

**MINUTES OF THE REGULAR MEETING OF THE
MAYOR AND COUNCIL
OF THE BOROUGH OF SUSSEX
HELD AT THE SUSSEX MUNICIPAL BUILDING
2 MAIN STREET, SUSSEX, NJ
APRIL 7, 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

Mr. Holowach made a motion to approve the agenda for April 7, 2015 as submitted.
Motion seconded by Mr. Poggi

Mrs. Masson made a motion to amend the previous motion adding a discussion regarding the Borough sending out a letter to all rate payers regarding the water sewer rate increase.
Motion seconded by Mr. Holowach
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. Little commented that on March 18th the Clove Lake Maintenance Committee met. Nathaniel Sajdak and Eric VanBenschoten from the Walkkill River Watershed Group came to discuss what we need to do to make Clove Lake more attractive and to provide more in the way of fishing and possibly swimming. The Committee has requested funding for some of the work that needs to be done. On March 23rd the Planning Board met and a new attorney, David Brady, was appointed to serve the board. On March 31st she attended the Borough special meeting on the Borough's budget. On April 1st she and Councilwoman Annette Stendor went to the Borough garage to get an idea of what equipment is there and what else needs to be done down there. On April 3rd the DPW Committee met and many issues were discussed. A list of our trucks and other equipment was discussed. It is necessary for our new part time employee for the DPW to go with the Hardyston employees so he can become familiar with what he needs to learn. We discussed removing the pile of scrap metal and some of the other items around the building and yard. On April 6th the Finance Committee met and signed the bills and the Committee has questions on two of the vouchers.

Mrs. Stendor offered no report at this time.

Mrs. Masson commented that on March 18th she attended the SCMUA meeting and they were discussing Sussex Borough's force main break by Dow Tire, mile marker 37 on Route 23. They were trying to figure out what is going on there and they were saying that it seems to fail when there is a high flow period and that this is the 16th break since 1996. They said it's made of ductile iron and the hole that was in there last time was the size of a quarter about 1" and its breaking from the outside in. They were also saying that if clay was used to backfill rather than dirt that can cause a problem like we're experiencing but they really didn't know if that was case. They were stressing again their concern about when we want to add new users. There was an audit for 2014 and it showed a shortfall of \$19,373,000 and they said if SCMUA doesn't meet their financial goals the County and the taxpayers make up the difference. On April 1st she attended a SCMUA meeting and they were discussing the 2014 Recycling Enhancement Act Grant and numerous municipalities were passing resolutions opposing the ID13 Bulky Waste amendment which is allowing Grinnell and Cavalier to collect bulk waste.

Mr. Poggi offered no report at this time.

Mr. Holowach commented that he met with the fire department last night.

Mrs. Stoll commented that the Recreation Committee did not meet last month as they did not have a quorum.

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 April 7, 2015.

Motion seconded by Mrs. Little.

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 Mrs. Masson
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 Mrs. Masson
All were in favor.

OLD BUSINESS

There was no old business discussed at this time.

NEW BUSINESS

Resolution 2015-72R – 150th Anniversary of the End of the Civil War

Mr. Poggi made a motion to adopt Resolution 2015-72R "HONORING THE 150TH ANNIVERSARY OF THE END OF THE CIVIL WAR AND THOSE FROM DECKERTOWN WHO FOUGHT" Motion seconded by Mr. Holowach

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Resolution 2015-73R - Introduction of the 2015 Municipal Budget

Mr. Holowach made a motion to adopt Resolution 2015-73R introducing the FY 2015 Municipal Budget for the Borough of **Sussex**. Motion seconded by Mr. Poggi

Upon roll call vote:

Ayes: Little, Masson, Poggi, Stendor, Stoll

Nays: None

Abstentions: Holowach

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 Mrs. Little
All were in favor.

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

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 8:10p.m. and Mrs. Masson made a motion to adjourn out of closed executive session and to be reconvened into open public session. Motion seconded by Mrs. Stoll

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Mr. Holowach made a motion to amend the agenda for April 7, 2015 adding Resolution 2015-74R stating:

SUSSEX BOROUGH

RESOLUTION #2015-74R

AUTHORIZATION TO SIGN CONTRACT TO PURCHASE REAL ESTATE

WHEREAS, Investors Bank is the owner or authorized agent of the owner of certain real property known as 3 East Main Street, Block 502, Lot 12, as shown on the Tax Map of the Borough of Sussex (referred to as the "Property");

WHEREAS, the Mayor and Council have determined that the Borough's acquisition of the Property will serve important public purposes and provide substantial benefits which will enhance the welfare of the Borough's residents;

WHEREAS, the Borough of Sussex has negotiated terms with Investors Bank including price (\$52,000) and is willing to proceed with the purchase subject to the conditions that the Borough be given an opportunity to undertake inspections and to exercise a right to cancel if not satisfactory, that the Borough receive marketable and insurable fee simple title and that the legal requirements for the purchase be complied with, including adoption of an ordinance as required by law;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sussex that the Mayor and Clerk are hereby authorized to sign such documents as they deem appropriate in consultation with the Borough attorney for the purpose of entering into a contract to purchase the Property subject to certain conditions including those set forth above and to negotiate, authorize and/or sign amendments thereto.

CERTIFICATION: I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Governing Body of the Borough of Sussex, in the County of Sussex, New Jersey, at a meeting held on April 7, 2015.

Motion seconded by Mrs. Masson

All were in favor to amend the agenda.

Resolution 2015-74R – Purchase Real Estate

Mrs. Masson made a motion to adopt Resolution 2015-74R authorizing the Mayor and Clerk to sign a contract to purchase property known as 3 East Main Street, Block 502 Lot 12.

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, Mr. Holowach made a motion to adjourn the meeting. Motion seconded by Mrs. Stoll

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Jonathan Rose, Mayor

Mark Zschack, Municipal Clerk