

**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
May 21, 2013**

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: Mrs. Marina Krynicky, Mr. Bruce LaBar, Mrs. Linda Masson, Mr. Edward Meyer, Mrs. Annette Stendor, Mayor Jonathan Rose.

Absent: Mr. Salvatore Lagattuta, (Mr. Lagattuta joined the dais at 7:36pm)

Also present: Borough Attorney Mr. John Ursin Esq. of Schenck, Price, Smith & King, LLP. and Mr. Mark Zschack, Municipal 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."

PRESENTATION

Mayor Rose presented a Citizenship Award to the Sussex High School Class of 1938 on celebrating the 75 anniversary of their High School Graduation.

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

No motions were offered at this time.

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 from Julia Devine to Mayor Rose concerning the 75 anniversary of the graduating class of 1938.
2. Letter from Hawkins Delafield & Wood LLP, to the Sussex Borough Council in reference to a Bond Anticipation Note that matured on May 9, 2013.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Delinquent Utility Report as of May 17, 2013.
2. Construction Department report for the month of April 2013.
3. Animal Control Report for January through April 2013.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of May 21, 2013

Mrs. Masson made a motion to accept the consent agenda of May 21, 2013. Motion seconded by Mrs. Krynicky

Upon roll call vote:

Ayes: Krynicky, LaBar, Masson, Meyer, Stendor

Nays: None

Abstentions: None

Absent: Lagatutta

OPEN PUBLIC SESSION #1

Mr. Meyer 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. Motion seconded by Mrs. Masson
All were in favor.

There being no one present who wished to address the Governing Body, Mrs. Masson made a motion to close the meeting to the public. Motion seconded by Mrs. Stendor
All were in favor.

ADMINISTRATORS REPORT

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

SCMUA will sponsor a Household Hazardous Waste Disposal Day on Saturday June 1st from 7am to 2pm. Contact SCMUA for a list of items that are excluded.

Sussex County Skylands Ride will hold their annual public hearing on June 11th at 12:00pm in the Freeholders Meeting Room One Spring Street, Newton.

On or about June 14th the traffic flow on Route 23 will change:

- Northbound and Southbound traffic will be shifted to the west curb line
- Walling Avenue will be restricted to southbound traffic only.
- Brookside Avenue between Walling Avenue and Route 23 (Hamburg Avenue) will be restricted to a westbound movement.
- Wiebel Plaza between Walling Avenue and Route 23 (Hamburg Avenue) will be restricted to an eastbound movement.

After reviewing the condition of Borough roadways Bob Schultz has made a recommendation to pave Roy Court this year. (DPW to perform most of the work) Total cost is approximately \$7,000. If the Mayor and Council feel other areas are more in need of work please let us know ASAP.

Mr. Lagatutta has joined the council at 7:36pm.

The Mill Street parking is also slated to be paved this year. DPW will use the millings that are stored at Boggs Field and than a company will tar and stone the lot.

Total cost is approximately \$ 2,000.

A tentative hydrant flushing of the water system is scheduled for the week of June 10th but might be moved to the week of June 3rd. We will notice the newspaper as well as the local radio station. The notice will also be placed on the Borough's website and the sign in front of the Borough Hall.

The Borough received five proposals in total for the operations of the utility. Three proposals were for the operation of the wastewater facility only, one for the water plant & distribution system and one for all utilities. A cursory review has been completed and a recommendation to the Council will be forthcoming.

The next Mayor & Council Meeting is scheduled for Wednesday June 5th.

OLD BUSINESS

There was no old business discussed at this time.

NEW BUSINESS

Approval of Meeting Minutes

Mr. Lagattuta made a motion to approve the meeting minutes of the Regular Meeting and Executive Session held on May 7, 2013. Motion seconded by Mr. Lagattuta

Mrs. Masson requested that a comment she made during the EMS discussion be added to the minutes.

Mrs. Krynicky made a motion to table the minutes until the next regularly scheduled meeting. Motion seconded by Mrs. Masson.
All were in favor.

Approval of Part Time Help Utilizing Clean Communities Funds

Mr. LaBar made a motion to authorize the Administrator to utilize Clean Community funds to hire a part time seasonal employee. Duties to include but not limited to litter control, leaf & brush pick up, painting and related Clean Community projects. Motion seconded by Mrs. Masson

Upon roll call vote:
Ayes: Krynicky, LaBar, Lagattuta, Masson, Meyer, Stendor
Nays: None
Abstentions: None
Absent: None

Prepare Bid Document for Sale of Water and Sewer Utility

Mr. LaBar made a motion to authorize the CFO to prepare a bid document for the sale of the Borough's water and sewer utility. Motion seconded by Mr. Meyer

Mayor Rose presented an overview of the procedure to sell the water/sewer utility to a private company.

Upon roll call vote:
Ayes: Krynicky, LaBar, Lagattuta, Masson, Meyer, Stendor
Nays: None
Abstentions: None
Absent: None

Resolution 2013-72R – Requesting Approval of Items of Revenue and Appropriation

Mr. LaBar made a motion to adopt a resolution Requesting Approval of Items of Revenue and Appropriation which is now available from the NJ Department of Transportation Trust Fund Authority Municipal Aid Program in the amount of \$185,000 for improvements to Willow Street Section I. Motion seconded by Mrs. Masson

Upon roll call vote:
Ayes: Krynicky, LaBar, Lagattuta, Masson, Meyer, Stendor
Nays: None
Abstentions: None
Absent: None

Resolution 2013-73R – Authorization to Draft a Redevelopment Plan

Mrs. Krynicky made a motion to adopt a resolution authorizing the Borough Planner to Draft a Redevelopment/Rehabilitation Plan for the New Route 23 South Area. Motion seconded by Mr. Meyer

Upon roll call vote:
Ayes: Krynicky, LaBar, Masson, Meyer
Nays: None
Abstentions: Lagattuta, Stendor
Absent: None

Resolution 2013-74R – Establishing a Grant Incentive Program

Mrs. Krynicky made a motion to adopt a resolution establishing a Grant Incentive Program for the Administrator/Clerk. Motion seconded by Mrs. Masson

Upon roll call vote:
Ayes: Krynicky, LaBar, Lagattuta, Masson, Meyer, Stendor
Nays: None
Abstentions: None
Absent: None

Resolution 2013-75R – 2013 Salaries and Wages

Mr. Meyer made a motion to approve a resolution rescinding Resolution 2013-59R and set the salaries and wages for Sussex Borough employees within the guidelines set forth in Salary Ordinance 2013-02. Motion seconded by Mr. LaBar

Upon roll call vote:
Ayes: Krynicky, LaBar, Lagattuta, Masson, Meyer, Stendor
Nays: None
Abstentions: None
Absent: None

Introduction Ordinance 2013-04 – Improvements to Willow Street

Mr. LaBar made a motion to introduce an ordinance entitled “AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$214,000 FOR IMPROVEMENTS TO WILLOW STREET” Motion seconded by Mrs. Masson

Upon roll call vote:
Ayes: Krynicky, LaBar, Lagattuta, Masson, Meyer, Stendor
Nays: None
Abstentions: None
Absent: None

Mayor Rose stated that the Final Reading of Ordinance 2013-04 is scheduled for June 5, 2013.

Resolution 2013-76R – Commodity Resale Agreement

Mr. LaBar made a motion to approve a resolution agreeing to the resale of motor fuel as part of Sussex Counties Commodity Resale System. Motion seconded by Mr. Meyer.

Upon roll call vote:
Ayes: Krynicky, LaBar, Lagattuta, Masson, Meyer, Stendor
Nays: None
Abstentions: None
Absent: None

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 with a total of 10 minutes for the Council to discuss. Motion seconded by Mrs. Stendor
All were in favor.

Mrs. Katherine Little 27 Clove Avenue stated that the Borough should check on the duties that are allowed under the Clean Communities Grant. In the past Clean Communities monies were not allowed to be used to pay for painting.
Mrs. Little stated that she is not in favor of the Borough selling the water/sewer utility and feels it is an asset that the forefathers set up for this town. Little by little we are losing Sussex Borough and feels bad that the Council is considering selling.

There being no one else present who wished to address the Governing Body, Mrs. Masson made a motion to close the meeting to the public. Motion seconded by Mrs. Stendor
All were in favor.

EXECUTIVE SESSION

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

Upon roll call vote:
Ayes: Krynicky, LaBar, Lagattuta, Masson, Meyer, Stendor
Nays: None
Abstentions: None
Absent: None

After meeting in closed session, the Governing Body returned to their seats at 8:19 pm p.m. and Mr. LaBar made a motion to adjourn out of closed executive session and to be reconvened into open public session. Motion seconded by Mrs. Masson

Upon roll call vote:
Ayes: Krynicky, LaBar, Lagattuta, Masson, Meyer, Stendor
Nays: None
Abstentions: None
Absent: None

ADJOURNMENT

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

Jonathan Rose, Mayor

Mark Zschack, Municipal Clerk