

**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 16, 2018**

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. Robert Holowach, Mrs. Linda Masson, 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.

Absent: None

APPROVAL OF AGENDA

Mr. Poggi made a motion to approve the agenda for October 16, 2018. Motion seconded by Mrs. Masson.

Mr. Poggi made a motion to amend the agenda to add a discussion for heating. Motion seconded by Mr. Holowach.

Mrs. Masson made a motion to add a presentation by Jackie Espinosa of JCP&L to the agenda. Motion seconded by Mr. Holowach.

Mr. Meyer made a motion to add a discussion with the President of the Sussex/Wantage Little League. Motion seconded by Mr. Holowach.

Upon roll call vote on the amended agenda as mentioned above for October 16, 2018:

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

Nays: None

Abstentions: None

Absent: None

PRESENTATIONS:

Jackie Espinosa of Jersey Central Power & Light (JCP&L). Ms. Espinosa gave a presentation on the JCP&L Reliability Plus Program. The program is designed to help with utilities. Ms. Espinosa stated the plan is to spend \$400 million in four years. The plan also outlines vegetation management to reduce the potential for tree damage, which is the primary cause of outages during severe storms in JCP&L's service area.

DISCUSSION:

Matt VanderBush, representing Sussex/Wantage Little League. Mr. VanderBush held a discussion about the conditions of Brookside Park. Mr. VanderBush stated the fields are rough to play on and asks if there has been any future discussion about the conditions. Mr. Restel stated many years ago there was grant money issued for fields, but it is unknown what has happened to that money. Mr. Restel stated he would need to get the Borough Engineer there to look it over. Mr. VanderBush stated he would like to look at it as a park and put in a long term plan to include a basketball court and playground.

Mr. Poggi stated he received a call/text from a resident asking if he could intervene in a problem. The resident called Borough Hall stating his landlord has not provided him with heat

and he was advised to contact the State. Mr. Poggi stated he read the State law and the Borough can enforce that law through the Local Health Department. Mr. Poggi stated he found it odd that the Borough did not have an Ordinance on heat law and would like to see an Ordinance enforcing it. Mr. McGovern stated he believes there is a housing code in which that law falls under. He will look into it and get back to the Committee.

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

Mrs. Masson stated there was a Grant Committee Meeting on October 15, 2018. They discussed everything that was going on and things that they might be interested in, in the future. Mrs. Masson stated a question came up at the last meeting about the Opportunities Zone. As Steve explained, that is not for the Town to apply for. It is really for the Developers or Business Owners who may want to move into the Borough who are looking for some tax incentive. Mrs. Masson stated they also talked about the completed projects such as the Lake Rutherford Dam. Mrs. Masson stated there are some more meters that need to be installed. Mrs. Masson stated the one area of concern is the water line. The Borough has received \$400,000.00 for that project which expires at the end of this year. Mr. Restel stated they have put in for an extension. Mrs. Masson stated they put an application into the USDA to get most of the remaining funding. The cost of the projected increased to \$2 million due to changes in the project. Mrs. Masson stated they are requesting \$1.5 million from the USDA. The USDA has put our application on hold because they need an updated cost sheet, the preliminary Engineering report and the Environmental report.

Mr. Cleary offered no report.

Mr. Brennan stated they did not have their Recreation Committee meeting because they did not meet a quorum. They put together the bags for the Halloween Parade instead. The parade is scheduled for Saturday, October 27, 2018 at 1:00pm at Deckertown Commons Park. Mr. Brennan offered no Board of Health report.

Mr. Poggi stated he came in Sunday, October 14, 2018 to approve the bills list. Mr. Poggi stated nothing new to report on personnel. Mr. Poggi stated nothing new to report as the Historian.

Mr. Meyer stated the Planning/Zoning Board meets next week.

Mr. Holowach stated the DPW is putting down crack seal around the Borough. Mr. Holowach stated he would like a letter sent out to those requiring a new meter. Mr. Holowach stated road salt has been delivered and the salt trucks are full and ready for the winter.

Mayor Little stated on October 11, 2018, she was unable to attend the water quality resources meeting in Newton. Mayor Little stated on October 12, 2018, Steve Andrews from WSUS delivered lunch to the Sussex Borough employees through the courtesy of Councilwoman Masson. Mayor Little stated on October 15, 2018, the Grant Committee met and discussed the status on the various grants.

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 approve the consent agenda of October 16, 2018. Motion seconded by Mr. Holowach.

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

1. Ordinance 2018-11 from the Township of Wantage prohibiting retail/wholesale sale of marijuana products.
2. Ordinance 2018-10 from the Township of Wantage regarding soil fill permit fees and escrows.

3. Resolution from the Borough of Stanhope supporting an increase in the Local Public Bid Contract Law threshold.
4. Resolution from the Township of Montague expressing opposition to the legalization of Recreational Marijuana by the State of New Jersey.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Animal Control Reports 3rd quarter.
2. Clerk's Receipts Report for the month of September 2018.
3. Construction Department Report for the month of September 2018.
4. Grant Writer's Report for the month of September 2018.
5. Property Maintenance Department Report for the month of September 2018.
6. Tax Collector's Report for the month of September 2018.
7. Utility Receipts report for the month of September 2018.
8. Vacant Properties report for the month of September 2018.
9. Zoning Report for the month of September 2018.
10. Delinquent Utility Properties report as of October 12, 2018.
11. Unpaid Utility Properties report as of October 12, 2018.
12. Water Shut Off report as of October 12, 2018.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of October 16, 2018.

Upon roll call vote on the consent agenda for October 16, 2018:

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

Nays: None

Abstentions: None

Absent: None

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 Mrs. Masson.

All were in favor.

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

All were in favor.

OLD BUSINESS:

NEW BUSINESS:

Approval of Meeting Minutes

Mrs. Masson made a motion to approve the meeting minutes of the Regular Meeting and Executive Session held on October 2, 2018. Motion seconded by Mr. Poggi.

Upon roll call vote to accept meeting minutes of October 2, 2018:

Ayes: Brennan, Cleary, Masson, Meyer, Poggi

Nays: None

Abstentions: Holowach

Absent: None

Adoption of Ordinance 2018-08 - AN ORDINANCE TO AMEND SUBSECTION 13-3.4, ENTITLED "SEWER SYSTEM CHARGES", 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.

Mrs. Masson made a motion to adopt Ordinance 2018-08 - AN ORDINANCE TO AMEND SUBSECTION 13-3.4, ENTITLED "SEWER SYSTEM CHARGES", 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. Motion seconded by Mr. Holowach.

Before final roll call Mayor Little opened the meeting to the public for any questions or concerns regarding Ordinance 2018-08.

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Adoption of Ordinance 2018-09 – AN ORDINANCE TO AMEND SECTION 2-29, ENTITLED "LENGTH OF SERVICE AWARDS PROGRAM (LOSAP)", OF CHAPTER II, ENTITLED "ADMINISTRATION", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND STATE OF NEW JERSEY

Mr. Cleary made a motion to adopt Ordinance 2018-09 - AN ORDINANCE TO AMEND SECTION 2-29, ENTITLED "LENGTH OF SERVICE AWARDS PROGRAM (LOSAP)", OF CHAPTER II, ENTITLED "ADMINISTRATION", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND STATE OF NEW JERSEY. Motion seconded by Mr. Poggi.

Before final roll call Mayor Little opened the meeting to the public for any questions or concerns regarding Ordinance 2018-09.

Upon roll call vote:

Ayes: Brennan, Cleary, Masson, Meyer, Poggi

Nays: None

Abstentions: Holowach

Absent: None

Introduction of Ordinance 2018-10 - AN ORDINANCE TO AMEND CHAPTER IX, ENTITLED "TRAFFIC", OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF SUSSEX.

Mr. Holowach made a motion to introduce Ordinance 2018-10-AN ORDINANCE TO AMEND CHAPTER IX, ENTITLED "TRAFFIC", OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF SUSSEX. Motion seconded by Mr. Meyer.

FINAL READING WILL BE NOVEMBER 7, 2018.

Upon roll call vote:

Ayes: Cleary, Holowach, Masson, Meyer, Poggi

Nays: Brennan

Abstentions: None

Absent: None

Resolution 2018-133R Appointment of Alfred Coll to the Sussex Borough Board of Health

Mrs. Masson made a motion to adopt Resolution 2018-133R approving the Mayor's appointment of Alfred Coll to the Sussex Borough Board of Health. Motion seconded by Mr. Poggi.

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

OPEN PUBLIC SESSION:

Mr. Poggi 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. Brennan.

All were in favor.

Ted L'Estrange 43 Prospect Hill Road Cuddebackville NY. Mr. L'Estrange talked about Organ Harvesting to China.

There being no one else 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.

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, Purchase of Real Property, Redevelopment Area, Contract Negotiations and Pending Litigation**. Motion seconded by Mr. Cleary.

All were in favor.

After meeting in closed session, the Governing Body returned to their seats at 8:54 p.m. and Mrs. Masson made a motion to adjourn out of closed executive session and to be reconvened into open public session. Motion seconded by Mr. Poggi.

All were in favor.

Resolution 2018-134R – Award of Contract

Mr. Holowach made a motion to adopt Resolution 2018-134R authorizing the Administrator and/or Clerk to enter into a contract with Edmunds & Associates, Inc. for billing software in an amount not to exceed \$17,440.00. Motion seconded by Mr. Cleary.

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

A motion is in order to suspend the rules and add to the Oct. 16th agenda Resolution 2018-135R and Resolution 2018-136R.

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Mr. Holowach made a motion to suspend the rules for the agenda and add Resolutions 2018-135R and Resolution 2018-136R. Motion seconded by Mr. Meyer.

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Resolution 2018-135R – Water/sewer Adjustments

Mr. Holowach made a motion to approve resolution 2018-135R approving the Water/Sewer Collector's adjustments for the fourth quarter 2018. Motion seconded by Mr. Poggi.

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

Resolution 2018-136R - Granting limited exemption to property from requirements of section 13-3.4(d) of the Sussex Borough code.

Mr. Holowach made a motion granting limited exemption to property from requirements of section 13-3.4(d) of the Sussex Borough code. Motion seconded by Mr. Cleary.

Upon roll call vote:

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

Nays: None

Abstentions: None

Absent: None

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 Mr. Meyer.

All were in favor.

Katherine Little, Mayor

Antoinette Smith, Clerk

Approved November 7, 2018