

**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
October 4, 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, Mr. Meyer, Mr. Rose, Mayor Parrott.

Mrs. Little joined the meeting at 7:35 pm.

Also present Borough Attorney Robert McBriar of Courter, Kobert & Cohen, P.C

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."

PRESENTATIONS:

Finance Report

Mr. Sam Rome CFO stated that the Borough most likely will not receive any FEMA monies until early next year. FEMA will only cover 75% of the cost with the remaining 25% to be paid by the Borough. The \$100,000 emergency appropriation that the Council already approved would need to be raised within next year's water and sewer budget. A better plan would be to spread this \$100,000 over a five year period but this proposal needs to be confirmed by the State. Another option is to make this money a capital improvement. Then only a 5% down payment would need to be raised in next year's budget. Mr. Rome will pursue all options and report back to the Mayor and Council.

Mr. Rome stated that in the first meeting in November a list of money transfers will be presented to the Council for approval.

Mr. Meyer asked if Mr. Rome has taken into account monies that could be owed to SCMUA for exceedence of the sewer allocation.

Mr. Meyer suggested that Mr. Rome check with Bob Schultz about overages to plan next year's budget.

Mr. Meyer asked if a tax anticipation note could be used to cover these expenses.

Mr. Rome stated that a tax anticipation note would be used if there was a shortage of revenues not for a situation like this.

Mr. Rose asked if it is known what and how much damage the Borough's insurance will cover.

Mr. Zschack stated that all damage was reported to the insurance company and we are gathering quotes to submit to them. The only item that is known not to be covered is any road damage.

Mr. Rose asked if any of the Borough's roadways were damaged.

Mr. Zschack stated that the only road damage was to the gravel entryway to Lake Rutherford.

Recreation Commission Report

Mrs. Melissa Fransen, Vice-Chairperson and Mrs. Lynn Meyer, Chairperson of the Recreation Commission gave an update of the Harvest Festival. The Commission is receiving positive feedback and cooperation from the merchants within the Borough. The flyers and food vouchers for the event were passed out for the Mayor and Council to review. The food vouchers will be passed out to all children that participate in the parade. These vouchers can only be used on the day of the Harvest Festival. The flyers are posted at local stores, on the Borough's website, attached to pizza boxes from Lorenzo's Pizza, and takeout containers from the Sussex Inn. This years printing cost is more than last year but turn out to the event should be greater. Also proposed for that day are dance routines, a short play, race car, equipment from the Air Force, and live llamas.

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Mrs. Meyer stated that a sandwich sign promoting the event will be located in front of the Sussex Inn.

Mrs. Fransen stated that the Recreation Commission is looking for new members.

Mrs. Fransen stated that the Commission, with many volunteers, put up ribbons for Breast Cancer Awareness and will take them down at the end of the month.

Mr. Fransen suggested that the vouchers should be numbered to keep track of the amount used.

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.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Notice from the State of New Jersey Division of Local Government Services regarding Emergency Application – N.J.S.A. 40A:4-46 for the purpose of Streets & Roads- Other expenses.
2. Notice from the State of New Jersey Division of Local Government Services regarding Emergency Application N.J.S.A 40A:4-46 for the purpose of Water/Sewer Utility – Other expenses.
3. Notice from Nuzzi & Mason, LLC Attorney for Nielsen Automotive Corporation/Franklin Sussex Realty, LLC (High Point Hyundai) regarding a Planning/Zoning Board hearing for variance approval on Block 102 Lot 2, 2 Walling Avenue.
4. Letter from Mitchell Humphrey Software (Property Maintenance, Zoning programs) regarding no maintenance fee change for January 1, 2012 through December 31, 2012.
5. Letter from the New Jersey Legislature to Mark Zschack, Administrator/Clerk asking for participation to attend an informational session for local municipal officials to discuss issues of concern.
6. Notice from Waterloo Village regarding Waterloo Harvest Moon Festival.
7. Letter from the Sussex County Economic Development Partnership asking for the attendance of Mayor and Council at the Sussex County Mayor's appreciation and recognition dinner.
8. Notice of public hearings for Elizabethtown Gas.
9. Letter to Joseph J. Ragno, Esq., Attorney for Alpine Village, from John Ursin, Esq., Attorney for Sussex Borough, regarding I & I issues on Alpine Village's property.
10. Letter to John Ursin, Esq., from Joseph Ragno, Esq. responding back to the letter regarding Alpine Village.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Application for Blue Light Permit for Richard Klein.

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of 2011

Mr. Fransen made a motion to accept the consent agenda of October 4, 2011. Seconded by Mr. Rose

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

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OPEN PUBLIC SESSION #1

Mrs. Little made a motion to open the meeting to the public for any questions or comments concerning items on the agenda for which no public discussion is provided. (Comments limited to 5 minutes), seconded by Mr. Fransen. All were in favor.

Mrs. Terry Ann Zander from The Advertiser News stated that the agenda was not posted on the Borough's website prior to the meeting.

Mrs. Zander asked if the Municipal Alliance Grant is a grant the Borough has applied for in the past and what types of items does this grant cover.

Mr. Zschack stated that the Borough has applied in the past and Wantage Township is the lead agency for that grant. The Grant covers anti drug and alcohol materials for children.

Mrs. Zander asked if the emergency appropriation was for the revision of the Borough's tax maps.

Mr. Zschack stated that is correct.

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. Fransen offered no report at this time.

Mr. Meyer offered no report at this time.

Mr. LaBar acknowledged the Sussex Fire Department's accomplishments at the Sussex County's Fireman's Parade in Franklin.

Mrs. Little stated that at the September 27th Board of Health meeting Ordinance BOH 2011-01 was introduced and the final reading will be October 25th.

Mrs. Little stated that note pads and pens will be purchased promoting recycling and distributed at the Harvest Festival.

Mrs. Little stated that there is \$6,000 in the Clean Communities line item and wishes to use \$500.00 from this source.

Mrs. Little made a motion to use up to \$500.00 from Clean Communities to be used for the purchase of material to promote recycling within the Borough. Seconded by Mr. Fransen.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mr. Rose stated that the Harvest festival will be held on Saturday October 22nd.

Mr. Rose stated that he will be attending a meeting on Thursday October 6th in Clinton to discuss USDA funding for solar energy.

Mr. Zschack Acting Clerk/Administrator offered the following report:

Borough Sites and Street Issues

I met with insurance representatives on September 29th and escorted them around the Borough to view all the damage from Hurricane Irene. We are in the process of compiling all damage to submit.

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On September 29th an OEM meeting was held, in attendance were Mayor Parrott, Councilman Meyer, Jake Little (OEM Coordinator), Floyd Southard, Robert Regavich, Dan Stoll (Fire Chief), and Mark Zschack.

The response to Hurricane Irene was the topic of the evening and the following items were discussed:

- An email and phone list of the Mayor and Council members as well as all OEM members must be kept and updated. This is the most efficient way to contact everyone in an emergency.
- A list of phone numbers of all residents within the dam breach areas is needed for evacuation purposes.
- The OEM feels the Municipal Building needs to have a backup generator to be able to use the OEM office on the second floor as the command center. The building then can also be used for evacuation purposes as well as an outpost for fire and first aid responders. It would be prudent for the Borough to have a location on both sides of Clove Brook for fear that the bridges could be closed.
- We must think ahead to procure supplies before the event such as generators, stone to secure the dams, drinking water, and other essentials needed during a catastrophe.
- All OEM members need to have training. This makes it easier to receive grants from the State.

The kickoff meeting with FEMA was held on October 3rd at Hardyston's Municipal Building. It was good to have our first meeting along with Hardyston. Many concerns impact the service agreement with DPW such as labor and material costs. The next step is a one on one meeting with a FEMA representative where all the costs will be submitted.

United Water with the assistance from Hardyston DPW is continuing the hydrant flushing and expects to be completed by the end of the week.

Long-term and Capital Projects

John Ruschke the Borough's water and sewer Engineer has completed the infiltration study and will present the recommendations to the Mayor and Council at the October 18th meeting.

Misc.

The Sussex Fire Department and EMS along with the Ladies Auxiliary won 7 trophies at the Sussex County Fireman's Parade on Saturday October 1st in Franklin.

There was a brief discussion about the extent of damage from Hurricane Irene.

OLD BUSINESS

Resolution 2011-75R Cancel Taxes Block 510 Lot 23

Mr. LaBar made a motion to adopt a resolution canceling the balance of 2011 taxes in the amount of \$2,554.30 to Block 510 Lot 23 for a permanently disabled veteran with full exempt status. Seconded by Mr. Meyer

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

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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 September 20, 2011 Seconded by Mr. LaBar

Upon roll call vote:

Ayes: Fransen, LaBar, Little, Meyer, Rose

Nays: None Absent: None Abstentions: Dykstra

Resolution 2011-77R Municipal Alliance Grant Application

Mr. Rose made a motion to adopt a resolution authorizing submission of an application for the Sussex County Municipal Alliance grant for calendar year 2012 in the amount of \$12,716.00 Seconded by Mr. Dykstra

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

DPW Report

Mr. Bob Schultz stated that there was a problem at the sanitary sewer station when a cooler line for the pumps broke. This flooded out the dry pit with about four foot of water and submersed both pumps. The electrical system was also damaged. The total cost of repairs will be approximately \$50,000. The insurance company was notified and a claim has been started. At the present time the system is running on a rented by-pass pump. Both pumps will have to be removed, cleaned, baked, and checked for damage.

Mr. Schultz stated that the Borough is working with FEMA on a mitigation plan to prevent flooding at the pump station. This plan will be to relocate the pumps and electrical systems above ground into a locked box.

Mr. Schultz stated that the alarm system and sump pump will be evaluated and a better system is warranted. The sump pump became jammed with debris.

Mr. Schultz stated that the hydrant flushing is continuing and four hydrants that are broken have been discovered. These hydrants were bagged and the fire department will be notified. The flushing of the system has not been done in a long time or performed properly. This method of flushing will produce better water quality. The valves on the water system are not located in the proper place to be able to just shut down a hydrant. When the valve is closed a portion of the main is also turned off.

Mr. Schultz stated that two new Ford trucks have been ordered and due to the price increase some options were removed. A box sander will be utilized for the beds of the trucks. The dealer is backed up with their orders and will have a proposed delivery date soon.

Mr. Schultz stated that salt prices have dropped from last year which will equate to a savings.

Mr. Schultz recommends that a committee of the Council is formed to discuss DPW issues including long term planning.

Mr. Fransen asked if there was a timetable on the instillation of the hot water heater and furnace at the theater. Mr. Schultz stated that he is waiting on a quote.

Mr. Rose asked what information he should bring to a solar energy meeting that he will be attending this week. Mr. Schultz stated that the information from the DPW garage project will be sufficient.

Mr. LaBar asked if the water on Route 23 was checked out and was it from a sewer break. Mr. Schultz stated that it was checked and determined that it did not originate from the sewer system.

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Mrs. Little stated that she has detected a chemical odor in the water the last few weeks. Mr. Schultz stated that would be a question for United Water to answer but it could be from the hydrant flushing.

Adoption Ordinance 2011-13 Emergency Appropriation

Mr. LaBar made a motion to adopt an ordinance entitled "AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION UNDER N.J.S. 40A:4-53 ET SEQ. TO FINANCE REVISION OF TAX MAPS, BY THE BOROUGH OF SUSSEX, IN THE COUNTY OF SUSSEX, NEW JERSEY." 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 2011-13.

There being no one from the public who wished to address the Governing Body regarding Ordinance #2011-13, Mayor Parrott closed the meeting to the public and returned to the regular order of business.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2011-78R

Mr. LaBar made a motion to adopt a resolution to request that an exclusion from the 2% "CAP" be granted by the Director of Local Government Services in the amount of \$3,000.00 per year for the next five years. Seconded by Mr. Dykstra

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Adoption Ordinance 2011-14 Property Maintenance Board

Mr. Dykstra made a motion to adopt an ordinance entitled "AN ORDINANCE TO MODIFY THE CODE OF THE BOROUGH OF SUSSEX REGARDING PROPERTY MAINTANCE AND ELIMINATE THE PROPERTY MAINTENANCE BOARD". Seconded by Mr. Rose

Before final roll call Mayor Parrott opened the meeting to the public for any questions or concerns that they may have regarding Ordinance 2011-14.

There being no one from the public who wished to address the Governing Body regarding Ordinance #2011-14, Mayor Parrott closed the meeting to the public and returned to the regular order of business.

Mr. Rose stated that he would like to add the word utility to 12-4.4 (2)

The motion was amended to reflect said change.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Discussion

At this time a discussion took place regarding the possible sale of Borough owned property Block 504 Lot 7. Concerns of a utility line running through this property were raised and will be confirmed that the utility was relocated.

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Mrs. Little made a motion to authorize the Borough Attorney to draft a Resolution to authorize the sale of Block 504 Lot 7 having determined that it is no longer needed for public use. Seconded by Mr. Rose

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. Rose All were in favor.

Mrs. Terry Ann Zander from The Advertiser News requested the contact information for whoever is in charge of the concession stand. Mrs. Zander also requested the information concerning the purchase of the DPW trucks.

Mrs. Zander asked if the lease agreement with cornerstone Playhouse has been finalized. Mayor Parrott stated that it has not been signed.

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.

MISCELLANEOUS COMMENTS

Mrs. Little stated that the Sussex Fire Department and EMS along with the Ladies Auxiliary should be commended for their outstanding job. Year after year they bring home trophies and produce a lot of pride for the Borough.

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.