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
MAY 21, 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, Jr., Mr. Robert Holowach, Mr. Edward Meyer, Mr. Mario Poggi and Mayor Katherine Little.

Absent: Mr. Michael Brennan

Also present: Mrs. Antoinette Smith, Clerk

Absent: Borough Attorney Mr. Frank McGovern, Esq. of McGovern and Roseman, P.A.

APPROVAL OF AGENDA

Borough Attorney Mr. Frank McGovern arrived at 7:07 pm.

Mr. Poggi made a motion to approve the agenda of May 21, 2019. Motion seconded by Mr. Holowach.

Mr. Meyer suspended Roberts Rules to add to the agenda, Resolution 2019-96R and Resolution 2019-97R.

Mr. Meyer made a motion of the amended agenda of May 21, 2019. Motion seconded by Mr. Holowach.

Upon roll call to amend the agenda of May 21, 2019:
Ayes: Cleary, Fronheiser, Holowach, Meyer, Poggi
Nays: None
Abstentions: None
Absent: Brennan

Upon roll call of the amended agenda of May 21, 2019:
Ayes: Cleary, Fronheiser, Holowach, Meyer, Poggi
Nays: None
Abstentions: None
Absent: Brennan

PRESENTATIONS:

Mr. Brennan arrives at 7:17 pm.

Auditor Tom Ferry of Ferraioli, Wielkotz, Cerullo & Cuva, P.A. gave a synopsis on the CY2019 Municipal Budget.

Mr. Meyer made a motion to suspend Roberts Rules to amend the agenda to move the Public Hearing on CY2019 Municipal Budget and Resolution 2019-92R, to after the presentation. Motion seconded by Mr. Fronheiser.

All were in favor.

Public Hearing on CY 2019 Municipal Budget

Mayor Little opened the meeting to the public for any questions or concerns that they may have regarding the CY 2019 Municipal Budget.

Mr. Holowach made a motion to open to the public. Motion seconded by Mr. Fronheiser.

All were in favor.

After giving the public an opportunity to address the Governing Body, Mayor Little closed the meeting to the public and return to the regular order of business.

Mr. Poggi made a motion to close to the public. Motion seconded by Mr. Holowach.

All were in favor.

Resolution 2019-92R - Adoption CY 2019 Municipal Budget

Mr. Poggi made a motion to adopt Resolution 2019-92R adopting the CY 2019 Municipal Budget for the Borough of Sussex. Motion seconded by Mr. Fronheiser. (Motion requested by CFO)

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

DISCUSSION:

Mr. Holowach held a discussion on the Newton Avenue sidewalks.

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

Mr. Poggi stated he approved the bills on Saturday, May 18, 2019. Mr. Poggi stated he interviewed another applicant for the DPW position. The ad was re-advertised in which one new application was received. An ad was published for an office worker in which 33 applications were received and only 3 were qualified candidates which were interviewed by Toni and Melissa. Mr. Poggi stated as the Historian, he attended a memorial service for the Revolutionary War Veterans and Patriots at the old Newton burial grounds on Saturday, May 18, 2019. There were 11 Revolutionary War heroes buried in the old Newton burial grounds who were memorialized and one member of the Ladies of Trenton. It was very well attended and well done by the reenactors. Mr. Poggi stated he will be attending the Post 213 Memorial Day Graveside visit on Monday, May 27, 2019 (Memorial Day). Mr. Poggi stated the Borough needs to get the monuments and plaques to the center of Town in the park. Once made a memorial type park, the Borough can get back on the route for the Post 213 and make Sussex Borough a stop again.

Mr. Holowach stated the DPW workers have used 15 tons of asphalt repairing potholes around Town. They're also working on the sewers. Mr. Holowach stated he has received spreadsheets by Brian on work that is being done and it is an excellent report that he is given.

Mr. Fronheiser offered no report.

Mr. Cleary stated Saturday, May 18, 2019, he and Mr. Meyer attended a class at Rutgers on "Powers and Duties of Local Elected Officials" which was very informative.

Mr. Brennan stated the Recreation Meeting was cancelled due to not meeting a quorum. Mr. Brennan stated the Miss/Mr. Sussex contest is coming up. Mayor Little stated the fishing contest is June 23, 2019.

Mr. Meyer stated Miss/Mr. Sussex contest is Saturday, June 8, 2019 at the theater from 11:00 am to 3:00 pm. Mr. Meyer stated June 23, 2019, is the fishing contest, details to come. Mr. Meyer stated the following are tentative dates the Recreation Commission has discussed: Sussex Day will be October 12, 2019; the Halloween parade will be October 26, 2019; the tree lighting will be November 30, 2019. Mr. Meyer stated on May 15, 2019; the Sussex-Wantage Chambers of Commerce met at Friendly's. He suggests anyone who wants more information on the events discussed to visit sussexcountychamber.org. Mr. Meyer stated on June 4, 2019, there's going to be an economic outlook forum at the Sussex County College. Mr. Meyer stated on June 18, 2019, the Sussex County Chamber Expo will be held at Crystal Springs. Mr. Meyer stated on September 15, 2019, is Sussex County Day at the Fairgrounds and there will be a town table for Sussex Borough to set up. Mr. Meyer stated on Saturday, May 18, 2019, he attended Rutgers Center for the Government Services and the course was on "powers and duties of local officials". The instructor was Greg Bonin, the Administrator of Branchburg Township, who was great. Mr. Meyer stated one thing to keep in mind is managing the public entity is different from managing a business. The major difference is there are a lot of laws and regulations to be followed in a public entity. Mrs. Smith stated there will be a training on June 20, 2019, on ethics and sexual harassment. Mr. Meyer discussed details on administrative code. Mr. Meyer stated regarding Economic Development, Alpine Village sold for $16M, which is a record sale for Sussex Borough. Mr. Meyer stated on June 6, 2019, there will be a Clove Lake clean up and planting of a new buffer. Mr. Meyer held a discussion on vacant properties in the Borough. Mr. Meyer stated the Planning/Zoning Board will

hold their next meeting May 28, 2019. They will be discussing Redevelopment Area B and D, outside entertainment Ordinance, Economic Development and Revitalization of Main Street.

Mayor Little stated on May 13, 2019, there was a meeting regarding watermain issues on Route 23 South and Brookside Avenue. Someone needs to find a stub at the corner of the property so it will take care of some of the water items in that area. Mayor Little stated on May 17, 2019, there was a "Meet and Greet" at the Elks Lodge to inform individuals and municipalities of the different programs that they participate in such as advocating for veterans and drug alliance. Mayor Little stated she wrote a letter to the State concerning the 300-foot buffer zone in the C1 water way. Mayor Little stated Mike Vreeland of Guerin and Vreeland Engineering will be joining Van Cleef Engineering Associates effective July 1, 2019. He will continue to be the Borough's Engineer for the lakes, dams and reservoirs through the end of their contract. Mayor Little stated on May 20, 2019, she spoke with Dave Pepe of the DEP permitting department. He gave a review of the state's ROW (right of way). Mayor Little stated she would like to put on the website a posting that volunteers are needed to represent Sussex Borough at the Sussex County Water Quality Management Pac and the Sussex County Waste Management Committee.

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. Holowach made a motion for discussion on the consent agenda of May 21, 2019. Motion seconded by Mr. Fronheiser.

Mr. Fronheiser made a motion to pull the utility billing property status report for discussion. Motion seconded by Mr. Holowach.

All were in favor.

Mr. Holowach held a discussion on the utility billing property status report.

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

1. Resolution from the Township of Sparta in support of "Path to Progress" recommendations made by New Jersey Economic and Fiscal Policy Workshop.
2. Resolutions from the Hampton Township and Montague Township in support of Senate Bill No.1683 and Assembly Bill No. 4267 to close loopholes in the State's Solid Waste Regulatory and Oversight System.
3. Resolutions from the Borough of Franklin and Montague Township proclaiming that the Municipality will not collect new stormwater management or rain taxes.
4. Resolution from Hampton Township to support the Human Trafficking and Child Prevention Exploitation Prevention Act.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Clerk's Report for the month of April 2019.
2. Construction Department Report for the month of April 2019.
3. Grant Writer's Report dated April, 2019.
4. Property Maintenance Department Report for the month of April 2019.
5. Tax Collector's Report for the month of April 2019.
6. Water Sewer Collector Report for the month of April 2019.
7. Zoning Department Report April, 2019.
8. Delinquent/Unpaid Utility Properties report as of May 17, 2019.
9. Water Shut Off report as of May 17, 2019.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. NJ State Firemen's Association Application from Kenneth J. Nuss.
2. NJ State Firemen's Association Application from Melissa A. Schaid.
3. Blue Light Permit Application from Melissa A. Schaid.

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of May 21, 2019.

Upon roll call vote on the consent agenda for May 21, 2019:
Ayes: Brennan, Cleary, Fronheiser, Holowach (abstained on #1 & 2 under applications), 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 Mr. Fronheiser.

All were in favor.

John Quinlan and Jodi of 19 Hill Street, Sussex. Mr. Quinlan held a discussion about a property on Hill Street that is full of garbage as well as a constant runoff of water on Hill Street.

There being no one else present 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.

OLD BUSINESS:

Resolution 2019-86R - Authorizing the Award of Contract for Engineering and Consulting Services.

Mr. Fronheiser made a motion to adopt Resolution 2019-86R authorizing the Mayor and/or Clerk to enter into a contract with Houser Engineering, LLC to provide engineering and consulting services for the Insertion Valve Project as per their submitted proposal. Motion seconded by Mr. Poggi.

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

NEW BUSINESS:

Approval of Meeting Minutes

Mr. Fronheiser made a motion to approve the meeting minutes of the Regular Meeting and Executive Session held on May 7, 2019. Motion seconded by Mr. Meyer. (Absent: Holowach)

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

Adoption Ordinance 2019-04 – Amending ordinance NO. 2016-04 FIXING THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND STATE OF NEW JERSEY.

Mr. Fronheiser made a motion to adopt Ordinance 2019-04 an ordinance amending Ordinance 2016-04 fixing the salaries of certain officers and employees of the Borough of Sussex, County of Sussex and State of New Jersey. Motion seconded by Mr. Meyer.

Before final roll call Mayor Little opened the meeting to the public for any questions or concerns regarding Ordinance 2019-04.

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

Adoption Ordinance 2019-05 – AN ORDINANCE DELETING SECTION 2-6A, ENTITLED "BOROUGH ADMINISTRATOR", AND AMENDING SECTION 2-19, ENTITLED "BOROUGH CLERK; DEPUTY", OF CHAPTER II, ENTITLED "ADMINISTRATION"

Mr. Poggi made a motion to adopt Ordinance 2019-05 an ordinance deleting section 2-6A, entitled "BOROUGH ADMINISTRATOR", and amending section 2-19, entitled "BOROUGH CLERK; DEPUTY", of chapter ii, entitled "ADMINISTRATION". Motion seconded by Mr. Meyer.

Before final roll call Mayor Little opened the meeting to the public for any questions or concerns regarding Ordinance 2019-05.

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

Resolution 2019-91R – Budget Self-Examination Program

Mr. Holowach made a motion to adopt Resolution 2019-91R, authorizing participation in Self-Examination Program of the 2019 municipal budget. 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 2019-93R – Resolution Proclaiming to Local Residents and Businesses that the Municipality will not collect new stormwater management or rain taxes.

Mr. Cleary made a motion to adopt Resolution 2019-93R, proclaiming the Municipality will not collect new stormwater management or rain taxes. Motion seconded by Mr. Fronheiser.

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

Resolution 2019-94R – Resolution in support of Senate Bill No. 1683 and Assembly Bill No. 4267 which would close loopholes in the State's Solid Waste Regulatory and Oversight System

Mr. Fronheiser made a motion to adopt Resolution 2019-94R in support of Senate Bill No. 1683 and Assembly Bill No. 4267 which would close loopholes in the State's Solid Waste Regulatory and Oversight System. Motion seconded by Mr. Meyer.

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

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. Fronheiser.

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. Fronheiser.
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. Fronheiser.

All were in favor.

After meeting in closed session, the Governing Body returned to their seats at 10:04 p.m. and Mr. Meyer 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.

NEW BUSINESS: (Continued)

Resolution 2019-95R – Authorizing Award of Contract

Mr. Meyer made a motion to adopt Resolution 2019-95R, authorizing the proper Borough entities to enter into a contract with Kelly Engineering for additional hours of review. Motion seconded by Mr. Fronheiser.

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

Resolution 2019-96R, Revised Meeting Schedule for 2019

Mr. Meyer made a motion to approve Resolution 2019-96R, authorizing the revised meeting schedule for 2019. Motion seconded by Mr. Holowach.

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

Resolution 2019-97R authorizing Execution of right of entry agreement with the State of New Jersey, Department of Environmental Protection, Division of Parks and Forestry

Mr. Meyer made a motion to approve Resolution 2019-97R, authorizing execution of right of entry agreement with the State of New Jersey, Department of Environmental Protection, Division of Parks and Forestry. Motion seconded by Mr. Poggi.

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. Meyer.

All were in favor.

_____ _____
Katherine Little, Mayor Antoinette Smith, Clerk

Approved: June 6, 2019