

**MINUTES OF THE MEETING OF THE  
MAYOR AND COUNCIL OF THE BOROUGH OF SUSSEX  
HELD VIA THE INTERNET AT 7:00 P.M. ON  
JUNE 16, 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, Mrs. Linda Masson, Mr. Mario Poggi and Mayor Edward Meyer.

Absent: Mr. Michael Brennan, Mr. Robert Holowach

Also present: Borough Attorney Mr. Frank McGovern, Esq. of McGovern and Roseman, P.A., Mrs. Antoinette Smith, Clerk/Administrator and Mrs. Melissa Morales, Deputy Clerk

Mayor Meyer made a brief comment commending all the employees of the Borough.

**APPROVAL OF AGENDA**

Mr. Fronheiser made a motion to approve the agenda for June 16, 2020. Motion seconded by Mrs. Masson.

Upon roll call vote:

Ayes: Cleary, Fronheiser, Masson, Poggi

Nays: None

Abstentions: None

Absent: Brennan, Holowach

**PRESENTATIONS:**

There were no presentations scheduled.

**DISCUSSION:**

Mrs. Masson held a discussion regarding Main Street and the grants received.

Mr. Brennan joined at 7:20 pm.

Mr. Fronheiser held a discussion regarding proposed ordinance 2020-02.

Mrs. Smith held a discussion regarding the reopening of Borough Hall.

Mrs. Smith held a discussion on the shortfall of the utility collections.

**COMMITTEE REPORTS:**

Mr. Fronheiser gave a report on the DPW. Mr. Fronheiser stated the DPW is requesting an enclosed trailer as well as other equipment. Mr. Fronheiser stated repairs to the generator is needed.

Mrs. Masson gave a report on the grants.

Mr. Poggi stated he will have a discussion in Executive Session regarding the employee that resigned.

Mr. Brennan offered no report.

Mr. Cleary offered no report.

Mayor Meyer's report is listed on the consent agenda.

**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. Fronheiser made a motion to approve the consent agenda of June 16, 2020. Motion seconded by Mrs. Masson.

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

1. Mayor's Notes

**REPORTS** (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Clerk's Report for the month of May 2020.
2. Construction Department Report for the month of May 2020.
3. Grant Writer's Report May 2020.
4. Property Maintenance Department Report for the month of May 2020.
5. Tax Collector's Report for the month of May 2020.
6. Water Sewer Collector Report for the month of May 2020.
7. Zoning Department Report May 2020.
8. Delinquent/Unpaid Utility Properties report as of June 12, 2020.

**APPLICATIONS** (APPROVAL OF THE FOLLOWING):

1. Fire Fighter Application for Taylor McKay.
2. Use of Facilities Application for Bogg's Field

**RESOLUTIONS:** (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of June 16, 2020.

Upon roll call vote:

Ayes: Brennan, Cleary, Fronheiser, Masson, Poggi

Nays: None

Abstentions: None

Absent: Holowach

**OLD BUSINESS:**

**NEW BUSINESS:**

**Approval of Meeting Minutes**

Mrs. Masson made a motion approve the meeting minutes of the Meeting held on June 2, 2020. Motion seconded by Mr. Fronheiser.

Upon roll call vote:

Ayes: Brennan, Cleary, Fronheiser, Masson, Poggi

Nays: None

Abstentions: None

Absent: Holowach

**Resolution 2020-104R – Acceptance of an Employee Resignation**

Mr. Fronheiser made a motion to approve Resolution 2020-104R accepting the resignation of a Borough employee. Motion seconded by Mr. Poggi.

Upon roll call vote:

Ayes: Brennan, Cleary, Fronheiser, Masson, Poggi

Nays: None

Abstentions: None

Absent: Holowach

**Resolution 2020-105R – Authorizing the Qualified Purchasing Agent to receive certain bids in accord with N.J.A.C.5:34-5.1, E- Procurement**

Mr. Fronheiser made a motion to adopt Resolution 2020-105R authorizing the Qualified Purchasing Agent to receive certain bids in accord with N.J.A.C.5:34-5.1, E-Procurement. Motion seconded by Mr. Cleary.

Mr. Fronheiser asked what the Resolution was regarding. Mrs. Smith answered.

Upon roll call vote:

Ayes: Brennan, Cleary, Fronheiser, Masson, Poggi

Nays: None

Abstentions: None

Absent: Holowach

**Resolution 2020-106R – Utility Account Credit Request**

Mr. Poggi made a motion to approve Resolution 2020-106R approving a request for a credit for NSF and interest charges incurred. Motion seconded by Mr. Fronheiser.

Mr. Fronheiser asked for an explanation of the Resolution. Mrs. Smith answered.

Upon roll call vote:

Ayes: Brennan, Cleary, Fronheiser, Masson, Poggi

Nays: None

Abstentions: None

Absent: Holowach

**Resolution 2020-107R – Utility Account Payment Plan Request**

Mr. Brennan made a motion to adopt Resolution 2020-107R to approve a request for a payment plan for account 5351. Motion seconded by Mr. Poggi.

Mrs. Smith explained briefly the Resolution.

Upon roll call vote:

Ayes: Brennan

Nays: Cleary, Fronheiser, Masson, Poggi

Abstentions: None

Absent: Holowach

Motion Fails.

**Resolution 2020-108R – Approving the Mayor's Appointment's to the NJLPS Working Committee**

Mrs. Masson made a motion to adopt Resolution 2020-108R to approve the Mayor's Appointment's to the NJLPS Working Committee. Motion seconded by Mr. Poggi.

Mrs. Smith read the list of members for the record.

Upon roll call vote:

Ayes: Brennan, Cleary, Masson, Poggi

Nays: None

Abstentions: Fronheiser

Absent: Holowach

**Resolution 2020-109R - Approval to Submit a Grant Application and Execute a Grant Contract with the NJDOT for TAP**

Mrs. Masson made a motion to adopt Resolution 2020-109R to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Transportation Alternatives Program for various road improvements. Motion seconded by Mr. Fronheiser.

Upon roll call vote:

Ayes: Brennan, Cleary, Fronheiser, Masson, Poggi

Nays: None  
Abstentions: None  
Absent: Holowach

**Resolution 2020-110R - Award a Contract for Tank Cleaning Services to Underwater Solutions Associated with Executing the NJDEP ACO**

Mr. Fronheiser made a motion to adopt Resolution 2020-110R to award a contract for Tank Cleaning Services to Underwater Solutions Associated with Executing the NJDEP ACO in an amount not to exceed \$8,980.00. Motion seconded by Mr. Poggi.

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

**Resolution 2020-111R - Endorsing issuance by the New Jersey Division of Alcoholic Beverage Control of covid-19 expansion of premises permit to Emerald Construction Services, LLC**

Mr. Fronheiser made a motion to approve Resolution 2020-111R Endorsing issuance by the New Jersey Division of Alcoholic Beverage Control of covid-19 expansion of premises permit to Emerald Construction Services, LLC. Motion seconded by Mrs. Masson.

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

**Introduction of Ordinance 2020-06 – AN ORDINANCE TO AMEND SCHEDULE IV, ENTITLED “PARKING TIME LIMITED” OF CHAPTER IX, ENTITLED “TRAFFIC”, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND STATE OF NEW JERSEY**

Mr. Fronheiser made a motion is in order to introduce Ordinance 2020-06 – AN ORDINANCE TO AMEND SCHEDULE IV, ENTITLED “PARKING TIME LIMITED” OF CHAPTER IX, ENTITLED “TRAFFIC”, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND STATE OF NEW JERSEY. Motion seconded by Mr. Poggi.

Mr. McGovern stated there were changes made to the title and should be read as the following:

AN ORDINANCE TO AMEND SCHEDULE I, “NO PARKING” OF CHAPTER IX, ENTITLED “TRAFFIC”, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND STATE OF NEW JERSEY

Mr. Fronheiser made a motion is in order to introduce Ordinance 2020-06 – AN ORDINANCE TO AMEND SCHEDULE I, “NO PARKING” OF CHAPTER IX, ENTITLED “TRAFFIC”, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND STATE OF NEW JERSEY Motion seconded by Mr. Poggi.

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

**FINAL READING JULY 14, 2020**

**Introduction of Ordinance 2020-07 – ORDINANCE PROVIDING FOR THE UPGRADE OF CATCH BASINS IN AND BY THE BOROUGH OF SUSSEX, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND APPROPRIATING \$30,000 THEREFOR FROM THE GENERAL CAPITAL FUND - CAPITAL IMPROVEMENT FUND OF THE BOROUGH.**

Mr. Fronheiser made a motion to introduce Ordinance 2020-07 – ORDINANCE PROVIDING FOR THE UPGRADE OF CATCH BASINS IN AND BY THE BOROUGH OF SUSSEX, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND APPROPRIATING \$30,000 THEREFOR FROM THE GENERAL CAPITAL FUND - CAPITAL IMPROVEMENT FUND OF THE BOROUGH. Motion seconded by Mr. Cleary.

Mr. Fronheiser stated the DPW will be doing all the work. The amount \$30,000 is for material only. Work will be done on Walnut Street.

Upon roll call vote:

Ayes: Brennan, Cleary, Fronheiser, Masson, Poggi

Nays: None

Abstentions: None

Absent: Holowach

**FINAL READING JULY 14, 2020**

**Introduction of Ordinance 2020-08 – ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW EQUIPMENT FOR USE BY THE DEPARTMENT OF PUBLIC WORKS OF THE BOROUGH OF SUSSEX, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND APPROPRIATING \$34,000 THEREFOR FROM THE GENERAL CAPITAL FUND – RESERVE FOR PURCHASE OF DPW EQUIPMENT OF THE BOROUGH.**

Mr. Cleary made a motion to introduce Ordinance 2020-08 – ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW EQUIPMENT FOR USE BY THE DEPARTMENT OF PUBLIC WORKS OF THE BOROUGH OF SUSSEX, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND APPROPRIATING \$34,000 THEREFOR FROM THE GENERAL CAPITAL FUND – RESERVE FOR PURCHASE OF DPW EQUIPMENT OF THE BOROUGH. Motion seconded by Mr. Fronheiser.

**FINAL READING JULY 14, 2020**

Upon roll call vote:

Ayes: Brennan, Cleary, Fronheiser, Masson, Poggi

Nays: None

Abstentions: None

Absent: Holowach

**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.

Stephen Denman, 32B Bank Street, held a discussion regarding the Main Street projects and how to improve the Borough of Sussex.

Siobhan Carroll, 54 Hamburg Avenue, thanks Mrs. Masson for the updates regarding the grants. Ms. Carroll states her comments on the issues of logging into the meeting. Ms. Carroll states her concerns about the DPW spending the Borough's money. Ms. Carroll commented on the Pride Month Resolution not passing.

Amber (inaudible), 89 Main Street #B, commented on the Pride Month Resolution not passing.

Damaris Lira, 12 Lakeview Terrace, commented on the Pride Month Resolution not passing and would like guidance on moving forward with a petition.

Katie Rotondi, 27 Blueberry Road, Hampton, commented on the Pride Month Resolution not passing.

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

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. Poggi.

All were in favor.

After meeting in closed session, the Governing Body returned to their seats at 9:56 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. Fronheiser.

All were in favor.

Mr. Brennan stated he would like to see all Borough employees wear uniforms.

### **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. Cleary.

All were in favor.

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Edward Meyer, Mayor

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Antoinette Smith, Municipal Clerk

Date Approved: July 14, 2020