

**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  
MAY 5, 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 May 5, 2015 as submitted.  
Motion seconded by Mrs. Stoll

Mrs. Masson made a motion to amend the previous motion to add a discussion item concerning a meeting with the Utility Manager and Grant Writer.  
Motion seconded by Mr. Holowach

Upon roll call vote to amend the original motion:  
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

**PRESENTATIONS:**

**Sussex Merchant Group**

Kathy Esposito, 49 Main Street, and Ann Cole, 31 Main Street, of the Sussex Merchants Group addressed the Governing Body concerning street maintenance and general upkeep of the center of town. There is a Historical Walking Tour on June 7<sup>th</sup> which is being sponsored by the Friends of the Library, what type of assistance can we expect from the Governing Body and Recreation Department. When can we expect new American Flags and the merchant banners be put up. Can anything be done about the speeding through the center of town? Would it be possible to have a yield to pedestrian sign installed at the crosswalk and another crosswalk in the middle of Main Street?

**CY 2015 Municipal Budget**

At this time Mayor Rose acknowledged Tom Ferry, Municipal Auditor and Gail Magura, CFO who updated the public and the Council on the CY 2015 Municipal Budget.

**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.

There being no one 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.

### **NEW BUSINESS**

#### Resolution 2015-81R - Waiver of Reading in Full of the 2015 Budget

Mrs. Stoll made a motion to adopt Resolution 2015-81R waiving the reading in full, of the Municipal Budget for the year ending December 31, 2015. Motion seconded by Mrs. Masson

Upon roll call vote:

Ayes: Little, Masson, Poggi, Stendor, Stoll

Nays: None

Abstentions: Holowach

Absent: None

#### Public Hearing on CY 2015 Municipal Budget

Mayor Rose opened the meeting to the public for any questions or concerns that they may have regarding the CY 2015 Municipal Budget.

After giving the public an opportunity to address the Governing Body, Mayor Rose closed the meeting to the public and return to the regular order of business.

#### Resolution 2015-82R - Adoption CY 2015 Municipal Budget

Mrs. Masson made a motion to adopt Resolution 2015-82R adopting the CY 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

#### Introduction Ordinance 2015-03 – Capital Improvement Fund Appropriation

Mr. Holowach made a motion to introduce Ordinance 2015-03 entitled “AN ORDINANCE OF THE BOROUGH OF SUSSEX, SUSSEX COUNTY, NEW JERSEY, PROVIDING FOR THE PURCHASE OF COMPUTER EQUIPMENT APPROPRAITING \$12,500.00 FROM THE CAPITAL IMPROVEMENT FUND” Motion seconded by Mrs. Little

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

#### Introduction Ordinance 2015-04 - \$100,000.00 Bond Ordinance

Mrs. Masson made a motion to introduce Ordinance 2015-04 entitled “BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF LANDS IN AND BY THE BOROUGH OF SUSSEX, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND THE CONSTRUCTION OF A PARKING LOT THEREON, APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$95,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION. Motion seconded by Mr. Poggi

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Adoption Ordinance 2015-05 - Overlook Drive

Mr. Holowach made a motion to Ordinance 2015-05 entitled "AN ORDINANCE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX, STATE OF NEW JERSEY, PROVIDING FOR THE REPAIR OF OVERLOOK DRIVE FOR A TOTAL COST OF \$222,000.

Motion seconded by Mrs. Masson

Mayor Rose opened the meeting to the public for any questions or concerns regarding Ordinance #2015-05. There being no one present who wished to address the governing body 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

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

Mrs. Little commented that on April 23<sup>rd</sup> there was a DPW meeting and items discussed were the gathering scrap metal together to sell to hopefully get money back in the coffers, need a second an employee added to the one we have, we should hire someone with a CDL license, storm drains at the bottom on Valley Road and Elizabeth Drive needs to be cleaned out, the brush needs to be cut back at the bottom of Larch and Spruce, plans for the Deckertown Historical walking tour were made and the committee came up with some items that need to be done such as obtaining more garbage cans, new flags, POW Flag in front of Borough Hall which Mrs. Little will take care through the American Legion.

Mrs. Stendor offered no report at this time.

Mrs. Masson commented that she has not attended any meetings within the past couple weeks. She would like the council to know that she had requested that Mark Zschack, Administrator, send letters to High Point and Sussex Wantage asking them to come and give a presentation of their budget. Mrs. Masson asked Mrs. Stoll if she could ask Sussex Wantage if they are planning on coming to give us a budget presentation as she is very concerned about this as there has been a steady decline in student population for years and she feels that needs to be talked about.

Mr. Poggi commented that High Point Board of Education did approve the budget at their last meeting of \$24.7 million for the 2015-2016 year. The General Tax Levy remained flat at \$15.6 million however Sussex Tax has levy has gone up by \$33,197 for Sussex Borough now being responsible for \$822,398.00 to the school budget. The way High Point explains it that a municipality may experience an increase or decrease with their tax levy due to a change in their percentage share which includes student enrollment, equalized property value and income.

Mr. Holowach offered no report at this time.

Mrs. Stoll commented that the Recreation Committee will hold a meeting next Tuesday. The Recreation Committee advertised for the Senior of the Year Award and the Recreation will be advertising for the Miss Sussex Contest within the next week.

**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 requested that item number 1 under correspondence be removed from the consent agenda.

Mr. Poggi made a motion to accept the consent agenda of May 5, 2015 with the removal of item number 1 under correspondence resolution from the Township of Vernon supporting the Transparent Tax Act of 2015. Motion seconded by Mr. Holowach

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Mrs. Masson made a motion to accept item number 1 under correspondence resolution from the Township of Vernon supporting the Transparent Tax Act of 2015 on the consent agenda of May 5, 2015. Motion seconded by Mrs. Stendor

Mrs. Masson commented that she liked this resolution a lot. She thinks that the Borough should do a resolution to support this. Mrs. Masson will call Vernon and get clarification on Vernon's Resolution.

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

### **OLD BUSINESS**

There was no old business discussed at this time.

### **NEW BUSINESS**

#### Approval of Meeting Minutes

Mrs. Masson made a motion to approve the meeting minutes of the Regular Meeting and Executive Session held on February 17, 2015. (Absent: None)

Motion seconded by Mrs. Stendor

Mrs. Masson made a motion to amend the resolution accepting the minutes of the meeting of the Mayor and Council of the Borough of Sussex held on February 17, 2015 changing the sentence that reads Mayor Rose called the meeting to order and requested the Clerk to call to call the roll. Upon roll call the following members of the Governing Body were present Mr. Robert Holowach, Mr. Bruce LaBar, Mrs. Katherine Little, Mrs. Linda Masson, Mrs. Annette Stendor, Mrs. Georgeanna Stoll, Mayor Jonathan Rose to read Mayor Rose called the meeting to order and requested the Clerk to call to call the roll. Upon roll call the following members of the Governing Body were present Mr. Robert Holowach, Mr. Mario Poggi, Mrs. Katherine Little, Mrs. Linda Masson, Mrs. Annette Stendor, Mrs. Georgeanna Stoll, Mayor Jonathan Rose and to change the sentence that reads Mr. Holowach made a motion is in order to authorize the Clerk to execute a agreement with Kraft Power 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 to read 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 and to change the sentence that reads 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 the traverses the Loomis Ave Bridge, at a cost not to exceed \$6,500.00 to read 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 Mrs. Stendor

All were in favor.

Upon roll call vote on original motion as amended:

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

Nays: None

Abstentions: None

Absent: None

Approval of Meeting Minutes

Mr. Holowach made a motion to approve the meeting minutes of the Regular Meeting held on April 21, 2015. (Absent: None) Motion seconded by Mrs. Stoll

Mrs. Stoll made a motion to amend the resolution accepting the minutes of the meeting of the Mayor and Council of the Borough of Sussex held on April 21, 2015 to change the sentence that reads Councilwoman Little left the dais at 8:24pm to instead read Councilwoman Little left the dais at 8:24pm. She returned a short time later. To amend the sentence that reads the Borough should look into purchasing a pedo for hydrant flow to read instead the Borough should look in to purchasing a Pitot Meter for hydrant flow. To amend the sentence that reads on April 15, 2015 the personnel met with Chris Brown from Bruno and Associates to read instead On April 15, 2015 the personnel committee met with Chris Brown from Bruno and Associates, grant writer. To change the sentence that read on April 16, 2015 the Clove Lake Maintenance committee met and discussed plans to remove water chestnuts to read instead On April 16, 2015 the Clove Lake Maintenance Committee met and discussed plans to remove the water chestnut, invasive weed.

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

Resolution 2015-83R - Wholesale Water Sales

Mrs. Stoll made a motion to adopt Resolution 2015-83R allowing the Sussex Borough Water Department to sell water wholesale at a cost of \$0.01 per gallon for the 2015 calendar year. Motion seconded by Mr. Holowach

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Resolution 2015-84R – 2014 Tonnage Grant Application

Mrs. Little made a motion to adopt Resolution 2015-84R endorsing the submission of the 2014 recycling tonnage grant application to the New Jersey Department of Environmental Protection. Motion seconded by Mrs. Stoll

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Resolution 2015-85R – Homeowners Request for Water Adjustment

Mr. Holowach made a motion to adopt Resolution 2015-85R approving the homeowners request that \$1,394.00 be removed from the fourth quarter billing of account # 850.

Motion seconded by Mr. Poggi

Upon roll call vote:

Ayes: None

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

Abstentions: None

Absent: None

Resolution 2015-86R – Homeowners Request for Water Adjustment

Mr. Holowach made a motion to adopt Resolution 2015-86R approving the homeowners request that \$13.66 be removed from the fourth quarter billing of account # 1194.

Motion seconded by Mrs. Stoll

Upon roll call vote:

Ayes: None

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

Abstentions: None

Absent: None

Interlocal Agreement Licensed Plumber and Electrician Services

Mr. Holowach made a motion to authorize the clerk to execute an interlocal agreement with Sussex-Wantage Regional School District for licensed plumber and electrician services beginning January 1, 2015 and concluding on December 31, 2017.

Motion seconded by Mrs. Stendor

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Proposal for Professional Engineering Services Lake Rutherford Dam

Mrs. Stoll made a motion to authorize the Clerk to execute a contract with Civil Dynamics, Inc., for Professional Engineering Services to produce the final design and permitting services for the Lake Rutherford Dam at a cost not to exceed \$56,155.00

Motion seconded by Mr. Holowach

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Discussion – Water Sewer Grant Writer

Mrs. Masson commented that Bruno and Associates, the grant writer, has a specialist that deals with just water sewer grants. The personnel committee did not meet this individual when the personnel committee met with Chris Brown from Bruno and Associates. Mrs. Masson would like that individual from Bruno and Associates, the Utility Manager, Mr. Gerry Gardner and the CFO to attend a council meeting. Mrs. Masson would like to get a written documented 5 year and beyond plan in place. It was the consensus of the Governing Body to set up a special meeting to meet with the water sewer specialist in grant writing and Mr. Gerry Gardner, Utility Manager.

**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 Mrs. Masson

All were in favor.

Mr. Jake Little, Sussex Fire Department Chief and Mr. Floyd Southard, Sussex Fire Department Treasurer addressed the council regarding the lost turn-out gear from a structure fire that occurred on April 11, 2015. Mr. Little advised the Governing Body that the ladder truck is out of service until further notice for repairs.

Mr. Dave Lambert, 63 Hamburg Avenue, addressed the Governing Body regarding the new highway and concerning safety on the new highway.

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**

No Executive Session was requested.

**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 Mr. Poggi  
All were in favor.

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Jonathan Rose, Mayor

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Mark Zschack, Municipal Clerk