

**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
FEBRUARY 17, 2015**

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. Robert Holowach, Mrs. Katherine Little, Mrs. Linda Masson, Mr. Mario Poggi, Mrs. Annette Stendor, Mrs. Georgeanna Stoll and 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."

APPROVAL OF AGENDA

Mrs. Masson made a motion to approve the agenda for February 17, 2015 as submitted. Motion seconded by Mrs. Little.

Mrs. Masson made a motion to amend the previous motion to add a discussion item to executive session regarding the contracts for Hardyston DPW and AGRA. Motion seconded by Mrs. Stoll. All were in favor.

Mr. Holowach made a motion to amend the amended motion to add a discussion item regarding the water service interruption on the 13th of February on Bank Street and an addition of a resolution to adopt Houser as Utility Manager. Motion seconded by Mrs. Stoll. All were in favor.

Upon roll call vote of original motion as amended:
Ayes: Holowach, Little, Masson, Poggi, Stendor, Stoll
Nays: None
Abstentions: None
Absent: None

PRESENTATIONS:

No presentations were scheduled for tonight's meeting.

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

Mrs. Stoll stated that the Recreation Committee met and set the dates for various events. Recreation will give an award for senior citizen of year.

Mr. Holowach stated that the Fire Department assisted with the break on Bank Street.

Mr. Poggi stated that he contacted the High Point Board of Education and asked them to update their website with the approved minutes.

Mrs. Masson offered comments regarding the water service break on Bank Street. Attended a SCMUA meeting on February 4th. Attended the Sussex County League of Municipalities meeting where JCP&L gave a presentation.

Mrs. Little stated that the DPW committee met on February 5th to discuss the snow situation on Main Street. February 11th she attended the Sussex County League of Municipalities

dinner meeting. The Sussex County Water Quality Management PAC did not have a meeting. Finance committee met and reviewed the vouchers and all questions were answered satisfactorily.

Mrs. Stendor offered no report.

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 made a motion to accept the consent agenda of February 17, 2015 with the removal of Item #6 under correspondence reading a letter dated February 8, 2015 from Julia Devine to the Council members requesting that the person responsible for real taxes and water sewer fees address the governing body as requested by Mrs. Masson and the removal of Item #7 under correspondence reading a letter dated January 31, 2015 from Kenneth Treloar to Mayor Rose regarding water problems as requested by Mrs. Stendor. Motion seconded by Mrs. Stoll

The consensus of the Governing Body was to have the Tax Collector attend a meeting.

Upon roll call vote:

Ayes: Holowach, Little, Masson, Poggi, Stendor, Stoll

Nays: None

Abstentions: None

Absent: None

Mrs. Masson made a motion to approve Consent Agenda Correspondence Item #6 entitled a letter dated February 8, 2015 from Julia Devine to the Council members requesting that the person responsible for real taxes and water sewer fees address the governing body. Motion seconded by Mr. Holowach.

Upon roll call vote:

Ayes: Holowach, Little, Masson, Poggi, Stendor, Stoll

Nays: None

Abstentions: None

Absent: None

Mrs. Stoll made a motion to approve Consent Agenda Correspondence Item #7 entitled a letter dated January 31, 2105 from Kenneth Treloar to Mayor Rose regarding water problems. Motion seconded by Mrs. Stendor.

Upon roll call vote:

Ayes: Holowach, Little, Masson, Poggi, Stendor, Stoll

Nays: None

Abstentions: None

Absent: None

OPEN PUBLIC SESSION #1

Mrs. Little 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.

Mr. Bill Gettler, Gemmer Road Wantage, addressed the Governing Body concerning the Wantage Court System.

Mrs. Kathleen Gorman, Wantage, addressed the Governing Body concerning the appointment of Judge Gavan.

Ms. Ann Smulewicz, 108 Route 23 Wantage, addressed the Governing Body concerning the court system.

Mayor Rose recused himself from the dais at 8:00pm.

Mr. Chris Nestor, 10 Newton Avenue, addressed the Governing Body regarding his water bill.

Mayor Rose returned the dais at 8:02pm

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

ADMINISTRATORS REPORT

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

Water/Sewer Utility

The Technical, Managerial & Financial Evaluation (TMF) is completed and is in the hands of the NJDEP for their review.

The \$90,000 Change Order for the Borough to hire engineers to oversee the Route 23 Project has finally been approved. This increases the amount from \$55,000.00 to \$145,000.00. The hope is this amount will last until the conclusion of the project.

Financial

Following are the results of the \$131,458 Bond Anticipation Note sale on February 3, 2015

<u>Financial Institution</u>	<u>Contact</u>	<u>Interest Rate</u>	<u>Interest Amount</u>
Sussex Bank	Colleen Herman	1.15%	\$1,511.77
PNC Bank	Nonna Elkovich	1.32%	\$1,735.25
Oppenheimer & Co.	Mary Starkey	3.6007%	\$4,765.35

Elections

The Borough has four available elected positions available for the June 2, 2015 Primary Election.

Mayor one four year term January 1, 2016 through December 31, 2019

Common Council two three year terms January 1, 2016 through December 31, 2018

Common Council one unexpired term November 2015 through December 31, 2016

Petitions must be handed in to the Borough Clerk's Office no later than 4:00 pm on March 30, 2015

OLD BUSINESS

Approval of Generator Service Contract

Mr. Holowach made a motion to authorize the Clerk to execute an agreement with Kraft Power Corporation, 241 West Parkway, Pompton Lakes, NJ 07444, to provide planned service inspection tests for the Borough owned generators at a cost of \$2,100.00. Motion seconded by Mrs. Little

Upon roll call vote:
Ayes: Holowach, Little, Masson, Poggi, Stendor, Stoll
Nays: None

Abstentions: None
Absent: None

NEW BUSINESS

Approval of Meeting Minutes

Mrs. Stoll made a motion to approve the meeting minutes of the Regular Meeting and Executive Session held on February 3, 2015. Motion seconded by Mrs. Stendor.

Mrs. Masson made a motion to amend the previous motion to change the wording in the committee report for Mrs. Masson to replace the words "what kinds" with "2%". Motion seconded by Mrs. Stoll. All were in favor.

Upon roll call vote of original motion as amended:
Ayes: Holowach, Little, Masson, Poggi, Stendor, Stoll
Nays: None
Abstentions: None
Absent: None

Resolution 2015-43R – Governor’s Council on Alcoholism and Drug Abuse

Mr. Holowach made a motion to adopt Resolution 2015-43R authorizing the submission of a strategic plan for the Sussex Wantage Municipal Alliance for the year 2016 in the amount of DEDR \$12,716.00, Cash Match \$3,179.00 and In-Kind \$9,537.00. Motion seconded by Mrs. Stoll.

Upon roll call vote:
Ayes: Holowach, Little, Masson, Poggi, Stendor, Stoll
Nays: None
Abstentions: None
Absent: None

Resolution 2015-44R – Support No Passing Zone

Mrs. Little made a motion to adopt Resolution 2015-44R supporting the use of a "No Passing Zone" on Route 23, in Sussex Borough as recommended by NJDOT. Motion seconded by Mrs. Stoll.

Upon roll call vote:
Ayes: Holowach, Little, Masson, Poggi, Stendor, Stoll
Nays: None
Abstentions: None
Absent: None

Resolution 2015-45R – Local Historian

Mrs. Little made a motion to adopt Resolution 2015-45R establishing the position of Local Historian and appointing Mario Poggi to serve as Local Historian for the year 2015. Motion seconded by Mr. Holowach.

Upon roll call vote:
Ayes: Holowach, Little, Masson, Stendor, Stoll
Nays: None
Abstentions: Poggi
Absent: None

Resolution 2015-46R – First Quarter 2015 Water/Sewer Adjustments

Mrs. Stendor made a motion to adopt Resolution 2015-46R approving water/sewer adjustment for the first quarter 2015. Motion seconded by Mr. Holowach

Upon roll call vote:
Ayes: Holowach, Little, Masson, Poggi, Stendor, Stoll
Nays: None
Abstentions: None

Absent: None

Resolution 2015-47R – Water/Sewer Installment Plan

Mrs. Masson made a motion to adopt Resolution 2015-47R approving a water/sewer installment plan for account number 970. Motion seconded by Mr. Holowach.

After some discussion, Mrs. Stendor made a motion to table Resolution 2015-47R until the next scheduled council meeting. Motion seconded by Mrs. Stoll.

Upon roll call vote:

Ayes: Holowach, Little, Poggi, Stendor, Stoll

Nays: Masson

Abstentions: None

Absent: None

Resolution 2015-48R - Schedule Budget Workshop

Mrs. Little made a motion to adopt Resolution 2015-48R scheduling a Special Meeting to hold a budget workshop on March 10, 2015. NO FORMAL ACTION WILL BE TAKEN. Motion seconded by Mrs. Stoll.

Upon roll call vote:

Ayes: Holowach, Little, Masson, Poggi, Stendor, Stoll

Nays: None

Abstentions: None

Absent: None

Mayor Rose recused himself from the dais at 8:32pm.

Resolution 2015-49R – Customer Request of Water/Sewer Adjustment

Mr. Holowach made a motion to adopt Resolution 2015-49R approving the Customers request to have \$5,681.21 removed from the first quarter 2015 Water/Sewer bill for account # 3562. Motion seconded by Mrs. Stendor.

Upon roll call vote:

Ayes: Holowach, Little, Masson, Poggi, Stendor, Stoll

Nays: None

Abstentions: None

Absent: None

Mayor Rose returned to the dais at 8:33pm.

Approval of Social Affair Permit for Walkkill Valley Rotary Club

Mrs. Stoll made a motion to approve a social affair permit for the Walkkill Valley Rotary Club, event to be held at the Sussex Fire Department on April 24, 2015. Motion seconded by Mrs. Little.

Upon roll call vote:

Ayes: Holowach, Little, Masson, Poggi, Stendor, Stoll

Nays: None

Abstentions: None

Absent: None

Discussion

At this time a discussion took place concerning the Inter-Municipal Court for the Municipalities of Wantage Township, Sussex Borough and Stillwater Township.

At this time a discussion took place concerning the water service interruption on February 13, 2015 on Bank Street.

Resolution 2015-50R – Utility Asset Manager

Mr. Holowach made a motion to adopt Resolution 2015-50R approving the proposal submitted for consideration by the council dated January 6, 2015 naming Houser Engineering as the Utility Asset Manager. Motion seconded by Mr. Poggi.

Mrs. Masson made a motion to move the question. Motion seconded by Mr. Holowach.

Upon roll call vote to move the question:

Ayes: Holowach, Little, Masson, Poggi, Stendor, Stoll

Nays: None

Abstentions: None

Absent: None

Upon roll call vote:

Ayes: Holowach, Little, Poggi, Stoll

Nays: Masson, Stendor

Abstentions: None

Absent: None

Resolution 2015-51R – Authorizing a Contract to Install a Post Flushing Hydrant

Mrs. Little made a motion to adopt Resolution 2015-51R authorizing the Mayor to award a contract to the lowest responsive bidder to install a post flushing hydrant on the twelve inch water main that traverses the Loomis Ave Bridge, at a cost not to exceed \$6,500.00. Motion seconded by Mr. Holowach.

Upon roll call vote:

Ayes: Holowach, Little, Masson, Poggi, Stendor, Stoll

Nays: None

Abstentions: None

Absent: None

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 Mr. Poggi
All were in favor.

Mr. Charles Fronheiser, 35 Bank Street, addressed the council regarding the condition of the Borough and bringing back the DPW.

Mr. William Gettler, Gemmer Road Wantage, addressed the governing body regarding the loss of population in the County and complimented the council.

Ms. Ann Smulewicz, 108 Route 23 Wantage, addressed the Governing Body concerning the underachievement of the school system and complimented the council on the job that they are doing.

Mr. Al Decker, 2 Harrison Street, complimented the council for a good job.

Mayor Rose recused himself from the dais at 9:23pm

Mr. Chris Nestor, Newton Avenue, thanked the council for the time and consideration for reviewing the issue he had with his water bill.

Mayor Rose returned to the dais at 9:24pm.

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. Little
All were in favor.

EXECUTIVE SESSION

In accordance with the provisions of the Open Public Meetings Act, Mrs. Masson made a motion to adjourn into closed executive session to discuss personnel and attorney client privilege matters. Motion seconded by Mrs. Little

Upon roll call vote:

Ayes: Holowach, Little, Masson, Poggi, Stendor, Stoll

Nays: None

Abstentions: None

Absent: None

After meeting in closed session, the Governing Body returned to their seats at 10:23p.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. Little. All were in favor.

Mrs. Masson made a motion to direct the Municipal Attorney to prepare a resolution to Governor Chris Christie of the State of New Jersey with a copy being sent to Judges Weisenback and Conforti requesting that Mr. Glenn Gavan not be permanently appointed as judge in Wantage New Jersey. As Sussex Borough is in a shared service agreement for Municipal Court Services with Wantage as provider, this appointment has a direct impact on the community we serve. Please include specific examples which demonstrate the reason for this request. Motion seconded by Mrs. Stoll.

Upon roll call vote:

Ayes: Holowach, Little, Masson, Poggi, Stendor, Stoll

Nays: None

Abstentions: None

Absent: None

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mrs. Masson made a motion to adjourn the meeting. Motion seconded by Mrs. Stoll. All were in favor.

Jonathan Rose, Mayor

Mark Zschack, Municipal Clerk