

**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, 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, Mr. Salvatore Lagattuta, Mrs. Linda Masson, Mr. Edward Meyer, Mrs. Annette Stendor, Mayor Jonathan Rose.

Absent: None

Also present: Borough Attorney Mr. Robert McBriar 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."

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. Resolution from Byram Township supporting state legislation A922, A936 and S576 to make the State responsible for drinking water treatment systems as long as the contamination exists.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Board of Health minutes from March 26, 2013.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of June 5, 2013

Mrs. Masson made a motion to accept the consent agenda of June 5, 2013.
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 #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 with a total of 10 minutes for the Council to discuss. Motion seconded by Mrs. Masson
All were in favor.

Mr. Robert Holowach 41 Lakeview Terrace asked if there will be an out clause for item number six Water Plant and Distribution System Operator.
Mr. Zschack responded that the contract has not been finalized but there will be an out clause as part of the contract.

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 Mr. Meyer
All were in favor.

ADMINISTRATORS REPORT

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

The unofficial results from yesterday's primary election are Bruce LaBar 89 votes, Georgeanna Stoll 99 votes and 16 write-in votes. We are in the process of confirming if any of the write in candidates are eligible to be placed on the November ballot. One Independent candidate Robert Holowach filed a petition with the County and his name will appear on the November ballot.

The notice for request of bids to purchase the water/sewer utility was in the paper on May 29th. A pre-bid meeting will be held tomorrow morning at 10am with bids due on June 21st. We have two companies coming next week for tours and information gathering.

The new raw water meter was installed this week. This will alleviate the problems that were occurring at night with the high usage for lawn watering in Clove Hill Manor as well as regulating chemical doses.

The Recycling Grant Tonnage Report was submitted to the state. The total tonnage this year was 4,201 tons which is within 200 tons compared to last year.

We have received an approximate cost for the rehabilitation plan for the Route 23 zone. Ken Nelson estimates this plan will cost \$6,500 and will include draft maps with an additional cost for final maps to be prepared by an Engineer. Mr. Nelson will provide a formal proposal next week

Borough wide hydrant flushing will be conducted June 10th thru June 14th. The schools, hospital and Laundromats all have been called and a notice will be in the Herald News tomorrow and Sunday.

Governor Christie announced yesterday that we will be holding a "special primary" election on Tuesday, August 13, 2013 and a "special general" election on Wednesday, October 16, 2013 in order to fill the vacancy left by Senator Lautenberg.

OLD BUSINESS

Approval of Meeting Minutes

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

Upon roll call vote:

Ayes: Krynicky, LaBar, Lagattuta, Masson, Meyer, Stendor

Nays: None

Abstentions: None

Absent: None

NEW BUSINESS

Approval of Meeting Minutes

Mr. Meyer made a motion to approve the meeting minutes of the Regular Meeting and Executive Session held on May 21, 2013. Motion seconded by Mr. LaBar

Upon roll call vote:

Ayes: Krynicky, LaBar, Lagattuta, Masson, Meyer, Stendor

Nays: None

Abstentions: None

Absent: None

Approve Hire of Part Time Seasonal Employee

Mrs. Masson made a motion to approve the hiring of Mr. Sean Boyle as a part time Clean Communities seasonal employee at a rate of \$10.00 per hour and not to exceed 20 hours per week. Motion seconded by Mr. LaBar

Upon roll call vote:

Ayes: Krynicky, LaBar, Lagattuta, Masson, Meyer, Stendor

Nays: None

Abstentions: None

Absent: None

Adoption Ordinance 2013-04 – Improvements to Willow Street

Mr. LaBar made a motion to adopt an ordinance entitled “AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$214,000 FOR IMPROVEMENTS TO WILLOW STREET “.

Motion seconded by Mrs. Masson

Mayor Rose opened the meeting to the public for any questions or concerns regarding Ordinance #2013-04.

There being no one present who wished to address the Governing Body, Mayor Rose closed the meeting to the public and returned to the regular order of business.

Upon roll call vote:

Ayes: Krynicky, LaBar, Lagattuta, Masson, Meyer, Stendor

Nays: None

Abstentions: None

Absent: None

Resolution #2013-77R - Liquor License Renewals

Mr. Meyer made a motion to approve the renewal of the following liquor licenses for the license period July 1, 2013 through June 30, 2014. Motion seconded by Mrs. Stendor

TEACH PADRAIG, LLC, T/A THE WINE BARN
38 Hamburg Avenue, Sussex, NJ 07461
License #1921-44-005-002

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

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

Upon roll call vote:

Ayes: Krynicky, LaBar, Lagattuta, Masson, Meyer, Stendor

Nays: None

Abstentions: None

Absent: None

Resolution 2013-78R – Water Plant and Distribution System Operator

Mr. LaBar made a motion to adopt a resolution authorizing the Mayor and Clerk to execute a contract with Michael J. Furrey, AGRA Environmental and Laboratory Services to perform Water Plant and Distribution Operations at a cost not to exceed \$16,900.00 per month for the first year with a two and a half percent increase for each of the remaining two years.

Motion seconded by Mrs. Masson

Upon roll call vote:

Ayes: Krynicky, LaBar, Lagattuta, Masson, Meyer, Stendor

Nays: None

Abstentions: None

Absent: None

Approval of Waste Water Operator

Mr. Meyer made a motion to authorize the Mayor and Clerk to execute an interlocal agreement with Hardyston Township for Waste Water Operator services at a cost not to exceed \$1,625.00 per month. Motion seconded by Mrs. Masson

Mrs. Stendor asked what the functions of the Waste Water Operator are.

Mr. Zschack stated the following list of duties:

- Provide NJDEP Licensed Operator for sewer system
- Provide NJDEP Licensed backup Operator for sewer system
- Work with Borough engineer on sewer system recommendations
- Weekly inspection of sewer pump station
- Routine maintenance of equipment
- Prepare State Reports as needed
- Respond to blockages and make necessary arrangements for clearing of lines.
- Make determination and perform sewer main repairs
- Coordinate and monitor outside repair services when required
- Coordinate purchasing supplies, equipment and parts per Borough Purchasing guidelines
- Utility Mark-outs for sewer system

Respond to emergency notifications
Assist in developing long term system management plan
Assist with developing necessary operating and capital budgets

Mr. Zschack stated that this agreement will run concurrent with the DPW interlocal agreement that terminates on December 31, 2014.

Upon roll call vote:

Ayes: Krynicky, LaBar, Lagattuta, Masson, Meyer, Stendor

Nays: None

Abstentions: None

Absent: None

Animal Control Services

Mrs. Krynicky made a motion to authorize the Mayor and Clerk to execute an interlocal agreement with Vernon Township for Animal Control services at a cost not to exceed \$9,400.00 for the first year with an approximate three and a half percent increase for each of the remaining years. 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

Mrs. Masson 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. Krynicky
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. Krynicky
All were in favor.

EXECUTIVE SESSION

No executive session was requested.

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. Stendor
All were in favor.

Jonathan Rose, Mayor

Mark Zschack, Municipal Clerk