

**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 20, 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. Annette Stendor, Mrs. Georgeanna Stoll, Mayor Jonathan Rose.

Absent: None

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."

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 stated that Pam Flynn the Borough's representative on the High Point Regional Board of Education has resigned. The Recreation Committee is working on the Miss. Sussex Pageant and the date has been changed to June 14, 2014.

Mr. Lagattuta offered no report at this time.

Mr. LaBar offered no report at this time.

Mrs. Krynicky offered no report at this time.

Mrs. Stendor offered no report at this time.

Mrs. Masson stated that on May 7th she and Mayor Rose attended the SCMUA meeting and the Mayor read the letter that is in your consent agenda to the governing body basically putting them on notice that he felt they were violating the open public meetings law. John Hatzelis had said he looked at the new rate structure online and he found that we were overcharging. Also, it was stated that there were concerns. They were talking about the possibility of having the new hook ups to our water sewer system along route 23 and it was stated that there were concerns there because we have days when we have overages so adding additional flow to that they have a real concern with that.

On May 15th I attended the youth and government day here at the borough hall. The students were here in the afternoon and they were very engaged. That evening I went to the Wantage Municipal Building with the Mayor for the mock meeting with the students.

On May 20th I attended the DPW committee meeting. We prioritized all of our capital projects which include the Main Street sidewalk replacement, Newton Avenue sidewalk replacement, Willow Street Section II, Overlook Drive, Roy Court repaving, Mill Street Parking Lot repaving, Elizabeth Avenue repaving, surveillance cameras at Brookside Park and Deckertown Commons Park and Highland Avenue wall and road repair. We got into a discussion about Harrison Street and the theater and the expense associated with the theater and the properties. We were discussing possibly selling the theater and subdividing the theater from the commons area outside. Bob Schultz also added that if we were to go with our DPW we will be needing some new equipment.

CONSENT AGENDA

Mayor Rose requested that the Governing Body review the consent agenda. If any member of the Council desires an item to be removed, the Municipal Clerk shall remove said item, which will then be considered separately.

Mrs. Masson requested that item number 3 under Correspondence be removed and considered separately.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Resolution from Sussex County Water Quality PAC in regards to preliminary adoption of the wastewater plan amendment to the Sussex County Wastewater Management Plan for Main Land Sussex Company, LLC, Route 23, Wantage Township.
2. Resolution from Sussex County Water Quality PAC in regards to preliminary adoption of the wastewater plan amendment to the Sussex County Wastewater Management Plan for Bicsak Brothers Realty, Route 23 and Blair Road, Wantage Township.
3. Resolution from the Township of Vernon in support of Water Tax to fund the loss of land equity for property owners in the highlands region.
4. Letter dated May 7, 2014 from Mayor Rose to the Members of the Sussex County Municipality Utilities Authority in regards to the extensive nonpublic portions of their meetings.
5. Letter dated May 7, 2014 from Bob Martin, Commissioner State of New Jersey DEP to the Governing Body extending an invitation to all interested municipalities and counties to apply for Green Acres Funds.
6. Letter dated May 7, 2014 from Chris Christie, Governor to Mayor Rose informing that the Borough was selected to receive funding for Overlook Drive in the amount of \$140, 057.00.
7. Letter dated May 8, 2014 from Mark Zschack to Karl Hafner and Kathryn Drost in regards to sewer service arrears.
8. Invitation from JCP&L to attend a tour of the JCP&L Northern Dispatch Office on May 22 between 1:30 -3:30.
9. Resolution from the Township of Wantage calling for the immediate and safe return of the young women abducted in Nigeria.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Construction Department report for the month of April 2014.
2. Sussex Fire Department Financial Statements.
3. Planning Board Minutes from December 23, 2013, January 27, 2014 and March 24, 2014.
4. Delinquent Utility Properties Report as of May 16, 2014.
5. Unpaid Utility Properties Report as of May 16, 2014.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

None

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

Payment of bills for the meeting of May 20, 2014

Mr. Lagattuta made a motion to accept the consent agenda of May 6, 2014 with the removal of item number 3 under Correspondence. Motion seconded by Mrs. Masson

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Mrs. Masson made a motion to accept item number 3 under Correspondence on the May 20, 2014 Consent Agenda. Motion seconded by Mrs. Stoll.

A brief discussion ensued concerning a Resolution from the Township of Vernon in support of Water Tax to fund the loss of land equity for property owners in the highlands region.

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

OPEN PUBLIC SESSION #1

Mrs. Stoll 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. Krynicky
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. Stendor
All were in favor.

ADMINISTRATORS REPORT

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

The NJDOT has informed the Borough that the current schedule is to open the newly constructed southbound lanes of Route 23 in the middle of June then start on the northbound lanes sometime by the end of June.

The deadline to file the 2014 Financial Disclosure Statements is June 13th. If any member of the Council needs assistance in the filing of this form please contact me and we will work together on completing the process.

NJDOT has informed the Borough that the State has awarded \$140,057.00 for the reconstruction of Overlook Drive. The Borough requested \$185,000.00 therefore we are working with the CFO on funding the shortfall. This project is scheduled to occur in the 2015 calendar year.

Unfortunately Chris Adams the new Engineer for the Lake Rutherford Dam could not attend this meeting but will be present at the June 4th meeting to introduce himself and answer any questions the Council may have.

Agra Environmental the Borough's water operator has completed the 2013 Consumer Confidence Report for the water system and we are now preparing the mailing to all water customers. This report must be mailed before July 1, 2014.

May 15th was Youth in Government Day so the Borough hosted six students from the Sussex Wantage Middle School. The students spent three hours at the Municipal Building learning about how local government works. I would like to personally thank Mayor Rose, Councilwoman Krynicky and Councilwoman Masson for attending and presenting their perspective of local government.

NJDEP Department of Dam Safety performed a surprise inspection of all three Borough owned dams on May 15th. We are now awaiting the results of these inspections from the DEP.

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 6, 2014. Motion seconded by Mr. LaBar

Mrs. Stendor made a motion to table the meeting minutes of May 6, 2014 until the June 4, 2014 meeting.
The motion was not seconded.

Upon roll call vote of original motion:
Ayes: Krynicky, LaBar, Lagattuta, Masson, Stendor, Stoll
Nays: None
Abstentions: None
Absent: None

Resolution 2014-69R – Payment of Recurring Bills

Mr. LaBar made a motion to adopt Resolution 2014-69R approving the payment of certain bills that are statutory and regular in nature rather than held for the next meeting of the Borough Council due to the nature of said bills. Motion seconded by Mrs. Stoll

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

Certification for Rescue Squad Contribution

Mr. LaBar made a motion to approve the acceptance of the Sussex County Contribution to the Sussex Fire Department and First Aid Squad in the amount of \$2,800.00
Motion seconded by Mrs. Masson

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

Water Plant Alarm System

Mrs. Masson made a motion to approve the expenditure of \$4,500.00 to NB Controls, Inc to provide a Sensaphone Express II Dialer for the alarm system at the Water Treatment Plant
Motion seconded by Mrs. Krynicky

A brief discussion ensued discussing alternate options that the Council could consider.

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

Request to Close a Section of Lakeview Terrace

Mr. LaBar made a motion to approve a request from Ruth Antiochos to close a portion of Lakeview Terrace on June 28, 2014 (rain date June 29, 2014) from 12 pm to 8 pm for a neighborhood block party. Motion seconded by Mrs. Krynicky

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Mayor Rose excused himself from the dais at 8:01 pm; due to the fact the he owns property within two hundred feet of the proposed zone change.

Council President, Mrs. Krynicky assumed the Mayor's role for the discussion concerning Ordinance 2014-05.

Discussion

A brief discussion ensued concerning the overall cost of Ordinance 2014-05 and the process involved in proceeding with said change.

Mrs. Masson made a motion to rescind Ordinance 2014-05 "AN ORDINANCE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING CHAPTER 19, ENTITLED "ZONING", OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF SUSSEX TO REZONE PROPERTY DESIGNATED AS BLOCK 204, LOTS 9, 10, 10.01 AND 11 IN THEIR ENTIRETY TO C-1."

Motion seconded by Mr. LaBar

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Mayor Rose returned to the dais at 8:11 pm.

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.

Mr. Ray Schank 57 Walnut Street, Wantage stated that he and other residents of Walnut Street are concerned with the speed at which vehicles are traveling on this roadway. Mr. Schank offered a few solutions to this problem, speed bumps, make Walnut Street a one-way or create a dead end at the Borough boundary line.

The possibility of installing stop signs at certain intersection to slow traffic was discussed.

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

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. Krynicky

All were in favor.

Jonathan Rose, Mayor

Mark Zschack, Municipal Clerk