

**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 17, 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, and Mayor Jonathan Rose.

Absent: Mrs. Annette Stendor

Also present: Borough Attorney Mr. Frank McGovern, Esq. of McGovern and Roseman, P.A., Elke Yetter, CFO and Mrs. Colleen Little, Deputy 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 the Recreation Committee due to circumstances beyond their control because we had lack of participation we had to change the date of the pageant until June 27, 2014 at 7:30 pm at the Municipal Building. We still don't have that many contestants.

Mr. Lagattuta offered no report at this time.

Mr. LaBar offered no report at this time.

Mrs. Krynicky stated that we had a meeting with the merchants. In attendance were Mayor Rose, Linda Masson and myself. It was a very informative meeting. There were a lot of merchants that showed up. We heard there concerns about the sidewalks on Main Street. They would like them repaired/replaced. We talked about different options.

Mrs. Masson offered no report at this time

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.

Mr. Lagattuta made a motion to accept the consent agenda of June 17, 2014. Motion seconded by Mrs. Masson.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Letter dated May 27, 2014 from Virginia Fields of ISO to Keith Utter, Construction Official regarding Building Code effectiveness grading schedule.
2. Letter dated June 1, 2014 from the New Jersey League of Municipalities regarding the annual conference hotel reservations letter.
3. New Jersey League of Municipalities Michael A. Pane Award nomination request.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Unpaid utility properties report as of June 13, 2014.
2. Delinquent utility properties report as of June 13, 2014.
3. Property Maintenance Department report for the month of May 2014.
4. Zoning Department report for the month of May 2014.
5. Sussex Fire Department report for the month of March 2014.
6. Construction Department report for the month of May 2014.
7. Sussex County Solid Waste Advisory Council minutes from March 11, 2014.
8. Water Department report from the month of May 2014.
9. Tax Collector report from the month of May 2014.
10. Municipal Clerk report for the month of May 2014.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Field use application from High Point Midget Football from July 15th – December 31st, 2014.

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of June 17, 2014

Upon roll call vote:

Ayes: Krynicky, LaBar, Lagattuta, Masson, Stoll

Nays: None

Abstentions: None

Absent: Stendor

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. Stoll. All were in favor.

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

ADMINISTRATORS REPORT

Mrs. Colleen Little Deputy Clerk offered the following report;

We held the bid opening on Friday June 13th at 10 am for the as is sale of the Borough's Water Treatment plant, Distribution system and waste water system. One bid was received for the water treatment plant and distribution system ONLY from United Water in the amount of \$4,500,000.00. One bid was received for the purchase of the Water Treatment plant, distribution system and waste water system from Aqua New Jersey in the amount of \$11,382,000.00.

OLD BUSINESS

There was no old business discussed at this time.

NEW BUSINESS

Resolution 2014-74R – Liquor License Renewal

Mr. LaBar made a motion to approve the renewal of the following liquor license for the license period July 1, 2014 through June 30, 2015. Motion seconded by Mrs. Stoll.

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

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

Resolution 2014-75R – Authorizing Reduction of Certificate of Sale

Mr. LaBar made a motion to authorize the reduction of Borough held Certificate of Sale 11-01 by \$1,378.66 for 2010 water/sewer charges and \$1,680.00 for 2011 water/sewer charges. Motion seconded by Mr. Lagattuta.

Mr. Lagattuta asked what this is for.

Mrs. Little stated that this property has a Borough held lien and we are not supposed to accept partial payments on Borough held liens.

Mr. Lagattuta asked if we are giving the money back.

Mrs. Little stated that what you would be doing is reducing the amount of the tax sale certificate by the amounts that were received but not in full.

Mr. Lagattuta asked if we are not allowed to receive the money shouldn't we just give it back.

Mayor Rose stated the money was already received.

Mrs. Little stated that the money was received two (2) years ago.

Mr. Lagattuta asked the attorney if this was proper.

Mr. McGovern stated that it's unusual but it sounds creative and it sounds like it works as long as you can change the amount of the certificate and accepting the same amount so you are compliant.

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

Resolution 2014-76R – Appointments to Water Sewer Rate Structure Committee

Mrs. Masson made a motion to approve the Mayor's appointments to the Water/Sewer Rate Structure Committee. Seconded by Mrs. Krynicki.

Mr. Lagattuta asked how often the committee would meet.

Mayor Rose stated that the committee would meet on an ad-hoc basis.

Mrs. Krynicki asked if the appointments would be done yearly.

Mayor Rose stated that the appointments would be done yearly. A resolution would be added to the reorganization agenda for this committee.

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

Resolution 2014-77R – Meeting Dates

Mr. LaBar made a motion to approve a special meeting on July 1, 2014 at 7:30 and change the November 18, 2014 meeting to November 17, 2014 at 7:30. Seconded by Mrs. Stoll.

Mrs. Krynicky asked why all these changes.

Mrs. Little stated the November 18th meeting the league of municipalities is that day and some of the council may go down that night.

Mayor Rose stated that the meeting can be either the week before or the week after. The special meeting was for the resolution.

Upon roll call vote:

Ayes: Krynicky, LaBar, Lagattuta, Masson, Stoll

Nays: None

Abstentions: None

Absent: Stendor

Discussion – Capital Improvement Projects from the General Fund

A brief discussion ensued regarding capital improvement projects being funded from the general fund. It was the consensus of the council to get a price from Bob Schultz for Roy Court Improvements and Mill Street Parking Lot improvements and to direct Harold Pellow to look for grants for the Main Street projects.

Adoption Ordinance 2014-03 – Improvements to Willow Street Section II and Improvements to Newton Avenue

Mr. LaBar made a motion to adopt an ordinance entitled “AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$291,300 FOR IMPROVEMENTS TO WILLOW STREET SECTION II AND IMPROVEMENTS TO NEWTON AVENUE”

Motion seconded by Mr. Lagattuta

Mayor Rose opened the meeting to the public for any questions or concerns regarding Ordinance #2014-03.

There being no one else 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, Stoll

Nays: None

Abstentions: None

Absent: Stendor

Acceptance of Willow Street Section I

Mrs. Stoll made a motion to accept the project “Improvements to Willow Street Section I” as per the Borough Engineer, Harold Pellow. Motion seconded by Mrs. Masson.

Upon roll call vote:

Ayes: Krynicky, LaBar, Lagattuta, Masson, Stoll

Nays: None

Abstentions: None

Absent: Stendor

Introduction Ordinance #2014-06 – \$730,000 Bond Ordinance

Mrs. Masson made a motion to introduce Ordinance #2014-03 entitled “BOND ORDINANCE APPROPRIATING \$730,000, AND AUTHORIZING THE ISSUANCE OF \$730,000 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF SUSSEX, IN THE COUNTY OF SUSSEX, NEW JERSEY, FOR THE WATER SUPPLY AND DISTRIBUTION SYSTEM AND

THE SANITARY SEWERAGE SYSTEM OF THE BOROUGH.” Motion seconded by Mr. LaBar

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

Mayor Rose stated that the Final Reading of Ordinance 2014-03 will be held on July 1, 2014.

Introduction Ordinance #2014-07 – Capital Improvement Fund Ordinance for various improvements and purchases for the Water Treatment Plant and Distribution System and Sanitary Sewer System.

Mr. Lagattuta made a motion to introduce Ordinance #2014-07 entitled “CAPITAL ORDINANCE OF THE BOROUGH OF SUSSEX IN THE COUNTY OF SUSSEX, NEW JERSEY AUTHORIZING VARIOUS IMPROVEMENTS AND PURCHASES FOR THE WATER TREATMENT PLANT AND DISTRIBUTION SYSTEM AND SANITARY SEWER SYSTEM, BY AND FOR THE BOROUGH, APPROPRIATING THEREFORE THE SUM OF \$125,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE WATER/SEWER CAPITAL IMPROVEMENT FUND OF THE BOROUGH.” Motion seconded by Mr. LaBar.

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

Mayor Rose stated that the Final Reading of Ordinance 2014-03 will be held on July 1, 2014

Request for Church Service in Sussex Town Park

Mr. LaBar made a motion to approve the request from John Inglin of Sussex Wesleyan Church to hold a Church Service in Deckertown Commons on June 21, 2014 from 3:00pm to 6:00pm contingent upon the receipt of the Use of Borough Facilities form. Motion seconded by Mrs. Masson.

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

Resolution #2014-78R – Appointment of Qualified Purchasing Agent

Mr. LaBar made a motion to approve the Mayor and Clerk to sign an agreement with Darren Maloney for QPA services for the Borough of Sussex at a cost not to exceed \$375.00 per month. Motion seconded by Mrs. Krynicky.

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

OPEN PUBLIC SESSION #2

Mrs. Krynicky 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. Albert Decker, 2 Harrison Street, expressed his concerns regarding the change of date for the Miss Sussex contest.

Discussion ensued amongst the council regarding the change of date for the Miss Sussex contest.

Ms. Patricia Decker, 9 Grant Street, expressed her concerns regarding the change of the date for the Miss Sussex contest.

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 Mr. LaBar
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. Lagattuta made a motion to adjourn the meeting. Motion seconded by Mrs. Masson.
All were in favor.

Jonathan Rose, Mayor

Colleen Little, Deputy Municipal Clerk