

**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  
OCTOBER 18, 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. Albert Decker, Mr. Robert Holowach, Mrs. Linda Masson, Mrs. Georgeanna Stoll, and Mayor Katherine Little

Absent: Mr. Frank Dykstra, Mr. Edward Meyer

Also present: Borough Attorney Mr. Frank McGovern, Esq. of McGovern and Roseman, P.A., Mr. Michael Restel, Administrator and Mrs. Antoinette Smith, Acting Municipal 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**

Mr. Decker made a motion to approve the agenda for October 18, 2016 as submitted. Motion seconded by Mr. Holowach.

Upon roll call vote:

Ayes: Decker, Holowach, Masson, Stoll

Nays: None

Abstentions: None

Absent: Dykstra, Meyer

**DISCUSSION** (Property Maintenance regarding Abandoned Properties)

Attorney Frank McGovern gave an overview of the proposed ordinance such as definitions, the general requirements, responsibilities and fee schedule. The consensus of the Council was to allow no registration fee for the first year, then \$250 for the first renewal, \$500 for the second, third and fourth renewal and \$5,000 after five years. Mr. McGovern will make the necessary changes and the ordinance will be revisited at the November 2, 2016 Mayor and Council Meeting.

**PRESENTATIONS:**

No presentations were scheduled for tonight's meeting.

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

Mr. Decker stated he met with a gentleman on Saturday and that issue was resolved. He also stated he observed the Mayor and Administrator on Main Street investigating a problem at 14 Main Street.

Mr. Holowach stated we now have a problem with the second flocculation motor. The cost should be approximately \$3,000 for the repair as it was with the first motor. Two of the high lift pumps are having an issue, one with the motor and the other with the controller. These pumps take the water from the finished water tank under the floor and put it in the system. Mr. Holowach had a discussion with one of the Wantage Committee Members who stated the Wantage EMS is having problems with staffing. The Sussex Borough Fire Department has been helping out quite a bit. There was also a discussion about keeping one of the Wantage ambulances in Sussex Borough's building to expedite the call times when assisting Wantage. The insurance aspect would need to be investigated by Michael Restel.

Mrs. Stoll stated the Recreation Committee met and they are having their Halloween event on October 29 at 1 pm at the Cornerstone Playhouse Theater. Prizes will be given for the cutest, scariest and most original costumes. There will also be a parade preceded by a 45 minute magic act. If the magician is well received the committee would like to bring the act back for their Holiday event. There will be a Personnel Committee meeting when a date is agreed upon.

Mrs. Masson stated SCMUA released their estimated budget for 2017 and Sussex Borough is going up 1.3%. Mrs. Masson will be attending the SCMUA meeting on October 19, 2016. There will be a Grant Committee meeting next week, but Mrs. Masson is still concerned about the ERR/EA reports that have not been submitted for the Lake Rutherford Dam grant. Mrs. Masson will contact Steve (Welsh) regarding the pre meeting for the H2M loan project. The items for the unlimited emergency grant have not been identified yet, a list needs to be made and the grant application submitted. Michael Restel offered an update on the progress of the letters sent for the TAP sidewalk grant. Replies have been received from ten of the owners who received letters. Mr. Decker asked if the Administrator could check on the ERR/EA reports. Mr. Restel stated he spoke to Chris Adams and the HPO is still holding us back and there is also an eight step process which Bruce Benton of the DEP has not given the information on what is necessary. He also stated we are having the same issues with the USDA grant. Mr. Restel stated he also got another quote for the theater roof, \$13,500 from ABS. He did not get a response from Waterloo Village.

Mayor Little stated that on October 12 a meeting was held at the Sussex Route 23 DOT maintenance yard concerning the Borough's waterline under the Papakating Creek. Mayor Little, Administrator Michael Restel and James Schappell of Houser Engineering attended. On October 13 the 208 water resources meeting was cancelled. On October 14 Clove Lake was lowered to allow those who wish to perform maintenance. On October 17 Mayor Little and Administrator Michael Restel met with the Administrator of Vernon Township, Chuck Voelker to discuss shared services. Colleen Little returned to work on October 17 and everyone is happy to have her back. On October 18 Michael Restel and I had a meeting and tour at 20 Main Street to view the sink hole and other issues at the building next door, 12-18 Main Street. Our next Mayor/Council meeting is Wednesday November 2, 2016.

**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. Masson made a motion to accept the consent agenda of October 18, 2016. Motion seconded by Mr. Holowach.

Mrs. Masson made a motion to remove item number one under correspondence be removed and considered separately. Motion seconded by Mr. Decker.

Upon roll call vote to remove correspondence from Gail Zubl:  
 Ayes: Decker, Holowach, Masson, Stoll  
 Nays: None  
 Abstentions: None  
 Absent: Dykstra, Meyer

Mrs. Masson voiced her concern about the requirement for filing a financial disclosure for volunteers on certain committees. Mayor Little and Mrs. Stoll agreed that it is making it difficult to get volunteers.

Mrs. Masson made a motion to direct the clerk to draft a letter protesting the need for volunteers to provide financial disclosure forms. Motion seconded by Mrs. Stoll.

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

Mr. Holowach made a motion to accept the consent agenda of October 18, 2016 with the removal of item number 1 under correspondence. Motion seconded by Mrs. Masson.

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

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

1. Letter from Gail Zubl received October 12, 2016.
2. Letter from NJLM regarding a proposed rate increase of 2% for 2017.

**REPORTS** (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Clerk's Report for the month of September 2016.
2. Water Sewer Collector Report for the month of September 2016.
3. Tax Collector's Report for the month of September 2016.
4. Construction Department Report for the month of September 2016.
5. Property Maintenance Department Report for the month of September 2016.
6. Sussex Borough Zoning Report for September 2016.
7. Grant Writer's Report September 2016.
8. Sussex Borough Cash Report September 2016.
9. Delinquent Utility Properties Report as of October 14, 2016.
10. Unpaid Utility Properties Report as of October 14, 2016.
11. Water Shut Off Report as of October 14, 2016.

**APPLICATIONS** (APPROVAL OF THE FOLLOWING):

1. NJ State Fireman's Application from Andrew J. Merck.
2. NJ State Fireman's Application from Debra D. Kinney.
3. NJ State Fireman's Application from Madison E. Vance.

**RESOLUTIONS:** (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of October 18, 2016.

Upon roll call vote of consent agenda as amended:

Ayes: Decker, Holowach, Masson, Stoll

Nays: None

Abstentions: None

Absent: Dykstra, Meyer

**OPEN PUBLIC SESSION #1**

Mr. Holowach 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.

Upon roll call vote:

Ayes: Decker, Holowach, Masson, Stoll

Nays: None

Abstentions: None

Absent: Dykstra, Meyer

There being no one present who wished to address the Governing Body, Mr. Decker 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**

Mrs. Masson made a motion to approve the meeting minutes of the Regular Meeting and Executive Session held on October 4, 2016.(Absent-None) Motion seconded by Mr. Holowach.

Upon roll call vote:

Ayes: Holowach, Masson, Stoll

Nays: None

Abstentions: Decker

Absent: Dykstra, Meyer

**Resolution 2016-211R**

Mr. Holowach made a motion to adopt Resolution 2016-211R authorizing the hire of Kevin Babcock as a full time DPW worker for the Borough of Sussex working full time at a rate of \$14.00 per hour commencing October 24, 2016. Motion seconded by Mrs. Stoll.

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

**Resolution 2016-212R – Fourth Quarter Water/Sewer Adjustments**

Mr. Holowach made a motion to adopt Resolution 2016-212R approving the Water/Sewer Collector's adjustments for the fourth quarter 2016. Motion seconded by Mr. Decker.

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

**Resolution 2016-213R – Tax Foreclosures**

Mr. Holowach made a motion to adopt Resolution 2016-213R authorizing Borough officials to proceed with the necessary steps to pursue Rem Foreclosures for various properties in the Borough of Sussex. Motion Seconded by Mrs. Masson.

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

**Resolution 2016-214R - Appointment of Local Registrar**

Mr. Holowach made a motion to adopt Resolution 2016-214R appointing Antoinette Smith to the position of Local Registrar. Motion seconded by Mrs. Masson.

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

**2016 Best Practice Worksheet**

Mr. Holowach made a motion to accept the Best Practice Worksheet prepared by the CFO and Administrator and have the Clerk certify said document for transmittal to Trenton. Seconded by Mrs. Stoll.

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

**Approval of Social Affair Permit for Sussex Fire Department**

Mr. Decker made a motion to approve a social affair permit for the Sussex Fire Department event to be held at the Sussex Fire Department on November 12, 2016. Seconded by Mrs. Stoll.

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

**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 a total of 10 minutes for the Council to discuss. Motion seconded by Mr. Decker.

Upon roll call vote:

Ayes: Decker, Holowach, Masson, Stoll

Nays: None

Abstentions: None

Absent: Dykstra, Meyer

Mario Poggi, 9 Spruce Avenue, Sussex, NJ 07461 voiced concerns about the sink hole on Main Street and the possibility of anything in that area having any historical value.

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

Upon roll call vote:

Ayes: Decker, Holowach, Masson, Stoll

Nays: None

Abstentions: None

Absent: Dykstra, Meyer

After meeting in closed session, the Governing Body returned to their seats at 8:52 pm. 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.

**ADJOURNMENT**

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

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Katherine Little, Mayor

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Antoinette Smith, Acting Clerk

Date Approved: November 2, 2016