

**MINUTES OF THE REORGANIZATION MEETING OF THE  
MAYOR AND COUNCIL  
OF THE BOROUGH OF SUSSEX  
HELD AT THE SUSSEX MUNICIPAL BUILDING  
2 MAIN STREET, SUSSEX, NJ  
JANUARY 5, 2016**

Municipal Clerk Mark Zschack called the **January 5, 2016** Reorganization Meeting to order.

**Oaths of Office**

Mark Zschack, Municipal Clerk, read the "Statement of County Canvassers."

Mark Zschack, Municipal Clerk, administered the Oath of Office to Mayor-Elect Katherine Little for a four year term expiring December 31, 2019.

Mayor little joined the dais and presided over the remainder of the meeting.

Mark Zschack, Municipal Clerk, administered the Oath of Office to Councilwoman-Elect Linda Masson for a three year term expiring December 31, 2018.

Mrs. Masson joined the dais.

Mark Zschack, Municipal Clerk, administered the Oath of Office to Councilman-Elect Edward Meyer for a three year term expiring December 31, 2018.

Mr. Meyer joined the dais.

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

**Mayor Little** stated that "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."

**Roll Call of the 2016 Governing Body**

**Mayor Little** requested a roll call of the 2016 Borough of Sussex Governing Body.

Upon roll call, the following members of the Governing Body were present: Mr. Frank Dykstra, Mr. Robert Holowach, Mrs. Linda Masson, Mr. Edward Meyer, Mrs. Georgeanna Stoll and Mayor Katherine Little

Absent: None

Also present: Mr. Mark Zschack, Municipal Administrator/Clerk. (Borough Attorney Mr. Frank McGovern, Esq. of McGovern and Roseman, P.A. joined the dais at 8:02pm)

**APPOINTMENT OF COUNCIL MEMBER**

At this time **Mayor Little**, read for the record a letter received January 4, 2016 from Michael LaMorte and Gail Zubl, Sussex Municipal Democratic Committee Chairperson, submitting three nominees to fill the vacancy for interim Council Member.

*DEMOCRATIC PARTY*

*Sussex, New Jersey 07461 January 4, 2016*

*The Democratic Party of Sussex Borough is submitting the following names for the open seat on the Sussex Borough Council: Albert Decker, Gail Anne Zubl, Michael La Morte.*

*Sussex Borough Committeeman, Michael LaMorte    Sussex Borough Committeewoman, Gail Zubl*

**Mayor Little** called for a motion to appoint one of the nominees from the list received from the Sussex Democratic Committee on Jan 4, 2016 to fill the vacancy created by the resignation of Mrs. Katherine Little. The interim Council Member term of office shall end when the votes are certified after the November 2016 general election.

No motions were offered at this time.

**PRESENTATIONS:**

Mayor Little presented a plaque to former Mayor Jonathan Rose honoring his hard work and dedication to the residents of Sussex Borough during his terms as Mayor, Councilman and member of the Planning/Zoning Board.

Mayor Little presented a plaque to former Councilman Mario Poggi honoring his hard work and dedication to the residents of Sussex Borough during his term as Councilman.

**CONSENT AGENDA**

Mayor Little stated that Resolutions #2016-01 through #2016-13, #2016-39 and #2016-40 will be considered in one motion. 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.

Resolution #2016-01R – 2016 Holidays

Resolution #2016-02R – 2016 Rules and Regulations

Resolution #2016-03R – 2016 Meeting Dates

Resolution #2016-04R – Setting Rates of Interest for 2016

Resolution #2016-05R - Designating Official Depositories

Resolution #2016-06R - Designation of Official Newspapers

Resolution #2016-07R - Authorize Legal Defense of Tax Appeals

Resolution #2016-08R – Authorize Cancellation of Record

Resolution #2016-09R - Adopt a Cash Management Plan

Resolution #2016-10R – Reauthorizing Petty Cash Funds

Resolution #2016-11R – Appointing Clean Communities Coordinator

Resolution #2016-12R – Appointing Local Historian

Resolution #2016-13R – Wholesale Water Sales

Resolution #2016-39R – Payment of Recurring Bills

Resolution #2016-40R – Appointment Qualified Purchasing Agent

Mrs. Masson made a motion to accept the consent agenda consisting of Resolutions #2016-01R through #2016-13R, #2016-39 and #2016-40. Motion seconded by Mr. Holowach

Upon roll call vote:

Ayes: Dykstra, Holowach, Masson, Meyer, Stoll

Nays: None

Abstentions: None

Absent: None

**NEW BUSINESS**

**RESOLUTIONS**

**Resolution #2016-14R – Fire Department Officers**

Mr. Holowach made a motion to adopt Resolution 2016-14R approving the Mayor's appointments for the Sussex Fire Department Officers for 2016.

Motion seconded by Mr. Meyer

Upon roll call vote:

Ayes: Dykstra, Holowach, Masson, Meyer, Stoll

Nays: None

Abstentions: None

Absent: None

Mark Zschack, Municipal Clerk administered the Oath of Office to the Officers of the Sussex Fire Department.

**Resolution #2016-15R – Appointment 2016 Risk Management Consultant**

Mrs. Stoll made a motion to adopt Resolution 2016-15R appointing The Morville Agency a Division of Bollinger Insurance as Sussex Borough's local Risk Management Consultant.

Motion seconded by Mr. Meyer

Mrs. Masson made a motion to table until there is a full Council.

No second was offered at this time.

Upon roll call vote on original motion:

Ayes: Dykstra, Holowach, Meyer, Stoll

Nays: Masson

Abstentions: None

Absent: None

**Resolution #2016-16R – Appointment 2016 Fund Commissioner**

Mr. Holowach made a motion to adopt Resolution 2016-16R appointing the Municipal Clerk as the Fund Commissioner for the Statewide Insurance Fund for the year 2016.

Motion seconded by Mr. Dykstra

Mrs. Masson made a motion to table.

No second was offered at this time.

Upon roll call vote:

Ayes: Dykstra, Holowach, Meyer, Stoll

Nays: Masson

Abstentions: None

Absent: None

Mr. Meyer made a motion to go out of order and deal with Resolution 2016-22R appointment of Municipal Attorney. Motion seconded by Mrs. Stoll

Upon roll call vote:

Ayes: Dykstra, Holowach, Meyer, Stoll

Nays: Masson

Abstentions: None

Absent: None

**Resolution #2016-22R – Municipal Attorney**

Mr. Dykstra made a motion to adopt Resolution 2016-22R appointing Frances J. McGovern of the firm McGovern and Roseman, P.P. as the Borough Attorney for the year 2016.

Motion seconded by Mr. Holowach

Mrs. Masson made a motion to table until there is a full Council.  
No second was offered at this time.

Upon roll call vote on original motion:  
Ayes: Dykstra, Holowach, Meyer, Stoll  
Nays: Masson  
Abstentions: None  
Absent: None

Borough Attorney Mr. Frank McGovern, Esq. of McGovern and Roseman, P.A. joined the dais at 8:02 pm and stated that in his opinion resolutions should be considered separately.

**Resolution #2016-17R – Tax Assessor Interlocal Agreement**

Mr. Holowach made a motion to adopt Resolution 2016-17R approving an Interlocal Agreement with Wantage Township for Tax Assessor services for the years 2016 thru 2019.  
Motion seconded by Mr. Meyer

Mrs. Masson made a motion to table until there is a full Council.  
No second was offered at this time.

Upon roll call vote on original motion:  
Ayes: Dykstra, Holowach, Meyer, Stoll  
Nays: Masson  
Abstentions: None  
Absent: None

**Resolution #2016-18R – Appointment Tax Assessor**

Mr. Dykstra made a motion to adopt Resolution 2016-18R appointing Kristy Lockburner to be the Borough of Sussex Tax Assessor through an Interlocal agreement with the Township of Wantage, appointment to commence on January 1, 2016.  
Motion seconded by Mr. Meyer

Mrs. Masson made a motion to table until there is a full Council.  
No second was offered at this time.

Upon roll call vote on original motion:  
Ayes: Dykstra, Holowach, Meyer, Stoll  
Nays: Masson  
Abstentions: None  
Absent: None

**Resolution #2016-19R – Adopting 2016 Temporary Budget**

Mr. Holowach made a motion to adopt Resolution 2016-19R approving the 2016 temporary budget for the Current Fund in the amount of \$363,173.00 and Water/Sewer in the amount of \$1,033,594.00. Motion seconded by Mr. Dykstra

Mrs. Masson made a motion to table until there is a full Council.  
No second was offered at this time.

Upon roll call vote on original motion:  
Ayes: Dykstra, Holowach, Meyer, Stoll  
Nays: Masson  
Abstentions: None  
Absent: None

**Resolution #2016-20R – Municipal Finance Service Interlocal Agreement**

Mr. Holowach made a motion to adopt Resolution 2016-20R approving an Interlocal Agreement with Lafayette Township for Municipal Finance Services for the year 2016.  
Motion seconded by Mr. Dykstra

Mrs. Masson made a motion to table until there is a full Council.  
No second was offered at this time.

Upon roll call vote on original motion:  
Ayes: Dykstra, Holowach, Meyer, Stoll  
Nays: Masson  
Abstentions: None  
Absent: None

**Resolution #2016-21R – Appointment Chief Financial Officer**

Mr. Holowach made a motion to adopt Resolution 2016-21R appointing Gail Magura to be the Chief Financial Officer through an Interlocal agreement with Lafayette Township, appointment to commence on January 1, 2016. Motion seconded by Mr. Meyer

Mrs. Masson made a motion to table until there is a full Council.  
No second was offered at this time.

Upon roll call vote on original motion:  
Ayes: Dykstra, Holowach, Meyer, Stoll  
Nays: Masson  
Abstentions: None  
Absent: None

**PROFESSIONAL SERVICES APPOINTMENTS**

**Resolution #2016-23R – Municipal Engineer**

Mr. Dykstra made a motion to adopt Resolution 2016-23R appointing Harold Pellow, P.E., of the firm Harold Pellow and Associates as Sussex Borough Municipal Engineer for the years 2016 thru 2018. Motion seconded by Mr. Holowach

Mrs. Masson made a motion to table until there is a full Council.  
No second was offered at this time.

Upon roll call vote on original motion:  
Ayes: Dykstra, Holowach, Meyer, Stoll  
Nays: Masson  
Abstentions: None  
Absent: None

**Resolution #2016-24R – Municipal Auditor**

Mr. Holowach made a motion to adopt Resolution 2016-24R appointing Thomas Ferry RMA of the firm Ferraioli, Wielkocz, Cerullo and Cuva, P.A. as the Sussex Borough Auditor for the year 2016. Motion seconded by Mr. Meyer

Mrs. Masson made a motion to table until there is a full Council.  
No second was offered at this time.

Upon roll call vote on original motion:  
Ayes: Dykstra, Holowach, Meyer, Stoll  
Nays: Masson  
Abstentions: None  
Absent: None

**Resolution #2016-25R– Bond Counsel**

Mr. Dykstra made a motion to adopt Resolution 2016-25R appointing Robert H. Beinfield, Esq. of the firm Hawkins Delafield & Wood LLP as Sussex Borough Bond Counsel for the year 2016. Motion seconded by Mr. Meyer

Mrs. Masson made a motion to table until there is a full Council.  
No second was offered at this time.

Upon roll call vote on original motion:  
Ayes: Dykstra, Holowach, Meyer, Stoll  
Nays: Masson  
Abstentions: None  
Absent: None

**Resolution #2016-26R – Appointing Dam Engineer**

Mrs. Stoll made a motion to adopt Resolution 2016-26R appointing Michael Vreeland, P.E. of the firm Guerin & Vreeland Engineering as Sussex Borough Dam Engineer for the Colesville and Clove River dams, for the year 2016. Motion seconded by Mr. Holowach

Mrs. Masson made a motion to table until there is a full Council.  
No second was offered at this time.

Upon roll call vote on original motion:  
Ayes: Dykstra, Holowach, Meyer, Stoll  
Nays: Masson  
Abstentions: None  
Absent: None

**Resolution #2016-27R – Appointing Professional Planner**

Mr. Holowach made a motion to adopt Resolution 2016-27R appointing Kenneth P. Nelson, P.P., of the firm The Nelson Consulting Group as Sussex Borough Professional Planner for the year 2016. Motion seconded by Mr. Dykstra

Mrs. Masson made a motion to table until there is a full Council.  
No second was offered at this time.

Upon roll call vote on original motion:  
Ayes: Dykstra, Holowach, Meyer, Stoll  
Nays: Masson  
Abstentions: None  
Absent: None

**Resolution #2016-28R – Water/Sewer Engineer**

Mr. Holowach made a motion to adopt Resolution 2016-28R appointing Gerald G. Gardner, P.E., of the firm Houser Engineering, LLC as Sussex Borough Water/Sewer Engineer for the year 2016. Motion seconded by Mr. Dykstra

Mrs. Masson made a motion to table until there is a full Council.  
No second was offered at this time.

Upon roll call vote on original motion:  
Ayes: Dykstra, Holowach, Meyer, Stoll  
Nays: Masson  
Abstentions: None  
Absent: None

**Resolution #2016-29R – Water/Sewer Utility Manager**

Mr. Holowach made a motion to adopt Resolution 2016-29R appointing Gerald G. Gardner, P.E., of the firm Houser Engineering, LLC as Sussex Borough Water/Sewer Utility Manager for the year 2016. Motion seconded by Mr. Meyer

Mrs. Masson made a motion to table until there is a full Council.  
No second was offered at this time.

Upon roll call vote on original motion:  
Ayes: Dykstra, Holowach, Meyer, Stoll  
Nays: Masson  
Abstentions: None  
Absent: None

**Resolution #2016-30R – Grant Writer**

Mr. Holowach made a motion to adopt Resolution 2016-30R appointing the firm Bruno Associates, Inc. as Sussex Borough Grant Writer for the year 2016.  
Motion seconded by Mrs. Masson.

There was a brief discussion concerning the timing of this resolution and Mayor Little called for a 5 minute recess to allow the Clerk to gather information.

At 8:30pm Mayor Little called the meeting back to order. The current contract as well as the authorizing resolution from 2015 was reviewed.

Mr. Holowach made a motion to amend Resolution 2016-30R to read:

***BE IT RESOLVED, by the Governing Body of the Borough of Sussex hereby appoints Bruno Associates, Inc. as Sussex Borough's Grant Writer, term ending March 31, 2016, pursuant to the contract that is currently in effect.***

Motion seconded by Mr. Meyer.

Upon roll call vote to amend:

Ayes: Dykstra, Holowach, Masson, Meyer, Stoll

Nays: None

Abstentions: None

Absent: None

Upon roll call vote on original motion as amended:

Ayes: Dykstra, Holowach, Masson, Meyer, Stoll

Nays: None

Abstentions: None

Absent: None

**COUNCIL APPOINTMENTS**

**Resolution #2016-31R – Appointment of Council President**

Mayor Little opened the floor for Council nominations to the position of Council President for the year 2016.

Mrs. Stoll made a motion to adopt Resolution 2016-31R appointing Robert Holowach to the position of Council President for the year 2016. Motion seconded by Mr. Meyer

Mrs. Masson made a motion to table until there is a full Council.  
No second was offered at this time.

Upon roll call vote on original motion:

Ayes: Dykstra, Meyer, Stoll

Nays: Masson

Abstentions: Holowach

Absent: None

**Sussex Planning/Zoning Board**

Mayor Little opened the floor for Council nominations to the position of Full Member Class III on the Sussex Planning/Zoning Board for the year 2016.

Mr. Holowach made a motion to select Councilman Edward Meyer to serve on the Sussex Planning/Zoning Board for the year 2016 as a Full Member Class III (one year term).

Motion seconded by Mr. Dykstra

Mrs. Masson made a motion to table until there is a full Council.  
No second was offered at this time.

Upon roll call vote on original motion:

Ayes: Dykstra, Holowach, Stoll  
Nays: Masson  
Abstentions: Meyer  
Absent: None

### **MAYOR'S APPOINTMENTS**

#### **Resolution #2016-32R – Appointments to Borough Government**

Mr. Holowach made a motion to adopt Resolution 2016-32R approving the Mayor's appointments to positions of Borough Government for the year 2016.  
Motion seconded by Mr. Dykstra

Mrs. Masson made a motion to table until there is a full Council.  
No second was offered at this time.

Upon roll call vote on original motion:  
Ayes: Dykstra, Holowach, Meyer, Stoll  
Nays: Masson  
Abstentions: None  
Absent: None

#### **Resolution #2016-33R – Sussex Planning/Zoning Board**

Mr. Holowach made a motion to adopt Resolution 2016-33R approving the Mayor's appointments for the Sussex Planning/Zoning Board for 2016.  
Motion seconded by Mrs. Stoll

Mrs. Masson made a motion to table until there is a full Council.  
No second was offered at this time.

Upon roll call vote on original motion:  
Ayes: Dykstra, Holowach, Meyer, Stoll  
Nays: Masson  
Abstentions: None  
Absent: None

#### **Resolution #2016-34R – Board of Health**

Mrs. Stoll made a motion to adopt Resolution 2016-34R approving the Mayor's appointments for the Sussex Board of Health for 2016. Motion seconded by Mr. Holowach

Mrs. Masson made a motion to table until there is a full Council.  
No second was offered at this time.

Upon roll call vote on original motion:  
Ayes: Holowach, Meyer, Stoll  
Nays: Masson  
Abstentions: Dykstra  
Absent: None

#### **Resolution #2016-35R – Recreation Committee**

Mr. Holowach made a motion to adopt Resolution 2016-35R approving the Mayor's appointments for the Sussex Recreation Committee for 2016.  
Motion seconded by Mr. Meyer

Mrs. Masson made a motion to table until there is a full Council.  
No second was offered at this time.

Upon roll call vote on original motion:  
Ayes: Dykstra, Holowach, Meyer,  
Nays: Masson  
Abstentions: Stoll  
Absent: None



**Resolution #2016-36R – Emergency Management Council**

Mrs. Stoll made a motion to adopt Resolution 2016-36R approving the Mayor's appointments for the Sussex Emergency Management Council for 2016.  
Motion seconded by Mr. Meyer

Mrs. Masson made a motion to table until there is a full Council.  
No second was offered at this time.

Upon roll call vote on original motion:  
Ayes: Dykstra, Holowach, Meyer, Stoll  
Nays: Masson  
Abstentions: None  
Absent: None

**Resolution #2016-37R – Water Sewer Rate Structure Committee**

Mayor Little stated that Resolution 2016-37R needs to be amended before presentation to the Council and is pulled from the agenda.

**Resolution #2016-38R – Clove Lake/Clove Brook Maintenance Committee**

Mr. Holowach made a motion to adopt Resolution 2016-38R approving the Mayor's appointments for Clove Lake/Clove Brook Maintenance Committee.  
Motion seconded by Mrs. Stoll

Mrs. Masson made a motion to table until there is a full Council.  
No second was offered at this time.

Upon roll call vote on original motion:  
Ayes: Dykstra, Holowach, Stoll  
Nays: Masson  
Abstentions: Meyer  
Absent: None

**MAYOR'S APPOINTMENTS- Council Committees**

Mayor Little stated that she will wait to make these appointments at a future meeting due to the fact that there is not a full Council.

**OPEN PUBLIC SESSION**

Mrs. Masson 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 5 minutes with a total of 10 minutes for the Council to discuss. Motion seconded by Mr. Holowach

Mr. Ronald Gerstmann, 6 Fourth Street, Sussex asked the Mayor for a legal definition on conflict of interest. Mr. McGovern stated that the Borough is not in a position to provide legal advice to members of the public. Mr. Gerstmann offered his opinion concerning the veto of two ordinances last year.

Mrs. Susan Williams, Sparta offered her opinion about legal advice that was forwarded to "Linda" from Food and Water Watch.

Mr. Mario Poggi, 9 Spruce wished everyone the best of luck this year.

There being no one else from the public who wished to address the Governing Body at this time, Mr. Holowach made a motion to close the meeting to the public and return to the regular order of business. Motion seconded by Mrs. Stoll.

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mrs. Stoll made a motion to adjourn the meeting. Motion seconded by Mr. Holowach  
All were in favor.

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Katherine Little, Mayor

\_\_\_\_\_  
Mark Zschack, Municipal Clerk

Date Approved: January 19, 2016