

**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
September 4, 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.

Absent: Mr. Dykstra

Mr. Dykstra joined the dais at 7:35pm

Also present Borough Attorney John Ursin 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:

Fire Department – Chief Dan Stoll led a discussion about Sussex EMS services. Mr. Stoll explained that the Fire Department is researching the use of a cost recovery company. This company would help the department recover some of the costs affiliated with the EMS as well as the fire department. Mr. Stoll stated that the cost for EMS training will no longer be covered by the State therefore an alternate source of funding will need to be found. Mr. Ursin stated that the Boroughs QPA should get involved to set up the proper procedure to procure these services.

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.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Letter dated August 27, 2012 from Mark Zschack to Mrs. Horlacher, Esq. regarding a request to waive the Mandatory Notice to Connect
2. Letter dated August 22, 2012 from Mark Zschack to Mrs. Nicole Hand regarding parking at the municipal parking lot.
3. Letter dated August 22, 2012 from Mark Zschack to Mrs. Maria Mascuch regarding a request for retroactive pay.
4. Letter dated August 22, 2012 from Mark Zschack to Lawrence and Donna Polagye regarding a request to waive the Mandatory Notice to Connect
5. Letter dated August 27, 2012 from Christine Rotondo resigning as a member of the Recreation Committee.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Board of Health minutes for the March 27, 2012 meeting
2. Recreation Committee minutes for the May 8, 2012 meeting
3. Recreation Committee minutes for the June 12, 2012 meeting
4. Animal Control Officers report for the months of June and July 2012.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. NJ State Firemen's Association Membership Application from Kyle Demarest for the Sussex Fire Department.

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of September 4, 2012

Mr. Lagattuta made a motion to accept the consent agenda of September 4, 2012.
Seconded by Mr. Holowach

Upon roll call vote:

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

OPEN PUBLIC SESSION #1

Mrs. Krynicky 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. LaBar All were in favor.

Mr. Bruce Youngling, Deliverance House Ministries 41 Route 23, Franklin, NJ 07416 stated that he is here representing Deliverance House Ministries in regards to item number eight on the agenda. Mr. Youngling stated that he as well as others are present to answer any questions that the Council might have. There was no further discussion.

Mr. Philip Yetter 4 Center Street stated that he received a parking ticket on Harrison Street and feels the signage on Harrison Street is poorly marked. There was no further discussion.

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

ADMINISTRATORS REPORT

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

Borough Sites and Street Issues

Pre construction meeting for Grove Street was held on August 28 in attendance was Harold Pellow, Howard Viersma, and I. Construction is scheduled to commence on September 17 and last about four to six weeks. The street will be closed during the day to thru traffic but opened each evening.

Construction of dry well at the water treatment plant is scheduled for Monday the 10th this is the earliest date after mark out was called in. This slight modification should prevent water from flowing onto the adjoining parking lot.

Operational Matters

On August 30, 2012 a subcommittee met to discuss the DPW and how to utilize the man hours supplied by Hardyston. A synopsis of this meeting has been prepared and distributed to the Council for review.

NEW BUSINESS

Approval of Meeting Minutes

Mr. Holowach made a motion to approve the meeting minutes of the Regular Meeting and Executive Session held on August 21, 2012 Seconded by Mr. Meyer

Upon roll call vote:

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

Appointment of Crossing Guard

Mr. Meyer made a motion to approve the hiring of Antoinette Danner for a part time crossing guard position at the rate of \$10.00 per hour. Seconded by Mr. Holowach

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Request to Hang Purple Ribbons

Mr. Holowach made a motion to approve a request from DASI to hang purple ribbons around the lamp posts and trees along Main Street for the month of October 2012 in observance of National Domestic Violence Awareness Month. Seconded by Mr. Lagattuta

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Time Extension for Mandatory Notice to Connect

Mr. Holowach made a motion to approve the request from Mr. Lawrence Polagye of 37 Harrison Street to grant a time extension for the Mandatory Notice to Connect to November 18, 2012. Seconded by Mrs. Krynicky

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Request for Monetary Restitution

No motion was made to approve the request of Michael and Christine Rotondo for monetary restitution for expenses incurred from the removal of brush and shrubs.

Request for Brookside Park Memorial

Mr. Dykstra made a motion to approve the request from Carol Ann Woodward and Christopher McKowen to erect a memorial in Brookside Park to honor the loss of their son Justin. Seconded by Mr. Holowach

After a brief discussion concerning the type, size, and location of the memorial the consensus of the Council is for the Clerk to attain additional information so the Council can make an informative decision.

Mr. Lagattuta made a motion to table the request until the October 16, 2012 meeting pending additional information gathered by the Clerk about the type, size, and location of the memorial. Seconded by Mr. Dykstra All were in favor.

Request to Waive Sewer Charges

Mr. Dykstra made a motion to approve the request from Catherine Bosma 93 Newton Avenue to waive all charges for the use of sanitary sewer from third quarter 2006 through second quarter 2012 totaling \$6,911.65. Seconded by Mr. Holowach

A brief synopsis of how these charges were calculated was given by the Clerk.

Upon roll call vote:

Ayes: Krynicky

Nays: Dykstra, Holowach, LaBar, Lagattuta, Meyer

Absent: None Abstentions: None

Request for Community Outreach Program

Mr. Meyer made a motion to approve the request from Bruce Youngling of Deliverance House Ministries to hold a free community outreach program in Deckertown Commons on September 22, 2012 (rain date September 29, 2012) from 3pm to 6:30pm. Seconded by Mr. Holowach

Upon roll call vote:

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

Mr. Lagattuta made a motion to amend the previous motion to include a certificate of insurance naming the Borough as additionally insured, approval by the Boroughs Risk Manager, and all garbage must be removed from the Park at the conclusion of the event. Seconded by Mr. Holowach

Upon roll call vote:

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

Mr. Dykstra made a motion to amend the amended motion to include a \$50.00 deposit to ensure garbage cleanup. Seconded by Mr. LaBar

Upon roll call vote:

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

Resolution 2012-87R- Third Quarter Water/Sewer Adjustments

Mr. Lagattuta made a motion to adopt a resolution approving water/sewer adjustments for the third quarter 2012. Seconded by Mr. Holowach

Upon roll call vote:

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

Resolution 2012-88R Honoring Eagle Scout

Mrs. Krynicky made a motion to adopt a resolution congratulating Mackenzie Arnold for achieving the rank of Eagle Scout as a member of Boy Scout Troop 84. Seconded by Mr. Holowach

Upon roll call vote:

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

Resolution 2012-89R – Approval of Grant Application

Mr. LaBar made a motion to adopt a resolution to submit a grant application to the New Jersey Department of Transportation for improvements to Willow Street phase II within the Borough of Sussex. Seconded by Mr. Holowach

Upon roll call vote:

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

Resolution 2012-90R Authorizing Emergency Contract

Mr. Holowach made a motion to approve an emergency contract with Technical Components Company, Inc. to provide and deliver a raw water valve to the water treatment plant, cost not to exceed \$5,579.00. Seconded by Mr. Lagattuta

Upon roll call vote:

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

Resolution 2012-91R Authorizing Emergency Contract

Mr. LaBar made a motion to approve an emergency contract with Highland Water Company, LLC to install a raw water valve to the water treatment plant, cost not to exceed \$1,850.00. Seconded by Mr. Dykstra

Upon roll call vote:

Ayes: Dykstra, Holowach, Krynicky, LaBar, Lagattuta, 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. LaBar All were in favor.

Mrs. Linda Masson 15 Spruce Avenue asked were does the Borough stand with the DEP in regard to adding more users.

Mr. John Ursin explained that the role the DEP has is the need to approve the Sussex County Sewer Service Area Map.

Mrs. Masson asked when the original contract with SCMUA was signed.

Mr. Zschack stated that it was in 1992.

Mrs. Masson stated that she feels that the Borough should renegotiate the contract with SCMUA and legal action should be pursued.

Mrs. Masson asked if the Borough is still pursuing the twenty one residents with sewer lateral issues. The Council answered yes.

Mrs. Katherine Little 27 Clove Avenue stated that on August 28, 2012 the Board of Health held a meeting. The County has checked for West Nile Virus and have found no cases in the Borough. There were three dog bites in the Borough. If there is a Harvest Day this year the Board of Health would like to sponsor a blood drive.

Mrs. Georgeanna Stoll 18 Hill Street stated that the Borough needs to repair Highland Avenue.

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