

**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
JANUARY 19, 2016**

Mayor Little 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. Frank Dykstra Mr. Robert Holowach, Mrs. Linda Masson, Mr. Edward Meyer, Mrs. Georgeanna Stoll and Mayor Katherine Little

Absent: None

Also present: Borough Attorney Mr. Frank McGovern, Esq. of McGovern and Roseman, P.A. and Mr. Mark Zschack, Municipal Administrator/Clerk

Mayor Little led the assembly in the flag salute and requested a moment of silence.

Mayor Little 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 January 19, 2016 as submitted. Motion seconded by Mr. Holowach

Upon roll call vote:

Ayes: Dykstra, Holowach, Masson, Meyer, Stoll

Nays: None

Abstentions: None

Absent: None

APPOINTMENT OF COUNCIL MEMBER

Mayor Little, read for the record a letter received January 4, 2016 from Michael LaMorte and Gail Zubl, Sussex Municipal Democratic Committee Chairperson, submitting three nominees to fill the vacancy for interim Council Member.

DEMOCRATIC PARTY

Sussex, New Jersey 07461 January 4, 2016

The Democratic Party of Sussex Borough is submitting the following names for the open seat on the Sussex Borough Council: Albert Decker, Gail Anne Zubl, Michael La Morte.

Sussex Borough Committeeman, Michael LaMorte Sussex Borough Committeewoman, Gail Zubl

Mayor Little called for a motion to appoint one of the nominees from the list received from the Sussex Democratic Committee on Jan 4, 2016 to fill the vacancy created by the resignation of Mrs. Katherine Little. The interim Council Member term of office shall end when the votes are certified after the November 2016 general election.

Mrs. Stoll made a motion to nominate Albert Decker to fill the vacancy created by the resignation of Mrs. Katherine Little. Motion seconded by Mr. Holowach

Upon roll call vote:

Ayes: Holowach, Masson, Meyer, Stoll

Nays: None

Abstentions: Dykstra

Absent: None

Mayor Little performed the swearing in ceremony of Mr. Albert Decker after which Mr. Decker signed the oath of office and joined the Mayor and Council on the dais.

Roll Call of the 2016 Governing Body

Mayor Little requested a roll call of the new 2016 Borough of Sussex Governing Body.

Upon roll call, the following members of the Governing Body were present: Mr. Frank Dykstra, Mr. Robert Holowach, Mrs. Linda Masson, Mr. Edward Meyer, Mrs. Georgeanna Stoll, Mr. Albert Decker and Mayor Katherine Little

PRESENTATIONS:

Mrs. Karen Vander Veer, 41 Clove Avenue, Sussex Board of Health Chairperson presented a report concerning the January 9, 2016 rabies clinic. In attendance were Doctor Tallamy, Heather Meyer, (*Actually it was Lynn Meyer*) Kathy Little, Patty Jacobs, Heather Dunn, and myself. There were a 105 dogs and 15 cats vaccinated. The next board of health meeting is our reorganization meeting. Mrs. Vander Veer commented it was very nice to see how clean the Borough garage was and Jake was a big help with the set up.

Mr. Gerry Gardner of Houser Engineering offered comments concerning the asset management plan and stated that working with the new DPW has been spectacular. Mr. Gerry Gardner and Mr. James Schappell presented a report of the water and sewer utility entitled "Raw Water Turbidity Control Study". A background and permit schedule was described as well as the sources of the turbidity. Four potential turbidity solutions, Colesville restoration, ground water source, pretreatment, and inlet relocation options were described and cost estimates provided. There was a question and answer period between the governing body, Mr. Gardner, and Mr. Schappell.

CONSENT AGENDA

Mayor Little 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. Stoll requested that check number 12669 on the bills list be removed and considered separately.

Mrs. Masson requested that item numbered 1 under correspondence be removed and considered separately.

Mrs. Masson requested that check number 12687 on the bills list be removed and considered separately.

Mrs. Stoll made a motion to accept the consent agenda of January 19, 2016 with the removal from the bills list of checks numbered 12669, 12687 and item number 1 under correspondence. Motion seconded by Mrs. Masson

CORRESPONDENCE: (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Letter dated December 9, 2015 from Melissa Caton, Tax Collector to Mark Zschack regarding the tax sale results.
2. Letter dated December 17, 2015 from Dixie Ferrington, Planning/Zoning Board Secretary to Ken Nelson requesting a professional services agreement for Planner.
3. Letter dated December 17, 2015 from Dixie Ferrington, Planning/Zoning Board Secretary to Michael Vreeland requesting a professional services agreement for Engineering Services.
4. Letter dated December 21, 2015 from John Hatzelis, Administrator for SCMUA to Mayor Linda Masson regarding the actual annual charge for 2015 and the quarterly estimated charge for 2016 for the sewage treatment services.

REPORTS: (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Grant writer report for December 2015.
2. Municipal Clerk's report for December 2015.
3. Property Maintenance report for December 2015.
4. Construction department report for December 2015.
5. Tax Collector report for December 2015.
6. Water Sewer Collector report for December 2015.
7. Sussex Borough Planning/Zoning Board minutes from September 25 and October 26, 2015.
8. Sussex Borough Recreation Committee minutes from December 8, 2015.
9. Animal Control report for July, August and September 2015.
10. Delinquent Utility Properties Report as of January 14, 2016.
11. Unpaid Utility Properties Report as of January 14, 2016.
12. Water Shut Off Report as of January 14, 2016.

APPLICATIONS: (APPROVAL OF THE FOLLOWING):

1. NJ State Firemen's Membership Application from Michael Ulrich.

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

Payment of bills for the meeting of January 19, 2016.

Mrs. Stoll made a motion to accept item numbered 1 under correspondence on the Consent Agenda of January 19, 2016. Motion seconded by Mr. Holowach.

There was a brief discussion concerning a letter dated December 9, 2015 from Melissa Caton, Tax Collector to Mark Zschack regarding the tax sale results.

Upon roll call vote:

Ayes: Decker, Dykstra, Holowach, Masson, Meyer, Stoll

Nays: None

Abstentions: None

Absent: None

Mr. Holowach made a motion to accept, on the bills list, check number 12669 on the Consent Agenda of January 19, 2016. Motion seconded by Mrs. Stoll.

There was a brief discussion concerning check number 12669.

Upon roll call vote:

Ayes: Decker, Dykstra, Holowach, Masson, Meyer, Stoll

Nays: None

Abstentions: None

Absent: None

Mrs. Stoll made a motion to accept, on the bills list, check number 12687 on the Consent Agenda of January 19, 2016. Motion seconded by Mr. Holowach.

There was a brief discussion concerning check number 12687.

Mrs. Masson made a motion to table check number 12687. Motion seconded by Mrs. Stoll.

Upon roll call vote to table:

Ayes: Decker, Dykstra, Holowach, Masson, Meyer, Stoll

Nays: None

Abstentions: None

Absent: None

OPEN PUBLIC SESSION #1

Mrs. Masson 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. Decker

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 Mr. Holowach.
All were in favor.

OLD BUSINESS

There was no old business discussed at this time.

NEW BUSINESS

Resolution 2016-44R – Wastewater Collection System Operator

Mr. Holowach made a motion to adopt Resolution 2016-44R authorizing the Mayor and/or Clerk to enter into a contract with Houser Engineering, LLC. to provide a NJDEP licensed C2 Public Wastewater Collection System Operator for the year 2016, at an annual rate of \$10,000.00. Motion seconded by Mrs. Stoll

Upon roll call vote:

Ayes: Decker, Dykstra, Holowach, Masson, Meyer, Stoll

Nays: None

Abstentions: None

Absent: None

Resolution 2016-45R - Engineering and Consulting Services for the CTA

Mr. Holowach made a motion to adopt Resolution 2016-45R authorizing the Mayor and/or Clerk to enter into a contract with Houser Engineering, LLC. to provide engineering and consulting services for the Comprehensive Technical Assistance (CTA) for a lump sum fee of \$8,500.00. Motion seconded by Mrs. Stoll

Upon roll call vote:

Ayes: Decker, Dykstra, Holowach, Masson, Meyer, Stoll

Nays: None

Abstentions: None

Absent: None

Resolution 2016-47R - Engineering and Consulting Services Backwash Booster Pumps

Mr. Holowach made a motion to adopt Resolution 2016-47R authorizing the Mayor and/or Clerk to enter into a contract with Houser Engineering, LLC. to provide engineering and consulting services for the design and permits of a backwash booster pump system for a lump sum fee of \$5,500.00. Motion seconded by Mrs. Stoll

Upon roll call vote:

Ayes: Decker, Dykstra, Holowach, Masson, Meyer, Stoll

Nays: None

Abstentions: None

Absent: None

Resolution 2016-48R - Installation of Valves in the PRV Chamber

Mr. Dykstra made a motion to adopt Resolution 2016-48R authorizing the Mayor and/or Clerk to enter into a contract with Mike's Mobil Maintenance, LLC. to replace two isolation valves in the PRV chamber for a cost of \$4,750.00. Motion seconded by Mr. Decker

Upon roll call vote:

Ayes: Decker, Dykstra, Holowach, Masson, Meyer, Stoll

Nays: None

Abstentions: None

Absent: None

Approval of Meeting Minutes

Mrs. Masson made a motion to approve the meeting minutes of the Regular Meeting and Executive Session held on December 15, 2015. Motion seconded by Mr. Holowach

Upon roll call vote:
Ayes Holowach, Masson, Stoll
Nays: None
Abstentions: Decker, Dykstra, Meyer
Absent: None

Approval of Meeting Minutes

Mr. Dykstra made a motion to approve the meeting minutes of the Reorganization Meeting held on January 5, 2016. Motion seconded by Mrs. Masson

Upon roll call vote:
Ayes: Dykstra, Holowach, Masson, Meyer, Stoll
Nays: None
Abstentions Decker
Absent: None

Resolution 2016-41R – Board of Health

Mrs. Stoll made a motion to adopt Resolution 2016-41R approving the Mayor's appointments for the Sussex Board of Health for 2016. Motion seconded by Mrs. Masson

Upon roll call vote:
Ayes: Decker, Holowach, Masson, Meyer, Stoll
Nays: None
Abstentions: Dykstra
Absent: None

Resolution 2016-42R – First Quarter 2016 Water/Sewer Adjustments

Mrs. Stoll made a motion to adopt Resolution 2016-42R approving water/sewer adjustment for the first quarter 2016. Motion seconded by Mr. Holowach.

Upon roll call vote:
Ayes: Decker, Dykstra, Holowach, Masson, Meyer, Stoll
Nays: None
Abstentions: None
Absent: None

Resolution 2016-49R – Continuing Disclosure Agent Services

Mrs. Stoll made a motion to adopt Resolution 2016-49R authorizing the Mayor and/or Clerk to enter into a contract with Phoenix Advisors, LLC. to provide Continuing Disclosure Agent services and be designated as the Independent Registered Municipal Advisor of record, for 2016, at a cost of \$950.00. Motion seconded by Mr. Holowach.

Upon roll call vote:
Ayes: Decker, Dykstra, Holowach, Masson, Meyer, Stoll
Nays: None
Abstentions: None
Absent: None

Resolution 2016-51R – Conversion to a New Email System

Mrs. Stoll made a motion to adopt Resolution 2016-51R authorizing Jonathan Rose, Farious Net Solutions to assist in the conversion of the existing email system to a new system at no cost. Motion seconded by Mr. Holowach

Upon roll call vote:

Ayes: Decker, Dykstra, Holowach, Masson, Meyer, Stoll

Nays: None

Abstentions: None

Absent: None

Resolution 2016-52R – Issuance of \$160,729 Bond Anticipation Notes

Mrs. Stoll made a motion to adopt Resolution 2016-52R authorizing the issuance of not exceeding \$160,729 bond anticipation notes of the Borough of Sussex, County of Sussex, New Jersey. Motion seconded by Mr. Holowach.

Upon roll call vote:

Ayes: Decker, Dykstra, Holowach, Masson, Meyer, Stoll

Nays: None

Abstentions: None

Absent: None

Resolution 2016-53R – Liberty Digital Recording System Maintenance

Mr. Holowach made a motion to adopt Resolution 2016-53R authorizing the Mayor and/or Clerk to enter into a contract with Gramco Business Communications, 1149 Bloomfield Ave., Clifton, NJ 07012, from January 29, 2016 through January 28, 2017, at a cost of \$975.00. Motion seconded by Mr. Decker.

Upon roll call vote:

Ayes: Decker, Dykstra, Holowach, Masson, Meyer, Stoll

Nays: None

Abstentions: None

Absent: None

Acceptance of Project – Proposed Improvements to Overlook Drive

Mrs. Stoll made a motion to accept the project “Proposed Improvements to Overlook Drive” as per the Borough Engineer, Harold Pellow. Motion seconded by Mr. Dykstra.

Upon roll call vote:

Ayes: Decker, Dykstra, Holowach, Masson, Meyer, Stoll

Nays: None

Abstentions: None

Absent: None

Approval of Social Affair Permit for Sussex Fire Department

Mrs. Masson made a motion to approve social affair permit for the Sussex Fire Department on February 27, 2016. Motion seconded by Mr. Decker.

Upon roll call vote:

Ayes: Decker, Dykstra, Holowach, Masson, Meyer, Stoll

Nays: None

Abstentions: None

Absent: None

Sussex Fire Department Raffle License

Mr. Decker made a motion to approve Raffle License RA 2016-02 for the Sussex Borough Fire Department and to waive the Borough fees associated with the license. Motion seconded by Mrs. Stoll.

Upon roll call vote:

Ayes: Decker, Dykstra, Masson, Meyer, Stoll

Nays: None

Abstentions: Holowach

Absent: None

MAYOR'S APPOINTMENTS- Council Committees

Mayor Little stated that at this time she will not make any Council appointments to various Committees for the year 2016 until the next meeting of the Governing Body.

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.

Mrs. Colette Ztanze, owner of Sussex Wantage Preschool, addressed the Governing Body regarding the vapor store moving next to her business when the nail salon moves out. Mrs. Ztanze is concerned for the well-being of the children that attend the school should the vapor store move next to her and asked the council for help.

Mr. Nicholas Woloszynowski, addressed the governing body regarding the vapor store that wants to expand its business by the Sussex Wantage Preschool Learning Center.

Mr. Paul Downs, 29 Hamburg Avenue, Sussex, addressed the governing body regarding engine breaking.

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 Mr. Holowach
All were in favor.

EXECUTIVE SESSION

In accordance with the provisions of the Open Public Meetings Act, Mrs. Stoll made a motion to adjourn into closed executive session to discuss Purchase of Real Property and Alpine Village Tax Appeal Settlement. Motion seconded by Mr. Holowach

Upon roll call vote:
Ayes: Decker, Dykstra, Holowach, Masson, Meyer, Stoll
Nays: None
Abstentions: None
Absent: None

After meeting in closed session, the Governing Body returned to their seats at 9:55 p.m. and Mr. Decker made a motion to adjourn out of closed executive session and to be reconvened into open public session. Motion seconded by Mrs. Stoll
All were in favor.

Resolution 2016-43R – Settlement of Tax Appeal

Mrs. Stoll made a motion to adopt Resolution 2016-43R approving the settlement with Alpine Village for tax appeal cases for the years 2010 through 2015, as set forth in the Stipulations of Settlement. Motion seconded by Mr. Holowach

Upon roll call vote:
Ayes: Decker, Dykstra, Holowach, Masson, Meyer, Stoll
Nays: None
Abstentions: None
Absent: None

Resolution 2016-50R – Transfers Between Budget Appropriations

Mr. Holowach made a motion to adopt Resolution 2016-50R authorizing transfers between budget appropriations. Motion seconded by Mr. Decker

Upon roll call vote:

Ayes: Decker, Dykstra, Holowach, Masson, Meyer, 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.

Katherine Little, Mayor

Mark Zschack, Municipal Clerk

Date Approved: February 2, 2016