

**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
APRIL 16, 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. Michael Brennan, Mr. Walter Cleary, III, Mr. Charles H. Fronheiser, Jr., Mr. Robert Holowach, Mr. Edward Meyer, Mr. Mario Poggi and Mayor Katherine Little.

Absent: None

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

APPROVAL OF AGENDA

Mr. Fronheiser made a motion to amend the agenda of April 16, 2019 to include item #10, Resolution 2019-82R. Motion seconded by Mr. Holowach.

Upon roll call to amend the agenda of April 16, 2019:

Ayes: Brennan, Cleary, Fronheiser, Holowach, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

Mr. Meyer made a motion to approve the amended agenda of April 16, 2019. Motion seconded by Mr. Holowach.

Upon roll call to approve the amended agenda of April 16, 2019:

Ayes: Brennan, Cleary, Fronheiser, Holowach, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

PRESENTATIONS:

There were no presentations scheduled.

DISCUSSION:

There were no discussions scheduled.

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

Mr. Fronheiser had nothing to report on Property Maintenance. Mr. Fronheiser had nothing to report on Board of Health. Mr. Fronheiser stated he attended the NORWESCAP meeting with Mr. Meyer, Mr. Restel and Mayor Little. Mr. Fronheiser deferred to Mr. Meyer to give the report on the meeting.

Mr. Cleary stated he was unable to attend the Grant meeting for personal reasons, but Mr. Meyer attended and will report on it.

Mr. Brennan stated the Easter Egg Hunt went well.

Mr. Poggi stated he signed off on the bills on Saturday, April 13, 2019. Mr. Poggi stated he received a resignation from the Administrator. Mr. Poggi stated nothing to report on History.

Mr. Holowach stated the DPW has been working at Brookside Park and Boggs Field. Mr. Restel stated the asphalt plant should be opening soon.

Mr. Meyer stated he attended the Planning/Zoning meeting. They approved the Sussex Saloon to open in different stages. They will begin with a billiard pool hall with light snacks, an ice cream bar and a regular bar when the liquor license is approved. If it falls through, the other alternative is to lease it out to other establishments. Mr. Meyer stated there was report on the SAFER grant, which are for outfits for the firefighters in the amount of \$49,000.00 which was filled out and now they are just waiting for that to be determined. Mr. Meyer stated Brothers Helping Brothers is still something they are working on for turnout

gear. Mr. Meyer stated they are working on getting a viable project for Small Cities and Mike had suggested the watermain going up to the water tank. Mr. Meyer stated they are finishing up the USDA grant. Mr. Meyer stated the USDA has an Economic Impact Program, where 75% of the cost is for sewer pumping stations, repairs and replacements. Mr. Meyer stated they had a very good meeting with NORWESCAP regarding the building on Main Street and types of businesses they could put into the empty store fronts. Mr. Restel added the Safety Grants provides funding for sidewalks, parking lots and lighting. They can assist with the Borough parking lot and lighting.

Mayor Little stated on April 5, 2019, there was a meeting with NORWESCAP with Chris Kirk and CEO Mark Valli, to discuss options for use of the building on Main Street. Mayor Little stated on April 4, 2019, she had a weekly phone call with Dave Pepe, who is with the State DEP and is working with Dan Ryan of the NHR, regarding the Borough's waterline. Soheil, from Houser Engineering, is working on the maps for the easement and Dan Ryan is the advisor to Commissioner McCabe. Dave will contact Dan to work on the timeline of the Lake Rutherford waterline project. Mayor Little stated on April 8, 2019, there was a Planning/Zoning Board meeting. There was a presentation from a businessman with plans for a building on Main Street. Mayor Little stated on April 10, 2019, the Grant Committee held a meeting to review the Borough's grants. Mayor Little stated on April 11, 2019, she met with Ed Meyer to discuss various items. Mayor Little stated on April 13, 2019, the Borough Recreation held their annual Easter Egg Hunt, which went well. In the evening, the fireman and EMS held their annual dinner in which Councilman Fronheiser, Councilman Meyer, Councilman Poggi and Councilman Brennan were in attendance. Mayor Little stated on April 16, 2019, she met with Ron Bassani, Wantage Mayor, to discuss a few items. Mayor Little stated also on April 16, 2019, she attended the Airport Diner with Mike Restel and Toni Smith to meet Congressman Josh Gottheimer.

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. Meyer made a motion to approve the consent agenda of April 16, 2019. 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 March 2019.
2. Construction Department Report for the month of March 2019.
3. Grant Writer's Report dated March, 2019.
4. Property Maintenance Department Report for the month of March 2019.
5. Tax Collector's Report for the month of March 2019.
6. Water Sewer Collector Report for the month of March 2019.
7. Zoning Department Report March, 2019.
8. Delinquent Utility Properties report as of April 12, 2019.
9. Unpaid Utility Properties report as of April 12, 2019.
10. Water Shut Off report as of April 12, 2019.
11. Vernon Animal Control Report for the 1st quarter.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of April 16, 2019.

Upon roll call vote on the consent agenda for April 16, 2019:

Ayes: Brennan, Cleary, Fronheiser, Holowach, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

OPEN PUBLIC SESSION:

Mr. Fronheiser 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. Poggi.

All were in favor.

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

All were in favor.

OLD BUSINESS:

NEW BUSINESS:

Approval of Meeting Minutes

Mr. Cleary made a motion to approve the meeting minutes of the Regular Meeting and Executive Session held on April 2, 2019. Motion seconded by Mr. Fronheiser. (Absent: Holowach)

Upon roll call vote:

Ayes: Brennan, Cleary, Fronheiser, Meyer, Poggi

Nays: None

Abstentions: Holowach

Absent: None

Adoption of Ordinance 2019-02 - AN ORDINANCE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO AMEND SECTION 2-14, ENTITLED "RECREATION COMMITTEE", OF CHAPTER II, ENTITLED "ADMINISTRATION"

Mr. Brennan made a motion to adopt Ordinance 2019-02 an ordinance of the Borough of Sussex, County of Sussex, State of New Jersey to amend Section 2-14, entitled "Recreation Committee", of Chapter II, entitled "Administration". Motion seconded by Mr. Poggi.

Before final roll call Mayor Little will open the meeting to the public for any questions or concerns regarding Ordinance 2019-02.

Upon roll call vote:

Ayes: Brennan, Cleary, Fronheiser, Holowach, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

Introduction Ordinance 2019-03 – Establish a Cap Bank

Mr. Holowach made a motion to introduce Ordinance 2019-03 entitled "CALENDAR YEAR 2019 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)." Motion seconded by Mr. Poggi. (Motion requested by CFO)

FINAL READING: MAY 7, 2019

Upon roll call vote:

Ayes: Brennan, Cleary, Fronheiser, Holowach, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

Resolution 2019-76R – Waiver of Reading in Full of the 2019 Budget

Mr. Fronheiser made a motion to adopt Resolution 2019-76R waiving the reading in full, of the Municipal Budget for the year ending December 31, 2019. Motion seconded by Mr. Holowach. (Motion requested by CFO)

Upon roll call vote:

Ayes: Brennan, Cleary, Fronheiser, Holowach, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

Resolution 2019-77R - Introduction of the 2019 Municipal Budget

Mr. Poggi made a motion to adopt Resolution 2019-77R introducing the FY 2019 Municipal Budget for the Borough of Sussex. Motion seconded by Mr. Fronheiser. (Motion requested by CFO)

Upon roll call vote:

Ayes: Brennan, Cleary, Fronheiser, Holowach, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

Resolution 2019-78R – Second Quarter 2019 Water/Sewer Adjustments

Mr. Fronheiser made a motion to adopt Resolution 2019-78R approving the second quarter 2019 water/sewer adjustments. Motion seconded by Mr. Poggi.

Upon roll call vote:

Ayes: Brennan, Cleary, Fronheiser, Holowach, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

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. Poggi.

All were in favor.

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

After meeting in closed session, the Governing Body returned to their seats at 8:44 p.m. and Mr. Brennan made a motion to adjourn out of closed executive session and to be reconvened into open public session. Motion seconded by Mr. Fronheiser.

All were in favor.

NEW BUSINESS: (Continued)

Resolution 2019-79R – Underwater Inspection of Clove Brook Dam

Mr. Poggi made a motion to adopt Resolution 2019-79R authorizing the proper Borough entities to enter into a contract with JMT for an underwater inspection of Clove Brook Dam. Motion seconded by Mr. Holowach.

Upon roll call vote:

Ayes: Brennan, Cleary, Fronheiser, Holowach, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

Resolution 2019-80R Aquatic Analysts, Inc.

Mr. Fronheiser made a motion to adopt Resolution 2019-80R awarding a proposal for Clove Lake Management for 2019. Motion seconded by Mr. Meyer.

Upon roll call vote:

Ayes: Brennan, Meyer

Nays: Cleary, Fronheiser, Holowach, Poggi

Abstentions: None

Absent: None

Resolution 2019-81R – Acceptance of resignation of a Borough Employee

Mr. Poggi made a motion to adopt Resolution 2019-81R accepting the resignation of Borough employee, Michael Restel. Motion seconded by Mr. Fronheiser.

Upon roll call vote:

Ayes: Brennan, Cleary, Fronheiser, Holowach, Meyer

Nays: Poggi

Abstentions: None

Absent: None

Resolution 2019-82R – Authorizing the hiring of a licensed Water Operator through the competitive contracting process.

Mr. Meyer made a motion to adopt Resolution 2019-82R, authoring the hiring of a licensed Water Operator through the competitive contracting process. Motion seconded by Mr. Fronheiser.

Upon roll call vote:

Ayes: Brennan, Cleary, Fronheiser, Holowach, Meyer, Poggi

Nays: None

Abstentions: None

Absent: None

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. Fronheiser.

All were in favor.

Katherine Little, Mayor

Antoinette Smith, Clerk

Approved: May 7, 2019