

**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 19, 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. Holowach, Mrs. Krynicky, Mr. LaBar, Mr. Lagattuta, Mr. Meyer, Mayor Rose.

Mr. Dykstra joined the Dias at 7:36pm

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."

**PRESENTATIONS:**

Revaluation

Mrs. Cindy Sullivan and Mr. Thomas DeKorte of Certified Valuations, Inc. presented an overview of the revaluation process that will take place this year. After the presentation questions from the Council and public were answered and discussed.

Water Treatment Plant

Mayor Rose presented an update of the turbidity issues at the water treatment plant. Four different solutions were discussed and no decision was rendered as to the direction the Council is to pursue.

Discussion of Open Public Session Format

At this time a discussion took place concerning the format of the open public session. After a brief discussion Mr. Holowach made a motion to interleave the public and Council responses during open public session. Seconded by Mrs. Krynicky

After further discussion Mr. Holowach made a motion to amend the original motion to add a five minute time limit for the person speaking with a ten minute overall time period for the person speaking and the Council discussion. Seconded by Mr. Lagattuta

All were in favor of the amendment.

All were in favor of the original motion.

Mayor Rose stated that this procedure will be effective immediately.

**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. Holowach made a motion to accept the consent agenda of June 19, 2012. Seconded by Mr. Dykstra

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**OPEN PUBLIC SESSION #1**

Mr. Holowach 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 with a total of 10 minutes for the Council to discuss. 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. Dykstra All were in favor.

### **COUNCIL COMMENTS**

Mr. Lagattuta offered no comments at this time.

Mrs. Krynicky asked if the catch basins on Roy Court are now clean of silt. Mr. Zschack stated that he will need to check with DPW on this.

Mr. LaBar reported that the new plantings of shade trees on Main Street have been completed.

Mr. Meyer asked to have the sewerage flow chart that we receive from SCMUA reformatted so month to month and year to year totals can more easily be reviewed.

Mr. Meyer requested a meeting between Sussex Borough and SCMUA to discuss the contract and the chemical feed system in the force main. Discussion ensued about the positive effect that the I&I project has had on the amount of sewerage that the Borough sends to SCMUA.

Mr. Dykstra stated that he is disappointed with how dirty the new DPW trucks are.

Mr. Holowach stated that there are many bricks pavers on Main Street that need to be replaced. Discussion continued about general property maintenance throughout the Borough.

### **ADMINISTRATORS REPORT**

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

#### **Borough Sites and Street Issues**

The Recreation Committee voted on June 12, 2012 to allow the football league to remove the fence at Brookside Park and to move a barrier into the way of the field so cars cannot enter the field. They will also be expanding the football field to a regulation field 60 yards by 100 yards.

The Sussex Wantage School is replacing their macadam around the school starting next week.

The millings from this project were offered to the Borough and Bob Schultz will coordinate with the School to have them transport this material to Boggs field to repair the driveway and parking area.

The roof at the Municipal Building will be examined by Darren this week to determine the best course of action for repairs.

#### **Financial Controls/Legal Issues**

The Borough received a check from the insurance company last week for \$75,961.00 for damage during Hurricane Irene. Along with the \$46,900.00 check the Borough already received brings the total to \$122,861.00 in total payments. These monies would just about payoff the \$125,000.00 bond ordinance that was approved last year.

#### **Long-term and Capital Projects**

After reviewing the Route 23 Realignment plans Harold Pellow has determined not to pursue the removal of the rock ledge south of Grove Street. The State has considered this removal as part of their plans.

Grove Street has experienced some recent settling above the old sewer main and John Ruschke will determine what can be done now to stop the settling before the roadway is replaced. A full set of plans have been delivered to the Borough and any member of the Council or public can come into the Municipal Building during regular business hours to review these plans.

The old pump has been pulled on the well that is to be tested and they are working on installing the test pump. The existing well is approximately 300' deep.

The filter media replacement has begun and is awaiting the valve to be repaired before the first of four filters are completed. This repair will take place on Thursday so the first filter will be replaced by Friday.

#### Misc

We have made a lot of progress in the last two weeks with the sewer lateral inspections. About eight inspections are scheduled for June 30<sup>th</sup> and six areas are scheduled with the contractor for repairs.

Both John Ruschke and Harold Pellow have reviewed the sewer service area map and agree with the areas that have been added. Mr. Pellow has offered comments on behalf of Wantage Township. Sussex Borough is entirely within the sewer service area so no comments are warranted.

### **NEW BUSINESS**

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

Mr. Holowach made a motion to approve the meeting minutes of the Regular Meeting held on June 5, 2012 (Absent: None) Seconded by Mr. Dykstra

Upon roll call vote:

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

#### **Approval of Social Affair Permit for Sussex Fire Department**

Mr. LaBar made a motion to approve social affair permits for the Sussex Fire Department on July 28, 2012. Seconded by Mr. Dykstra

Upon roll call vote:

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

#### **Resolution 2012-70R Honoring Eagle Scout**

Mr. Meyer made a motion to adopt a resolution congratulating Jacob D. Wallace for achieving the rank of Eagle Scout as a member of Boy Scout Troop 97. Seconded by Mr. Lagattuta

Upon roll call vote:

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

**Resolution #2012-77R - Liquor License Renewals**

Mr. Dykstra 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. Holowach

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

SUSSEX INN INC., T/A SUSSEX INN  
9 Main Street, Sussex, NJ 07461  
License #1921-33-004-004.

Upon roll call vote:

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

**Introduction Ordinance 2012-11 Emergency Appropriation**

Mr. Meyer made a motion to introduce an ordinance entitled "AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION OF \$100,000 UNDER N.J.S.A. 40A:4-53 ET SEQ. TO FINANCE TAX REVALUATION, BY THE BOROUGH OF SUSSEX, IN THE COUNTY OF SUSSEX, NEW JERSEY." Seconded by Mr. Holowach

Upon roll call vote:

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

Mayor Rose stated that the final reading on this ordinance will be on July 17, 2012

**Resolution 2012-79R - Authorizing the Execution of a Discharge of Mortgage**

Mr. Meyer made a motion to authorize the discharge of a mortgage for 9 Walling Avenue, Block 103 Lot 3 in the amount of \$6,284.65. Seconded by Mr. Holowach

Upon roll call vote:

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

**OPEN PUBLIC SESSION #2**

Mr. Holowach 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 with a total of 10 minutes for the Council to discuss. Seconded by Mr. Lagatutta All were in favor.

Mrs. Linda Masson 15 Spruce Avenue asked is it true that the only way to lower the water and sewer rate is to bring on new users.

Mrs. Masson feels that the open public session should not have a time limit as long as people do not speak for twenty minutes or a half hour.

Mrs. Masson asked who is directing the DPW on what work is to be performed.

Mrs. Masson asked that when a drop dead date is given to residents is a drop dead date also given to the Borough's contractors.

The Council discussed the shared service agreement with Hardyston for DPW services, particularly the use of man hours.

Mr. Meyer explained that a certain number of hours were figured into the contract and the Borough is trying to get the best use of these hours. If any issues are observed around the Borough please contact the Municipal Building and possibly the use of these hours needs to be adjusted.

Further discussion ensued about the best use of man hours.

Mrs. Masson asked is there a savings having a shared service for DPW services.

Mr. Meyer stated that the majority of savings is that less outside contractors are needed because most work can be performed in house.

Mayor Rose stated that a question was asked about the sewer contractor.

Mr. Zschack stated that the Borough is consolidating all repairs to limit the amount of change orders that are needed.

Mrs. Katherine Little 27 Clove Avenue stated that the press has been referring to the stream running through the Borough as Clove Creek it is actually Clove Brook.

Mrs. Little stated that the Recreation Committee is holding a flea market on Saturday at the Sussex Middle School vender tables cost \$10.00.

Mrs. Little stated that the flag in front of the Municipal Building is in poor shape and is in need of replacement.

Mrs. Julia Devine 4 Main Street stated that she spoke to the Administrator about adding a crosswalk on Main Street.

Mrs. Devine asked if the Mayor and Council would consider reinstating the Property Maintenance Board.

Mr. Dykstra stated that he sat on the Property Maintenance Board and it was disbanded because there was never a quorum.

Mrs. Georgeanna Stoll 18 Hill Street asked if the Mayor and Council have ever considered installing speed bumps on Main Street.

The Council agrees and directed the Administrator to research the viability of installing speed humps and placing a new crosswalk along Main Street.

Mrs. Rhadys Flores 20 Spruce Avenue stated that she wants to see proof that her sewer connection is leaking. Mrs. Flores stated don't threaten people ask for their cooperation nicely.

Mrs. Flores stated that she will take you to court if she has to.

Mr. Holowach asked if this issue is in reference to the I&I project.

Mr. Zschack stated that it is.

Mayor Rose asked Mrs. Flores is she objecting to the letter to have the engineer video her sewer lateral.

Mrs. Flores stated that she is only objecting to the way the letter was written.

Mayor Rose asked Mrs. Flores if she would allow the Borough to video her sewer lateral from her house while she is present.

Mrs. Flores stated that she is willing to work with the Borough if she is asked nicely.

Mayor Rose stated that the engineer is in the Borough on June 30<sup>th</sup> videoing other properties can we add your property to the list.

Mrs. Flores stated that she needs to check her schedule and will contact the Municipal Building.

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

### **EXECUTIVE SESSION**

In accordance with the provisions of the Open Public Meetings Act, Mr. Dykstra made a motion to adjourn into closed executive session to discuss personnel and attorney client privilege matters. Motion seconded by Mr. Holowach

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

After meeting in closed session, the Governing Body returned to their seats at 10:40 p.m. and Mr. Lagattuta made a motion to adjourn out of closed executive session and to be reconvened into open public session. Motion seconded by Mrs. Krynicky

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. LaBar All were in favor.