

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
March 14, 2022**

Mayor Hutnick called the meeting to order at 7:00PM.

Mayor Hutnick led the Pledge of Allegiance.

ROLL CALL: Alvarez, Cowdrick, DeMeo, Nardini, Nasisi, Poyer, Mayor Hutnick

Absent: none

Also, in attendance was Robert McBriar, Borough Attorney and Mike Marceau, CFO

STATEMENT BY MAYOR: “Notice requirements of P.L. 1975, Open Public Meeting Act, NJSA10:4-6 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 in the Borough Hall on January 4, 2022.”

Councilwoman Cowdrick moved Councilman DeMeo seconded motion for approval of items on the consent agenda.

CONSENT AGENDA

1. Approval of regular meeting minutes from February 14, 2022.
2. Approval of regular meeting minutes from February 28, 2022.
3. Approval or resolution 28-2022 authorizing compliance with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the consideration of arrest and conviction records in employment decisions under Title VII of the Civil Rights Act of 1964”
4. Approval of resolution 29-2022 authorizing to redeem a third-party tax sale certificate #2020-002 for Block 33 Lot 1.01, Main Street to Culmac Investors, Inc. in the amount of \$959.29.
5. Approval of New Jersey State Firemen’s Association applications for William Colon and Thomas Horuzy.
6. Approval of supporting the Child Abuse Prevention Month Proclamation.
7. Accept for filing the Land Use Board Annual Report.

Upon Roll call Vote:

Yeas: Alvarez, Cowdrick, DeMeo, Nardini, Nasisi (abstain #1), Poyer

Nays: None Absent: None Abstain None

Councilwoman Cowdrick read at this time, the Mayor and Council signed the Group Affidavit Certification Pursuant to P.L. 2017 C. 183 of compliance with the US Equal Employment Opportunity Commission’s.

MUNICIPAL FACILITIES AND RECREATION AREA APPLICATION

Councilwoman Cowdrick read a motion is in order to approve the facility use application from Chris Stelma, Kaboom Softball Owner aka Fielder’s Choice for use of the Municipal Park baseball field and to determine the seasonal fee. [This application was table at the February 28, 2022 meeting] Councilwoman Cowdrick commented she does have his full application and insurance; everything is complete and ready.

Mayor Hutnick asked Mr. McBriar now that we have a completed application from them can we approve it.

Mr. McBriar commented the Governing Body has to approve it and decide what the seasonal use fee would be; it can be done all in one motion.

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Councilwoman Cowdrick made a motion to approve their application with a fee charge of fifteen hundred (\$1,500.00). Seconded by Councilman DeMeo.

Upon Roll call Vote:

Yeas: Alvarez, Cowdrick, DeMeo, Nardini, Nasisi, Poyer

Nays: None Absent: None Abstain None

OLD BUSINESS

Water Billing Dates – Mayor Hutnick commented we are leaving this on here as a reminder until we shift the dates.

State Fire Marshal Notice of Violations – Councilman Nasisi commented he spoke to the State Fire Marshal he had something filled out incorrectly on the sheet and clarified that with him today. He sent him a status update and he is going to send us an extension. Some of the items are done some we still need to resolve. We had a problem with the electrician we had but he has a meeting with another electrician.

Ms. Hough asked Mr. McBriar since we are asking for an additional extension for some of the items does she have to go back on RIMS.

Mr. McBriar commented we will have to coordinate with Mr. Gough; on our side we may have to request the extension through the RIMS software program.

Councilman Nasisi commented the doors are about six to eight weeks out [for delivery]. We have a price from the manufacture of about thirteen hundred and change for the door; then we need to coordinate with the installer and explained.

Municipal Budget – M. Marceau, CFO commented everyone should have received the handout. We were waiting for conformation and final numbers off our annual financial statement which he took care off.

Mr. Marceau commented we have to introduce by the first meeting in April, we have the next meeting to fine tune any changes if anyone wants to make any changes.

Mayor Hutnick commented he had Mike add a lap top for OEM so he has one. Mayor Hutnick asked if anyone had any questions.

DPW – No update.

Parks and recreation – Councilwoman Cowdrick commented no update.

Sale of lot on Main Street – Councilman DeMeo commented we can take that off. We are waiting to see what the Land Use Board is going to do. Mr. Marceau commented he will be speaking to them [Land Use Board] on the 22nd.

Mass notification system – Councilman Nardini commented he has a training scheduled Wednesday with the company; his findings was there was no sign-up form for residents to opt in and sign up for it so he created a form and explained.

Mayor Hutnick commented this is for a mass notification system for the town so if we have any issues weather related events etc. we can blast out to everybody. We are trying to set the system up so you enter in all your information and decided how you want to be notified.

Councilman Nardini commented he definitely wants to get something out in the newsletter.

There was a brief discussion on the notification system.

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DPW Cameras – There was a discussion regarding the IP address for DPW.

NEW BUSINESS

Pond Treatments – Councilman Nardini commented he was contacted by Larry. Councilwoman Cowdrick commented she did get the email and is taking care of this.

Plant Street Soccer Field – Mayor Hutnick commented the Borough does not own the Bridge Street field; every year we fill out the lease form on a year to year basis. We get the field and allow use for the sports. The State is now changing the way they are going to do this, we can do it this way one more year. Then we are going to look into a contract that is long term so we don't have to deal with this every single year. Additionally, what he asked them for is another piece of land up the road across from the mine is the old parking lot; he asked them if we could clear that land of all the brush and debris to use for over flow parking for the Bridge Street field.

PUBLIC SESSION

Councilman Nardini moved, Councilman DeMeo seconded motion to open the public session of the meeting. All were in favor.

Michelle Nardini, 5 Ridge Court, Ogdensburg, commented she is here regarding swim team the application was [held back] because we didn't have insurance and we requested exclusive use of Heaters Pond which we did not. There is no place on the application to check off for exclusive use. We have always been operating at the same time as regular working hours and regular residents that do not participate in swim team activities. Mrs. Nardini commented she doesn't understand why we were requesting exclusive use. The first thing we have an event that is called the swim along which takes place the same day and time that is in the application. This is just a fund raiser and explained the event. We have been requested to fill out an additional application for this event and we don't know why we are being requested to do this it is held the same day and time of our regular season that we have already filled out the facility use for. We do not make a prophet off of this event we are concerned why we have to give another application.

Mrs. Nardini commented on guest badges; if you are bringing a guest the resident is responsible for that guest she is not responsible for that guest. She was sent an email about that. She was also told it was fine to use the lane lines between the hours she was requesting but not necessarily the beach area. We must provide a way for the younger children to learn how to swim. It was unclear in the return email about this; which said we can use the lane lines between one and six but it wasn't saying anything about the beach area and we cannot have swim lessons over by the lanes that is not safe.

Mayor Hutnick commented the town does free swim lessons Monday through Friday two to three July 11 - 15 and July 18 – 22, during that period of time the beach and sand area you are talking about would be available.

Councilwoman Cowdrick commented that was specified in the email to you.

Mrs. Nardini commented the town's swim lessons have been twelve to one for years. The swim club has been running swim lessons for the past four years now and explained. Mrs. Nardini commented she was asked to submit dates for swim team competition by June 1st along with the roster. We don't even have kids that registrar until the end of June and we take on going registration. She doesn't have any dates until she goes to an overall meeting.

Mayor Hutnick asked around what date does your season start.

Mrs. Nardini commented it usually starts after July 4th.

Mayor Hutnick referenced the sheet submitted with the application. Dates to be determined by the end of May; what did that mean.

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Mrs. Nardini commented that is swim meets.

Mrs. Gordon, 22 Passaic Ave. asked can we say as soon as we have the dates can we submit them. We are not in charge of when that meeting happens.

Mayor Hutnick commented you are just in charge of your team not the league.

Councilman DeMeo commented we picked June first because you said you would have your dates by the end of May. If you are not going to have your dates by the end of May and your meeting is not by the end of May then we have to push that out. We relied on the application.

Mrs. Nardini commented it also stated in the email I have to provide a roster of all the children that are doing the swim club.

Councilman DeMeo asked when do you finalize your roster?

Mrs. Nardini commented when kids want to join they join. The come bring a friend they see how much fun and they want to try it.

Mrs. Gordon commented with the Pandemic all of the teams were a little smaller last year so I'm sure they had a hard time getting swimmers as well.

Mayor Hutnick commented on the last two topics; the dates and the rosters. Start with the roster if it goes past June 1st etc. there is nothing anybody can do about that so just get it to us when you can get it to us.

Councilman DeMeo asked will your meeting defiantly occur by June 15th.

Mrs. Nardini commented June 15th would work for the dates.

Mayor Hutnick commented we were talking about the roster. The roster you are saying is an open-ended roster that has no stop date.

Mrs. Nardini commented right, there is a cap on the number in a swim lesson but if there is an opening and somebody asks for it they get to take that spot; if there is a kid that wants to join swim team and they are still within the X amount of swim competitions allowed then we would let them go.

Councilman DeMeo commented from our risk management side they want a roster because we have to staff enough lifeguards to make sure there are enough lifeguards on scene for ever however many people are going to be in the pond. The more people in the pond we have to hire more lifeguards. That is why we are asking for a roster.

Mrs. Nardini commented we have a roster that she has always updated but a full roster doesn't show a true picture of how many kids we are working with. Mrs. Nardini commented she has always provided a full roster but last years roster was 41 kids [but they] are not all swimming at the same time not ever.

Councilman DeMeo commented from our risk management they want to see a roster.

Mrs. Nardini commented she has always provided it and kept it updated.

Councilman Cowdrick commented she has never had a roster she has asked for one [a roster] two years in a row.

Mrs. Nardini commented she dropped of a roster up at the lake.

Councilman Cowdrick commented you haven't; just submitted it and you will be ok.

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Councilman DeMeo commented he doesn't care what happened last year the roster doesn't get dropped of at the lake the roster gets dropped off at town hall.

Mrs. Nardini commented that is fine.

Submit the roster by June 15th and whatever dates you have.

Mrs. Nardini asked about the times; the pond has always been open until six.

Mayor Hutnick commented the time is being adjusted for finances and getting the lifeguards.

There was a discussion on the time the pond is open, five to six is a popular time, time swim team starts, not adding additional costs, waterfront certified lifeguards, check with risk management to see if swim team can use their own lifeguards, number of lifeguards needed at one time, two certified lifeguards needed at all times, number of lifeguards per ratio of people, discussion on spectators, out of towners need guest badges and the need to have the pond open until six.

Mrs. Gordon asked out of town kids on the swim team are paid for with our facility use or are they guests.

Mayor Hutnick commented on the swim team they are part of your team, part of your registers team.

Mrs. Gordon commented if they have a family member. Mayor Hutnick commented if Grandma brings three kids and one is on the swim team the other two are not supposed to be on the beach or in the water. Mrs. Gordon asked grass? Mayor Hutnick commented yes, there is no stopping spectators. Mrs. Gordon commented so anytime there is a spectator of a non-resident kid they can't come on the beach or in the water.

Councilman Nardini commented there is a sign that states you need a badge.

Mrs. Gordon commented then at that point any town resident on the team could be the coach, child or herself we could get a guest pass.

Mayor Hutnick commented yes that is the loop hole in the ordinance then explained other lake procedures. There was a discussion.

Mayor Hutnick commented from 7:52 tonight the swim team members swim, out of town members that are on your swim team swim, their family members that come along if you buy a guest badge and the resident is there with them they can go swimming. Are we all in agreeance? Does everyone here agree? He is saying this loud enough so it is recording. Your team is good to go.

Brendon Donegan, 184 Plant Street, Ogdensburg or 13 Ogden Way Ogdensburg. Mr. Dunnigan explained he was the director in Roxbury for thirteen years and dealt with the declining of Roxbury membership. They opened their membership up [to nonresidents] which brought it up and explained. Mr. Dunnigan suggested the Borough to open up membership to non-residents and gave reasons why.

Mayor Hutnick asked if everyone was good.

Mrs. Gordon asked if there was only a lesson at the time [prior to opening] would that change the guard needs. There would be no one else there.

Councilman DeMeo commented we would have to check with risk management.

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Mayor Hutnick commented the life guard and coach can't be the same person. We have to ask risk management if that was allowed.

Mrs. Gordon commented so if we have someone guarding we can have someone teach them.

Mayor Hutnick commented in theory yes. As long as risk management says yes.

Mayor Hutnick commented from this point forward we are never doing this again; don't come back and ask for changes.

Mr. McBriar asked for this to be on the next agenda for an action item at the next meeting, then the Governing Body can vote.

David Astor, Superintendent of Ogdensburg Elementary School commented he wanted to let the Council know the budget is being sent to the County we are going up 1.46%; we are not going up 2% the reason why is because we had some saving in the health benefit the State put out saved the school \$13,000.00 so that has to come back to the town so we are going up 1.46%. Mr. Astor commented once it is approved he will send it over to Mike, CFO.

Mayor Hutnick explained the town plowing the school and the churches. There is a difference between private property and municipal property. We can no longer offer those services; we are working out an agreement with the school so that they don't have to hire a plow company, we will do this in a legal manner.

Mr. Astor commented doing a little research and speaking with town officials the Borough does own the property. Mayor Hutnick commented so we don't own the building but we own the property. Mr. Astor commented he still welcomes the agreement.

Mayor Hutnick commented legal will check on this.

There being no further business from the public, Councilman Nasisi moved, Councilman DeMeo seconded motion to close the public session of the meeting. All were in favor.

EXECUTIVE SESSION

There was no executive session.

PAYMENT OF VOUCHERS

Councilman Nasisi made a motion to review payment of vouchers and departmental finance reports. Seconded by Councilman DeMeo.

Upon Roll call Vote:

Yeas: Alvarez, Cowdrick, DeMeo, Nardini, Nasisi, Poyer

Nays: None Absent: None Abstain None

Current

<u>DATE</u>	<u>CHECK</u> <u>#</u>	<u>PAID TO</u>	<u>AMOUNT</u>	<u>REASON</u>
3/2/2022	32573	Cynthia M Sauvan	2,103.16	
3/2/2022	32574	Elizabethtown Gas	5,192.49	
3/16/2022	32575	Action Data Services, Inc.	78.44	
3/16/2022	32576	Allied Oil	612.51	

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3/16/2022	32577	American Rock Salt Company, LLC	1,345.56
3/16/2022	32578	Atlantic Communications	25.80
3/16/2022	32579	Aurora Electrical Supply	127.33
3/16/2022	32580	Bassani Power Equipment, LLC	429.99
3/16/2022	32581	Certified Speedometer Service, Inc	176.00
3/16/2022	32582	Complete Security Systems, Inc.	24.20
3/16/2022	32583	County Welding Supply Co.	143.18
3/16/2022	32584	Documant Concepts, Inc.	136.00
3/16/2022	32585	Dolan & Dolan Esqs.	107.90
3/16/2022	32586	Fail Safe Testing, LLC	1,930.05
3/16/2022	32587	Finch Fuel Oil Co., Inc.	271.17
3/16/2022	32588	Fred Yarosz Janitorial Services LLC	403.00
3/16/2022	32589	Galls, LLC	248.66
3/16/2022	32590	Gemma's Country Kitchen	149.50
3/16/2022	32591	JCP&L	10,659.05
3/16/2022	32592	Kimberly Cucci	42.00
3/16/2022	32593	Lakeland Auto Parts	875.27
3/16/2022	32594	Michel Marceau	15.98
3/16/2022	32595	Municipal Capital	119.00
3/16/2022	32596	Municipal Software Inc	5,936.00
3/16/2022	32597	Ogdensburg Board of Education	221,243.00
3/16/2022	32598	Public Works Assoc. of NJ	75.00
3/16/2022	32599	Richard Luthcke	194.00
3/16/2022	32600	Schenck Price Smith & King LLP	4,216.95
3/16/2022	32601	Selective Insurance Company	372.00
3/16/2022	32602	Sonia Barria	70.00
3/16/2022	32603	Staples Business Advantage	141.23
3/16/2022	32604	Sussex County Assessor's Assoc.	100.00
3/16/2022	32605	Sussex County Chief's Association	400.00
3/16/2022	32606	Township of Sparta, Police Dept.	14,897.75

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3/16/2022	32607	Valley Vision Care, LLC	291.00
3/16/2022	32608	Van Cleef Engineering Assoc. LLC	130.00
3/16/2022	32609	Verizon Business	127.30
3/16/2022	32610	Verizon Wireless	121.43
3/16/2022	32611	W.B. Mason Co., Inc.	28.56
3/16/2022	32612	Wallkill Valley Regional H.S.	87,005.00
3/17/2022	32615	Bassani Power Equipment, LLC	15.18

			360,580.64

VOID

2/15/2022	32514	Elizabethtown Gas	(5,192.49)	Lost in mail
3/16/2022	32580	Bassani Power Equipment, LLC	(429.99)	Wrong
			=====	Amount
			354,958.16	

Capital Fund

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
3/16/2022	1158	HME, Incorporated	302,588.05
			=====
			302,588.05

Admin Trust

DATE	CHEC K #	PAID TO	AMOUNT
3/16/2022	2182	Culmac Investors, Inc.	959.29
			=====
			959.29

Dog Fund

DATE	CHEC K #	PAID TO	AMOUNT
3/16/2022	280	NJ Dept of Health & Senior Service	72.00
			=====
			72.00

Grant Fund

<u>DATE</u>	<u>CHEC K #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
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3/16/2022	32613	The Illusion Maker	1,250.00
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1,250.00

Water Op

<u>DATE</u>	<u>CHEC K #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
3/16/202			
2	5194	Agra Environmental Services	69.00
3/16/202			
2	5195	Municipal Software Inc	1,440.00
3/16/202		New Jersey Water	
2	5196	Association	430.00
3/16/202			
2	5197	One Call Concepts, Inc.	20.02
3/16/202			
2	5198	Staples Business Advantage	116.60
3/16/202			
2	5199	USA Blue Book	288.73
			=====
			=
			2,364.35

There being no further business, Councilman Nasisi moved, Councilman DeMeo seconded motion to adjourn the meeting. All were in favor.

Meeting adjourned at 8:05p.m.

Robin Hough, Borough Clerk

George P. Hutnick, Mayor