

**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 5, 2012**

Mayor Rose 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. Holowach, Mrs. Krynicki, Mr. LaBar, Mr. Lagattuta, Mr. Meyer, Mayor Rose.

Absent: None

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

Mayor Rose led the assembly in the flag salute and requested a moment of silence.

Mayor Rose 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."

**AUCTION OF MUNICIPAL OWNED PROPERETY**

Borough Attorney Robert McBriar Esq. stated the Auction of Municipal Owned Property for Block 301.08 Lot 66 is now open for bidders as outlined in ordinance 2012-08 with a minimum bid of \$500.00.

Mrs. Ana Russell and Mr. David Russell of 21 Spruce Avenue offered a bid of \$500.00 for Block 301.08 Lot 66. There were no other bidders for this property therefore Mr. McBriar recommended that the Borough accept the bid of \$500.00 from Ana and David Russell and closed the auction.

Mr. Lagattuta made a motion to adjourn for a five minute recess to complete the transaction with Mr. and Mrs. Russell Seconded by Mr. LaBar  
All were in favor

At 7:41 Mayor Rose called the meeting back to order.

**CONSENT AGENDA**

Mayor Rose 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 June 5, 2012. Seconded by Mr. Holowach

Upon roll call vote:

Ayes: Dykstra, Holowach, Krynicki, LaBar, Lagatutta, Meyer,

Nays: None Absent: None Abstentions: None

**OPEN PUBLIC SESSION #1**

Mr. LaBar 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. All comments should be directed to the Mayor and are limited to 5 minutes. Seconded by Mr. Holowach  
All were in favor.

There being no one present who wished to address the Governing Body, Mr. Holowach made a motion to close the meeting to the public, seconded by Mr. LaBar All were in favor.

**ADMINISTRATORS REPORT**

Mr. Mark Zschack the Administrator/Clerk offered the following report;

**Borough Sites and Street Issues**

The Grove Street improvement project is moving forward the plans are complete except for the possibility of the removal of the rock ledge on Route 23 south of Grove Street. Harold Pellow is in discussion with the State to improve the sight distance. The DPW are inspecting all water curb boxes and will replace the ones that are not operating and relocate the two that are in the way of the new curb line.

The search for an operating shut off valve in order to repair the PRV is continuing; three valves have been located but none of these can be shut off completely.

The filter media is in route to the water treatment plant and a meeting will be set up with the contractor, operator, and QPA to review the replacement process. A valve at the plant broke late last week and is temporarily off line. Darren will review the invoices tomorrow to determine the most cost efficient way to replace this valve.

It has been a long and slow process to coordinate the sewer lateral inspections. We are working with homeowners, contractors, and the Sewer Engineer to finish this project in the most cost effective way.

The mandatory sewer connections are moving forward the Borough has received two completed applications with fees and other residents have contacted a local excavator.

**Operational/Personnel Matters**

Mr. Steve Danner is requesting to reduce his hours to twenty per week. He has also offered to reduce his hourly wage by about \$5 per hour to help the Borough cover any extra expense that might be incurred. Three options are being considered replace Mr. Danner by hiring someone that will perform all of his duties, hire a person to perform half of his duties, or enter into a shared service agreement to cover either all or some of his duties. We have meetings set up this week to discuss the shared service option.

**NEW BUSINESS**

Mrs. Krynicky stated that there are two catch basins on Roy Court that are totally silted and are causing flooding in an area of the roadway during rain events.

Mr. Zschack stated that a phone call will be made to DPW to direct them to look into this matter.

Mr. Meyer made a motion to alter the agenda to add discussion on an Interlocal agreement for fire services and discussion on the proposed sewer service area. Seconded by Mr. Holowach. All were in favor.

**Approval of Meeting Minutes**

Mr. Meyer made a motion to approve the meeting minutes of the Executive Session held on April 3, 2012. (Absent: None) Seconded by Mr. Holowach.

Upon roll call vote:

Ayes: Dykstra, Holowach, Krynicky, LaBar, Lagatutta, Meyer,  
Nays: None Absent: None Abstentions: None

Mr. Holowach made a motion to approve the meeting minutes of the Regular Meeting and Executive Session held on May 1, 2012. (Absent: Dykstra) Seconded by Mrs. Krynicky

Upon roll call vote:

Ayes: Holowach, Krynicky, LaBar, Lagatutta, Meyer,  
Nays: None Absent: None Abstentions: Dykstra

Mr. LaBar made a motion to approve the meeting minutes of the Regular Meeting held on May 15, 2012. (Absent: None) Seconded by Mr. Dykstra

Upon roll call vote:

Ayes: Dykstra, Holowach, Krynicky, LaBar, Lagatutta, Meyer,  
Nays: None Absent: None Abstentions: None

**Resolution #2012-69R - Awarding Raises for Certain Employees**

Mr. LaBar made a motion to adopt a resolution approving Colleen Little, Steven Danner, Terry Beshada, and Suzette Ellefsen to receive a 2% increase in their base pay, retroactive to January 1, 2012. Seconded by Mr. Lagattuta

Upon roll call vote:

Ayes: Dykstra, Holowach, Krynicky, LaBar, Lagatutta, Meyer,  
Nays: None Absent: None Abstentions: None

**Resolution 2012-71R - Authorize Issuance of Estimated Tax Bills**

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

Upon roll call vote:

Ayes: Dykstra, Holowach, Krynicky, LaBar, Lagatutta, Meyer,  
Nays: None Absent: None Abstentions: None

**Resolution #2012-72R - Liquor License Renewals**

Mr. Meyer made a motion to approve the renewal of the following liquor licenses for the license period July 1, 2012 through June 30, 2013. Seconded by Mr. Dykstra

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

FOUNTAIN SQUARE INN CORP, T/A FOUNTAIN SQUARE INN  
82 Fountain Square, Sussex, NJ 07461,  
License #1921-33-002-001.

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

Upon roll call vote:

Ayes: Dykstra, Holowach, Krynicky, LaBar, Lagatutta, Meyer,  
Nays: None Absent: None Abstentions: None

**Resolution 2012-73R – Cancellation of Authorized Debt**

Mrs. Krynicky made a motion to adopt a resolution hereby canceling the allotment reserved in Ordinance # 2011-06 for the solar project in the amount of \$351,137.00 and return \$17,557.00 of said monies to the Capital Improvement Fund. Seconded by Mr. Holowach

Upon roll call vote:

Ayes: Dykstra, Holowach, Krynicky, LaBar, Lagatutta, Meyer,  
Nays: None Absent: None Abstentions: None

**Resolution 2012-74R – Authorizing Award of Contract for Well Testing**

Mr. LaBar made a motion to adopt a resolution authorizing the award of a contract to Henderson Well and Pump Co. to perform a well test on an existing well, cost not to exceed \$2,514.50 Seconded by Mr. Dykstra

A brief discussion ensued about testing the well at this point or waiting for more information to determine if wells are a viable possibility. Mayor Rose and Mr. Meyer questioned if testing is the prudent thing to do at this time or should more financial information be gathered.

After further conversation the consensus of the Council is that the well test should be performed at this time based on the Engineers recommendation.

Upon roll call vote:

Ayes: Dykstra, Holowach, Krynicki, LaBar, Lagatutta, Meyer,

Nays: None Absent: None Abstentions: None

**Resolution 2012-75R – Authorizing Award of Contract for Revaluation**

Mr. Meyer made a motion to adopt a resolution authorizing the award of a contract to Certified Valuations, Inc. to perform a municipal-wide revaluation, at the base price of \$64,375 plus appeals cost. Seconded by Mr. LaBar

Upon roll call vote:

Ayes: Dykstra, Holowach, Krynicki, LaBar, Lagatutta, Meyer,

Nays: None Absent: None Abstentions: None

**Resolution 2012-76R – Appointing Tax Assessor**

Mr. Holowach made a motion to adopt a resolution appointing Kristy Lockburner as the Borough of Sussex Tax Assessor through an Interlocal agreement with the Township of Wantage, appointment to commence on July 1, 2012. Seconded by Mr. Lagattuta

Upon roll call vote:

Ayes: Dykstra, Holowach, Krynicki, LaBar, Lagatutta, Meyer,

Nays: None Absent: None Abstentions: None

**Adoption Ordinance 2012-10 – Sale of Block 504 Lot 7**

Mr. Meyer 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 504 LOT 7 “Seconded by Mr. Dykstra

Before final roll call Mayor Rose opened the meeting to the public for any questions or concerns that they may have regarding Ordinance #2012-10.

There being no one from the public who wished to address the Governing Body regarding Ordinance #2012-10, Mayor Rose closed the meeting to the public and returned to the regular order of business.

Upon roll call vote:

Ayes: Dykstra, Holowach, Krynicki, LaBar, Lagatutta, Meyer,

Nays: None Absent: None Abstentions: None

**Approval of Underwater Inspection of the Clove River Dam**

Mr. Meyer made a motion to approve Guerin & Vreeland to perform an underwater inspection of the Clove River Dam to investigate possible undermining, cost not to exceed \$4,800. Seconded by Mr. Holowach

A brief discussion ensued about the need to perform this type of inspection at this time. Mr. LaBar and Mr. Dykstra offered their opinion on the origin of the concrete at the base of the spillway.

Upon roll call vote:

Ayes: Dykstra, Holowach, Krynicky, LaBar, Lagattuta, Meyer,

Nays: None Absent: None Abstentions: None

**Discussion of Interlocal Fire Services**

Mr. Meyer stated that the Borough needs to review the overall cost of fire services considering the fact that Sussex Borough provides coverage to a large portion of Wantage. Mr. Meyer suggested that a committee be formed to study the arrangement with Wantage and review the funding requirements for the fire department.

Mr. Dykstra stated that Sussex Borough covers the schools as well as the commercial areas of Wantage.

Mr. Holowach stated that the relationship with Wantage fire department is good but agrees that all aspects of an agreement, for the long term should be analyzed.

The consensus of the Council is that a subcommittee should be formed to discuss all aspects of funding and operations of the fire departments.

Mayor Rose formed a committee to review the arrangement with Wantage concerning the fire departments with respect to funding as well as operations.

Mr. Holowach, Mr. LaBar, and Mrs. Krynicky volunteered to participate on this committee and Mr. Dykstra offered to serve as an alternate.

**Discussion of Sewer Service Area Maps**

The areas that are on the proposed sewer service were discussed and the consensus was to have Harold Pellow review the map especially in Wantage Township along the Route 23 corridor.

**OPEN PUBLIC SESSION #2**

Mr. LaBar made a motion to open the meeting to the public for any questions or comments concerning the good and welfare of the Borough. All comments should be directed to the Mayor and are limited to 5 minutes. Seconded by Mr. Lagattuta All were in favor.

There being no one present who wished to address the Governing Body, Mr. Holowach made a motion to close the meeting to the public, seconded by Mr. Lagattuta. All were in favor.

**ADJOURNMENT**

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