

WORK SESSION
MARCH 24, 2014

A work session of the Mayor and Common Council of the Borough of Ogdensburg, Sussex County, New Jersey, was held in the Council Chambers in the Borough Hall on March 24, 2014. Mayor Ciasullo called the meeting to order at 7:00 p.m.

Upon Roll Call the following Council Members appeared and answered the call: Amodeo, Astor, Hutnick, McGuire, Opilla. Absent: Rizzo.

Notice requirements of the Open Public Meeting Act, N.J.S.A. 10:4:4-6 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 the New Jersey Sunday Herald, and posted on the bulletin board in the Borough hall on January 2, 2014.

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

WHEREAS, N.J.S.A. 40A:4-5 provides that the Budget, as advertised, shall be at the public hearing in full, or it may be read by its title only if:

- a. At least one week prior to the date of the public hearing a complete copy of the approved Budget shall be made available for public inspection:
- b. In the free public library of the municipality, if any, or county library or regional library in which the municipality is located.
- c. Copies are made available to each person requesting same during said week and during the public hearing.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg, State of New Jersey, that it is hereby declared that the conditions of N.J.S.A. 40A:4-5 have been met and therefore the Budget for 2014 shall be read by title only.

Yeas: Amodeo, Astor, Hutnick, McGuire, Opilla. Copy attached as Schedule 1.

Mayor stated that the Borough of Ogdensburg will be introducing the 2014 Municipal Budget tonight and is glad to announce for the third consecutive year the Borough will have zero percent municipal tax increase for Ogdensburg. We have used a minimum amount of our surplus, \$60,267.89 and our fund balance is over \$600,000. The tax collection is 95.88%. The public hearing will be on April 28, 2014 and our Auditor, Tom Ferry will be at the meeting to go over the details.

Borough Attorney, Michael Garofalo attended the meeting to inform Mayor and Council that he was offered a position with Weiner Lesniak, and briefly discussed his future plans. He expressed to the Mayor Ciasullo that he would like to remain as the Borough's attorney if the Borough so desires. Mayor Ciasullo stated that he would like to keep Mr. Garofalo as the attorney since he has been with Ogdensburg and the Borough feels comfortable and Mr. Garofalo understands the workings of the Borough. The Mayor stated that he is a professional and the work he has done for the Borough has always been top notch. Mayor stated that if Council agrees to keep Mr. Garofalo on he will let Laddey, Clark & Ryan know how grateful he is for all the work they have done for the Borough. After a brief discussion Councilman McGuire moved, Councilman Opilla seconded motion to terminate the contract with Laddey, Clark &

Ryan as our Borough Attorney and to enter into a contract with Weiner Lesniak. Yeas: Amodeo, Astor, Hutnick, McGuire, Opilla.

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

WHEREAS, Michael Garofalo of the Law Firm Laddey, Clark & Ryan was appointed as Ogdensburg Borough Attorney for the calendar year 20124; and

WHEREAS, Ogdensburg Borough entered into an agreement with the Law Firm Laddey, Clark & Ryan to provide services as Municipal Attorney based on the condition that Michael Garofalo would serve as the primary attorney to perform the legal services for calendar year 2014; and

WHEREAS, Michael Garofalo has terminated employment with the law firm of Laddey, Clark & Ryan; and

WHEREAS, the Borough Council of the Borough of Ogdensburg desires to retain Michael Garofalo as Municipal Attorney to Ogdensburg Borough.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Ogdensburg authorizes the Mayor and Clerk of the Borough of Ogdensburg to terminate contract with Laddey, Clark and Ryan for Borough Attorney as described herein; and

BE IT FURTHER RESOLVED that the Borough Council of the Borough of Ogdensburg authorizes the Mayor and clerk of the Borough of Ogdensburg to enter into a contract with Weiner Lesniak (Michael Garofalo) as described herein; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be published as required by law within 5 days of passage.

Yeas: Amodeo, Astor, Hutnick, McGuire, Opilla. Copy attached as Schedule 2.

Councilman McGuire moved, Councilman Opilla seconded motion to introduce an Ordinance entitle **MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40a:4-45.14)** on first reading. Public hearing and adoption is scheduled for April 28, 2014.

WHEREAS, the Local Government Cap Law, N.J.S.A. 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 .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 2014 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 3.0 % increase in the budget for said year, amounting to \$ 64,721.61 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 2014 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 3.0 %, amounting to \$ 64,721.61 and that the CY 2014 municipal budget for the Borough of Ogdensburg be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any 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, Astor, Hutnick, McGuire, Opilla. Copy attached as Schedule 3.

Councilman McGuire moved, Councilman Opilla seconded motion to introduce the 2014 Municipal Budget. Yeas: Amodeo, Astor, Hutnick, McGuire, Opilla. Copy attached as Schedule 4.

Councilman McGuire updated Council on the camera for the Department of Public Works. He has received two estimates and has met with the company with the lower estimate to discuss the camera and view it to see how well it picks up the picture. Mayor spoke briefly about the promotion for Chief of Police. Promotion was posted but the applicant did not send in his application and the State closed out the promotion listing. It will be posted again in August and the applicant will send in the application at that time. Mayor briefly spoke about the 100th Anniversary celebration. Council is looking into having a fund raiser raffle. Further discussion will be forth coming.

Mayor Ciasullo spoke about the Main Street Streetscape. Everything is still on schedule for April 15, 2014 to begin the work. The Mayor would like to get a letter out to the residents and businesses informing them of what is going to happen on Main Street and when. There will also be a preconstruction meeting on April 8, 2014. Mayor Ciasullo informed Council that he has spoken to Franklin Borough about using one of their men to help Ogdensburg out with certain projects. Franklin has informed the Mayor that they use high school students for maybe one or two days when needed. Councilman Astor will speak with the Department of Public Works Supervisor about getting some extra help. Mayor Ciasullo briefly mentioned that the softball and baseball field will be used seven days a week. The Borough will start working on the field shortly and a schedule of all games will be given to the police.

Councilman Astor informed Mayor and Council about a complaint from a resident regarding all the grit on the roads and inquiring when the roads will be cleaned up. Councilman Astor said he will speak with the Department of Public Works Supervisor to see how soon the Borough can get a company in to sweep the roads. Council also spoke about recycling and putting in four dumpsters and picking up on Saturdays. Mayor Ciasullo informed Council that he has spoken with Verizon who is interested in putting in a cell tower by the water tank. The Mayor said he will be looking into it further to see if it is possible.

Councilman McGuire moved, Councilman Opilla seconded motion to open the public session of the meeting. Yeas: Amodeo, Astor, Hutnick, Opilla.

Cliff Lowe, 18 Richard Street asked if anyone from Hardyston is using the field and if there was any mention about the money they are charging Ogdensburg for the recreation center. The Mayor did mention that Hardyston would be using the field and explained the situation regarding recreation and the Littell Center. Mr. Lowe also inquired about Elizabethtown Gas and if they would be running lines to the homes. Mayor informed Mr. Lowe that he has not heard anything from Elizabethtown Gas. He called but never received a call back.

There being no further business from the public, Councilman McGuire moved, Councilman Opilla seconded motion to close the public session of the meeting. Yeas: Amodeo, Astor, Hutnick, McGuire, Opilla.

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

Meeting adjourned at 8:00 p.m.

Borough Clerk

Mayor