

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
February 13, 2023**

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

Mayor Hutnick led the Pledge of Allegiance.

ROLL CALL: Alvarez (via phone), Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg, Mayor Hutnick

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, 2023.”

Mr. McBriar commented we should do numbers three [executive session minutes from January 9, 2023] and four [executive session minutes from January 23, 2023 separately. Mr. McBriar commented so the motion should be to approve the consent agenda items 1, 2, 5, 6, 7, 8 and 9.

Councilman DeMeo made a motion to approve the consent agenda items 1, 2, 5, 6, 7, 8 and 9. Seconded by Councilwoman Cowdrick

CONSENT AGENDA

1. Approval of regular meeting minutes from January 23, 2023.
2. Approval of regular meeting minutes from January 30, 2023.
3. Approval of executive session minutes from January 9, 2023 [removed]
4. Approval of executive session minutes from January 23, 2023 [removed]
5. Approval of Resolution 21-2023 authorizing a shared services agreement with the Borough of Sussex for Chief Financial Officer Services.
6. Approval of Resolution 22-2023 supporting “Franklinite” as the official mineral of the State of New Jersey.
7. Approval of Resolution 23-2023 authorizing compliance with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the consideration of arrest and convictions records in employment decisions under Title VII of the Civil Rights Act of 1964”.
8. Accept for filing letter to Mayor Hutnick from Blue Diamond Disposal Re: Solid Waste & Recycling Contract Extension.
9. Accept for filing Township of Hardyston resolution 13-23.

Upon Roll call Vote:

Yeas: Alvarez, Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: None Abstain None

Councilman DeMeo made a motion to approve consent agenda items 3 and 4. Seconded by Councilwoman Ruitenberg.

Upon Roll call Vote:

Yeas: Alvarez, Ciasullo, DeMeo, Poyer, Ruitenberg

Nays: None Absent: None Abstain Cowdrick

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.

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
February 13, 2023**

Resolution 21-2023

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 *et seq.* (the “Act”), authorizes local units of this State to enter into agreements with any other local unit or units to provide or receive any shared service that each local unit participating in the Agreement is empowered to provide or receive in its own jurisdiction; and

WHEREAS, N.J.S.A. 40A:9-140.10 requires each municipality to have a Chief Financial Officer, but same may be provided pursuant to a Shared Services Agreement with another municipality; pursuant to N.J.S.A. 40A:65-1 *et seq.*; and

WHEREAS, Sussex Borough and Ogdensburg are both in need of the services of a certified professional Chief Financial Officer to perform the duties of a Chief Financial Officer; and

WHEREAS, on or about October 24, 2022, the Borough of Ogdensburg and Borough of Sussex entered into a Shared Service Agreement whereby Michel Marceau served as Chief Financial Officer and provided Chief Financial Officer services to both municipalities; and

WHEREAS, the agreement terminated on February 28, 2023; and

WHEREAS, the Borough of Sussex has requested that the parties enter into a new Shared Service Agreement for the continued provision of Chief Financial Officer services; and

WHEREAS, the parties have agreed to enter into a new Shared Services Agreement, in the form attached hereto, whereby Michel Marceau will provide Chief Financial Officer services to the Borough of Sussex while continuing to provide said services to the Borough of Ogdensburg; and

WHEREAS, salary, benefits, and conditions are set forth in the attached Shared Services Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Ogdensburg hereby authorize and approve the attached Shared Services Agreement appointing Michel Marceau as the Certified Financial Officer for the Borough of Sussex and Borough of Ogdensburg subject to the terms and conditions set forth therein.

Resolution 22-2023

WHEREAS, the mineral franklinite was first described in 1819 by Pierre Berthier and named in honor of Benjamin Franklin; and

WHEREAS, with a striking black color, submetallic luster, and sharp octahedral crystals, franklinite is aesthetically pleasing and makes for handsome mineral specimens, creating the potential for strong interest from mineral collectors around the world; and

WHEREAS, New Jersey has a long history of mineral mining, including two world-famous zinc mines located in the Borough of Franklin and the Borough of Ogdensburg in Sussex County; and

WHEREAS, these mines operated for more than 250 years, producing more than 33 million tons of high-grade zinc ore and contributing significantly to the economic vitality and cultural history of the State of New Jersey and the nation; and

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
February 13, 2023**

WHEREAS, three hundred fifty-nine different confirmed minerals have been found in these two mines, 19 of which are not found anywhere else on Earth; and

WHEREAS, though millions of tons of franklinite, willemite, and zincite are found in these mines, they are found elsewhere only in small amounts; and

WHEREAS, the Franklin Mine closed in 1954, and the Ogdensburg (Sterling Hill) Mine closed in 1986, but both are memorialized by the Franklin Mineral Museum, the Sterling Hill Mining Museum, and the Franklin-Ogdensburg Mineralogical Society; and

WHEREAS, in 1968, New Jersey passed a Resolution declaring the Borough of Franklin the “Fluorescent Mineral Capital of the World”; and

WHEREAS, in a poll conducted by the New Jersey Department of Environmental Protection with several thousand national participants, 96 percent voted in support of franklinite as the New Jersey State mineral; and

WHEREAS, Senator Steven V. Oroho and Assemblymen Harold J. Wirth and Parker Space have sponsored New Jersey State Legislation S1727/A3393 designating franklinite as the official mineral of the State of New Jersey; and

WHEREAS, the New Jersey Senate passed S1727 on October 17, 2022, by a vote of 36-0; and

WHEREAS, in order to pay recognition to the scientific, economic, and historic importance of franklinite, the Council of the Borough of Ogdensburg finds it is fitting and appropriate to designate franklinite as the official mineral of the State of New Jersey.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Ogdensburg, County of Sussex, and State of New Jersey fully endorse and support New Jersey State Legislation S1727/A3393 designating franklinite as the official mineral of the State of New Jersey.

BE IT FURTHER RESOLVED, that the Borough of Ogdensburg calls on Governor Phil Murphy and the New Jersey State Legislature to pass and sign into law S1727/A3393 designating franklinite as the official mineral of the State of New Jersey.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Governor of the State of New Jersey, Legislative District 24 Representatives, Chair of the Senate State Government, Wagering, Tourism and Historic Preservation, Chair of the Assembly Environmental and Solid Waste Committee, the Mayor/Municipal Clerk of all Sussex County Municipalities, the Franklin Mineral Museum, the Sterling Hill Mining Museum, and the Franklin-Ogdensburg Mineralogical Society.

Resolution 23-2023

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply 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,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

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

February 13, 2023

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of the Borough of Ogdensburg, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

OLD BUSINESS

Senior Citizen of the year – Mayor Hutnick explained he has a general idea on who to nominate for Senior of the year.

Local Planning Grant – Mayor asked for an update.

Ms. Hough explained we had the committee meeting, Mr. Tessier was here from Trenton, Chief Gordon was present Mike, CFO, Pat Fitzgibbons from Land Use Board, Bill Kroth from the mine. They are working on a plan to incorporate the Mine and down town area; once they get the draft plan together they want to have a meeting at the Fire House to get everyone's input. They would like to talk to some of the business owners in town to get their input.

Mayor Hutnick asked a town wide meeting? Ms. Hough explained yes with Mayor and Council and the Land Use Board.

Property Maintenance Code from Land Use Board – Mayor Hutnick explained in your packets there were copies of the Land Use Board Property Maintenance code that they have sent to the Council. If everybody could just read over this and tell him if you have any comments, questions or concerns.

Police Contract – Mayor Hutnick commented to skip this at the moment.

Solid Waste and Recycling contract – Mayor Hutnick commented we need to put together a committee to look into the solid waste and recycling for forming our own sanitation department. His thought on this is he wants everybody to participate, the initial committee since we can only have three Council members will be himself, Councilwoman Cowdrick and Councilwoman Ruitenberg, CFO Mike and Chief Gordon for the outside people. We can't have more than three Council members listed as a committee but he needs everybody's participation. Mayor Hutnick asked if there were any questions or comments.

First Aid Squad – Mayor Hutnick asked if there were any updates. Mr. McBriar commented nothing at this time.

Councilwoman Cowdrick commented she ran into Alan and he asked that we reach out because he hadn't heard anything. Mr. McBriar commented he has a packet of historical documents when he is done reviewing those he will reach out to him to discuss.

Mayor Hutnick commented the vehicles we have in the bays there; the fire department was asking if we were going to donate one of them to the Fire Department to carry extra gear, generators and equipment. If we can put something together as long as Council approves to turn over one of the vehicles to them. One of the vehicles we can auction off.

There was a discussion on the vehicles at the First Aid Squad. Ms. Hough explained she has a list of Borough owned vehicles broken down by department; would we have to do something different moving a vehicle from one department to another. Mr. McBriar explained we will have to look. Mayor Hutnick commented there is paper work involved in doing this but the short version is getting rid of the broken vehicle that we can use or drive take one of the good ones to transfer over to the Fire Department for their emergency vehicle they can use for all the extra equipment and that leaves us with one vehicle left.

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
February 13, 2023**

Councilwoman Cowdrick commented another thing Alan said was he was going to be taking the insurance off to a degree and locking the doors.

DPW – Councilwoman Cowdrick commented our street signs are being stolen; it is becoming an expense. We will have one of our DPW employees will comment during public session where they are being stolen and how to maybe fix it.

Mayor Hutnick asked Chief Gordon if he had anything to add. Chief Gordon asked to you want to wait until DPW speaks and we can talk at the same time.

Budget – Mike Marceau, CFO commented there is nothing new we are still waiting on our State Aid certification from the State, as well as our numbers from the AFS [Annual Financial Statement] then he will be going to the local finance board the first Wednesday in April to discuss our special emergency. Bond Counsel will be going with him and possibly one for the auditors; they do it google teams now you don't go down to Trenton anymore.

NEW BUSINESS

Water shed room repair – Mayor Hutnick commented the water shed needs to be repaired we received two quotes one was for fifty-six hundred dollars the other was for a little over twenty thousand dollars for the same repair same material just different contractors. As long as Council agrees we will get that set up because we have to get that fixed and explained.

NJDEP Special Use Permit Plant Street – Mayor Hutnick explained this is our yearly usage of the Plant Street Soccer field; each year we fill out the permit so we can use it. Last year we attended a conference call where DEP was coming up with a new plan so you can do longer leases/permits so you don't have to do this every year but they failed to complete that task so as of now we are on the every year plan.

PUBLIC SESSION

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

Chief Gordon explained the end of last year we had street signs stolen, it isn't the first-time signs have been stolen. Chief Gordon explained how the signs were being taken and he suggested what could be done to help prevent the street signs from being stolen.

There was a brief discussion on signs and where to get them from.

Joe Marino, DPW employee explained they get the new signs from the County.

There was a brief discussion on street signs and the poles for the street signs

Antoinette Erb, 26 Edison Ave. Ogdensburg commented on the sign on High Street that was on the ground.

Carol Hart 5 Lincoln Ave, Ogdensburg asked are we actually thinking of doing garbage pickup ourselves.

Mayor Hutnick explained this is being looked into.

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

EXECUTIVE SESSION

Councilwoman Cowdrick left the meeting at this time and did not go into executive session due to a conflict.

Councilman DeMeo moved, Councilman Ciasullo seconded to adopt the following resolution;

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
February 13, 2023**

Upon Roll call Vote:

Yeas: Alvarez, Ciasullo, DeMeo, Poyer, Ruitenber
Nays: None Absent: Cowdrick Abstain None

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;

Police contract negotiations

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.

At 7:30pm the Mayor and Council went into executive session.
At 7:53pm the Mayor and Council returned from executive session.
Councilwoman Cowdrick returned to the meeting after executive session.

PAYMENT OF VOUCHERS

Councilman DeMeo made a motion for payment of voucher and review departmental finance reports. Seconded by Councilman Alvarez.

Upon Roll call Vote:

Yeas: Alvarez, Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenber
Nays: None Absent: None Abstain None

CURRENT

DATE	CHECK #	PAID TO	AMOUNT
2/13/202	3	33279 145 Media	500
2/13/202	3	33280 Abcode Security	100
2/13/202	3	33281 Action Data Services, Inc.	80.87
2/13/202	3	33282 Amazon	276.7
2/13/202	3	33283 Atlantic Salt	12,418.87
2/13/202	3	33284 Atlantic Tomorrows Office	169.74
2/13/202	3	33285 Blue Diamond Disposal, Inc.	17,775.00
2/13/202	3	33286 Brightspeed	50.77
2/13/202	3	33287 Brightspeed	56.47
2/13/202	3	33288 Bullseye Calibration of NJ	135
2/13/202	3	33289 Certified Speedometer Service, Inc	176

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
February 13, 2023**

2/13/202	3	33290	Complete Security Systems, Inc.	48.4
2/13/202	3	33291	Danforth's	255
2/13/202	3	33292	Dave's Towne Service	1,143.90
2/13/202	3	33293	Fred Yarosz Janitorial Services LLC	463
2/13/202	3	33294	Gemma's Country Kitchen	345
2/13/202	3	33295	Gordon, Stephen	954
2/13/202	3	33296	High Point Electric, Inc	2,752.08
2/13/202	3	33297	Home Depot	69.9
2/13/202	3	33298	JCP&L	111.16
2/13/202	3	33299	JCP&L	1,620.16
2/13/202	3	33300	JCP&L	3,036.92
2/13/202	3	33301	JCP&L	1,636.83
2/13/202	3	33302	JPMonzo Municipal Consulting, LLC	150
2/13/202	3	33303	LINA	216
2/13/202	3	33304	Lumen Technologies Group	125.62
2/13/202	3	33305	Lumen Technologies Group	125.62
2/13/202	3	33306	Mascuch, Maria	67.45
2/13/202	3	33307	Michel Marceau	579.23
2/13/202	3	33308	MicroSystems-NJ.com, LLC	2,549.85
2/13/202	3	33309	Montague Tool & Supply Co	116.38
2/13/202	3	33310	My Corporate Hosting Solutions, LLC	300.75
2/13/202	3	33311	Nielsen Chevy Inc.	461.83
2/13/202	3	33312	NJCM	295
2/13/202	3	33313	NJMVC	60
2/13/202	3	33314	Ogdensburg Board of Education	220,164.00
2/13/202	3	33315	Ogdensburg Fire Department	1,480.00
2/13/202	3	33316	Public Works Assoc. of NJ	75
2/13/202	3	33317	Randolph Township	1,100.00
2/13/202	3	33318	Sanfilippo, Joseph	154
2/13/202	3	33319	Selective Insurance Company	9,544.00

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
February 13, 2023**

2/13/202	3	33320	Staples Business Advantage	154.42
2/13/202	3	33321	Statewide Insurance Fund	12,606.88
2/13/202	3	33322	Statewide Insurance Fund	31,690.40
2/13/202	3	33323	Sussex County Assessor's Assoc.	100
2/13/202	3	33324	Sussex County Municipal Clerk Assoc	75
2/13/202	3	33325	Sussex County Municipal Clerk Assoc	20
2/13/202	3	33326	Sussex County Municipal Utility	59.85
2/13/202	3	33327	Team Life	160
2/13/202	3	33328	Tire King	100
2/13/202	3	33329	Tony Sanchez Ltd.	19.22
2/13/202	3	33330	Township of Sparta	10,000.00
2/13/202	3	33331	Training Unlimited, LLC	150
2/13/202	3	33332	Treasurer - State of NJ	60
2/13/202	3	33333	US Postal Service	290
2/13/202	3	33334	Van Cleef Engineering Assoc. LLC	195
2/13/202	3	33335	Verizon Business	460.89
2/13/202	3	33336	Verizon Wireless	121.23
2/13/202	3	33337	Vernon Township	3,315.00
2/13/202	3	33338	Wallkill Valley Regional H.S.	86,607.83
2/13/202	3	33339	Weldon Asphalt	228

				428,154.22
				=====
				428,154.22

GENERAL CAPITAL

DATE	CHEC K #	PAID TO	AMOUNT
1/24/202	3	1179 Rogut McCarthy LLC	893.61
2/13/202	3	1180 Van Cleef Engineering Assoc. LLC	325

			1,218.61
			=====
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			1,218.61

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
February 13, 2023**

GRANT FUND

DATE	CHEC K #	PAID TO	AMOUNT
2/13/202			
3	33340	The Illusion Maker	1,250.00
2/13/202			
3	33341	Van Cleef Engineering Assoc. LLC	195

			1,445.00
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			=
			1,445.00

PAYROLL

DATE	CHEC K #	PAID TO	AMOUNT
2/13/202			
3	1204	AFLAC	754.36

			754.36
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			=
			754.36

DEVELOPERS ESCROW

DATE	CHEC K #	PAID TO	AMOUNT
2/13/202			
3	2102	Van Cleef engineering Assoc. LLC	325

			325
			=====
			=
			325

WATER OP

DATE	CHEC K #	PAID TO	AMOUNT
2/13/202			
3	5270	Agra Environmental Services	75
2/13/202			
3	5271	Core & Main	540.15
2/13/202			
3	5272	Hamburg Plumbing Supply Co	42
2/13/202			
3	5273	Main Pool & Chemical Co., Inc.	315
2/13/202			
3	5274	One Call Concepts, Inc.	18.59
2/13/202			
3	5275	Reliable Restoration Logistics	1,684.00
2/13/202			
3	5276	Smith Tractor & Equipment, Inc.	625.94
2/13/202			
3	5277	Treasurer, State of New Jersey	4,495.00

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
February 13, 2023**

7,795.68
=====

7,795.68

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

Meeting adjourned at 7:54p.m.

Robin Hough, Borough Clerk

George P. Hutnick, Mayor