

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL  
OF THE BOROUGH OF OGDENSBURG  
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM  
April 10, 2023**

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

Mayor Hutnick led the Pledge of Allegiance.

**ROLL CALL:** Alvarez, Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg, 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, NJS10:4-6 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.”

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

**CONSENT AGENDA**

1. Approval of regular meeting minutes from March 27, 2023.
2. Approval of Resolution 37-2023 to redeem a third-party tax sale certificate #2022-013 for block 20 Lot 6 55 Yurchak Road in the amount of \$1,492.29 to Pro Cap 8 Firstrust Bank, PO Box 774 Fort Washington, PA 19034
3. Approval of Resolution 38-2023 to redeem a third-party tax sale certificate #2022-007 for block 6 lot 5 22 Highland Ave. in the amount of \$1,846.79 to Pro Cap 8 Firstrust Bank, PO box 774 Fort Washington, PA 19034.
4. Approval of Resolution 39-2023 to redeem a third-party tax sale certificate #2022-005 for block 3.07 Lot 1 335 Main Street in the amount of \$1,236.13 to Pro Cap 8 Firstrust Bank PO Box 774 Fort Washington, PA 19034.
5. Approval of Resolution 40-2023 requesting permission for the Dedication by Rider for Memorial Park – Heater’s Pond required by PL 1999, Chapter 292 and NJS 40:48-2.56.
6. Approval of Resolution 41-2023 endorsing the Memorial Day Parade.
7. Approval of New Jersey Alcohol Beverage Control “ABC” social affair permit submitted by Ogdensburg Recreation Association for a Beefsteak Fundraiser to be held at the Ogdensburg Fire House on April 22, 2023 from 6:00pm to 11:00pm.
8. Accept for filing Final Equalization Table for the County of Sussex for the year 2023.

**Upon Roll call Vote:**

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

Nays: None Absent: None Abstain None

**Resolution 37-2023**

TO REDEEM THIRD PARTY TAX SALE CERTIFICATE# 2022-013  
BLOCK 20 LOT 6  
55 YURCHAK ROAD

WHEREAS, THE TAX COLLECTOR, REGINA FLAMMER HAS ADVISED THAT PAYMENT HAS BEEN RECEIVED IN THE AMOUNT OF \$ 1492.29\*\*  
(LIEN 1092.29 PREMIUM 400.00)

TO REDEEM TAX SALE CERTIFICATE # 2022-013

WHEREAS,

PRO CAP 8 FIRSTRUST BANK  
P.O. BOX 774  
FORT WASHINGTON, PA 19034

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**April 10, 2023**

IS THE HOLDER OF TAX SALE CERTIFICATE # 2022-013  
AND AS MUCH IS DUE PAYMENT IN THE AMOUNT OF \$ 1492.29  
TO REDEEM SAME.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE  
BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX, STATE OF  
NEW JERSEY, THAT APPROVAL BE GRANTED TO ISSUE A CHECK  
IN THE AMOUNT OF \$ 1492.29  
TO REDEEM TAX SALE CERTIFICATE # 2022-013

REGINA FLAMMER  
TAX COLLECTOR  
MARCH 17, 2023

**Resolution 38-2023**

TO REDEEM THIRD PARTY TAX SALE CERTIFICATE# 2022-007  
[BLOCK 6 LOT 5](#)  
[22 HIGHLAND AVE](#)

WHEREAS, THE TAX COLLECTOR, REGINA FLAMMER HAS ADVISED THAT  
PAYMENT HAS BEEN RECEIVED IN THE AMOUNT OF \$ 1846.79\*\*  
(LIEN 1346.79 PREMIUM 500.00)  
TO REDEEM TAX SALE CERTIFICATE # 2022-007

WHEREAS,  
[PRO CAP 8 FIRSTRUST BANK](#)  
[P.O. BOX 774](#)  
[FORT WASHINGTON, PA 19034](#)

IS THE HOLDER OF TAX SALE CERTIFICATE # 2022-007  
AND AS MUCH IS DUE PAYMENT IN THE AMOUNT OF \$ 1846.79  
TO REDEEM SAME.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE  
BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX, STATE OF  
NEW JERSEY, THAT APPROVAL BE GRANTED TO ISSUE A CHECK  
IN THE AMOUNT OF \$ 1846.79  
TO REDEEM TAX SALE CERTIFICATE # 2022-007

REGINA FLAMMER  
TAX COLLECTOR  
MARCH 17, 2023

**Resolution 39-2023**

TO REDEEM THIRD PARTY TAX SALE CERTIFICATE# 2022-005  
[BLOCK 3.07 LOT 1](#)  
[335 MAIN ST](#)

WHEREAS, THE TAX COLLECTOR, REGINA FLAMMER HAS ADVISED THAT  
PAYMENT HAS BEEN RECEIVED IN THE AMOUNT OF \$ 1236.13\*\*  
(LIEN 736.13 PREMIUM 500.00)  
TO REDEEM TAX SALE CERTIFICATE # 2022-005

WHEREAS,  
[PRO CAP 8 FIRSTRUST BANK](#)  
[P.O. BOX 774](#)  
[FORT WASHINGTON, PA 19034](#)

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IS THE HOLDER OF TAX SALE CERTIFICATE # 2022-005  
AND AS MUCH IS DUE PAYMENT IN THE AMOUNT OF \$ 1236.13  
TO REDEEM SAME.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE  
BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX, STATE OF  
NEW JERSEY, THAT APPROVAL BE GRANTED TO ISSUE A CHECK  
IN THE AMOUNT OF \$ 1236.13  
TO REDEEM TAX SALE CERTIFICATE # 2022-005

REGINA FLAMMER  
TAX COLLECTOR  
MARCH 17, 2023

**Resolution 40-2023**

**WHEREAS**, permission is required of the Director of the Division of Local government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

**WHEREAS**, PL 1999, Chapter 292 and NJS 40:48-2.56 provides for receipt of beach badge sales, fishing license sales, and boating decal sales by the municipality to provide for the operating costs to administer this act; and

**WHEREAS**, NJSA 40A:4-39 provides the dedicated revenues anticipated from the Memorial Park – Heater’s Pond Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Ogdensburg in the County of Sussex and State of New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local government Services to pay expenditures of the Memorial Park – Heater’s Pond (PL 1999, Chapter 292 and NJS 40:48-2.56).
2. The Clerk of the Borough of Ogdensburg, County of Sussex, is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**Resolution 41-2023**

**WHEREAS**, the Borough of Ogdensburg is aware of the Memorial Day Parade to be held on May 29, 2023 from 7:30am to 9:00am; and

**WHEREAS**, a permit from the County of Sussex is required for the closing of Sussex County Route 517 from the Ogdensburg Fire Department to Kennedy Ave on May 29, 2023 from 7:30am to 9:00am.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Ogdensburg do hereby endorse this activity, and respectfully request that the County of Sussex hereby issue the permit.

**EXECUTIVE SESSION MINUTES**

Councilwoman Cowdrick read a motion is in order to approve the executive session minutes from March 27, 2023. Ms. Hough question if Councilwoman Cowdrick could make the motion.

Councilwoman Ruitenbergh made a motion to approve the executive session minutes form March 27, 2023. Seconded by Councilman DeMeo.

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**Upon Roll call Vote:**

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

**ADOPTION OF ORDINANCE 02-2023**

Councilman Ciasullo made a motion to adopt ordinance 02-2023 “AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) Seconded by Councilman DeMeo.

Mr. McBriar commented this is the second reading; then asked Mayor Hutnick to open to the public for any comments.

**Prior to final roll call, Mayor Hutnick opened the meeting to the public for any comments regarding Ordinance 02-2023.**

No one from the public had any comments.

**Prior to final roll call, Mayor Hutnick closed the meeting to the public for any comments regarding Ordinance 02-2023.**

**Upon Roll call Vote:**

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

**OLD BUSINESS**

Local Planning Grant – No update.

Property Maintenance Code from Land Use Board – No update

Police Contract – Mayor Hutnick commented we are in the final stages.

First Aid Squad – Mayor Hutnick asked if there were any updates. Ms. Hough explained she called Alan Arduini and told him they need to have the final inspection on work that was done.

Mayor Hutnick commented the first aid building will eventually be turned over to the town; there was construction and maintenance work done there and before [the building] can be turned over all the permits have to be closed out. There is still one open we are just waiting for that to be closed.

**NEW BUSINESS**

Ad for lifeguards – Mayor Hutnick explained the ad/request for lifeguards has been posted; this is going to be a challenge this year mostly because the average cost of a lifeguard that is being posted throughout the County and State Parks is starting somewhere between twenty something an hour. The Borough doesn’t have a budget for twenty dollars an hour for a lifeguard. The ad went out we will see the response that comes in and do the best we can with the budget we have to work with. Mayor Hutnick explained the problem the State and other municipalities are having with hiring lifeguards. The pond will be open for fishing and boating; he doesn’t know about swim team, he is checking with risk management to see how to deal with this if we don’t open for swimming. The pond will still be maintained for weed control; everything else will stay the same except for whether we can get lifeguards or not. That is what we are working on.

Councilman DeMeo asked what is the age for lifeguard.

Councilwoman Cowdrick explained sixteen; but they have to have the red cross water front safety and CPR. There is time maybe to take a class if you can find something.

Mayor Hutnick asked when does swim team start. Mr. Nardini from the public commented usually the end of June.

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Local Recreation Grant – Mayor Hutnick explained we received that grant some time ago for seventy-five thousand dollars and it has been going back and forth between Council and Land Use. There isn't enough money for what we wanted to do with it. Mayor Hutnick commented his proposal is the basketball courts are heavily used; let's take the grant money put it into the basketball court, remove one tennis court and add one pickleball court. So, we will have basketball, tennis and a pickleball court. If we can't replace the black top there we can at least maintain it; have it resurfaced and lined. If there is enough money left over he would like to have the playground redone with mulch, the retaining wall and everything else. If there is additional money left after that the borough just could keep updating the park area without using and budget money.

There was a discussion on the grant, project that was applied for, the second round of recreation grants, pickleball court, basketball court and lights at the basketball court area.

**PUBLIC SESSION**

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

Richard Gandarinho, 20 Lincoln Ave. Ogdensburg explained last year maintenance was done on the catch basins over in our development there is one over at the corner of Lincoln and Adam that is really collapsed in. There is a barrel over it now; he believes it is a danger to somebody walking. Also, when was the last time that development has been resurfaced.

Mayor Hutnick commented it has been years; if we can get road grants to do that yes, this year's budget doesn't allow for that the only reason the roads were paved that you saw was from grants and they had to connect to another town. Mayor Hutnick commented he agrees with you the roads need to be resurfaced; we have to figure out how to fit it in the budget. This year there was a significant increase in health care, pensions and garbage contract and explained.

Joe DeLellis, Mud Pond Road, Sparta, commented he was here last October regarding the Beaver Dam.

Mayor Hutnick commented he was told it was taken care of and the Dam was removed by one of the Councilman.

Mr. DeLellis commented it was opened up and the water was let out.

Mayor Hutnick commented he thought the problem was resolved. Mayor Hutnick asked is the Dam in Franklin, Ogdensburg or Sparta.

Mr. DeLellis commented the dam is in Ogdensburg, Braen owns the property; he thinks he might have to go address this to them.

There was a lengthy discussion on the dam on Braen Aggregates Property, the Dam is in Ogdensburg, Mr. DeLellis house is in Sparta, the Borough doesn't have the right to go onto private property and for Mr. DeLellis to contact his insurance company.

Jim Lame, Passaic Ave., Ogdensburg explained he was checking on the status of getting access to his property he bought on Edison.

Mr. McBriar commented he did get a phone call from your Attorney this after Tom Hass, Esq. Mr. McBriar commented he explained to Mr. Hass there was two issues. One is clearing the sale of the Auction property and the second is the easement proposal; he shared some information with Mr. Hass. Mr. McBriar suggested Mr. Lame share the packet from the auction sale with his attorney as well as any other documents. The Borough professionals don't do any work; your attorney submits information to us and explained he will follow up with his attorney.

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There being no further business from the public, Councilman DeMeo moved, Councilman Ciasullo 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 motion to adopt the following resolution

**Upon Roll call Vote:**

Yeas: Alvarez, Ciasullo, DeMeo, Poyer, Ruitenberg

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 and contracts from the auction.

At 7:33pm the Mayor and Council went into executive session.

At 7:58 pm the Mayor and Council returned from executive session.

Councilwoman Cowdrick returned to the meeting after executive session.

Mayor Hutnick commented the last thing to discuss is we have an officer leaving it isn't a secret it can't be a secret we have to hire and we have to quick.

Councilman Ciasullo asked Mayor Hutnick let's discuss if we need to hire an officer; we know we will need one.

Mr. McBriar commented we are anticipating nearing completion with the police contract; we know it applies to a number of employees that provide those safely protective services for the Borough. In conjunction with those discussions it would be good to understand in the event of a vacancy how the Borough would want to proceed; either replace the vacancy, disband the department or reduce the size. That is just a general discussion about the scope of the department. With that being said if the Council has any questions it is appropriate at this time.

Council Ciasullo commented so we have the Chief here; are we going to ask him his thoughts on the process for hiring.

Mayor Hutnick commented he knows what the process is; based on tonight's meeting it will determine if the list request goes out tomorrow. Ms. Hough explained it is already prepared.

Councilman Ruitenberg commented there is a list she saw on the Civil Service website for officers.

Ms. Hough explained we have to request a certified list and explained one she began to fill out to be prepared for any decisions either way after tonight meeting.

Mayor Hutnick asked Chief Gordon what his input was on this.

Chief Gordon began as you all know four of us were hired in 2000; twenty-five years is nearing soon pretty much in July 2025 four officers can retire out of this department. We have a seven-man department so that leaves three. There is a possibility we may have a vacancy or

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numerous vacancies so what we need to do is figure out what we are going to do to move forward with the future of the department. There are three scenarios we have; one is we hire and start getting some people trained because it is a one year process from the time they are hired until the time they are on the road, contract with either Sparta or Franklin or go to a part time department where there are day shifts and we contract with Sparta or Franklin for nights until we get people hired and/or to the point when we can be a twenty four hour department again. Those are the three options that we have. The option he prefers is to hire some new officers whether that be off of the civil service list which we would certify and request about 20 names and that would start out with Ogdensburg first priority etc. The other option is intergovernmental transfers which again is something the appointing authority would handle. The third option would be to look into the civil service criteria for hiring alternate route which that seems to be going back and forth depending on Trenton. We can do an alternate route however we have to pass a resolution he isn't sure and would check on this. Vernon just passed the resolution. We would entertain someone that has puts themselves through. Upon them graduating from the academy they would become an officer here. His recommendation right now moving forward is look for at least two officers. Get them on the books get them in the academy the next academy starts in July then after that is January [2024]. Each action is six-month blocks that is how you have to look at it.

Chief Gordon explained we are going to have to look at a sergeants list maybe if there is an active one because we are going to lose a sergeant in 2025 also.

Councilman Ciasullo asked you just mentioned somebody is retiring in 2025 do you know that for certain.

Chief Gordon explained you can't put anything in for retirement its one year prior to the date of eligibility is the max you can go. In his conversations with the officers that are eligible to retire in 2025 the general consensus is they are retiring at twenty-five years, himself included he doesn't plan on staying past December of 2025. If the situation should change he will let the Council know immediately but again up until that button is actually pushed on MBOS we won't know we won't have an answer other then what he is told.

Mayor Hutnick commented we do have to plan.

Chief Gordon commented the first step is to certify a list and see if we have any eligible names on it. Chief Gordon explained the list you see now may be different once you get a certified list because some people may have been hired or removed themselves from that. Until we get a certified list we don't know what we actually have. It's stepping into the unknown with a little bit of knowledge.

There was a discussion on the hiring process, having to pass the fitness first before you can get into the academy and alternate route.

Councilman Ciasullo commented obviously putting a list out has been talked about but not through the Council. We just talked about other options for fifteen minutes. It looks to him and correct him if he is wrong that procedures have been enacted on to the point where Robin is ready to put a list out.

Ms. Hough explained she only looked through her notes just in case tonight the Council decided to get a certified list she would be prepared. Nobody decided anything.

Mayor Hutnick commented he had Robin set it up because if this is the course we are going to take it wouldn't waste any time.

Councilman DeMeo asked Mr. McBriar is the alternate route process an exclusive remedy or can you pass the resolution and have a list.

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Mr. McBriar commented he would need to do some research on that; he is looking at some forms of resolutions, it contemplates that hiring is happening there is a need to show a vacancy and that the route that is being selected.

Councilman Ciasullo commented to back up just to the list if that is what we wanted to do he isn't sure we would even need to go for a list at this point.

Mayor Hutnick explained nothing has been cast in stone and nobody has been left out.

**PAYMENT OF VOUCHERS**

Councilman DeMeo made a motion to approve payment of vouchers and departmental finance reports. Seconded by Councilwoman Cowdrick.

**Upon Roll call Vote:**

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

Nays: None Absent: None Abstain None

**CURRENT**

<b>DATE</b>	<b>CHECK #</b>	<b>PAID TO</b>	<b>AMOUNT</b>
3/29/202	3	33491 NJMVC	60
4/10/202	3	33492 145 Media	500
4/10/202	3	33493 Action Data Services, Inc.	86.91
4/10/202	3	33494 Associated Appraisal Group, Inc.	750
4/10/202	3	33495 Atlantic Communications	15,824.08
4/10/202	3	33496 Complete Security Systems, Inc.	24.2
4/10/202	3	33497 Eco Logic Environmental Testing Inc	900
4/10/202	3	33498 Finch Fuel Oil Co., Inc.	483.53
4/10/202	3	33499 Home Depot	260.59
4/10/202	3	33500 Intrado Interactive Services Corporation	1,250.00
4/10/202	3	33501 John Mulcahey	20
4/10/202	3	33502 Joseph Marino	15
4/10/202	3	33503 Kuiken Brothers	71.27
4/10/202	3	33504 Lafayette Auto Parts	36
4/10/202	3	33505 LINA	216
4/10/202	3	33506 Lumen Technologies Group	125.82
4/10/202	3	33507 Michel Marceau	131.94
4/10/202	3	33508 Municipal Capital	119



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4/10/202	3	33509	Ogdensburg Board of Education	220,164.00
4/10/202	3	33510	Ross, Chris	20
4/10/202	3	33511	RS Phillips Steel LLC	124.57
4/10/202	3	33512	Sanfilippo, Joseph	257.6
4/10/202	3	33513	Sussex County Municipal Clerk Assoc	35
4/10/202	3	33514	Training Unlimited, LLC	75
4/10/202	3	33515	Van Cleef Engineering Assoc. LLC	139
4/10/202	3	33516	Verizon Business	120.14
4/10/202	3	33517	W.B. Mason Co., Inc.	205.75
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				242,015.40
				=====
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				242,015.40

**WATER OP**

<b>DATE</b>	<b>CHECK #</b>	<b>PAID TO</b>	<b>AMOUNT</b>
4/10/202	3	5286 Core & Main	254.76
4/10/202	3	5287 State of New Jersey-PWT	135.59
4/10/202	3	5288 W.B. Mason Co., Inc.	41.15
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			431.5
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			=
			431.5

**GRANT FUND**

<b>DATE</b>	<b>CHEC K #</b>	<b>PAID TO</b>	<b>AMOUNT</b>
4/10/202	3	33518 Van Cleef engineering Assoc. LLC	368.5
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			368.5

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

Meeting adjourned at 8:22pm.

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Robin Hough, Borough Clerk

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George P. Hutnick, Mayor