

REGULAR MEETING
MARCH 12, 2012

The third regular meeting of the Mayor and Council of the Borough of Ogdensburg, Sussex County, New Jersey was held in the Council Chambers of the Borough Hall on March , 2012.

Mayor Steve Ciasullo called the meeting to order at 7:00 P.M.

Upon roll call, the following council members appeared and answered the call:
Amodeo, Hann, Ingerto, McGuire, Opilla. Councilman Andrews arrived at 7:05 p.m.

Notice requirements of the Open Public Meeting Act N.J.S.A. 10:4-6 et. Seq. have been satisfied with a schedule of all meetings together with the time, location and agenda of same being sent to the New Jersey Herald and New Jersey Sunday Herald and posted on the bulletin board January 3, 2012.

Councilman Hann moved, Councilman Opilla seconded motion for approval of items on the Consent agenda.

1. Approval of Minutes from February 13th, Regular Meeting
2. Approval of Minutes from, February 27th Work Session

Yeas: Amodeo, Hann, Ingerto, McGuire, Opilla.

Councilman Hann moved, Councilman McGuire seconded motion to open the public session of the meeting. Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla.

Ray Witte, from Hampton Township a committee member of the "Save the Homestead Committee" attended the meeting to speak to the Mayor and Council about the Homestead Nursing Home being sold. Mr. Witte stated that the Freeholders are looking to sell the Homestead because they say they are losing money. Mr. Witte said the Committee has been going to different councils and asking the Freeholders not to sell the Homestead. They are looking for a resolution from all the municipalities to put it for a referendum vote and let the people decide. The committee would also like a petition to have a public hearing on the issue. Wasco Hadowanetz, 15 Richards St. attended the meeting to inform the Mayor that the Historical Society is still in the process of seeking funds for the Edison House. The Mayor informed Mr. Hadowanetz that the Council is getting ready to make a decision on whether or not to keep the house and if he should get any positive information on funding to let him know immediately. Mayor Ciasullo also asked Mr. Hadowanetz to have Wayne McCabe get a letter to him as soon as possible regarding the status with the funding. Mr. DiSalvo, 8 Bulmer Drive inquired about a subordination agreement on his home improvement loan and the status of his loan. Kevin McDonald, 71 Passaic St. representing Wallkill Valley football attended the meeting to inquire about rumors he was hearing regarding the Rec Association with Hardyston. Mr. McDonald wanted to know if the Borough was interested in joining the other towns belonging to the Recreation Association, how the Borough can help and what the Borough would need to get things moving along. The Mayor explained that Eric Muller came before Council at the last meeting and explained that because Ogdensburg does not belong to the Recreation Association Ogdensburg will have to pay a fee of \$8,000 or will be charged per sport, per child. Further discussion will be forthcoming. There being no further business, Councilman Hann moved, Councilman McGuire seconded motion to close the public session of the meeting. Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla.

Councilman Hann moved, Councilman McGuire second motion to introduce an ordinance entitled **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A-45.14)** on first reading. Public hearing is scheduled for April 9, 2012.

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Ogdensburg in the County of Sussex finds it advisable and necessary to increase its CY 2012 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 1.0 % increase in the budget for said year, amounting to \$21,655.01 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Ogdensburg in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the Borough of Ogdensburg shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1.0%, amounting to \$21,655.01 and that the CY 2012 municipal budget for the Borough of Ogdensburg be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla. Copy attached as Schedule 1.

Councilman Hann moved, Councilman Ingerto seconded motion to adopt the following resolution.

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Ogdensburg has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2012 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Ogdensburg that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla. Copy attached as Schedule 2.

Councilman Hann moved, Councilman Ingerto seconded motion to introduce the 2012 Municipal Budget. Public hearing is scheduled for April 9, 2012. It was also mentioned that there is a zero increase for municipal taxes. Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla. Copy attached as Schedule 3.

Councilman Ingerto moved, Councilman McGuire seconded motion to adopt the following resolution.

WHEREAS, the Borough of Ogdensburg, County of Sussex, operates a long-running program for the purpose of providing loans to subsidize the rehabilitation of homes owned and occupied by low-and-moderate income Borough homeowners known as the Ogdensburg Home Improvement Program (OHIP); and,

WHEREAS, in order to protect the Borough's interests in preserving the value of these loans for future generations of low-and-moderate-income Borough homeowners the Borough must have set of policies and procedures to follow in responding to requests to subordinate Borough Home Improvement Program mortgage loans to new refinancing desired by owners; and:

WHEREAS, the Borough desires both to allow such reasonable refinancing by Program homeowners and to protect it's investment with a reasonable set of Mortgage Subordination Policies and Procedures.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Ogdensburg of the County of Sussex that the Borough of Ogdensburg adopt the attached "Ogdensburg Home Improvement Program (OHIP) Mortgage Subordination Policy", to include a Processing Fee of \$200 per application; and,

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Ogdensburg of the County of Sussex that the Borough of Ogdensburg approve the proposal - also attached - by Borough housing rehabilitation consultant Community Action Services to receive and process requests for mortgage subordination in accordance with said policies and procedures for the fee of \$200 per application; and,

BE IT FURTHER RESOLVED that the Mayor or the Clerk of the Borough of Ogdensburg are hereby authorized and directed to execute any and all documents necessary to implement the subordination of OHIP program mortgages on behalf of the Borough of Ogdensburg, and passed this 12th day of March, 2012.

Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla. Copy attached as Schedule 4.

Councilman McGuire moved, Councilman Andrews seconded motion to adopt the following resolution.

BE IT RESOLVED by the Council of the Borough of Ogdensburg that the following transfer of appropriations (2011 Municipal Budget) in accordance with N.J.S.A. 40A 4-58 be and is hereby approved.

SALARIES & WAGES

FROM: **TO:**

OTHER EXPENSES

FROM: **TO:**
Group Insurance 01-203-23-220-020 450.00 Fire Dept. 01-203-25-255-021 450.00

TOTAL 450.00 450.00

Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla. Copy attached as Schedule 5.

Councilman Ingerto moved, Councilman McGuire seconded motion to adopt the following resolution.

BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Ogdensburg to accept the proposal by Prism Maintenance, Inc. in the amount of \$5,850.00 for power sweeping the roads through out the Borough of Ogdensburg.

Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla. Copy attached as Schedule 6.

Emergency Management Coordinator, Eric Slater spoke briefly about the pre-disaster Mitigation Plan. Eric informed Mayor and Council that after every disaster the towns will be getting funding as long as it is approved by the State. Councilman Andrews asked about a generator for the Borough Hall. Eric said an application has been made and he trying to get one, but also mentioned that generators are very hard to get.

Councilman Andrews moved, Councilman McGuire seconded motion to adopt the following resolution.

WHEREAS, the Borough of Ogdensburg is vulnerable to damages from hazard events which pose a threat to public health and safety and could result in property loss and economic hardship;

WHEREAS a Multi-Jurisdiction All-Hazards Pre-Disaster Mitigation Plan (the Plan) has been developed through the work of the Sussex County Hazard Mitigation Working Group, and interested parties within he Borough of Ogdensburg;

WHEREAS the Plan recommends hazard mitigation actions that will protect people and property affected by hazards occurring within the Borough of Ogdensburg that will reduce future public, private, community and personal costs of disaster response and recovery; and that will reinforce the Borough of Ogdensburg's leadership in emergency preparedness efforts;

WHEREAS the Disaster Mitigation Act of 2000 (P.L. 106-390) (DMA 2000) and associated Federal regulations published under 44 CFR Part 201 require the Borough of Ogdensburg to formally adopt a Hazard Mitigation Plan subject to the approval of the Federal Emergency Management Agency to be eligible for federal funds for hazard mitigation projects and activities;

WHEREAS public meetings were held to receive comment on the Plan as required by DMA 2000;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Ogdensburg that:

1. The Borough of Ogdensburg adopts the Sussex County, New Jersey Pre-Disaster Hazard Mitigation Plan, dated March 14, 2011 as this jurisdiction's official Hazard Mitigation Plan, and resolves to execute the actions in the Plan.
2. The Borough of Ogdensburg officials identified in the Mitigation Action Plan (Section 6) are hereby directed to implement the recommended actions assigned to them. These officials will report quarterly on their activities, accomplishments, and progress to the Borough of Ogdensburg Office of Emergency Management.
3. The Borough of Ogdensburg Office of Emergency Management will provide annual progress reports on the status of implementation of the Plan to the Borough of Ogdensburg. This report shall be submitted to the Borough of Ogdensburg Committee by October 1st of each year.
4. The Borough of Ogdensburg Office of Emergency Management will undertake periodic updates of the Plan in concert with the Sussex County Division of Emergency Management as indicated in the Plan Maintenance Program (Section 7) but no less frequent than every five years.

Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire Opilla. Copy attached as Schedule 7.

Councilman Opilla moved, Councilman Hann seconded motion to adopt the following resolution.

WHEREAS, there is a need to replace the pump in Well #3; and

WHEREAS, the following estimates were obtained for such project.

DPS Pump Service, LLC	\$11,570.00
Ferraro Construction Corp.	\$16,686.91
Rapid Pump & meter Service Co., Inc.	\$14,855.00
Wm. Stothoff Co., Inc.	\$14,032.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg to accept the low estimate of \$11,570.00 with DPS Pump Service, LLC.
Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla. Copy attached as Schedule 8.

Councilman Hann moved, Councilman McGuire seconded motion to adopt the following resolution.

WHEREAS the Ogdensburg First Aid Squad is sponsoring a Ogdensburg 5 K Fun Run and Race on Saturday, June 16, 2012. This race is known as a Major Race in a Miner Town.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg to endorse the Ogdensburg 5K Fun Run and Race for 2012 to be held on Saturday, June 16, 2012 pending all County requirements are met.
Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla. Copy attached as Schedule 9.

Councilman Hann moved, Councilman Ingerto seconded motion to accept Joshua J. Plumeri into the N.J. State Firemen's Association. Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla.

Mayor Ciasullo briefly mentioned that the Easter Egg Hunt is going to be on March 31, 2012 at 12:00 noon.

NEW BUSINESS

Mayor Ciasullo spoke about mileage reimbursement for employees. Further discussion will be forth coming. Councilman Hann moved, Councilman Ingerto seconded motion to table a voucher for mileage. Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla.

Mayor also spoke about removing parking signs for the police department to make more room resident parking since the Building Department is now back in Ogdensburg. Councilman Andrews will look into getting better lighting for the back lot. Keys were requested by the State workers for the Building Department. The Mayor would like identification from the State employees who will be working with the Borough prior to giving out keys.

OLD BUSINESS

Council discussed vouchers and who should be authorized to sign off. Council would like to have employees who sign for vouchers also put their department on the voucher. Mayor spoke about having a meeting for improving Heater's Pond. Mayor spoke about giving the Zoning official the authority to have any property maintenance work done if the situation falls in between a regularly scheduled Council meeting. Councilman McGuire informed Mayor and Council that he is meeting with the State to discuss health insurance plans. Mayor informed council that he will be going to Trenton with

Senator Oroho to discuss the Saw Mill Creek and what can be done. Mayor tabled discussion regarding Hardyston Recreation until March 26th meeting.

At 8:55 p.m. Councilman Hann moved, Councilman McGuire seconded motion to go into executive session to discuss personnel. Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla.

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg, County of Sussex, State of New Jersey, as follows:

The public shall be excluded from discussion of an action upon the hereinafter specified subject matter(s). The general nature of the subject matter to be discussed is as follows: Personnel.

It is anticipated at this time that the above stated subject matter will be made public when settled.

Action may be taken on the above listed matter/matters or on other matters discussed in closed session. This resolution shall take effect immediately. Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla. Copy attached as Schedule 10.

At 9:03 p.m. Mayor and Council returned to the regular meeting.

Councilman Hann moved, Councilman McGuire seconded motion for review and approval of vouchers. Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla.

CURRENT FUND

DATE	CHECK #	PAID TO	AMOUNT	
02/24/12	9999	Payroll Account	37,171.39	(Manual)
03/01/12	25310	Aetna Inc	861.46	
03/01/12	25311	LINA	175.50	
03/01/12	25312	CenturyLink	1,285.21	
03/01/12	25313	CenturyLink	121.23	
03/01/12	25314	Elizabethtown Gas	753.09	
03/01/12	25315	Ford Motor Credit Company	844.92	
03/01/12	25316	JCP&L	4,282.56	
03/01/12	25317	Treasurer, State of New Jersey	356.00	
03/01/12	25318	Verizon Business	104.68	
03/01/12	25319	Verizon Wireless	120.03	

03/06/12	25320	Horizon BC/BS of NJ	6,351.62	
03/06/12	25321	Horizon BC/BS of NJ	1,892.71	
03/06/12	25322	Horizon BC/BS of NJ	1,062.80	
03/09/12	9999	Payroll Account	38,775.32	(Manual)
03/12/12	25323	Allied Oil LLC	995.31	
03/12/12	25324	Aurora Electrical Supply	50.02	
03/12/12	25325	Central Parts Warehouse	808.43	
03/12/12	25326	Certified Speedometer Service	140.00	
03/12/12	25327	Colfax, Daniel	300.00	
03/12/12	25328	Division of Consumer Affairs	80.00	
03/12/12	25329	ESI Equipment, Inc.	1,095.00	
03/12/12	25330	Falcon Cleaning	600.00	
03/12/12	25331	Finch Fuel Oil Company, Inc	1,849.71	
03/12/12	25332	Fred Rowett Trucking	1,200.00	
03/12/12	25333	Galls Inc	314.01	
03/12/12	25334	Gann Law Books	54.00	
03/12/12	25335	Gempler's	95.85	
03/12/12	25336	Global Waste Industries, Inc.	13,156.59	
03/12/12	25337	Gordon, Stephen	255.00	
03/12/12	25338	JCP&L	22.76	
03/12/12	25339	Jan-Mar Alarm Company	24.20	
03/12/12	25340	Kuiken Brothers	56.74	
03/12/12	25341	Kurzweil, Nancyann	193.86	
03/12/12	25342	Laddey, Clark & Ryan	3,435.00	
03/12/12	25343	Lame, James	384.00	
03/12/12	25344	Lame, James	251.00	
03/12/12	25345	Matthew Bender & Co., Inc.	66.00	
03/12/12	25346	Michael T. Ward, DMD	245.00	
03/12/12	25347	MicroSystems-NJ.com, LLC	50.00	

03/12/12	25348	Municipal Capital Corporation	295.00
03/12/12	25349	Neopost Leasing	150.87
03/12/12	25350	New Jersey Herald	584.20
03/12/12	25351	Ogdensburg Board of Education	181,548.00
03/12/12	25352	Ogdensburg Fire Department	2,700.00
03/12/12	25353	Petro-Mechanics, Inc	58.05
03/12/12	25354	Public Works Assoc. of NJ	50.00
03/12/12	25355	Staples Business Advantage	258.22
03/12/12	25356	Statewide Insurance Fund	32,364.00
03/12/12	25357	Struble, Kristi	385.00
03/12/12	25358	Sussex County Clerk	24.00
03/12/12	25359	The Flower Box	57.50
03/12/12	25360	Township of Sparta	855.00
03/12/12	25361	Valley Vision Care, LLC	780.00
03/12/12	25362	Verizon Wireless	80.02
03/12/12	25363	Vital Communications, Inc	174.48
03/12/12	25364	Wallkill Valley Regional H.S.	38,646.24
03/12/12	25365	William J. Mandara Assoc.	700.00

303,644.87

75,946.71 Manual

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379,591.58

WATER OPERATING

DATE	CHECK #	PAID TO	AMOUNT
03/01/12	4199	JCP&L	2,344.55
03/12/12	4200	Garden State Lab. Inc.	135.00
03/12/12	4201	Hach Company	163.22
03/12/12	4202	One Call Concepts, Inc.	3.54

			2,646.31
			=====

2,646.31

MUNICIPAL ADMIN TRUST

DATE	CHECK #	PAID TO	AMOUNT
03/12/12	2009	Atlantic Infrastructure LLC	4.76
03/12/12	2010	Henkels & McCoy, Inc.	116.37
03/12/12	2011	Skoda Contracting Company	1,547.75

			1,668.88
			=====
			1,668.88

PAYROLL

DATE	CHECK #	PAID TO	AMOUNT	
02/24/12	9999	Internal Revenue Service - 941	8,899.02	(Manual)
02/24/12	9999	Net Payroll/Direct Deposit	22,592.14	(Manual)
02/24/12	9999	State of NJ - Gross Income Tax	1,176.61	(Manual)
02/24/12	11384	Franklin Ogdensburg F.O.P.	420.00	(Manual)
03/07/12	9999	Division of Pensions and Benefits	5,020.82	(Manual)
03/07/12	9999	Division of Pensions and Benefits	1,960.63	(Manual)
03/09/12	9999	Internal Revenue Service - 941	9,511.17	(Manual)
03/09/12	9999	Net Payroll/Direct Deposit	23,334.22	(Manual)
03/09/12	9999	State of NJ - Gross Income Tax	1,290.92	(Manual)
03/12/12	216	AFLAC	341.36	

			341.36	
			74,205.53	Manual
			=====	
			74,546.89	

DOG FUND

DATE	CHECK #	PAID	AMOUNT
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03/12/12	116	NJ Dept of Health & Senior Services	109.20

			109.20
			=====
			109.20

GRANT FUND

DATE	CHECK #	PAID TO	AMOUNT
03/12/12	25366	Allen, Marianne	73.95
03/12/12	25367	Boslough, David	1,200.00
03/12/12	25368	Ingerto, Wayne	349.98

			1,623.93
			=====
			1,623.93

Departmental finance reports were handed in for review.

There being no further business, Councilman Hann moved, Councilman Ingerto seconded motion to adjourn the meeting. Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla.

Meeting adjourned at 9:05 p.m.

Borough Clerk

Mayor