

**BOROUGH OF SUSSEX
COUNTY OF SUSSEX
ORDINANCE NO. 2024-02**

**AN ORDINANCE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND
STATE OF NEW JERSEY AMENDING CHAPTER 2, ENTITLED
“ADMINISTRATION”, TO ADD SECTION 14D, ENTITLED “WATER/SEWER
ADVISORY COMMITTEE”.**

BE IT ORDAINED by the Borough Council of the Borough of Sussex, in the County of Sussex and State of New Jersey, as follows:

SECTION I. Chapter 2, entitled “Administration” of the Code of the Borough of Sussex, Sussex County, New Jersey, is hereby amended to add Section 14D, entitled “Water/Sewer Advisory Committee” which shall read as follows:

SECTION 14D: WATER/SEWER ADVISORY COMMITTEE

§ 2-14D.1 Establishment.

There is hereby established the Water/Sewer Advisory Committee which shall serve in accordance with the provisions of this section.

§ 2-14D.2 Membership.

The Committee shall consist of seven members. Members appointed per paragraphs b, c, d and g hereof must be current ratepayers of Sussex Borough’s water and/or sewer systems and shall have been ratepayers for at least one year before appointment. The members of the Committee shall include:

- a. One member of the Borough Council;
- b. One owner of a single-family home located in the Borough of Sussex;
- c. One owner of a duplex or multi-family home located in the Borough of Sussex;
- d. One owner of a business located in the Borough of Sussex;
- e. The Borough’s water utility operator or his/her/its designee;
- f. The supervisor of the Borough’s Department of Public Works; and
- g. One additional ratepayer appointed by the Mayor with consent of the Council.

§ 2-14D.3 Majority Vote; Quorum; Meetings.

Actions of the Committee shall be by majority vote of a quorum. A quorum shall consist of a majority of the then-appointed members. Meetings shall be conducted during the Borough’s regular business hours.

§ 2-14D.4 Terms.

- a. Members appointed per paragraphs b, c, d and g of Subsection 2-14D.2, shall serve staggered three-year terms as shall be set by resolution of the Council.
- b. A vacancy occurring other than by expiration of a term shall be filled for the balance of the unexpired term only.

§ 2-14D.5 Appointment.

- a. The Mayor shall nominate, with the advice and consent of the Council, and appoint members of the Committee for the seats established per paragraphs a, b, c, d and g of Subsection 2-14D.2.
- b. The chairperson of the Committee shall be elected by the membership and shall serve in that capacity until such time as a new chairperson is elected by the membership.
- c. The chairperson of the Committee shall designate a vice chairperson who shall serve in that capacity until such time as a new vice chairperson is designated.
- d. Members of the Committee appointed per paragraphs a, b, c, d and g of Subsection 2-14D.2 shall serve without compensation.

§ 2-14D.6 Scope of Duties.

The Committee shall:

- a. Act in an advisory capacity and make recommendations to the Mayor and Council for public relations, education, research and investigations regarding the Borough's water and sewer systems and services.
- b. Study the water and sewer rates in other communities as compared to the water and sewer rates in Sussex Borough and make recommendations concerning the same to the Council.
- c. Consider and evaluate maintenance and capital requirements and needs of the water and sewer systems, facilities and infrastructure.
- d. Evaluate the financial liabilities and benefits of the water and sewer systems owned by the Borough and make recommendations to the Council concerning same.
- e. Upon request of the Mayor and Council, make recommendations and undertake inquiries for the purpose of preparing an asset management plan for the water and sewer systems.
- f. Upon request of the Mayor and Council, consider, investigate and recommend acquisition or development of property or facilities to the Mayor and Council.
- g. Study and consider benefits and risks of forming a Borough municipal utilities authority.
- h. Provide guidance and advice to the Mayor and Council on all matters pertaining to the Borough's water and sewer systems.

§ 2-14D.7. Reports to the Borough Council.

The Committee shall report to the Mayor and Borough Council on a regular basis and by way of annual report as to matters considered by the Committee, information and developments that concern the water and sewer systems, and recommendations within the scope of the Committee's duties set forth in §2-14D.6.

§ 2-14D.8. Limitations; Expenditures.

- a. The Committee shall not have the authority to bind the Borough to any contractual or financial obligation.
- b. The Council shall appropriate sums which, in its opinion, are satisfactory for the Committee to enable it to pay its expenses, if any. The Committee shall not incur debt without the express authorization of the Council nor beyond the amount of appropriation allocated for the Committee's use by the Council.

SECTION II. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

SECTION III. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION IV. This Ordinance shall take effect immediately upon final passage and publication according to law.

Attest:

Antoinette Smith, Borough Clerk

Robert Holowach, Mayor

NOTICE

NOTICE IS HEREBY GIVEN that the attached Ordinance 2024-02 was introduced at a regular meeting of the Mayor and Council of the Borough of Sussex, Sussex County, New Jersey, held on February 20, 2024 and passed on first reading, and that such Ordinance will be further considered for final passage and adoption at the regular meeting of the Mayor and Council to be held on March 5, 2024 at Borough Hall, 2 Main Street, in the Borough of Sussex at 7:00 p.m. or via the internet, connectivity information available at www.sussexboro.com and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance.

Antoinette Smith, RMC