

**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
OCTOBER 21, 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: Mr. Bruce LaBar, Mr. Salvatore Lagattuta, Mrs. Linda Masson, Mrs. Annette Stendor, Mrs. Georgeanna Stoll, Mayor Jonathan Rose.

Absent: Mrs. Marina Krynicky.

Also present: Borough Attorney Mr. Frank McGovern, Esq. of McGovern and Roseman, P.A. and Ms. Colleen Little, Deputy Clerk.

Mayor Rose led the assembly in the flag salute and requested a moment of silence.

Mrs. Krynicky arrived at 7:31 pm.

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."

APPROVAL OF AGENDA

Mr. Lagattuta made a motion to approve the agenda for October 21, 2014.
Motion seconded by Mrs. Stoll

Mr. Lagattuta made a motion to amend the agenda for October 21, 2014 by removing item #10 from the agenda. Motion seconded by Mr. LaBar.

Mrs. Masson made a motion to amend the agenda for October 21, 2104 by changing the person who requested item #7 to be on the agenda from Mrs. Masson to Mayor Rose as Mrs. Masson did not request this item to be on the agenda. Motion seconded by Mrs. Stendor.

Mrs. Masson made a motion to amend the agenda for October 21, 2014 to add a discussion item to the agenda to discuss the format of the special meeting to be held at the firehouse on October 28th.

Mrs. Masson made a motion to amend the agenda for October 21, 2104 to add a discussion item regarding USDA grant applications for our water sewer system.

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

PRESENTATIONS:

Mrs. Jacqueline Espinoza, Area Manager at Jersey Central Power & Light apprised the council of a nationwide utility scam. The street lighting inventory was completed and handed in tonight. The substation did not have flooding last week.

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

Mrs. Stoll reported on the recreation commission and the High Point Board of Education meeting.

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 offered a report from a SCMUA meeting as liaison to SCMUA and Ms. Masson read a prepared statement resigning from the DPW committee.

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.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Notice of Hearing received October 8, 2014 concerning a Minor Site Plan application for Block 701 Lot 17, 24 Bank Street, Sussex N.J. to the Sussex Borough Land Use Board. Public Hearing to be held on November 24, 2014.
2. Flyer from the Sussex County Municipal Utilities Authority concerning the Household Hazardous Waste Disposal Day to be held November 1, 2014
3. Flyer from JCP&L concerning a invite to tour the JCP&L Northern Dispatch Office on Thursday October 23, 2014.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Municipal Clerk's report for the month of September, 2014.
2. Property Maintenance report for the month of September, 2014.
3. Construction Department report for the month of September, 2014.
4. Delinquent Utility Properties Report as of October 17, 2014.
5. Unpaid Utility Properties Report as of October 17, 2014.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. NJ State Firemen's Association Membership application for Robert Cintron.
2. NJ State Firemen's Association Membership application for Regina Cintron.
3. NJ State Firemen's Association Membership application for James Courtright Jr.
4. NJ State Firemen's Association Membership application for Brian Dely.
5. NJ State Firemen's Association Membership application for William Marcello.
6. Sussex Fire Department Junior Membership application for Debra Kinney.
7. Sussex Fire Department Junior Membership application for Jarrod Smith.

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of October 21, 2014

Mr. Lagattuta made a motion to accept the consent agenda of October 21, 2014. Motion seconded by Mrs. Masson

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. Masson
All were in favor.

Mr. Robert Holowach, 41 Lakeview Terrace, asked to hear the details about item #1 on the agenda.

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

OLD BUSINESS

There was no old business discussed at this time.

NEW BUSINESS

Introduction Ordinance #2014-12 Amend Chapter 13 Sections 2.2 & 3.5

Mrs. Masson made a motion to introduce Ordinance #2014-12 entitled "AN ORDINANCE TO AMEND SECTION 2.2, ENTITLED "DISCONTINUANCE OF WATER", AND SECTION 3.5, ENTITLED "METHOD OF PAYMENT", OF CHAPTER 13 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SUSSEX"
Motion Seconded by Mrs. Stendor

Before roll call, Mrs. Krynicky made a motion to open the meeting to the public for any questions or comments concerning the introduction of Ordinance 2014-12. Seconded by Mrs. Stendor. All were in favor.

Mr. Rudy Smith, 17 Spruce Avenue Sussex, voiced his concerns regarding this ordinance.

Mr. Robert Holowach, 41 Lakeview Terrace Sussex, voiced his concerns regarding this ordinance.

There being no one else who wished to address the governing body Mr. Lagattuta made a motion to close the meeting to the public. Seconded by Mr. LaBar. All were in favor.

Upon roll call vote:

Ayes: Masson

Nays: Krynicky, LaBar, Lagattuta, Stendor, Stoll

Abstentions: None

Absent: None

Resolution 2014-120R Fourth Quarter 2014 Adjustments

Mr. LaBar made a motion to adopt Resolution 2014-120R approving the fourth quarter water/sewer adjustments. Motion seconded by Mrs. Stoll

Ms. Toni Smith, Water Sewer Collector, answered questions asked by the council regarding payment arrangements and the delinquent reports.

Upon roll call vote:

Ayes: Krynicky, LaBar, Masson, Stendor, Stoll

Nays: None

Abstentions: Lagattuta

Absent: None

Approval of Meeting Minutes

Mr. Lagattuta made a motion to approve the meeting minutes of the Special Meeting held on July 22, 2014. Motion seconded by Mr. LaBar.

Upon roll call vote:

Ayes: Krynicky, LaBar, Stoll

Nays: Lagattuta, Masson, Stendor

Abstentions: Rose

Absent: None

Approval of Meeting Minutes

Mrs. Stoll made a motion to approve the meeting minutes of the Regular Meeting held on October 7, 2014. Motion seconded by Mr. Lagattuta.

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

Introduction Ordinance 2014-13 – Repealing Chapter 3 Section 14 Entitled Curfew

Mr. Lagattuta made a motion to introduce Ordinance #2014-13 entitled “AN ORDINANCE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY REPEALING SECTION 14, ENTITLED “CURFEW”, OF CHAPTER 3 OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF SUSSEX”
Motion Seconded by Mrs. Masson

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

Resolution 2014-121R – Authorize Veteran Refund

Mr. LaBar made a motion to adopt Resolution 2014-121R authorizing the Tax Collector to refund David Beverley, 7 Walnut Avenue, Block 409 Lot 1, tax payments for the 2nd and 3rd quarters of 2014 previously paid in the amount of \$2,223.57 and cancel the balance of the 2014 taxes in the amount of \$1,515.46. Motion Seconded by Mrs. Stendor.

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

Resolution 2014-122R – Authorize Creation of Document

Mrs. Masson made a motion to adopt Resolution 2014-122 R authorizing the Administrator to undertake the necessary work with the assistance of the Borough’s administrative staff to prepare the lists and reports described in said resolution. Motion seconded by Mrs. Stendor.

Mayor Rose recused himself from the dais at 8:30pm.

Mr. Lagattuta made a motion to amend the resolution to eliminate the phrase “is not” from the fourth paragraph of Resolution 2014-122R. Motion seconded by Mrs. Stoll.

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

Mrs. Stoll made a motion to accept the amended motion. Seconded by Mr. Lagattuta.

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

Mayor Rose returned to the dais at 8:51 pm.

Approval of Garbage Contract

Mrs. Krynicky made a motion to direct the Administrator to execute a contract with Blue Diamond Disposal, PO Box 267 Succasunna, NJ 07876 for garbage removal at the Water Treatment Plant in the amount of \$53.04 per month for 36 months. Seconded by Mr. LaBar.

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Approval of Alarm Service Agreement

Mr. LaBar made a motion to direct the Administrator to execute a contract with Jan-Mar Alarm Company, Inc. 86 Route 23, Hamburg NJ 07419 for alarm services at 2 Main Street in the amount of \$66.55 per month for 12 months. Seconded by Mrs. Krynicky.

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Mayor Rose recused himself from the dais at 8:53pm.

Discussion – October 28, 2014 Public Meeting

At this time a discussion was held regarding the format of the special meeting.

Mayor Rose returned to the dais at 8:59pm.

Discussion – USDA Grant Application

At this time a discussion was held regarding the USDA grant application.

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 Mr. Lagattuta
All were in favor.

Mr. Robert Holowach, 41 Lakeview Terrace Sussex, voiced concerns regarding the water and sewer rates and the USDA grants.

Mayor Rose recused himself from the dais at 9:25pm.

Mrs. Donna Brady, 21 Lakeview Terrace Sussex, voiced concerns about grant writing.

Mayor Rose returned to the dais at 9:27pm.

Mayor Rose recused himself from the dais at 9:27pm.

Mr. Albert Decker, 2 Harrison Street Sussex, voiced opinions concerning various borough matters.

Mayor Rose returned to the dais at 9:29pm.

Mrs. Susan Williams, 29 Christie Lane Sparta, voiced concerns regarding the water privatization.

Mr. Brian Demarest, 2 Harrison Street Sussex, voiced concerns regarding borough matters.

Mayor Rose recused himself from the dais at 9:34 pm.

Mr. William Hunt, 26 Hamburg Avenue Sussex, voiced concerns regarding various borough matters.

Mayor Rose returned to the dais at 9:38pm.

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 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. Stendor
All were in favor.

Jonathan Rose, Mayor

Colleen Little, Deputy Municipal Clerk