

**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 18, 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 Krynicki, 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. 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."

PRESENTATIONS:

Mr. Jeffrey Parrott, Sussex County Clerk discussed issues facing Sussex County Residents particularly senior fraud. Topics discussed included phone scams and social security fraud.

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 Kristy Lockburner regarding reassessment of property in Wantage Township.
2. Letter dated June 14, 2013 from John Eskilson to Mark Zschack regarding the County Wide 911 Services.
3. Letter dated May 29, 2013 from John Ruschke to Mark Zschack concerning utility upgrades within the NJDOT Route 23 Realignment Project.
4. Letter dated May 1, 2013 from John Eskilson concerning the New Jersey State Fair/Sussex County Farm and Horse Show.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Water Sewer Collector Report for the month of May 2013.
2. Sussex Fire Department reports from the months of March, April & May 2013.
3. Municipal Clerk's report for the month of May 2013.
4. Construction Department for the month of May 2013.
5. Property Maintenance Department Report for the month of May 2013.
6. Tax Collector's report for the month of May 2013.
7. Planning Board Minutes from the months of January, February & March 2013.
8. Delinquent Utility Report as of June 14, 2013

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Sussex Fire Department membership application from Jeffrey Bloomer.
2. Sussex Fire Department membership application from Katherine Baton.
3. Sussex Fire Department membership junior application from Tierney Clark.
4. Sussex Fire Department membership application from Carla Crown.
5. Sussex Fire Department membership application from Ruthann Chattaway.

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of June 18, 2013

Mrs. Masson made a motion to accept the consent agenda of June 18, 2013 with the removal of item #3 under Correspondence. Motion seconded by Mr. Lagattuta

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Mrs. Masson made a motion to accept item #3 under Correspondence of the June 18, 2013 Consent Agenda. Motion seconded by Mr. Meyer

A brief discussion ensued concerning the letter from John Ruschke to Mark Zschack outlining utility upgrades within the NJDOT Route 23 Realignment Project.

Upon roll call vote:

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

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

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

ADMINISTRATORS REPORT

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

The shift in traffic patterns the DOT proposed for June 14th has been rescheduled for June 21st.

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 will be restricted to a westbound movement.

Wiebel Plaza between Walling Avenue and Route 23 will be restricted to an eastbound movement.

The bids to purchase the water and sewer utility are due this Friday June 21st at 10am.

Due to the length of time it took to flush each hydrant the flushing program has been extended to include this week. DPW anticipates concluding tomorrow if all goes well.

The Borough is in the process of obtaining quotes for the following items at the Water Treatment Plant:

- Backup PLC cards to operate the SCADA system approximate cost \$9,500.
- Decant pump approximate cost \$1,300
- Replace and install Chlorine Analyzer approximate cost \$4,000
- Backup software and hard wiring approximate cost \$2,500
- Rebuild altitude valve at the Sussex Tank approximate cost \$4,500

The Sussex Inn failed to receive their Tax Clearance Certificate in time to be placed on tonight's agenda for a liquor licenses renewal.

The Council could consider holding a Special Meeting sometime next week if the Tax Clearance Certificate is issued by the State.

Mrs. Krynicky made a motion to schedule a Special Meeting on June 27, 2013 at 7:30pm to consider a liquor licenses renewal for the Sussex Inn. Motion seconded by Mr. Meyer

Upon roll call vote:

Ayes: Krynicky, LaBar, Lagattuta, Meyer, Stendor

Nays: Masson

Abstentions: None

Absent: None

OLD BUSINESS

There was no old business discussed at this time.

NEW BUSINESS

Approval of Meeting Minutes

Mr. LaBar made a motion to approve the meeting minutes of the Regular Meeting held on June 5, 2013 (Absent: None) Motion seconded by Mr. Meyer

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Route 23 Rehabilitation Area

Mrs. Krynicky made a motion to authorize the Mayor to execute a contract with The Nelson Consulting Group to prepare a redevelopment plan for the Route 23 Redevelopment Area at a cost not to exceed \$6,500.00. Motion seconded by Mr. Meyer

Upon roll call vote:

Ayes: Krynicky, LaBar, Masson, Meyer

Nays: None

Abstentions: Lagattuta, Stendor

Absent: None

Resolution #2013-79R - Rescind Resolution 2013-72R

Mr. LaBar made a motion to adopt a resolution rescinding resolution 2013-72R "RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION PER NJSA 40A: 4-87". Motion seconded by Mrs. Stendor

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

Resolution #2013-80R - Liquor License Renewal

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

ZIGGY KPZ INC., T/A THE GREEN RESTAURANT & PUB
3 Harrison Street, Newton, NJ 07860
License #1921-33-003-005

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

Approval of Parking Refund

Mr. LaBar made a motion to approve a refund of \$100.00 to Debra Surowiec for a prepayment of parking place #1 at the Mill Street parking lot for a spot that is no longer needed.

Motion seconded by Mrs. Stendor

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

Request for Placement of Monitor Wells

Mr. LaBar made a motion to grant approval for Kleinfelder East, Inc. to install two monitor wells on Block 104 Lot 19 and one monitor well on Block 206 Lot 1 and allow for periodical visits to conduct monitoring and sampling activities. Motion seconded by Mr. Lagattuta

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

Introduction Ordinance 2013-05 – Water & Sewer Capital Improvement Fund Appropriation

Mr. LaBar made a motion to introduce an ordinance entitled "AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$75,000 FOR IMPROVEMENTS TO THE WATER TREATMENT PLANT" 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 2013-05 is scheduled for July 16, 2013.

Discussion to Add a Council Comment Section to the Regular Agenda

Mayor Rose stated that this discussion was requested by Councilwoman Masson so the Council could consider reinstating the Council Comment section to the agenda.

Mrs. Masson stated that she made this request because Council members attend other meetings and there is no way to share this information with the rest of the Council and public.

Discussion continued about the most efficient method for Council members to share information at the regular meetings.

Mr. Zschack suggested that a Committee Report section could be added so discussions are limited to the particular committee meetings that are attended by Council members.

Mayor Rose stated that no motion is needed and directed the Clerk to add a Committee Report section to the next agenda.

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 Mr. LaBar
All were in favor.

Mrs. Katherine Little 27 Clove Avenue stated that she is glad that Committee Reports will be added back to the agenda and feels it is important for the Council to share information.

Mrs. Little stated that the Recreation Committee will hold the Miss Sussex contest on June 28 at 7pm at the Sussex Middle School.

Mrs. Little stated that she is an at-large member of the Water Resources PAC and presented information to the Council concerning a property in Wantage with a conceptual plan for development. This property has made a request to utilize 3,000 gallons of the 10,000 gallons of sewer allocation that is reserved for the A&P property.

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. Motion seconded by Mrs. Masson
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 for attorney client privilege to discuss the previous contract with United Water. Motion seconded by Mrs. Stendor

Upon roll call vote:

Ayes: Krynicky, LaBar, Masson, Meyer, Stendor

Nays: None

Abstentions: Lagattuta

Absent: None

Mr. Lagattuta recused himself from the Executive Session due to a conflict.

After meeting in closed session, the Governing Body returned to their seats at 9:08 p.m. and Mrs. Masson made a motion to adjourn out of closed executive session and to be reconvened into open public session. Motion seconded by Mrs. Stendor
All were in favor.

ADJOURNMENT

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

Jonathan Rose, Mayor

Mark Zschack, Municipal Clerk