

**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
December 18, 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. Frank Dykstra, Mr. Robert Holowach, Mrs. Marina Krynicky, Mr. Bruce LaBar, Mr. Salvatore Lagattuta, Mr. Edward Meyer, Mayor Jonathan Rose.

Absent: None

Also present Borough Attorney Mr. John Ursin Esq. of Courter, Kobert & Cohen, P.C. and Mr. Mark Zschack, Acting Borough Clerk

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:

Mayor Rose presented a plaque to Councilman Ed Meyer honoring his hard work and dedication to the residents of Sussex Borough.

Mayor Rose presented a plaque to Councilman Robert Holowach honoring his hard work and dedication to the residents of Sussex Borough.

COUNCIL MOTIONS: Mayor Rose opened the floor to each member of the Council to offer any motions not currently on the agenda.

Mrs. Krynicky made a motion to amend the agenda adding discussion in order to schedule the 2013 Reorganization Meeting. Motion seconded by Mr. Lagattuta. All were in favor.

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.

Mayor Rose stated that an updated bill list was distributed tonight adding a bill for Bob Viersma & Sons in the amount of \$110,243.50 for the Grove Street Reconstruction Project.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Letter from Mark Zschack to Harold Pellow concerning the acceptance of the Grove Street Reconstruction Project.
2. Letter from Mark Zschack to Bob Schultz concerning the vegetative removal from the Borough roadways.
3. Letter from John Hatzelis, SCMUA Administrator to Mayor Rose providing the Estimate Annual Charge for sewage treatment services for the 2013 calendar year.
4. Correspondence from Vicki Gonzales to Mayor Rose concerning water damage at the Taco of the Town.
5. Letter from Margie Holowach Resigning as a member of the Recreation Committee.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Construction Department Report for the month of November, 2012.
2. Zoning Department Report for the month of November, 2012.
3. Property Maintenance Report for the month of November, 2012
4. Municipal Clerk's report for the month of November, 2012.
5. Tax Collectors Report for the month of November, 2012

6. Water/Sewer Collector Report for the month of November, 2012.
7. Sussex Fire Department and EMS report for the month of November 2012.
8. Animal Control Reports for the months August thru November 2012.
9. Recreation Committee minutes for the months July, September, October, and November, 2012.

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of December 18, 2012

Mr. Lagattuta made a motion to accept the consent agenda of December 18, 2012.
Motion seconded by Mr. Holowach

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

OPEN PUBLIC SESSION #1

Mr. Lagattuta 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. Meyer
All were in favor.

There being no one present who wished to address the Governing Body, Mr. Meyer 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

The majority of the Borough streets and catch basins have been cleared of vegetation. The DPW did a great job and the Borough looks much cleaner and prepared for a snowstorm.

Financial Controls/Legal Issues

After an extensive review of the JCP&L bills for 2012 we have asked for a complete inventory including location of all light poles on Borough accounts. Once this inventory is provided we can match it up to the bills to make sure we are paying for the correct number of lights. It also gives us the opportunity to review the location and determine if a particular light is needed or not.

We received the final bill from Hardyston for the Construction Office it was much lower than we expected. Hardyston collected \$26,633.70 out of a \$42,025 contract this sets our final bill at \$15,391.30 which is lower than the \$20,000 that was anticipated in the budget. Keep in mind that the contracted amount for 2013 was negotiated at \$23,000 which represents a substantial savings for the Borough.

Operational/Personnel Matters

The Municipal Building will be closing at Noon on December 24th and December 31st due to the Holidays.

Long-term and Capital Projects

The long awaited Route 23 Realignment Project is moving forward, advertisement for bids was in the newspaper on December 13. The proposed schedule is as follows: Bid Opening January 15, 2013, Award Contract February 5, 2013, and Start of Construction March 6, 2013. Construction Duration is estimated to be 24 Months

Misc

WhiteWater the Boroughs water/sewer operator issued a Notice of Termination of their contract with the Borough. This sets March 10, 2013 as the last day of the contract unless a new arrangement can be worked out with WhiteWater. We are preparing a Request for Proposals for the operation of the system and are expecting to have it completed by the end of this year. At that point we will go out for bid for these services.

OLD BUSINESS

There was no old business discussed at this time.

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 December 4, 2012. Motion seconded by Mr. Meyer

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Resolution 2012-99R – Transfers between Budget Appropriations

Mr. LaBar made a motion to adopt Resolution 2012-97R authorizing transfers between budget appropriations. Motion seconded by Mr. Lagattuta

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: 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 February 2, 2013 and February 23, 2013. Motion seconded by Mr. Meyer

Upon roll call vote:

Ayes: Dykstra, Krynicki, LaBar, Lagattuta, Meyer

Nays: None

Abstentions: Holowach

Absent: None

Discussion of 2013 Reorganization Meeting

Mr. Meyer made a motion to schedule the 2013 Reorganization Meeting for January 7, 2013. Motion seconded by Mr. Holowach.

After a brief discussion of available dates Mr. Lagattuta made a motion to amend the original motion to change the meeting date to January 4, 2013 at 7:30pm. Motion seconded by Mrs. Krynicky.

All were in favor of the amendment to the original motion.

All were in favor of the original motion as amended.

OPEN PUBLIC SESSION #2

Mr. Meyer 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. Motion seconded by Mr. Holowach

All were in favor.

Ms. Nicole Hand 49 Main Street, Sussex read a prepared statement concerning damages to her car during a wind storm earlier in the year. Ms. Hand is asking the Council to reconsider their offer of two years complementary parking and reimburse her the full amount of damages to her vehicle.

Mr. Chris Faccione 27 Janice Drive, Wantage stated that he was a witness to the conversation between Mayor Rose and Mrs. Hand that day the damage occurred. Mr. Faccione feels that there was a verbal contract between the Borough and Ms. Hand and asks the Council to reconsider the previous decision.

Mrs. Katherine Little 27 Clove Avenue, Sussex stated that during super storm Sandy Clove Lake was emptied. Clove Lake takes two days to totally drain and would like this information passed on the Sussex OEM. Mrs. Little requests that the mechanism that opens and closes the gate be kept in the Borough and not in Hardyston. Mrs. Little stated that the lights on the holiday tree in Deckertown Commons were left on the tree last year and feels they should be removed. Mrs. little would like to see more Council members attend events sponsored by the Recreation Committee. The Board of Health will hold the rabies clinic on January 12th from 10am until noon at the DPW garage.

Ms. Vickie Gonzales 35 Lakeview Terrace, Sussex owner of Taco of the Town stated that the restaurant was flooded and feels the water was coming from the Borough parking lot. Two claims were filed with the Borough's insurance and both times the claims were denied. Ms. Gonzales stated that the Borough performed work at the parking lot about two years ago and after that the flooding occurred. The consensus of the Council is to make an inquiry with the insurance company to explain the decisions in denying the claims.

There being no one else present who wished to address the Governing Body, Mr. LaBar 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. Motion seconded by Mr. Holowach

All were in favor.

Jonathan Rose, Mayor

Mark Zschack, Acting Borough Clerk