

**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 18, 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 18, 2015 as submitted. Motion seconded by Mrs. Masson

Mrs. Stoll made a motion to amend the previous motion to add a discussion item to the agenda concerning water rates. Motion seconded by Mr. Holowach. All were in favor to amend the original motion.

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 May 7<sup>th</sup> there was DPW committee meeting and one of the main topics was making plans for salt storage which we have to consider now for this fall. Some sites we discussed that were not in the flood plains such as down the Boggs property on the right hand side. Plans for the Deckertown Historic Walking Tour were discussed such as placing extra cans out. She was unable to attend the May 7<sup>th</sup> Clove Lake Maintenance Committee meeting but she did speak with David Mitchell, Chairman of the Clove Lake Maintenance Committee, there are two cleanups planned one in a couple weeks and one in the fall and they do plan on lowering the lake a bit so that residents can make repairs to their property as necessary. There is an item on the agenda tonight to get information about fish and stocking the lake; volunteers will be needed to help with the cleanup of the water chestnut, invasive weed which is scheduled for the end of June. The next meeting of the Clove Lake Maintenance Committee will be held on May 21, 2015 at 6:30pm. On May 11<sup>th</sup> she was unable to attend the Planning Board Meeting the next meeting is on Tuesday May 26<sup>th</sup>. On May 14<sup>th</sup> she was unable to attend the Sussex County Water Resources meeting; the next meeting will be in June. On May 18<sup>th</sup> the Finance committee met and reviewed the vouchers.

Mrs. Stendor commented that there was an assembly update with Steve Oroho and some of the people from the legislative and the topic basically was Obama Care and Healthcare

and she believes that other council members were there also so they understood what was going on. Sussex County League of Municipalities had a meeting and it was the same subject. They were talking about Obama Care and Healthcare. Mr. James Finn was the speaker. They didn't continue too long because there was not enough people there to make a quorum.

Mrs. Masson commented that she attended the meeting on May 6<sup>th</sup> where Senator Oroho and Assembly people Parker Space and Alison McHose were giving information. They brought everyone up to date on the pending legislation in Trenton. They were speaking about the COAH reform bill passage which they felt was an important first step toward changing court mandated state control centralized housing. They spoke about the Cadillac tax. She spoke to Senator Oroho regarding the transparent tax act; it is not only separating the pieces of the tax between the municipalities and the schools it is also if a tax appeal is done and somebody gets money back instead of having the municipality take the hit for the refund that would also be split up between the schools and the county as well as the municipalities. On May 6<sup>th</sup> she attended a SCMUA meeting where they discussed memorandum of understanding with the USDA for a partnership on the farm bill conservation project which provides funding to farmers in Sussex County to improve water quality and the Cavalier Grinnell Proposed Sussex Water Management Plan Amendment. On May 13<sup>th</sup> she attended the League of Municipalities meeting and the topic was the Cadillac tax.

Mr. Poggi commented that at the DPW meeting the committee discussed about road repairs on Holly and Linden.

Mr. Holowach commented that at the DPW meeting the committee discussed the purchasing of two salt spreaders and a cost for two weed whackers. The condition of the DPW garage was discussed as well as the purchase of salt and locations for the salt shed. The Fire Department has applied for various grants for a compressor to fill air bottles and new turn-out gear. He attended the medicine wheel event at Lusscroft Farm on Sunday.

Mrs. Stoll commented that Recreation held their meeting. She stated that Recreation would give \$200 for flowers to be planted for the walking tour. Recreation is still working on the Miss Sussex Contest, the playground and the board at the fair. Recreation is planning a garage sale on July 11, 2015. Sussex Wantage Regional School District has their budget on line.

### **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 6 under reports be removed and considered separately.

Mr. Holowach made a motion to accept the consent agenda of May 18, 2015 with the removal of item number 6 under reports "Recreation Meeting Minutes from May 13, 2014, June 10, 2014, September 9, 2014, October 14, 2014, November 11, 2014, January 13, 2015 and February 10, 2015". Motion seconded by Mrs. Masson

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 6 under reports on the Consent Agenda of May 18, 2015 "Recreation Meeting Minutes from May 13, 2014, June 10, 2014, September 9, 2014, October 14, 2014, November 11, 2014, January 13, 2015 and February 10, 2015". Motion seconded by Mrs. Stendor.

Mrs. Masson asked a few questions of Mrs. Stoll, Recreation Member, concerning the Recreation minutes presented to the Council for acceptance.

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**

Mr. Holowach made a motion to approve the meeting minutes of the Regular Meeting held on March 3, 2015. (Absent: Stendor) Motion seconded by Mr. Poggi

Mrs. Masson made a motion to amend the previous motion changing the second paragraph on page two to read:

*"Mrs. Masson commented that on February 18<sup>th</sup> she attended a SCMUA meeting and SCMUA received a Statewide Insurance Fund Safety Award because they have had no major claims for the year and also discussed was a particular business in Vernon that was looking for a hardship fee connection and this particular business they counted as 11.5 edu's and the connection fee is \$65,619.00. **SCMUA has said that we are not charging enough for our connection fees we need to discuss this further.** Personnel Committee met today and interviewed another grant writer and we will be looking for some others as well and we will be getting some feed back from this grant writer within the next week. On February 20<sup>th</sup> Mrs. Masson and Mr. Rose met with Mrs. Jackie Esponiza with JCP&L. JCP&L will be moving forward with improvements to the substation to hopefully avoid flooding in the future. JCP&L will have a pump generator that will be kept in Newton and will be designated **specifically** for Sussex Borough." Motion seconded by Mr. Holowach*

All were in favor to amend original motion.

Mrs. Masson made a motion to amend the amended motion changing the paragraph under Discussion – Budget Process on page six to read:

*"At this time a discussion took place regarding the Water/Sewer budget process and the budget meeting scheduled for next week. After a lengthy discussion it was the consensus of the Governing Body to have Gerry Gardner, Utility Manager make a priority list for **improvements and repairs to our water sewer system**, the hook up fees need to be looked at, **we need to** look at current payment plans for the water sewer accounts that are on a payment plan, have Mr. Gardner attend a meeting to discuss the priority list and set up **separate** meetings for the discussion of **each of** the budgets. It was the consensus of the governing body to hold special meetings on March 9<sup>th</sup> to discuss the priority list with Mr. Gardner, March 10<sup>th</sup> to discuss the current fund budget, March 11<sup>th</sup> to discuss the water sewer budget and March 31<sup>st</sup> to adopt an ordinance for the rate increase."*

Motion seconded by Mr. Holowach

All were in favor to amend the amended motion.

Upon roll call vote of original motion as twice amended:

Ayes: Holowach, Little, Masson, Poggi, Stoll

Nays: None

Abstentions: Stendor

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.

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 Mr. Poggi  
All were in favor.

**Approval of Meeting Minutes**

Mr. Holowach made a motion to approve the meeting minutes of the Regular Meeting held on April 7, 2015. (Absent: None) Motion seconded by Mrs. Little

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

**Adoption Ordinance 2015-03 - Capital Improvement Fund Appropriation**

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

Mayor Rose opened the meeting to the public for any questions or concerns regarding Ordinance #2015-03. 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

**Adoption Ordinance 2015-04 - \$100,000.00 Bond Ordinance**

Mr. Holowach made a motion to adopt 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 Mrs. Masson

Mrs. Little made a motion to table Ordinance 2015-04. Motion seconded by Mrs. Masson

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

Mrs. Little made a motion to table Ordinance 2015-04 until the next meeting. Motion seconded by Mr. Holowach.

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

**Resolution 2015-87R – Refund Authorization**

Mrs. Masson made a motion to adopt Resolution 2015-87R authorizing a tax refund of \$469.55 to David J & Sheila Beverly Block 409 Lot 1. Motion seconded by Mr. Holowach.

A brief discussion ensued requesting more information and the confirmation of the year 2012 in the first paragraph of the resolution.

Upon roll call vote:

Ayes: None

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

Abstentions: None

Absent: None

**Resolution 2015-88R – Corrective Resolution for Street Names**

Mrs. Little made a motion to adopt Resolution 2015-88R officially informing the National Database, for emergency 911 purposes, the names of 1st Street, 2nd Street, 3rd Street, and 4th Street are corrected to read First Street, Second Street, Third Street and Fourth Street. Motion seconded by Mrs. Stoll

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

**Resolution 2015-89R – Establishment of Grant Committee**

Mr. Holowach made a motion to adopt Resolution 2015-89R establishing a Grant Committee and that the following individuals are hereby appointed to serve as members thereof: Linda Masson (Chairperson), Mario Poggi, and Annette Stendor  
Motion seconded by Mrs. Masson

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

**Resolution 2015-90R – Special Council Meeting**

Mr. Holowach made a motion to adopt Resolution 2015-90R scheduling a Special Meeting of the Governing Body of the Borough of Sussex, on June 9, 2015 at 6:30 pm.  
NO FORMAL ACTION WILL BE TAKEN. Motion seconded by Mrs. Masson

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

**Resolution 2015-91R – Clove Lake Committee**

Mrs. Little made a motion to adopt Resolution 2015-91R authorizing the Clove Lake Committee to contact the State of New Jersey to arrange for the sampling of Clove Lake for fish population and stocking needs as appropriate but at no cost to Sussex Borough.  
Motion seconded by Mrs. Stoll

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

**Planning Services – Redevelopment Plan Proposal for Area C**

Mr. Holowach made a motion to authorize the Clerk to execute a contract with Kenneth Nelson, Nelson Consulting Group, to provide planning related services involving Area C of the Route 23 Designated Rehabilitation Area at a cost not to exceed \$5,000.

Motion seconded by Mrs. Stoll

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 Mrs. Little

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. 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 9:16 p.m. and Mrs. Poggi 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.

**ADJOURNMENT**

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

All were in favor.

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Jonathan Rose, Mayor

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Mark Zschack, Municipal Clerk