

**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 15, 2018**

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. Robert Holowach, Mr. Edward Meyer, Mr. Mario Poggi and Mayor Katherine Little.

Absent: Mr. Michael Brennan, Mr. Walter Cleary, III and Mrs. Linda Masson

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

Absent: None

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. Poggi made a motion to approve the agenda for May 15, 2018. Motion seconded by Mr. Holowach.

Upon roll call vote:

Ayes: Holowach, Meyer, Poggi

Nays: None

Abstentions: None

Absent: Brennan, Cleary and Masson

Mr. Holowach made a motion to approve the agenda for May 15, 2018 with addendum. Motion seconded by Mr. Meyer.

Upon roll call vote:

Ayes: Holowach, Meyer, Poggi

Nays: None

Abstentions: None

Absent: Brennan, Cleary and Masson

PRESENTATIONS:

There were no presentations scheduled.

DISCUSSION:

Discussion on Deckertown Commons Park moved to next meeting.

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

Mr. Meyer stated on the State of Department of Agriculture's website, they have information about Emerald Ash Borer in which they have various handouts that can be downloaded. Mr. Meyer stated the Emerald Ash Borer will kill 99% of the area white ash trees which compose of about 25% of the forest in the County. Mr. Meyer stated he would like to set up a Committee and program. Mr. Meyer stated the Planning/Zoning Board will have a meeting on May 29, 2018 to finalize Ronetco.

Mr. Poggi stated he approved the bills on May 14, 2018. Mr. Poggi stated nothing new to report as the Historian.

Mr. Holowach referred to Mr. Restel. Mr. Restel stated the mason dump will arrive within the next two weeks. Mr. Restel stated the water plant is without power but is running off the generators.

Mayor Little stated on May 2, 2018, she attended a meeting with Heather from Civic Dynamics and Ryan from Ron-Jon. They reviewed work that was done and they reviewed three change orders. The project is scheduled for completion on May 18, 2018. Mayor Little stated a meeting was held with the Planning/Zoning Chairman, Rich Klein; Planner, Ken Nelson; Attorney, Dave Brady and Stephanie from Get Juiced to discuss some issues involving upcoming special events, such as parking, hours and the number of people attending. Mayor Little stated they will have a special program on June 10, 2018 from 2:00 pm to 4:00 pm, which will not be an issue as far as time or noise. Mayor Little stated on May 8, 2018, there was a meeting with a New Jersey State Trooper and a Detective to discuss times and hours in having them present in the Borough. Mayor Little stated they settled on two Troopers for four hour shifts. Mayor Little stated she was in a conference call with Mike Furrey, Water Treatment Operator; Mike Restel, Administrator and James Schappell from Houser Engineering to discuss issues that have come up with the water treatment plant.

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.

Mr. Poggi made a motion to accept the consent agenda of May 15, 2018. Motion seconded by Mr. Holowach.

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

1. Resolution from Borough of Hamburg in support of the "Campaign to Change Direction" initiative in Sussex County.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Clerk's Receipts Report for the month of April 2018.
2. Construction Department Report for the month of April 2018.
3. Grant Report for the month of April 2018.
4. Property Maintenance Department Report for the month of April 2018.
5. Tax Collector's Report for the month of April 2018.
6. Utility Receipts report for the month of April 2018.
7. Vacant Property Report for the month of April 2018.
8. Zoning Report for the month of April 2018.
9. Delinquent Utility Properties report as of May 11, 2018.
10. Unpaid Utility Properties report as of May 11, 2018.
11. Water Shut Off report as of May 11, 2018.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of May 15, 2018.

Upon roll call vote to accept Consent Agenda:

Ayes: Holowach, Meyer, Poggi

Nays: None

Abstentions: None

Absent: Brennan, Cleary and Masson

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. 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. Meyer.

All were in favor.

OLD BUSINESS:

NEW BUSINESS (continued):

Approval of Meeting Minutes

Mr. Holowach made a motion to approve the meeting minutes of the Regular Meeting and Executive Session held on May 1, 2018. Motion seconded by Mr. Poggi. (Absent: None)

Upon roll call vote to accept meeting minutes of May 1, 2018:

Aye: Holowach, Meyer, Poggi

Nays: None

Abstentions: None

Absent: Brennan, Cleary and Masson

Adoption of Ordinance 2018-02 – AN ORDINANCE OF THE BOROUGH OF SUSSEX, AND STATE OF NEW JERSEY AMENDING CHAPTER XIX TITLED “ZONING” OF THE CODE OF THE BOROUGH OF SUSSEX.

Mr. Poggi made a motion to adopt Ordinance 2018-02 – An Ordinance of the Borough of Sussex, and State of New Jersey Amending Chapter XIX titled “Zoning”. Motion seconded by Mr. Holowach.

Mayor Little opened the meeting to the public for any questions or concerns regarding Ordinance #2018-02.

As there was no one present in the public, Mayor Little closed the meeting to the public regarding Ordinance #2018-02.

Upon roll call vote:

Ayes: Holowach, Meyer, Poggi

Nays: None

Abstentions: None

Absent: Brennan, Cleary and Masson

Resolution 2018-86R – Second Quarter 2018 Water/Sewer Adjustments

Mr. Poggi made a motion to adopt Resolution 2018-86R approving the Water/Sewer Collector's adjustments for the second quarter of 2018. Motion seconded by Mr. Meyer.

Upon roll call vote:

Ayes: Holowach, Meyer, Poggi

Nays: None

Abstentions: None

Absent: Brennan, Cleary and Masson

Introduction of Ordinance 2018-06 – AN ORDINANCE TO AMEND SUBSECTION 13-3.5, ENTITLED “METHOD OF PAYMENT”, OF SECTION 13-3, ENTITLED “FEES”, OF CHAPTER XIII, ENTITLED “WATER AND SEWER”, OF THE CODE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO ADD PROVISION REGARDING IN-BULK WHOLESALE WATER SALES.

Mr. Holowach made a motion to introduce Ordinance 2018-06 – An Ordinance of the Borough of Sussex, and State of New Jersey Amending SUBSECTION 13-3.5, ENTITLED “METHOD OF PAYMENT”, OF SECTION 13-3, ENTITLED “FEES”, OF CHAPTER XIII, ENTITLED “WATER AND SEWER”, OF THE CODE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO ADD PROVISION REGARDING IN-BULK WHOLESALE WATER SALES. Motion seconded by Mr. Meyer.

Upon roll call vote:

Ayes: Holowach, Meyer, Poggi

Nays: None

Abstentions: None

Absent: Brennan, Cleary and Masson

Resolution 2018-13R - Wholesale Water Sales

Mr. Meyer made a motion to adopt Resolution 2018-13R allowing the Sussex Borough Water Department to sell water for the 2018 calendar year. Motion seconded by Mr. Holowach.

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

OPEN PUBLIC SESSION:

Mr. Meyer 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. Poggi.

All were in favor.

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

All were in favor.

EXECUTIVE SESSION

In accordance with the provisions of the Open Public Meetings Act, Mr. Meyer 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. Poggi.

All were in favor.

Michael Brennan arrived at 9:02 pm.

After meeting in closed session, the Governing Body returned to their seats at 9:07 p.m. and Mr. Poggi made a motion to adjourn out of closed executive session and to be reconvened into open public session. Motion seconded by Mr. Meyer.

All were in favor.

NEW BUSINESS: (Continued)

Resolution 2018-87R – Change Order for the Lake Rutherford Dam Project

Mr. Meyer made a motion to approve Resolution 2018-87R approving the change order for the Lake Rutherford Dam Project in the amount of \$109,500.00. Motion seconded by Mr. Poggi.

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

ADJOURNMENT

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

All were in favor.

Katherine Little, Mayor

Antoinette Smith, Acting Clerk

Date approved: June 6, 2018