

**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
April 15, 2014**

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, Mrs. Georgeanna Stoll, Mayor Jonathan Rose.

Absent: Mrs. Annette Stendor

Also present: Borough Attorney Mr. Frank McGovern, Esq. of McGovern and Roseman, P.A. and Mr. Mark Zschack, Municipal Administrator/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."

Mayor Rose stated that there are two small changes to the regular agenda one being a presentation by the Sussex Fire Department and the other being an addendum to the agenda.

PRESENTATIONS:

Sussex Fire Department Chief Rick VanderPloeg presented Mayor Rose with a plaque which read "Presented to Jonathan Rose on April 12, 2014 for your unselfish support of the Sussex Fire Department and EMS".

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.

COMMITTEE REPORTS: Mayor Rose opened the floor to each member of the Council to offer their respective committee reports.

Mrs. Stoll offered the following report: High Point they said they were able to keep the tax levy low and they can give money back to the community this time, they can give back state aid and they can give back to anybody in the community that needs it. They said they would come here and talk about the budget if we want them to or you can go their meeting on the 29th because that's when they are presenting their budget. The recreation, we had our egg hunt, there were four of us that stuffed over 1500 eggs. Egg hunt went well we had nice weather and we would have had more kids, we had about 50, they came from all different areas. We received a lot of thanks. We had a contest of guess how many jelly beans and crafts for the kids, thanks to Stephanie's mom she brought them. Everything went well.

Mr. Lagattuta offered no report at this time.

Mr. LaBar offered no report at this time.

Mrs. Krynicky offered the following report: I attended the freeholder meeting, nothing great going on over there. I also attended the Sussex Wantage Regional School District meeting and as you probably know they are moving forward on the solar panel project at the middle school.

Mrs. Masson offered the following report: We had a DPW meeting on April 8th, our dump truck – we are looking for a drive shaft, the backhoe has new tires, the street sweeper has a new brush, we set the dates for the bulky waste (May 7th and 8th) and the postcards were already mailed, notice for application is on our website, Mark is collecting resumes for our

clean communities position, we had a force main break down by Kuiken Brothers near where the hot dog stand had been and it's the fifth time that has broken so we don't know if it's a bad pipe or the acidity in the soil is affecting the pipe. This type of thing has happened at SCMUA also and they are very concerned about this break so they are watching this. CP Engineers is going to look at a piece of that pipe to see if they can tell what is going on. Capital Projects – we are having Mr. Pellow work on a priority list, we were talking about Highland Avenue the wall needs to be addressed, Elizabeth Street, Roy Court, sidewalks on Newton Avenue, looking at Main Street sidewalks and lighting and parking lots. Hydrant flushing will be scheduled when we are done with putting in the cartridge filter that will minimize the turbidity issue. We were discussing again the water meters; we are down to 4 meters if we use Hardyston's meters then we need their reader and if we don't continue with Hardyston we need to purchase a reader. Bob had brought up an alternative to using the Hardyston meters which was a Badger or Neptune digital reader there \$90 a piece but you would have to purchase 20, the problem with that is that its labor intensive to read those meters. We need to purchase a new hydrant over on Brookside. Borough wide sweeping is pretty much completed. We are going to schedule raising a hydrant on Willow Street. I attended a SCMUA meeting on April 2nd and they were talking about Sussex looking to hook up other properties in Wantage and Wantage looking for ratables. They said they don't want to see four, five or six pump stations and they said that Sussex Borough really doesn't want to operate a pump station or the pump stations but they may have to. They are just concerned that Wantage is OK with Sussex getting more customers as long as Wantage gets more ratables.

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. Memorandum dated March 27, 2014 from Elaine Morgan, Clerk of the Sussex County Board of Chosen Freeholders concerning a Refunding Bond Ordinance.
2. Letter dated March 27, 2014 from Elaine Morgan, Clerk of the Sussex County Board of Chosen Freeholders concerning the creation of a Steering Committee for the Strategic Growth Plan/Vision 2020 Plan.
3. Notice of Hearing from the James D. Opfer, Jr., Esq. concerning Block 2 Lot 52.02 (355 NJ State Highway 23) Wantage Township.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Tax Collector report for the month of March, 2014.
2. Municipal Clerk's report for the month of March, 2014.
3. Water Sewer Collector report for the month of March, 2014.
4. Zoning Permit report for the month of March, 2014.
5. Property Maintenance report for the month of March, 2014
6. Construction Department report for the month of March, 2014.
7. Sussex Recreation Committee Minutes from February 11, 2014.
8. Sussex Recreation Committee Minutes from March 11, 2014.
9. Delinquent Utility Properties Report as of April 11, 2014.
10. Unpaid Utility Properties Report as of April 11, 2014.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

None

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

Payment of bills for the meeting of April 15, 2014

Mrs. Masson made a motion to accept the consent agenda of April 15, 2014. Motion seconded by Mr. Lagattuta

After a brief discussion Mrs. Stoll made a motion to amend the previous motion removing items numbered 7 and 8 under correspondence. Motion seconded by Mr. LaBar.

Mrs. Stoll explained that these two sets of minutes have yet to be reviewed and accepted by the Recreation Committee.

All were in favor of the amendment

Upon roll call vote of original motion as amended:

Ayes: Krynicky, LaBar, Lagattuta, Masson, Stoll

Nays: None

Abstentions: None

Absent: Stendor

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. LaBar

All were in favor.

There being no one present who wished to address the Governing Body, Mr. Lagattuta made a motion to close the meeting to the public. Motion seconded by Mrs. Stoll

All were in favor.

ADMINISTRATORS REPORT

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

A Special Meeting will be held tomorrow night April 16th at the Sussex Firehouse at 7:30pm. The Council will give a presentation on a proposed rate structure change for the Sussex Borough Water/Sewer Utility.

The State is finalizing the procedure for the filing of the 2014 Financial Disclosure Statements. These disclosure forms must be filed by all Local Government Officials as well as certain Borough Employees. Currently the April 30th deadline for filing has been extended to May 15th. This year's process is different from last year as no paper copies will be on file in the Clerk's Office. The State will be the recipient and responsible party to maintain these files in the future. Once the procedure is complete all officials will be notified of the process.

The Water Operator and DPW will be conducting a system wide hydrant flushing from April 28th through May 9th. A notice will be placed in the newspaper informing customers that they might experience low pressure and discolored water.

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 Special Meeting held on March 27, 2014. (Absent: None) Motion seconded by Mrs. Stoll

Upon roll call vote:

Ayes: Krynicky, LaBar, Lagattuta, Masson, Stoll

Nays: None

Abstentions: None

Absent: Stendor

Approval of Meeting Minutes

Mr. Lagattuta made a motion to approve the meeting minutes of the Regular Meeting and Executive Session held on April 1, 2014. (Absent: None) Motion seconded by Mrs. Masson

Upon roll call vote:

Ayes: Krynicky, LaBar, Lagattuta, Masson, Stoll

Nays: None

Abstentions: None

Absent: Stendor

Resolution 2014-57R – 2014 Salaries and Wages

Mr. LaBar made a motion to adopt Resolution 2014-57R establishing the salaries and wages of Borough employees for the year 2014. Motion seconded by Mr. Lagattuta

Upon roll call vote:

Ayes: Krynicky, LaBar, Lagattuta, Masson, Stoll

Nays: None

Abstentions: None

Absent: Stendor

Resolution 2014-60R – Bond Anticipation Note

Mr. Lagattuta made a motion to adopt Resolution 2014-60R authorizing the issuance of not exceeding \$105,000 Bond Anticipation Notes. Motion seconded by Mr. LaBar

Upon roll call vote:

Ayes: Krynicky, LaBar, Lagattuta, Masson, Stoll

Nays: None

Abstentions: None

Absent: Stendor

Resolution 2014-61R – Second Quarter 2014 Water/Sewer Adjustments

Mr. LaBar made a motion to adopt Resolution 2014-61R approving the water/sewer adjustments for the second quarter 2014. Motion seconded by Mrs. Stoll

After a brief discussion Mrs. Masson made a motion to amend the previous motion removing account number 5471 from Resolution 2014-61R pending further explanation.

Motion seconded by Mrs. Krynicky

Upon roll call vote to amend the original motion:

Ayes: Krynicky, LaBar, Lagattuta, Masson, Stoll

Nays: None

Abstentions: None

Absent: Stendor

Upon roll call vote of original motion as amended:

Ayes: Krynicky, LaBar, Lagattuta, Masson, Stoll

Nays: None

Abstentions: None

Absent: Stendor

Resolution 2014-62R – Authorizing Advertisement of Bids

Mr. Lagattuta made a motion to adopt Resolution 2014-62R authorizing advertisement for bids for sale of Sussex Borough's water treatment plant, distribution system and wastewater system

Motion seconded by Mr. LaBar

Upon roll call vote:

Ayes: Krynicky, LaBar, Lagattuta, Stoll

Nays: Masson

Abstentions: None

Absent: Stendor

Appointment of Zoning Officer

Mr. LaBar made a motion to approve the hiring of Kevin Kervatt as the Zoning Officer at a rate of \$25.00 per hour, approximately four (4) hours per week, schedule to be determined.

Motion seconded by Mr. Lagattuta

Upon roll call vote:

Ayes: Krynicky, LaBar, Lagattuta, Masson, Stoll

Nays: None

Abstentions: None

Absent: Stendor

Approval of Social Affair Permits for Sussex Fire Department

Mr. LaBar made a motion to approve the social affair permits for the Sussex Fire Department on June 7, 2014 and September 20, 2014. Motion seconded by Mrs. Masson

Upon roll call vote:

Ayes: Krynicky, LaBar, Lagattuta, Masson, Stoll

Nays: None

Abstentions: None

Absent: Stendor

Discussion

At this time a discussion took place concerning the recommendation from the Planning/Zoning Board for a zone change request on Block 204 Lot 10.01. On February 11, 2014 the Borough received a request to change the zone of 25 Bank Street from Public to Residential. This request was forwarded to the Planning/Zoning Board for their comments and recommendations. On February 20, 2014 the Borough received a report from Ken Nelson, Planning Consultant outlining the Boards position. Mayor Rose and Mr. Lagattuta presented a brief overview of the Planning/Zoning Board meeting that reviewed this request. Mrs. Masson brought up concerns that a residential use would be better than a vacant building. Mayor Rose reviewed some possible options that the Council could consider. It was the consensus of the Council to direct the Attorney to draft an ordinance to rezone Block 204 Lots 10 & 10.01 and the rear of lots 9 & 11 to a Commercial Zone.

Addendum Discussion

At this time a discussion took place concerning the Proposed Rate Schedule for the Sussex Borough Water/Sewer Utility. Mrs. Masson asked for clarifications on how EDU's were calculated for restaurants and bars. Mr. Lagattuta described the methodology used to determine EDU's for restaurants, bars and banquet space. Mrs. Masson asked for clarifications on how schools were calculated. Mr. Lagattuta explained that pre-schools are set at 1 EDU while public schools are based on a population. Discussion continued as to the accuracy of the EDU counts that will be assigned. The amount of EDU's designated for minimarkets will need to be reviewed and determined. Mr. Lagattuta stated that he will review and will recommend a change by the next regular Council meeting.

OPEN PUBLIC SESSION #2

Mrs. Stoll 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. Masson

All were in favor.

There being no one present who wished to address the Governing Body, Mr. Lagattuta made a motion to close the meeting to the public. Motion seconded by Mrs. Stoll

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 personnel and attorney client privilege matters. Motion seconded by Mrs. Krynicky

Upon roll call vote:

Ayes: Krynicky, LaBar, Lagattuta, Masson, Stoll

Nays: None

Abstentions: None

Absent: Stendor

After meeting in closed session, the Governing Body returned to their seats at 9:23 p.m. and Mrs. Stoll made a motion to adjourn out of closed executive session and to be reconvened into open public session. Motion seconded by Mrs. Masson
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. Stoll
All were in favor.

Jonathan Rose, Mayor

Mark Zschack, Municipal Clerk