quality, to Interested Government Agencies regarding Borough of Sussex's Sanitary Sewer System Improvements.
15. Fax dated July 20, 2010 from Helen Carew of Senator Oroho's office to Catherine Gleason regarding Route 23 Realignment.
16. Letter dated August 2, 2010 from NJ Legislative Office District 24 to Mayor Parrott regarding property use on Route 23.

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

1. Water/Sewer Report for July 2010
2. Vernon Animal Control July 2010 report
3. Sussex Borough Tax Collector report
4. June 2010 Construction report
5. July 2010 Construction report
6. Year to date Construction Report
7. Court report for the month of June 2010
8. Sussex Fire Department & EMS reports from March, May and June 2010
9. Clerk's Receipts for the month of July 2010

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

1. Sussex Fire Department First Aid Squad Application from Meghan Bajek.
2. NJ State Fireman's Application from Grace Meyers.
3. Sussex Fire Department Junior Membership Application from Anthony Duivenvoorde.

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

1. Payment of bills for the meeting of August 17, 2010.

Upon roll call vote:

Ayes: Dykstra, Fransen, Little, Meyer, Rose

Nays: None Absent: LaBar 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. Fransen. All were in favor.

Georgiana Stoll, Recreation Commission, addressed the Council regarding the Harvest Festival that they are planning for Sunday, October 17<sup>th</sup> on Main Street in the Borough. She stated that the Commission will be asking the Council to allow them to close Main Street from 12 noon on that day until 4:00 pm.

Mrs. Gleason told Ms. Stoll to have the Commission send a letter to the Council, along with a map of the areas that they want to close, so that she can put it on the agenda for their approval.

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. Meyer. All were in favor.

Mayor Parrott stated that he will now go to the addendum to the regular agenda so that Mr. Rome can address the 2010 budget amendment.

**PUBLIC HEARING FOR 2010 BUDGET AMENDMENT**

At this time Sam Rome discussed Resolution #2010-57R - the Amendment to the 2010 Budget.

At this time Mayor Parrott opened the meeting to the public for any questions or concerns that they may have regarding Resolution #2010-57R – the Amendment to the 2010 Budget.

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

## **COMMITTEE REPORTS**

Mayor Parrott asked Mr. Rose if the merchants were on board with Main Street being closed for the Harvest Festival.

Mr. Rose responded that the merchants who normally get upset about those things are no longer involved in the Merchant's Association. The merchants who do attend the meetings are in favor of the idea. Ann Cole has volunteered to discuss it with those merchants who might not be in favor of it.

Mayor Parrott stated that he will speak to them as well if they think it will do any good. Mr. Dykstra reported that there was a Property Maintenance meeting scheduled for August 14<sup>th</sup> but that only he, Steve and Arlene Hartman were in attendance so they had to cancel the meeting for lack of a quorum.

Mr. Dykstra also reported that although he did not attend the High Point Board of Education meeting he did speak to the Sussex Representative about the 3.5% raises that were given to the administrators retroactive to July 1<sup>st</sup>. He stated that Mr. Luna, Sussex representative, did vote for the raise. Only Mr. Nelson, the Wantage representative, voted no.

Mayor Parrott stated that he was furious when he heard that they had given that type of raise when we worked so hard at the budget meetings, after their budget was defeated, to give them the benefit of the doubt and not make more extreme cuts than we did. If we have to go back next year the Borough will definitely not be as lenient. Enrollment is down so they should not be giving those types of raises. When the teacher's union goes to negotiate they will be looking for the same type of increase now as well.

Mr. Dykstra stated that they justified the increase because they let one of the administrators go so now the ones that are remaining have to pick up the slack. He stated that he asked Mr. Luna to come to the meeting tonight to explain to the Council his reasoning for voting yes to the increase.

Mr. Meyer stated that next year if we have to go back to discuss their budget, and we will, we will not be as amenable as we were this year.

Mr. Fransen reported that the Planning Board meeting was cancelled in August and that there is one scheduled for September.

Mr. Rose stated that the Recreation Commission, at their last meeting, discussed the road closing for the Harvest Festival and that they are going to be putting off the starting of the youth program until they can find a suitable place to hold it. The Grange did not work out.

Mrs. Little stated that she came to the special meeting held on August 3<sup>rd</sup> at 7:30 because she was never told that the meeting was at 4:00 in the afternoon.

Mrs. Gleason stated that Colleen did tell her that the meeting was at four and that when she called to speak to Maria that afternoon Maria assumed that she knew what time the meeting was.

Mr. Fransen and Mr. Dykstra stated that the message that they received was that the meeting was going to be at 4:00.

Mayor Parrott stated that from now on we will make sure that she is given written notification of what time the meetings are going to be and apologized to her for the inconvenience.

Mrs. Little stated that the solid waste meeting was cancelled this month and that on August 11 she met with a young woman who was interested in helping the Borough run a recycling program.

Mr. Meyer reported that a committee met to discuss the Energy Audit and that Bob has come up with a spread sheet on what and how to spend the money that is necessary to satisfy the State's reimbursement requirements. We are going to be doing the things that will give us a quick return on our investments. He asked Mrs. Gleason to make a copy of the spreadsheet for all of the Councilpersons so that they can see what we will be doing.

At this time Mayor Parrott asked Dave Kirkham, our water treatment plant operator who was sitting in the audience if he had anything to report about the painting of the water tanks.

Mr. Kirkham reported that he just got the results of the VOC testing on his cell phone but that he can't read them. If they are ok then he can begin to drain the rest of the tank so that it can be refilled with drinkable water. He has also received a plan for the temporary storage tanks needed when the tank at the treatment plant is taken off line but that he hasn't had a chance to review it as of yet. He stated that the tank that was painted in town looks good.

Mayor Parrott reported that he spoke to Judge Dana about the Interlocal court agreement with Wantage. The judge told him that he is waiting to hear back from the AOC about staffing patterns before he can give us an answer. Mayor Parrott stated that he told the judge that we would need a proposal soon so that the Borough knows if it has to solicit other proposals.

Mayor Parrott stated that he received letters from Harold Pellow regarding parking on Brookside and Unionville Ave. A resident on Brookside complained that he doesn't think that parking should be allowed on Brookside because it is so narrow. Harold Pellow looked at it and agrees that the street is very narrow and that parking should not be allowed. The Unionville parking issue was initially brought to our attention by the parking enforcement officer. Harold also looked at that and stated that the road is narrow and should not have parking. Mayor Parrott stated that he knows that it is an issue on Sunday mornings because parishioners from the Catholic Church and the Presbyterian Church need to park there. Mayor Parrott stated that he will call both pastors to discuss the parking situation with them. Perhaps parking could be allowed on Sundays when the churches hold their services.

## **OLD BUSINESS**

### **NEW BUSINESS**

#### **Approval of Meeting Minutes**

Mr. Fransen made a motion to approve the meeting minutes of the Regular Meeting and Executive Session held on July 15, 2010. Seconded by Mr. Meyer.

Upon roll call vote:

Ayes: Dykstra, Fransen, Little, Meyer, Rose

Nays: None Absent: LaBar Abstentions: None

Mr. Meyer made a motion to approve the meeting minutes of the Regular Meeting held on August 3, 2010. Seconded by Mr. Rose.

Upon roll call vote:

Ayes: Meyer, Rose, Parrott

Nays: None Absent: LaBar Abstentions: Dykstra, Little

#### **Adoption Ordinance #2010-11 – Sale of Block 301.08, Lot 68**

Mr. Dykstra made a motion to adopt an ordinance entitled "AN ORDINANCE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX, STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS BLOCK 301.08, LOT 68". Seconded by Mr. Fransen.

Before final roll call **Mayor Parrott** opened the meeting to the public for any questions or concerns that they may have regarding Ordinance #2010-11.

There being no one from the public who wished to address the Governing Body regarding Ordinance 2010-11, Mayor Parrott closed the meeting to the public and returned to the regular order of business.

Upon roll call vote:

Ayes: Dykstra, Fransen, Little, Meyer, Rose

Nays: None Absent: LaBar Abstentions: None

#### **Introduction Ordinance #2010-12 – Certificate of Occupancy**

Mr. Dykstra made a motion to introduce and ordinance entitled "AN ORDINANCE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AMENDING CHAPTER XII ENTITLED 'BUILDING AND HOUSING' REGARDING CERTIFICATE OF OCCUPANCY". Seconded by Mr. Meyer.

Upon roll call vote:

Ayes: Dykstra, Fransen, Little, Meyer, Rose

Nays: None Absent: LaBar Abstentions: None

**FINAL READING: SEPTEMBER 7, 2010**

Zoning Officer Appointment – Steven Danner

Mr. Dykstra made a motion to hire Steven Danner as the Zoning Officer for the Borough of Sussex for 2010, beginning September 1, 2010, at a rate of \$15.00 an hour. Seconded by Mr. Meyer.

Mrs. Gleason stated that she would like to offer Mr. Danner and Mrs. Mascuch paid vacation and sick time since they will basically be working almost the same amount of hours as the full time employees.

Mr. Dykstra stated that he doesn't believe that part time employees should be offered the same benefits as full time employees. It is not about the money but about setting a precedence. Mr. Dykstra stated that he didn't like that this was sprung on him and not in the agenda.

Mrs. Gleason stated that we are under the gun to set up the department and this is what she is recommending.

Mr. Dykstra stated that he hopes that this was not promised to the employees without the consent of the Council.

Mrs. Little stated that she thinks that it was done secretly.

Mayor Parrott stated that he and the clerk met with the employees to negotiate a deal but made it clear to them that the final decision would have to be made by the Council and that he was insulted by the implication that Mrs. Little thinks that we are making "back room" deals.

Mr. Meyer stated that perhaps this discussion should take place in Executive Session and the attorney, Mr. McBriar, agreed.

Mr. Meyer made a motion to table this motion, seconded by Mr. Fransen. All were in favor.

Mr. Meyer requested an Executive Session to discuss contract negotiations.

#2010-13 – Improvements to Municipal Building

Mr. Meyer made a motion to introduce an ordinance entitled "AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$26,421.00 FROM THE GENERAL CAPITAL, CAPITAL IMPROVEMENT FUND IN THE AMOUNT OF \$26,421.00, FOR FUNDING THE IMPROVEMENTS TO MUNICIPAL BUILDINGS". Seconded by Mr. Fransen.

Upon roll call vote:

Ayes: Dykstra, Fransen, Little, Meyer, Rose

Nays: None Absent: LaBar Abstentions: None

**FINAL READING: SEPTEMBER 7, 2010**

Certification for Rescue Squad Contribution

Mrs. Little made a motion to approve of the Sussex Fire Department and First Aid Squad receiving financial assistance in the amount of \$4,375.00 from the County of Sussex for calendar year 2010. Seconded by Mr. Fransen.

Upon roll call vote:

Ayes: Dykstra, Fransen, Little, Meyer, Rose

Nays: None Absent: LaBar Abstentions: None

Sussex Fire Department – Request for Funds

Mrs. Little made a motion is in order to approve a donation request from the Sussex Fire Department in the amount of \$2,000.00 for supplies needed for Fire Prevention Week. Seconded by Mr. Rose.

Mrs. Gleason stated that there is only \$1700.00 in the account.

Mr. Rose made a motion to amend the previous motion to change the amount donated to \$1500.00. Seconded by Mr. Fransen.

Upon roll call vote: (to amend the previous motion)

Ayes: Dykstra, Fransen, Little, Meyer, Rose

Nays: None Absent: LaBar Abstentions: None

Upon roll call vote: (to make donation)

Ayes: Dykstra, Fransen, Little, Meyer, Rose

Nays: None Absent: LaBar Abstentions: None

#### Social Affair Permit – Sussex Fire Department

Mr. Fransen made a motion to approve a Social Affair Permit for the Sussex Fire Department to hold an event on September 25, 2010, from 6:00 pm to 1:00 am at the Sussex Fire House. Seconded by Mrs. Little.

Upon roll call vote:

Ayes: Dykstra, Fransen, Little, Meyer, Rose

Nays: None Absent: LaBar Abstentions: None

#### Construction Department Shared Service Agreement- Hardyston Township

Mr. Meyer made a motion to authorize the Mayor and Municipal Clerk to enter into a Construction Department Shared Service Agreement with Hardyston for the years 2010 – 2014. Seconded by Mr. Fransen.

Upon roll call vote:

Ayes: Dykstra, Fransen, Little, Meyer, Rose

Nays: None Absent: LaBar Abstentions: None

#### RFP Authorization – Sale of Water/Sewer Utility

Mr. Dykstra made a motion to authorize John Ruschke, Water/Sewer Engineer to prepare an RFP at a cost not to exceed (waiting for proposal from engineer) to put the Borough's water/sewer utility out to bid for possible purchase. Seconded by Mr. Meyer.

Upon roll call vote:

Ayes: Dykstra, Fransen, Meyer

Nays: Little, Rose Absent: LaBar Abstentions: None

#### Introduction Ordinance #2010-14 – SECTV Franchise

Mr. Meyer made a motion to introduce an ordinance entitled "AN ORDINANCE AMENDING CHAPTER XVI OF THE CODE OF THE BOROUGH OF SUSSEX ENTITLED "CATV". Seconded by Mr. Fransen.

Upon roll call vote:

Ayes: Dykstra, Fransen, Little, Meyer, Rose

Nays: None Absent: LaBar Abstentions: None

#### **FINAL READING: SEPTEMBER 7, 2010**

#### **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.

TerryAnn Zander, reporter for the Advertiser news asked about the DOT letters that were on the consent agenda and Mrs. Gleason responded that they referred to the two Small Cities Grants that the Borough received. Both grants were given extensions in order to complete the projects.

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.

## **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 contract negotiations. Motion seconded by Mr. Fransen.

Upon roll call vote:

Ayes: Dykstra, Fransen, Little, Meyer, Rose

Nays: None Absent: LaBar Abstentions: None

After meeting in closed session, the Governing Body returned to their seats at 10:05 p.m. and Mr. Fransen made a motion to reconvene into open public session. Seconded by Mrs. Little. All were in favor.

## **MISCELLANEOUS COMMENTS**

### Zoning Officer Appointment – Steven Danner

Mr. Fransen made a motion to appoint Steven Danner as the Zoning Officer for the Borough of Sussex at an hourly rate of \$16.65 with a monthly phone stipend of \$40.00 and a \$7.00 a day car allowance, beginning September 1, 2010. Seconded by Mr. Dykstra.

Upon roll call vote:

Ayes: Dykstra, Fransen, Little, Meyer, Rose

Nays: None Absent: LaBar Abstentions: None

### Zoning Department Secretary Appointment – Maria Mascuch

Mr. Meyer made a motion to appoint Maria Mascuch as the Secretary of the Zoning Department at an hourly rate of \$19.95 beginning September 1, 2010. Seconded by Mr. Dykstra.

Upon roll call vote:

Ayes: Dykstra, Fransen, Little, Meyer, Rose

Nays: None Absent: LaBar Abstentions: None

Mr. Fransen asked if the Ladies Auxiliary got a permit to hold a roadway collection this past weekend and Mrs. Gleason stated that she would find out.

Mrs. Little stated that she obtained a recycling garbage can from SCMUA and it is in the Council chambers.

Mr. Dykstra asked if we could send a condolence card to Julia Devine for the death of her husband.

## **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. Meyer. All were in favor.

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Christian Parrott, Mayor

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Catherine Gleason, RMC