

**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
MARCH 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 Ms. Colleen Little, Deputy Municipal 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. Little made a motion to approve the agenda for March 17, 2015 as submitted. Motion seconded by Mr. Holowach

Upon roll call vote:

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. Little reported that a meeting was held for the Clove Lake Maintenance Committee was held on March 4th and items discussed were the plans to clean out the invasive weed (water chestnut) and plans to stock the lake. Mrs. Little also reported that she toured the new 911 Command Center.

Mrs. Stendor reported that she attended the court session on March 2nd. Also attended the New Jersey League of Municipalities meeting where there was a presentation from Laddey, Clark and Ryan regarding OBAMA care. May 3rd is Sussex County Day to be held at the Sussex County College and a table will be set up there for the town.

Mrs. Masson offered no committee report but read a prepared letter into the record.

Mr. Poggi reported on the High Point Board of Education meeting from January 20, 2015.

Mr. Holowach reported that he toured the new 911 Center.

Mrs. Stoll reported that she was unable to attend the Recreation meeting and Sussex Wantage School board workshop meeting.

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. Little made a motion to accept the consent agenda of. Motion seconded by Mrs. Masson

Upon roll call vote:

Ayes: Holowach, Little, Masson, Poggi, 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 Mr. Poggi
All were in favor.

Mr. Jack Burke, 4 Victoria Pines Lane Andover, addressed the governing regarding the Solar Project in Sussex County and Andover Townships position on the issue.

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 Mrs. Stoll
All were in favor.

ADMINISTRATORS REPORT

No report was offered.

OLD BUSINESS

There was no old business discussed at this time.

NEW BUSINESS

Resolution 2015-59R – Correction of Resolution Numbers

Mr. Holowach made a motion to adopt Resolution 2015-59R correcting the assigned resolution numbers. Seconded by Mrs. Stendor.

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Resolution 2015-60R – Water/Sewer EDU Adjustment Account 6771

Mrs. Masson made a motion to adopt Resolution 2015-60R authorizing the credit of \$1272.00 to account 6771 due to a calculation error in the EDU rate. Seconded by Mr. Holowach.

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Resolution 2015-61R – Authorizing Refund

Mrs. Little made a motion to adopt Resolution 2015-61R authorizing the refund of \$716.10 for tax sale certificate #13-12 to US Bank Cust for Crestar Capital, LLC. Seconded by Mrs. Stoll.

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Resolution 2015-62R – Fire Department Roadway Collection

Mrs. Little made a motion to adopt Resolution 2015-62R permitting the Sussex Fire Department to conduct a roadway collection for donations within the Borough, on NJSH Route 23 near the intersection of Brookside Avenue, on May 23, 24, 25, 2015, July 4, 5, 2015 and September 5, 6, 7, 2015. Seconded by Mrs. Masson.

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Resolution 2015-63R – Oppose Settlement Agreement regarding Solar Project

Mr. Holowach made a motion to adopt Resolution 2015-63R opposing the settlement agreements regarding the solar project for Sussex, Morris and Somerset Counties. Motion seconded by Mrs. Little.

Mr. Holowach made a motion to amend the previous motion striking BE IT FURTHER RESOLVED that the Governing Body of the Borough of Sussex demands the immediate resignation of the Sussex County Administrator and Sussex County Attorney and if they should not resign, that the County Board of Chosen Freeholders should consider their removal from office replacing that with be it further resolved that the Governing Body of the Borough of Sussex, in the County of Sussex and State of New Jersey that the Borough is strongly recommending that prior to final approval a complete and thorough independent investigation into the Morris, Somerset and Sussex Counties solar energy program be completed and shared with the taxpayers. Motion seconded by Mrs. Little.

Mrs. Masson asked if there was anyway to add that the investigation to be done by a party(ies) outside of the State of New Jersey.

Upon roll call vote of amendment:

Ayes: None

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

Abstentions: None

Absent: None

Mr. Holowach made a motion to amend the previous motion by striking BE IT FURTHER RESOLVED that the Governing Body of the Borough of Sussex demands the immediate resignation of the Sussex County Administrator and Sussex County Attorney and if they should not resign, that the County Board of Chosen Freeholders should consider their removal from office replacing that with be it further resolved that the Governing Body of the Borough of Sussex, in the County of Sussex and State of New Jersey that the Borough strongly recommends that a complete, thorough and independent investigation by an out of state qualified legal counsel be immediately commenced and undertaken into the Morris, Somerset and Sussex Counties solar energy program and that the report of that investigation be shared upon completion with the taxpayers. Motion seconded Mrs. Masson.

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

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

Resolution 2015-64R – Schedule Special Council Meeting

Mrs. Masson made a motion to adopt Resolution 2015-64R scheduling a special council meeting on March 31, 2015 at 7:30pm at the Sussex Municipal Building.
Motion seconded by Mr. Poggi.

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

Adoption Ordinance 2015-01 – Amend Chapter V Entitled “Animals”

Mrs. Stoll made a motion to adopt an ordinance entitled “An Ordinance of the Borough of Sussex, County of Sussex and State of New Jersey to Amend Chapter V, entitled “Animals” of the general revised ordinances of the Borough of Sussex”
Motion seconded by Mrs. Little

Mayor Rose opened the meeting to the public for any questions or concerns regarding Ordinance #2015-01. There being no one present who wished to address the governing body the Mayor Rose closed the meeting to the public.

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

Discussion – Water / Sewer Budget

A discussion ensued regarding the water/sewer budget with Tom Ferry, Auditor and Gail Magura, CFO.

Mayor Rose spoke about capital projects that were discussed at the March 11, 2015 budget meeting.

Councilwoman Little left the dais at 8:48pm.
Councilwoman Little returned to the dais at 8:49pm.

A discussion ensued regarding an increase for water and sewer rates.

Councilwoman Masson and Councilman Holowach left the dais at 9:08pm.
Councilwoman Masson and Councilman Holowach returned to the dais at 9:11pm.

Introduction Ordinance 2015-02 Water Sewer System Fees

Mrs. Masson made a motion to introduce an ordinance entitled “An ordinance to amend Chapter XXIV, Section 24 of the ordinances of the Borough of Sussex establishing fees.
Motion seconded by Mr. Holowach.

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Resolution 2015-65R – Emergency Contract

Mr. Holowach made a motion to adopt Resolution 2015-65R awarding an emergency contract to Mike's Mobil Maintenance, LLC for the repair of a water leak on Bank Street and to authorize the payment of \$15,202.00 for said repairs. Motion seconded by Mr. Poggi.

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Resolution 2015-66R – Appointment of DPW Laborer & Clean Communities Worker

Mrs. Stoll made a motion to adopt Resolution 2015-66R appointing Brian Demarest as a DPW Laborer and Clean Communities Worker at a rate of \$12.00 per hour and working approximately 24 hours per week. Motion seconded by Mrs. Little.

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Resolution 2015-67R – Honoring Eagle Scout

Mrs. Little made a motion to adopt Resolution 2015-67R congratulating Nicholas Shrope for achieving the rank of Eagle Scout as a member of Boy Scout Troop 482. Motion seconded by Mrs. Masson.

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Resolution 2015-68R – Honoring Eagle Scout

Mrs. Little made a motion to adopt Resolution 2015-68R congratulating Ryan Weiss for achieving the rank of Eagle Scout as a member of Boy Scout Troop 84. Motion seconded by Mr. Poggi.

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

OPEN PUBLIC SESSION #2

Mr. Holowach 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. Little. All were in favor.

Mr. Albert Decker, 2 Harrison Street, questioned the water sewer rates.

Mr. Charles Fronheiser, 35 Bank Street, questioned the interest rate for delinquent accounts.

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

EXECUTIVE SESSION

In accordance with the provisions of the Open Public Meetings Act, Mrs. Little made a motion to adjourn into closed executive session to discuss contract negotiation over possible purchase of real property. Motion seconded by Mrs. Masson

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 10:59 p.m. and Mr. Holowach made a motion to adjourn out of closed executive session and to be reconvened into open public session. Motion seconded by Mrs. Little

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

Jonathan Rose, Mayor

Colleen Little, Deputy Municipal Clerk