

**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
JANUARY 21, 2020**

Mayor Meyer led the assembly in the flag salute and requested a moment of silence.

Mayor Meyer 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 Meyer 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. Mario Poggi and Mayor Edward Meyer.

Absent: Mr. Michael Brennan

Also present: Mrs. Antoinette Smith, Clerk/Administrator and Melissa Morales, Deputy Clerk

APPROVAL OF AGENDA

Mr. Fronheiser made a motion to approve the agenda for January 21, 2020. Motion seconded by Mr. Holowach.

Upon roll call vote:

Ayes: Cleary, Fronheiser, Holowach, Poggi

Nays: None

Abstentions: None

Absent: Brennan

APPOINTMENT OF COUNCIL MEMBER:

Mayor Meyer stated Mrs. Alexis Horvath read for the record the names submitted on January 17, 2020 from Charles Fronheiser, Jr. and Alexis Horvath, Sussex Municipal Republican Committee.

Alexis Horvath, Sussex Municipal Republican Committee Chairwoman, read the three names that were submitted and most qualified; Barry Fitzpatrick, Linda Masson and Thomas Prout. Mrs. Horvath stated they nominated Mr. Fitzpatrick would be a great candidate. He purchased a home on Banks Street in which he put a great deal of not only money, but a lot of energy in house. He has also put a lot of money into his business on Mill Street as well. He has a vested interest and feels he would be a wonderful asset to the Council. Mrs. Horvath stated Mrs. Masson's nomination was a given since she was already on the Council. She is aware of what is going on in the Borough. She has a good response with the Borough employees as well as the Council. Mrs. Horvath stated Mr. Prout is another person that would be great. His family owned a very successful business in Town, Prout's Diner. He ran the business with his brother. He is very involved with the Town. He was very integral in getting the Sussex Wesleyan Church back on their feet to open back up and now their doors are open. Mrs. Horvath stated the statue of the nominations of filling a vacant seat. Mrs. Horvath stated the residents of Sussex Borough have entrusted in Mr. Fronheiser and herself to do their homework and due diligence in regards to what is best and positive representation for the Borough and benefit of the Borough. Mrs. Horvath stated she is not thrilled that the Mayor went behind her back and discussed with a brother of a candidate and see why he would want to represent the Borough on Council. She does not feel that it is proper nor was it an ethics violation, but she feels that he should have spoken to herself or the Committee man. Mayor Meyer disagrees with Mrs. Horvath and stated he has the right the responsibility to vet each and everyone one of the candidates, in which he did. Mayor Meyer stated he spoke with Mr. Fitzpatrick and Mr. Prout to discuss their view points. Mrs. Horvath stated she did not feel he should speak to someone who is not a candidate. Mr. McGovern confirmed with Mrs. Horvath the submitted candidates are residents of Sussex Borough and are all registered republican voters.

Mr. Michael Brennan joined the dais at 7:13 p.m.

Mayor Meyer read for the record the names submitted on January 17, 2020 from Charles Fronheiser, Jr. and Alexis Horvath, Sussex Municipal Republican Committee; Barry Fitzpatrick, Linda Masson and Thomas Prout.

Mr. Brennan made a motion to appoint Linda Masson to fill the vacancy created by the resignation of Mr. Edward Meyer. The interim Council Member's term of office shall end when the votes are certified after the November 2020 general election. Motion seconded by Mr. Poggi.

Upon roll call vote:

Ayes: Brennan, Cleary, Fronheiser, Holowach, Poggi

Nays: None

Abstentions: None

Absent: None

Mayor Meyer administered the oath of office to the interim Council Member, Linda Masson.

Mayor Meyer requested the clerk to call the roll of the 2020 Borough of Sussex Governing Body. 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, Mrs. Linda Masson, Mr. Mario Poggi and Mayor Edward Meyer.

PRESENTATIONS:

The presentation of Certificate of Appreciation by Mayor Meyer to former Mayor Katherine Little was postponed.

Chris Kirk, Chief Program Officer for NORWESCAP, gave a presentation regarding the Neighborhood Revitalization Tax Credit.

DISCUSSION:

A brief discussion regarding lighting on Main Street.

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

Mr. Poggi stated during Executive Session, there will be a discussion of the hiring of a part-time parking enforcement officer. Mr. Poggi stated he attended the NJ Local Planning Service meeting on January 10, 2020 along with Mayor Meyer. Mr. Poggi stated it is pretty interesting in the amount of services the state will provide for free. Mr. Poggi stated there is a reality show where they fix up houses and a Town. He will be putting in an application to rehab Sussex Borough. He advised others to put an application too.

Mr. Fronheiser stated he met with the DPW and was told they have been trying to get a hot water heater and was told there was no money for it. It has been leaking water on the floor. Mr. Holowach asked to get amounts on flipping the one of the two restrooms, do a unisex bathroom and making the other a shower stall. Mr. Fronheiser stated there was also a discussion on getting a Borough Physician. Mayor Meyer stated per the DPW Supervisor, there are certain vaccination that the employees should have. Mr. Fronheiser stated he had a few more items for discussion that will be left for the Budget Meeting. Mr. Fronheiser stated the State passed the Dirty Dirt Ordinance and there is a pile down at the garage and would like to know what is going to be done with it. It is very costly to get rid of it. Mr. Fronheiser voiced his concern on the DPW not wearing the uniforms that have been supplied to them. Mr. Fronheiser offered no report on Property Maintenance. Mr. Fronheiser held a discussion on the replacement of fire hydrants.

Mr. Cleary stated he was unable to attend the SCUMA meeting. Mr. Cleary stated Mr. Fronheiser covered everything regarding the DPW meeting.

Mrs. Masson stated she attended the Grant Committee meeting. Mrs. Masson stated the CFO was in attendance to go over the financial situation of the water/sewer system. Mrs. Masson stated typically they would go over the all the grants available, what we would like to put in for,

what we have received and the work in the progress. Mrs. Masson stated that Mayor Meyer said that due to the Water/Sewer Utility's financial situation, as stated by our CFO, he did not want to pursue any new grants. Mayor Meyer stated we needed grants for the projects as there are so many incomplete and to add more projects without full grants wouldn't make sense. Mayor Meyer stated the CFO and Auditor made it very clear on some of the restrictions and limitations that we had and adding more grants, until the current projects were completed was the recommendation. Mrs. Masson stated we need to complete the work for which we already have grant money, otherwise, we put the ability to obtain future grants in jeopardy. She suggested that the Grant Writer attend a future meeting to discuss grant availability and the needs of the Borough with the Council, as it is their decision.

Mr. Brennan stated he attended the Recreation meeting. They discussed a few events that are being planned.

Mr. Holowach stated he attended his first Planning/Zoning Board meeting and gave some information from the meeting. Mr. Holowach held a brief discussion on the Harvest House and NORWESP. There was discussion on lighting as well.

Mr. Poggi added a discussion from the meeting of the Local Planning Service.

Mayor Meyer stated he and Toni had a follow up call from the Local Planning Service. Mayor Meyer stated there was a discussion regarding a redevelopment plan for the hospital. Mayor Meyer referred to his report.

Mr. Fronheiser requested status on the hot water heater for the Municipal Building and the DPW Garage. Mrs. Smith stated she is still waiting on quotes.

CONSENT AGENDA:

Mayor Meyer 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 to approve the consent agenda of January 21, 2020. Motion seconded by Mr. Poggi.

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

1. Resolution from the Borough of Hamburg and the Borough of Franklin Declaring Support for Second Amendment Rights.
2. Planning Board minutes for the December 16, 2019 meeting.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Clerk's Report for the month of December 2019.
2. Construction Department Report for the month of December 2019.
3. Grant Writer Report for the month of December 2019.
4. Property Maintenance Department Report for the month of December 2019.
5. Tax Collector's Report for the month of December 2019.
6. Treasurer's Reports November 2019 and December 2019.
7. Water Sewer Collector Report for the month of December 2019.
8. Zoning Department Report December, 2019.
9. Delinquent/Unpaid Utility Properties report as of January 13, 2020.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Fire Fighter Application for William Shaid.
2. Fire Fighter Application for Cory Crawn.

RESOLUTIONS: (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of January 21, 2020.

Upon roll call vote:

Ayes: Brennan, Cleary, Fronheiser, Holowach (abstained from applications #1 & 2), Poggi

Nays: None
Abstentions: Masson
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. Brennan.

All were in favor.

Carlo DeAmbrossi, 9 Main Street, asked about the hot water heater. He suggested a propane water heater instead of an electric water heater. Mr. Brennan stated that was a great suggestion, but the propane water heaters are not as efficient and are more cost effective. Mr. DeAmbrossi stated he's liking what he's seeing around town with the new businesses opening up and things to that nature. He interacts with the business owners on a daily basis.

Karen VanDeveer, Board of Health, asked who her Council Liaison was for the Board of Health. Mayor Meyer stated Mrs. Masson will be her liaison. Mrs. VanDeveer gave a report on the 2020 rabies clinic. She thanked the DPW for their assistance.

Alexis Horvath, stated she is trying to get the school involved regarding the HGTV reality show application.

Mayor Meyer stated the Borough of Sussex was mentioned in the Sunday Star Ledger regarding the Second Amendment Resolution.

Carlo DeAmbrossi, 9 Main Street, stated June is pride month for LGBTQ people. He recommended getting the local businesses involved.

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. Fronheiser.

All were in favor.

OLD BUSINESS:

NEW BUSINESS:

Approval of Meeting Minutes

Mr. Poggi made a motion to approve the meeting minutes of the Regular Meeting and Executive Session held on December 17, 2019. Motion seconded by Mr. Cleary.

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

Mr. Cleary made a motion to approve the meeting minutes of the Reorganization Meeting held on January 2, 2020. Motion seconded by Mr. Fronheiser.

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

Introduction of Ordinance 2020-01 AN ORDINANCE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING CHAPTER 18,

ENTITLED “LAND SUBDIVISION”, CHAPTER 19, ENTITLED “ZONING” AND CHAPTER 21, ENTITLED “SITE PLAN REVIEW” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SUSSEX.

Mr. Holowach made a motion to introduce Ordinance 2020-01 an ordinance of the Borough of Sussex, County of Sussex and State of New Jersey amending Chapter 18, entitled “Land Subdivision”, Chapter 19, entitled “Zoning” and Chapter 21, entitled “Site Plan Review” of the revised general ordinances of the Borough of Sussex. Motion seconded by Mr. Poggi.

Upon roll call vote:

Ayes: Cleary, Fronheiser, Holowach, Poggi

Nays: Brennan

Abstentions: Masson

Absent: None

FINAL READING FEBRUARY 4, 2020

Mr. Fronheiser made a motion to approve resolutions 2020-42R through 2020-45R. Motion seconded by Mr. Cleary.

Resolution 2020-42R – Amending Salary Resolution
Resolution 2020-43R – Intent to Assign Tax Sale Certificate
Resolution 2020-44R – Refund for property tax
Resolution 2020-45R – \$389,500.00 Bond Anticipation Notes

Mr. Fronheiser held a brief discussion on Resolution 2020-42R.

Upon roll call vote:

Ayes: Cleary, Fronheiser, Holowach, Poggi

Nays: Brennan

Abstentions: Masson

Absent: None

Approval of Social Affair Permit for Sussex Fire Department

Mr. Cleary made a motion to approve a social affair permit for Sussex Fire Department for February 29, 2020. Motion seconded by Mr. Poggi.

Upon roll call vote:

Ayes: Brennan, Cleary, Fronheiser, Masson, Poggi

Nays: None

Abstentions: Holowach

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 Mrs. Masson.

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 Mrs. Masson.

All were in favor.

After meeting in closed session, the Governing Body returned to their seats at 9:49 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 2020-46R – Contract Elevator Company

Mr. Fronheiser made a motion to table Resolution 2020-46R authorizing a maintenance agreement for elevator service to February 4, 2020 meeting. Motion seconded by Mr. Cleary.

Upon roll call vote:

Ayes: Brennan, Cleary, Fronheiser, Masson

Nays: None

Abstentions: Holowach, Poggi

Absent: None

Resolution 2020-47R – Part Time Parking Enforcement Officer

Mr. Cleary made a motion approve Resolution 2020-47R, approving the hire of Robert Dabbinet, part-time parking enforcement officer, at a rate of \$15.00 per hour, 20-25 hours per week. Motion seconded by Mr. Fronheiser.

Upon roll call vote:

Ayes: Cleary, Fronheiser, Holowach, Masson, Poggi

Nays: Brennan

Abstentions: None

Absent: None

Resolution 2020-48R – Authorizing Agreement for Shared Services for Vernon Township

There being no motion or second authorizing the agreement for shared services for Vernon Township.

Motion Failed.

ADJOURNMENT

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

All were in favor.

Edward Meyer, Mayor

Antoinette Smith, Municipal Clerk

Date Approved: February 18, 2020