

**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  
NOVEMBER 5, 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, Mayor Jonathan Rose.

Absent: Mrs. Marina Krynicky, Mrs. Georgeanna Stoll (Mrs. Stoll joined the dais at 7:48 pm.)

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."

**APPROVAL OF AGENDA**

Mr. Lagattuta made a motion to approve the agenda for November 5, 2014. Motion seconded by Mrs. Masson

Mr. Lagattuta made a motion to amend the original motion and add a discussion item, after number 8 on the agenda, concerning the water and sewer rates involving funeral homes. Motion seconded by Mr. LaBar

Upon roll call vote to amend original motion:

Ayes: LaBar, Lagattuta, Masson, Stendor

Nays: None

Abstentions: None

Absent: Krynicky, Stoll

Upon roll call vote of original motion as amended:

Ayes: LaBar, Lagattuta, Masson, Stendor

Nays: None

Abstentions: None

Absent: Krynicky, Stoll

**PRESENTATIONS:**

There were no presentations offered.

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

Mrs. Masson offered a report as liaison to SCUMA.

Mrs. Stendor offered no report at this time.

Mr. LaBar offered no report at this time.

Mr. Lagattuta 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.

**CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):**

1. Letter dated October 21, 2014 from Linda Masson to Mayor Rose resigning as chairperson and member of the DPW Committee.
2. Flyer from the Friends of Sussex Wantage Library concerning a presentation on Historic Deckertown on Thursday November 6<sup>th</sup> at 6:30pm at the library.
3. Letter dated October 17, 2014 from NJDEP regarding Radon action month in January.

**REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):**

1. Sussex County Planning Board Minutes from July 7, 2014
2. Sussex County Planning Board Minutes from September 8, 2014
3. Sussex County Water Quality Management Minutes from June 12, 2104
4. Delinquent Utility Properties Report as of October 31, 2014.
5. Unpaid Utility Properties Report as of October 31, 2014.

**APPLICATIONS (APPROVAL OF THE FOLLOWING):**

**RESOLUTIONS: (APPROVAL OF THE FOLLOWING):**

1. Payment of bills for the meeting of November 5, 2014

Mr. Lagattuta made a motion to accept the consent agenda of November 5, 2014.  
Motion seconded by Mrs. Stendor

Upon roll call vote:

Ayes: LaBar, Lagattuta, Masson, Stendor

Nays: None

Abstentions: None

Absent: Krynicky, Stoll

**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. Masson  
All were in favor.

**ADMINISTRATORS REPORT**

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

**Water/Sewer Utility**

The Comprehensive Performance Evaluation (CPE) created by Aquamize has been submitted to the NJDEP. The not to exceed contract was in the amount of \$14,400 but the final invoice totaled \$10,278, this constitutes a \$4,100 savings on the projected cost of this report.

As per NJDEP directive McGowan Compliance Management, LLC will begin the Technical, Managerial and Financial Evaluation of the Sussex Water system. The kickoff meeting is scheduled for November 12<sup>th</sup> starting in the Municipal Building then moving on to the water treatment plant.

The temporary approval for use of cartridge filter at the Sussex Water Treatment Plant was issued on February 20, 2014 which is valid for one year until February 20, 2015. The Borough needs to make a decision if an extension to the temporary permit should be requested or to submit a permit to permanently install these filters. The Borough has requested proposals for both options for the Council to consider at a future meeting.

Unofficial Election Results

Katherine Little	256	Votes	30.88%
Robert Holowach	205	Votes	24.73%
Albert L. Decker Jr.	184	Votes	22.20%
Marina Krynicky	175	Votes	21.11%

PROPOSAL ONE (UTILITY SALE)

YES	162	Votes	36.57%
NO	281	Votes	63.43%

PROPOSAL TWO (Trust Fund)

YES	244	Votes	55.08%
NO	199	Votes	44.92%

**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 Special Meeting held on July 22, 2014. Motion seconded by Mr. LaBar

Mr. Lagattuta made a motion to table the meeting minutes of the Special Meeting held on July 22, 2014. Motion seconded by Mrs. Masson  
All were in favor.

Mr. Lagattuta made a motion to approve the meeting minutes of the Special Meeting held on July 29, 2014. Motion seconded by Mr. LaBar

Mr. Lagattuta made a motion to table the meeting minutes of the Special Meeting held on July 29, 2014. Motion seconded by Mrs. Masson  
All were in favor.

**Resolution 2014-123R – Fourth Quarter 2014 Water/Sewer Adjustment**

Mr. Lagattuta made a motion to adopt Resolution 2014-123R approving the fourth quarter water/sewer adjustment. Motion seconded by Mrs. Stendor

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

**Resolution 2014-124R – Appointment of Risk Management Consultant**

Mr. LaBar made a motion to adopt Resolution 2014-124R appointing The Morville Agency a Division of Bollinger Insurance as its local Risk Management Consultant for the year 2015. Motion seconded by Mrs. Masson

Upon roll call vote:

Ayes: LaBar, Lagattuta, Masson, Stendor

Nays: None

Abstentions: None

Absent: Krynicky, Stoll

**Resolution 2014-125R – Renew Participation in the Statewide Insurance Fund**

Mr. LaBar made a motion to adopt Resolution 2014-125R renewing participation in the Statewide Insurance Fund for the years 2015 through 2018 Motion seconded by Mr. Lagattuta

Upon roll call vote:

Ayes: LaBar, Lagattuta, Masson, Stendor

Nays: None

Abstentions: None

Absent: Krynicky, Stoll

**Resolution 2014-126R – Customer Request for Water/Sewer Adjustment**

No action was taken.

**Resolution 2014-127R - Place to Place Liquor License Transfer**

Mr. Lagattuta made a motion to Adopt Resolution 2014-127R approving the Place to Place Transfer of Plenary Retail Distribution License Number 1921-44-005-002 heretofore issued to TEACH PADRAIG, LLC, T/A PATRICKS WINE BARN to 38-40A Hamburg Avenue, Sussex New Jersey 07461 Motion seconded by Mrs. Stendor

Mrs. Stoll joined the dais at 7:48 pm.

Upon roll call vote:

Ayes: LaBar, Lagattuta, Masson, Stendor

Nays: None

Abstentions: Stoll

Absent: Krynicky

**Resolution 2014-128R – Area in Need of Redevelopment**

Mr. LaBar made a motion to Adopt Resolution 2014-128R “DIRECTING THE SUSSEX BOROUGH PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE GROUP OF PROPERTIES CONSISTING OF BLOCK 104, LOT 1.01, BLOCK 105, LOT 1.03, AND BLOCK 106, LOTS 1.02, 11, 12, 13 & 14, OR PORTION THEROF, IS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT.” Motion seconded by Mrs. Masson

Upon roll call vote:

Ayes: LaBar, Masson, Stoll

Nays: None

Abstentions: Lagattuta, Stendor

Absent: Krynicky

**Reschedule Public Hearing Ordinance 2014-13**

Mr. LaBar made a motion to reschedule the public hearing for 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” to November 17, 2014. Motion seconded by Mr. Lagattuta

Upon roll call vote:

Ayes: LaBar, Lagattuta, Masson, Stendor, Stoll

Nays: None

Abstentions: None

Absent: Krynicky

**Discussion**

At this time a discussion took place concerning amending the ordinance that sets the rates for the Water and Sewer Utility. Mr. Masson requested that background information be supplied on this issue. After a brief discussion the Municipal Attorney was directed to draft an ordinance amending the fees charged to funeral parlors and seating for restaurants.

**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 Mrs. Stendor  
All were in favor.

Mr. Albert Decker, 2 Harrison Street, Sussex congratulated Kathy Little on her election victory.

Mayor Rose recused himself from the dais at 8:01 pm

Ms. Alison Orsi, 41 Lowe Road Wantage, N.J. thanked Councilwoman Masson for her work involving the water and sewer sale.

Mayor Rose returned to the dais at 8:02 pm.

Ms. Alison Orsi, 41 Lowe Road Wantage, N.J. offered comments concerning the Blue Acres Program.

Kathy Little, 27 Clove Ave, Sussex offered comments concerning the water level in Clove Lake and expressed appreciation for all who voted for her in the election.

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. Lagattuta  
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 Mr. LaBar  
All were in favor.

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Jonathan Rose, Mayor

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Mark Zschack, Municipal Clerk