

**MINUTES OF THE MEETING OF THE
MAYOR AND COUNCIL OF THE BOROUGH OF SUSSEX
HELD VIA THE INTERNET AT 7:00 P.M. ON
JULY 14, 2020**

Council President Holowach led the assembly in the flag salute and requested a moment of silence.

Council President Holowach 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."

Council President Holowach 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. Charles H. Fronheiser, Mr. Robert Holowach, Mrs. Linda Masson and Mr. Mario Poggi

Absent: Mr. Michael Brennan, Mr. Walter Cleary, III, Mayor Edward Meyer

Also present: Borough Attorney Mr. Frank McGovern, Esq. of McGovern and Roseman, P.A. and Mrs. Antoinette Smith, Clerk/Administrator

Absent: Mrs. Melissa Morales, Deputy Clerk

APPROVAL OF AGENDA

Mr. Fronheiser made a motion to approve the agenda for July 14, 2020. Motion seconded by Mrs. Masson.

Mr. Holowach made a motion to add Resolution 2020-117R to the agenda. Motion seconded by Mrs. Masson.

Upon roll call vote for amendment:

Ayes: Fronheiser, Holowach, Masson, Poggi

Nays: None

Abstentions: None

Absent: Brennan, Cleary

Upon roll call vote as amended:

Ayes: Fronheiser, Holowach, Masson, Poggi

Nays: None

Abstentions: None

Absent: Brennan, Cleary

PRESENTATIONS:

There were no presentations scheduled.

DISCUSSION:

Council President Holowach held a discussion regarding parking ordinances. There was a discussion to appoint a parking enforcement committee as well.

Council President Holowach held a discussion regarding Main Street. Steve Welsh, Grant Writer, gave updates on the 2020 grant applications.

Mr. Brennan joined at 7:14 pm

There was a discussion regarding improvements to Brookside Park.

There was a discussion regarding revisions to be made on Borough Code section 2-5.

COMMITTEE REPORTS:

Mr. Fronheiser stated he spoke with Mr. Kervatt regarding the property next to the church. It was recommended to clean up the property by the DPW and then put a lien on it. Mr. Poggi stated there is a resolution that we can bill the property owner for the amount of time that

the DPW spent cleaning up the property. Mr. Fronheiser stated the sidewalk next to the theater is scheduled to be repaired July 15, 2020.

Mr. Holowach gave an overview regarding the fire hydrant replacement project and the water main break that occurred on July 13, 2020. Mr. Fronheiser stated there are 12 more fire hydrants that need to be replaced and another break can occur.

Mr. Poggi stated regarding personnel, there have been no applications submitted for the clean community position.

Mr. Brennan stated he spoke with Bob from "Get Juiced" who is willing to help out with any events that are scheduled at Brookside Park can be held at his location. Mr. Holowach stated he was at the Recreation meeting and there was a discussion on utilizing Brookside Park for events.

Mrs. Masson offered no report.

CONSENT AGENDA:

Council President Holowach 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 approve the consent agenda of July 14, 2020. Motion seconded by Mr. Fronheiser.

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

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Clerk's Report for the month of June 2020.
2. Construction Department Report for the month of June 2020.
3. Grant Writer's Report June 2020.
4. Property Maintenance Department Report for the month of June 2020.
5. Tax Collector's Report for the month of June 2020.
6. Water Sewer Collector Report for the month of June 2020.
7. Zoning Department Report June 2020.
8. Delinquent/Unpaid Utility Properties report as of July 10, 2020.
9. Delinquent/Unpaid Property Tax report as of July 10, 2020.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Fire Fighter Application for John E. Rome, Jr.

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of July 14, 2020

Upon roll call vote:

Ayes: Brennan, Fronheiser, Holowach (abstained on applications #1), Masson, Poggi

Nays: None

Abstentions: None

Absent: Cleary

OLD BUSINESS:

NEW BUSINESS:

Approval of Meeting Minutes

Mrs. Masson made a motion approve the meeting minutes of the Regular Meeting and Executive Session held on June 16, 2020. Motion seconded by Mr. Poggi.

Upon roll call vote:

Ayes: Brennan, Fronheiser, Masson, Poggi

Nays: None

Abstentions: Holowach
Absent: Cleary

Resolution 2020-112R - Requesting Approval of Items of Revenue and Appropriation per NJSA 40A: 4-87

Mr. Poggi made a motion to adopt Resolution 2020-112R Requesting Approval of Items of Revenue and Appropriation per NJSA 40A: 4-87. Motion seconded by Mr. Fronheiser.

Upon roll call vote:
Ayes: Brennan, Fronheiser, Holowach, Masson, Poggi
Nays: None
Abstentions: None
Absent: Cleary

Resolution 2020-113R – Approving Liquor License

Mr. Poggi made a motion to adopt Resolution 2020-113R approving the renewal of the following liquor licenses for the license period of July 1, 2020 – June 30, 2021. Motion seconded by Mr. Brennan.

EMERALD CONSTRUCTION SERVICES, LLC, T/A ALLENS BAR & LIQUOR
31 Loomis Avenue, Sussex, NJ 07461
License #1921-33-001-003

SUSSEX UNION HOUSE INN, LLC T/A EARLY AMERICAN TAVERN
9 Main Street, Sussex, NJ 07461
License #1921-33-004-005

THE SUSSEX SALOON LLC
15-17 Main Street, Sussex NJ 07461
License #1921-33-002-002

Upon roll call vote:
Ayes: Brennan, Fronheiser, Holowach, Masson, Poggi
Nays: None
Abstentions: None
Absent: Cleary

Resolution 2020-114R – Renew Participation in the Statewide Insurance Fund

Mr. Fronheiser made a motion to adopt Resolution 2020-114R renewing participation in the Statewide Insurance Fund for the years 2021 through 2024. Motion seconded by Mr. Poggi.

Upon roll call vote:
Ayes: Brennan, Fronheiser, Holowach, Masson, Poggi
Nays: None
Abstentions: None
Absent: Cleary

Resolution 2020-115R - Rescinding Resolution #2016-210R which established certain procedures regarding additions to and amendments of agendas for regular council meetings.

Mr. Fronheiser made a motion approving Resolution 2020-115R rescinding Resolution #2016-210R which established certain procedures regarding additions to and amendments of agendas for regular council meetings. Motion seconded by Mr. Poggi.

Upon roll call vote:
Ayes: Brennan, Fronheiser, Holowach, Masson, Poggi
Nays: None
Abstentions: None
Absent: Cleary

Introduction of Ordinance 2020-09 – ORDINANCE PROVIDING FOR THE REPAIR AND/OR REPLACEMENT OF BOROUGH SEWER PUMP GENERATOR IN AND BY THE BOROUGH OF SUSSEX, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND APPROPRIATING \$17,000 THEREFOR FROM THE WATER/SEWER UTILITY CAPITAL FUND – CAPITAL IMPROVEMENT FUND OF THE BOROUGH

Mr. Fronheiser made a motion to introduce Ordinance 2020-09 – ORDINANCE PROVIDING FOR THE REPAIR AND/OR REPLACEMENT OF BOROUGH SEWER PUMP GENERATOR IN AND BY THE BOROUGH OF SUSSEX, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND APPROPRIATING \$17,000 THEREFOR FROM THE WATER/SEWER UTILITY CAPITAL FUND – CAPITAL IMPROVEMENT FUND OF THE BOROUGH. Motion seconded by Mr. Brennan.

FINAL READING AUGUST 11, 2020

Upon roll call vote:

Ayes: Brennan, Fronheiser, Holowach, Masson, Poggi

Nays: None

Abstentions: None

Absent: Cleary

Introduction of Ordinance 2020-10 – AN ORDINANCE TO AMEND SUBSECTION 9-3.10, ENTITLED “PARKING OF COMMERCIAL VEHICLES”, AND SCHEDULE IV, ENTITLED “PARKING TIME LIMITED” OF CHAPTER IX, ENTITLED “TRAFFIC”, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX, NEW JERSEY

Mrs. Masson made a motion to introduce Ordinance 2020-10 – AN ORDINANCE TO AMEND SUBSECTION 9-3.10, ENTITLED “PARKING OF COMMERCIAL VEHICLES”, AND SCHEDULE IV, ENTITLED “PARKING TIME LIMITED” OF CHAPTER IX, ENTITLED “TRAFFIC”, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX, NEW JERSEY. Motion seconded by Mr. Fronheiser.

Mr. Fronheiser made a motion to table the Ordinance 2020-10 until there is a discussion with the parking enforcement officer. Motion seconded by Mr. Poggi.

Upon roll call vote to table:

Ayes: Brennan, Fronheiser, Holowach, Masson, Poggi

Nays: None

Abstentions: None

Absent: Cleary

Introduction of Ordinance 2020-11 BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE WATER SUPPLY AND DISTRIBUTION SYSTEM IN AND BY THE BOROUGH OF SUSSEX, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$210,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$200,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.

Mr. Fronheiser made a motion to Introduce Ordinance 2020-11 BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE WATER SUPPLY AND DISTRIBUTION SYSTEM IN AND BY THE BOROUGH OF SUSSEX, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$210,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$200,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION. Motion seconded by Mr. Brennan

FINAL READING AUGUST 11, 2020

Upon roll call vote:

Ayes: Brennan, Fronheiser, Holowach, Masson, Poggi

Nays: None

Abstentions: None

Absent: Cleary

Introduction of Ordinance 2020-12 AN ORDINANCE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING SUBSECTION 2-14.7, ENTITLED “FEES”, OF SECTION 2-14, ENTITLED “RECREATION COMMITTEE”, OF CHAPTER II, ENTITLED “ADMINISTRATION”, OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF SUSSEX

Mrs. Masson made a motion to introduce Ordinance 2020-12 AN ORDINANCE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING SUBSECTION 2-14.7, ENTITLED “FEES”, OF SECTION 2-14, ENTITLED “RECREATION COMMITTEE”, OF CHAPTER II, ENTITLED “ADMINISTRATION”, OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF SUSSEX. Motion seconded by Mr. Poggi.

FINAL READING AUGUST 11, 2020

Upon roll call vote:

Ayes: Brennan, Fronheiser, Holowach, Masson, Poggi

Nays: None

Abstentions: None

Absent: Cleary

Adoption of Ordinance 2020-06 – AN ORDINANCE TO AMEND SCHEDULE IV, ENTITLED “PARKING TIME LIMITED” OF CHAPTER IX, ENTITLED “TRAFFIC”, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND STATE OF NEW JERSEY

Mrs. Masson made a motion to adopt Ordinance 2020-06 – AN ORDINANCE TO AMEND SCHEDULE IV, ENTITLED “PARKING TIME LIMITED” OF CHAPTER IX, ENTITLED “TRAFFIC”, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND STATE OF NEW JERSEY. Motion seconded by Mr. Fronheiser.

BEFORE FINAL ROLL CALL COUNCIL PRESIDENT HOLOWACH OPENED THE MEETING TO THE PUBLIC FOR ANY QUESTIONS OR CONCERNS REGARDING ORDINANCE 2020-06.

Upon roll call vote:

Ayes: Brennan, Fronheiser, Holowach, Masson, Poggi

Nays: None

Abstentions: None

Absent: Cleary

Adoption of Ordinance 2020-07 – ORDINANCE PROVIDING FOR THE UPGRADE OF CATCH BASINS IN AND BY THE BOROUGH OF SUSSEX, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND APPROPRIATING \$30,000 THEREFOR FROM THE GENERAL CAPITAL FUND - CAPITAL IMPROVEMENT FUND OF THE BOROUGH.

Mr. Fronheiser made a motion to adopt Ordinance 2020-07 – ORDINANCE PROVIDING FOR THE UPGRADE OF CATCH BASINS IN AND BY THE BOROUGH OF SUSSEX, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND APPROPRIATING \$30,000 THEREFOR FROM THE GENERAL CAPITAL FUND - CAPITAL IMPROVEMENT FUND OF THE BOROUGH. Motion seconded by Mr. Holowach.

BEFORE FINAL ROLL CALL COUNCIL PRESIDENT HOLOWACH OPENED THE MEETING TO THE PUBLIC FOR ANY QUESTIONS OR CONCERNS REGARDING ORDINANCE 2020-07.

Upon roll call vote:

Ayes: Brennan, Fronheiser, Holowach, Masson, Poggi

Nays: None

Abstentions: None

Absent: Cleary

Adoption of Ordinance 2020-08 – ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW EQUIPMENT FOR USE BY THE DEPARTMENT OF PUBLIC WORKS OF THE BOROUGH OF SUSSEX, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND APPROPRIATING \$34,000 THEREFOR FROM THE GENERAL CAPITAL FUND – RESERVE FOR PURCHASE OF DPW EQUIPMENT OF THE BOROUGH.

Mr. Fronheiser made a motion to adopt Ordinance 2020-08 – ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW EQUIPMENT FOR USE BY THE DEPARTMENT OF PUBLIC WORKS OF THE BOROUGH OF SUSSEX, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND APPROPRIATING \$34,000 THEREFOR FROM THE GENERAL CAPITAL FUND – RESERVE FOR PURCHASE OF DPW EQUIPMENT OF THE BOROUGH. Motion seconded by Mr. Poggi.

BEFORE FINAL ROLL CALL COUNCIL PRESIDENT HOLOWACH OPENED THE MEETING TO THE PUBLIC FOR ANY QUESTIONS OR CONCERNS REGARDING ORDINANCE 2020-08.

Upon roll call vote:

Ayes: Brennan, Fronheiser, Holowach, Masson, Poggi

Nays: None

Abstentions: None

Absent: Cleary

Resolution 2020-117R – Authorizing a request for additional grant funds needed to complete manholes and water main replacement projects

Mrs. Masson made a motion to adopt Resolution 2020-117R authoring a request for additional grant funds needed to complete manholes and water main replacement projects. Motion seconded by Mr. Fronheiser.

Upon roll call vote:

Ayes: Brennan, Fronheiser, Holowach, Masson, Poggi

Nays: None

Abstentions: None

Absent: Cleary

OPEN PUBLIC SESSION:

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 Council President and are limited to 10 minutes. Motion seconded by Mr. Fronheiser.

All were in favor.

William Mason, 9 Cedar Ave., asked if school buses would be included in Ordinance 2020-10. There was a discussion held.

Nanette Fandino-Diaz, 47 Bank St., asked for some clarification on grants within the Borough. Ms. Fandino-Diaz asked who owns the equipment in the concession stand. Ms. Fandino-Diaz asked how much the Borough received for the Cleans Community grant. Ms. Fandino-Diaz asked Mrs. Masson to clarify the bonds over exceeded. Ms. Fandino-Diaz asked questions regarding Ordinance 2020-12.

Siobhan Carroll, 54 Hamburg Ave., thanks the DPW for the great job cleaning up Brookside Park. Ms. Carroll is requesting more money for Recreation.

Damaris Lira, 12 Lakeview Terr., asked question about the various committees within the Borough. Ms. Lira asked if events be advertised on the nixel system. Ms. Lira was advised to use the sign in front of the Municipal building for advertising.

There being no one else who wished to address the Governing Body, Mr. Fronheiser 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, Mr. Poggi made a motion to adjourn into closed executive session to discuss **Personnel, Purchase of Real Property, Redevelopment Area, Contract Negotiations and Pending Litigation**. Motion seconded by Mr. Fronheiser.

All were in favor.

After meeting in closed session, the Governing Body returned to their seats at 9:56 p.m. and Mr. Fronheiser made a motion to adjourn out of closed executive session and to be reconvened into open public session. Motion seconded by Mr. Brennan.

All were in favor.

Resolution 2020-116R - Authorizing the Award of a Contract for Supplemental Engineering and Consulting for the Small CITIES CDBG Manhole Replacement Project

Mrs. Masson made a motion to adopt Resolution 2020-116R authoring the award of a contract for supplemental engineering and consulting for the Small Cities CDBG Manhole Replacement Project. Motion seconded by Mr. Fronheiser.

Upon roll call vote:

Ayes: Brennan, Fronheiser, Holowach, Masson

Nays: None

Abstentions: None

Absent: Cleary, Poggi

ADJOURNMENT

There being no further items for discussion by the Council President and Council, Mr. Fronheiser made a motion to adjourn the meeting. Motion seconded by Mr. Brennan.

All were in favor.

Robert Holowach, Council President

Antoinette Smith, Municipal Clerk

Date Approved: August 11, 2020