

**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 AT 7:00 P.M. ON  
NOVEMBER 19, 2019**

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."

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. Walter Cleary, III, Mr. Charles H. Fronheiser, Mr. Mario Poggi and Mayor Katherine Little

Absent: Mr. Michael Brennan, and Mr. Robert Holowach, Jr., Mr. Edward Meyer

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

Absent: None

**APPROVAL OF AGENDA**

Mr. Poggi made a motion to approve the agenda of November 19, 2019. Motion seconded by Mr. Fronheiser.

Upon roll call vote to approve the agenda of November 19, 2019.

Ayes: Cleary, Fronheiser, Poggi

Nays: None

Abstentions: None

Absent: Brennan, Holowach, Meyer

**PRESENTATIONS:**

There were no presentations scheduled.

**DISCUSSION:**

There is a discussion scheduled regarding Main Street and light poles.

Mr. Poggi made a motion to move the discussion item to after item I on the Consent Agenda. Motion seconded by Mr. Fronheiser.

Upon roll call vote:

Ayes: Cleary, Fronheiser, Poggi

Nays: None

Abstentions: None

Absent: Brennan, Holowach, Meyer

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

Mr. Poggi stated he, Toni, Mr. Fronheiser and Brian, interviewed five perspective candidates for the DPW laborer position on Friday, November 15, 2019. There will be further discussion held during Executive Session. Mr. Poggi stated he came in Saturday, November 16, 2019 to authorize payment of the bills. Mr. Poggi had nothing to report on History.

Mr. Fronheiser offered no report on Property Maintenance and Board of Health. Mr. Fronheiser stated he attended the interviews for the DPW laborer position.

Mr. Cleary stated he attended the Sussex County League of Municipalities meeting in which there were only a hand full of people there. His purpose for attending was to hear the discussion on the new Shoprite, but Mr. Romano did not attend the meeting.

Mr. Holowach arrived at 7:09 pm.

Mr. Holowach offered no report.

Mayor Little stated she spoke with Dave Romano. They are still having issues with the State DOT and DEP. Mr. Romano did mention about the water/sewer of Sussex Borough. He didn't go into what the problem is. Mayor Little stated she will follow up with that to see what particular problem he was having. Mayor Little stated there will be a transition meeting after December 1, 2019 to go over with Ed, who will be the new Mayor. Mayor Little stated she has met with Toni and all the bills are being kept with and taking care of what needs to be taken care of. Mayor Little stated she spoke to Dave Pepe from the permitting department and has been getting in touch with other departments. Mayor Little stated Josh Gottheimer's called and asked if the Borough wanted to nominate anyone as a local hero.

Mr. Demarest stated the snow plows are up and running. They have been doing a lot of lead sampling as well as hydrant flushing. They are planning to do the drainage on Hill Street as long as the weather is good and the asphalt plants are open. They are also getting caught up on some loose ends.

Mrs. Smith stated she gave everyone the Council Presidents report. Mrs. Smith stated she gave everyone a flyer for the Season of Hope donation drive.

### **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.

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

1. Letter from Sandyston Township regarding Mutual Aid.
2. Resolution from Sandyston Township calling for Study Commission to review the Open Public Records Act.

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

1. Clerk's Report for the month of October 2019.
2. Construction Department Report for the month of October 2019.
3. Property Maintenance Department Report for the month of October 2019.
4. Tax Collector's Report for the month of October 2019.
5. Treasurer's Reports January 2019-October 2019.
6. Water Sewer Collector Report for the month of October 2019.
7. Zoning Department Report October, 2019.
8. Delinquent/Unpaid Utility Properties report as of November 15, 2019.

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

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

1. Payment of bills for the meeting of November 19, 2019.

Mr. Fronheiser made a motion to approve the Consent Agenda. Motion seconded by Mr. Cleary.

Upon roll call vote to accept the Consent Agenda:

Ayes: Cleary, Fronheiser, Poggi

Nays: None

Abstentions: None

Absent: Brennan, Holowach, Meyer

### **DISCUSSION:**

There is a discussion held regarding Main Street and light poles.

Mr. Brennan arrived at 8:03 pm.

### **OPEN PUBLIC SESSION:**

Mr. Poggi 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 10 minutes. Motion seconded by Mr. Brennan.

All were in favor.

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

All were in favor.

**OLD BUSINESS:**

**NEW BUSINESS:**

**Approval of Meeting Minutes**

Mr. Holowach made a motion to approve the meeting minutes of the Regular Meeting and Executive Session held on October 15, 2019. (Absent: Mr. Charles Fronheiser, Mr. Edward Meyer) Motion seconded by Mr. Poggi.

Upon roll call vote:

Ayes: Brennan, Cleary, Holowach, Poggi

Nays: None

Abstentions: Fronheiser

Absent: Meyer

**Adoption of Ordinance 2019-15 to authorize the Acquisition of Fee Simple Title in Block 206, Lots 2, 3, 4 & 6, Sussex Borough, for parking only, in accordance with N.J.S.A 40A:12-1, Et Seq.**

Mr. Holowach made a motion to adopt Ordinance 2019-15 to authorize the acquisition of fee simple title in Block 206, Lots 2, 3, 4 & 6, Sussex Borough, for parking only, in accordance with N.J.S.A 40a:12-1, et seq. Motion seconded by Mr. Fronheiser.

**Before final roll call Mayor Little opened the meeting to the public for any questions or concerns regarding Ordinance 2019-15.**

Upon roll call vote:

Ayes: Brennan, Cleary, Holowach, Poggi

Nays: None

Abstentions: Fronheiser

Absent: Meyer

**Adoption of Ordinance 2019-16 to authorize the Acquisition of Block 104, Lot 16, Sussex Borough, with conditions in accordance with N.J.S.A 40A:12-1, Et Seq. and Repealing Ordinance 2019-10.**

Mr. Poggi made a motion to adopt ordinance 2019-16 to authorize the acquisition of Block 104, Lot 16, Sussex Borough with conditions in accordance with N.J.S.A 40a:12-1, et seq. and repealing Ordinance 2019-10. Motion seconded by Mr. Holowach.

**Before final roll call Mayor Little opened the meeting to the public for any questions or concerns regarding Ordinance 2019-16.**

Upon roll call vote:

Ayes: Brennan, Cleary, Holowach, Poggi

Nays: None

Abstentions: Fronheiser

Absent: Meyer

Mr. Poggi made a motion to approve the following Resolutions:

**Resolution 2019-184R – Annual NJ State League of Municipalities Conference**

**Resolution 2019-185R – Requesting Permission for the Dedication by Rider for Accumulated Absences Liability Trust Fund**

**Resolution 2019-186R – Rejection of all Bids for Bid 3-2019 Insertion Valve Bid**

**Resolution 2019-187R - Rejection of all Bids for Bid 2-2019 Walnut St Manhole Replacement**

**Resolution 2019-188R – Transfer Resolution**

Motion seconded by Mr. Holowach.

Upon roll call vote:

Ayes: Brennan, Cleary, Holowach, Poggi

Nays: None

Abstentions: Fronheiser

Absent: Meyer

### **OPEN PUBLIC SESSION:**

Mr. Fronheiser 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 10 minutes. Motion seconded by Mr. Holowach.

All were in favor.

There being no one present who wished to address the Governing Body, Mr. Poggi made a motion to close the meeting to the public. Motion seconded by Mr. Fronheiser.

All were in favor.

### **EXECUTIVE SESSION**

In accordance with the provisions of the Open Public Meetings Act, Mr. Holowach 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 8:46 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.

Mr. Holowach made a motion to suspend Robert's Rules of Order to add Resolution 2019-191R, the award of a contract to SMC Masonry, to repair the DPW garage to an amount not to exceed \$18,000.00. Motion seconded by Mr. Poggi.

Upon roll call vote:

Ayes: Brennan, Cleary, Fronheiser, Holowach, Poggi

Nays: None

Abstentions: None

Absent: Meyer

Mr. Holowach made a motion to approve the following Resolutions:

**Resolution 2019-189R – Hire of a full time DPW Worker, Robert Regavich**

**Resolution 2019-190R – Code Enforcement Officer and Zoning Officer position, Kevin Kervatt**

**Resolution 2019-191R – Awarding contract to SMC Masonry for repairs to the DPW Garage**

Motion seconded by Mr. Poggi.

Mr. Brennan made a motion to pull Resolution 2019-190R for discussion. Motion seconded by Mr. Holowach.

Upon roll call vote on pulling Resolution 2019-190R:

Ayes: Brennan, Cleary, Holowach, Poggi

Nays: Fronheiser,

Abstentions: None

Absent: Meyer

Upon roll call vote on Resolution 2019-189R and 2019-191R:

Ayes: Brennan, Cleary, Fronheiser, Poggi

Nays: None

Abstentions: Holowach

Absent: Meyer

Mr. Holowach made a motion to approve Resolution 2019-190R. Motion seconded by Mr. Poggi.

Mr. Brennan asked what the pay scale and the parameters would be for the Code Enforcement Office/Zoning Position. Mr. Smith stated the pay is \$30.00/hour, 20 hours per week, comp time for after-hours out of the office, \$20.00/pay phone stipend and a \$7.00/per day auto-allowance. He will be working full days Wednesday and Thursday and half day on Friday.

Upon roll call vote:

Ayes: Cleary, Fronheiser, Holowach, Poggi

Nays: Brennan

Abstentions: None

Absent: Meyer

### **ADJOURNMENT**

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

All were in favor.

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Mayor Little, Mayor

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Antoinette Smith, Clerk

Approved: December 3, 2019