

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
April 24, 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, 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."

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

CONSENT AGENDA

1. Approval of regular meeting minutes from April 10, 2023.
2. Approval of Resolution 43-2023 to redeem third party tax sale certificate 2022-006 for Block 6 Lot 3, 92 High Street, in the amount of \$1,060.80 to Pro Cap 8 Firstrust Bank, P.O. Box 774, Fort Washington, PA 19034.
3. Approval of Resolution 44-2023 consenting to assignment of subscription license agreement with Tracker Software Corporation, Inc. d/b/a Pubworks to GIS Workshop, LLC d/b/a gWorks, and authorizing execution of Mater Service Agreement with gWorks.
4. Approval of raffle license application from St. Thomas of Aquin RC Church for an off premise 50/50 to be held at 53 Kennedy Ave. Ogdensburg on September 10, 2023 at 3:00pm.

Upon Roll call Vote:

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

Nays: None Absent: None Abstain None

Resolution 43-2023

TO REDEEM THIRD PARTY TAX SALE CERTIFICATE# 2022-006
BLOCK 6 LOT 3
92 HIGH STREET

WHEREAS, THE TAX COLLECTOR, REGINA FLAMMER HAS ADVISED THAT PAYMENT HAS BEEN RECEIVED IN THE AMOUNT OF \$ 1060.80** (LIEN 560.80 PREMIUM 500.00)

TO REDEEM TAX SALE CERTIFICATE # 2022-006

WHEREAS,

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

IS THE HOLDER OF TAX SALE CERTIFICATE # 2022-006
AND AS MUCH IS DUE PAYMENT IN THE AMOUNT OF \$ 1060.80
TO REDEEM SAME.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE
BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX, STATE OF

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14 HIGHLAND AVE. OGDENSBURG AT 7:00PM**

April 24, 2023

NEW JERSEY, THAT APPROVAL BE GRANTED TO ISSUE A CHECK
IN THE AMOUNT OF \$ 1060.80
TO REDEEM TAX SALE CERTIFICATE # 2022-006

REGINA FLAMMER
TAX COLLECTOR
APRIL 12, 2023

Resolution 44-2023

WHEREAS, the Borough of Ogdensburg (“Borough”) adopted Resolution 26-2022 on February 28, 2022, approving a renewable, one-year subscription license agreement for asset management/job costing core computer software with Tracker Software Corporation, Inc. d/b/a Pub Works (“Pub Works”) having an address of P.O. Box 6502, Snowmass Village, CO 81615, in an amount not to exceed \$3,450.00 annually; and

WHEREAS, in December 2022 Pub Works was acquired by GIS Workshop, LLC d/b/a gWorks (“gWorks”) having an address of 3905 South 148th Street, Suite 200, Omaha, NE 68144; and

WHEREAS, gWorks advised the Borough that it will honor the terms and conditions set forth in its original contract with Pub Works for 2023 provided the Borough enter into a Master Service Agreement with gWorks.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Ogdensburg, County of Sussex, and State of New Jersey hereby consent to assignment of subscription license agreement with Tracker Software Corporation, Inc. d/b/a Pub Works to GIS Workshop, LLC d/b/a gWorks, having an address of 3905 South 148th Street, Suite 200, Omaha, NE 68144, and authorize execution of a Master Service Agreement with gWorks not to exceed \$3,450 subject to any modifications and changes recommended by the Borough Attorney

EXECUTIVE SESSION MINUTES

Councilman DeMeo made a motion to approve the executive session minutes from April 10, 2023. Seconded by Councilman Ciasullo.

Councilwoman asked Mr. McBriar what she should do due to only being part of the executive session. Mr. McBriar advised her to recuse yourself.

Upon Roll call Vote:

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

ADOPTION ORDINANCE 01-2023

Councilwoman Cowdrick made a motion to adopt Ordinance 01-2023 “REFUNDING BOND ORDINANCE PROVIDING FOR THE FUNDING OF \$365,000 EMERGENCY AND EMERGENCY TEMPORARY APPROPRIATIONS FOR SALARY, PENSION AND OTHER EXPENSES IN CONNECTION WITH THE REINSTATEMENT OF A POLICE OFFICER IN, BY AND FOR THE BOROUGH OF OGDENSBURG, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$365,000 OF BONDS OR NOTES TO FINANCE SUCH EMERGENCY AND EMERGENCY TEMPORARY APPROPRIATIONS.”
Seconded by Councilman DeMeo.

Ms. Hough asked if Councilwoman Cowdrick should abstain.

Mr. McBriar commented this is specific to resolving the litigation; he is ok with the vote.

Prior to final roll call, Mayor Hutnick opened the meeting to the public for any comments regarding Ordinance 01-2023.

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There were no comments from the public.

Mr. Marceau explained the phone call in regards to the Local Finance Board application. The Mayor and himself met with them on April 12; he would say the phone call was under five minutes which he thinks is a testament to the strength of our application and all the backup documentation that was provided. The director had no questions, one board member had a question as to where we had the money that was set aside. That was it they approved it so this is the adoption of that ordinance.

Councilman DeMeo made a motion to close public session on Ordinance 01-2023. Seconded by Councilwoman Cowdrick. All were in favor.

Upon Roll call Vote on Ordinance 01-2023:

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

Nays: None Absent: None Abstain None

PUBLIC HEARING ON THE INTRODUCED 2023 CY MUNICIPAL BUDGET

Councilman DeMeo read Mayor Hutnick will open the meeting to the public for any comments on the introduced 2023 CY Municipal Budget.

No one from the public had any comments.

Councilman DeMeo made a motion to close to the public the hearing on the introduced 2023 CY Municipal Budget. Seconded by Councilman Poyer. All were in favor.

RESOLUTION 42-2023 TO ADOPT THE 2023 CY MUNICIPAL BUDGET

Councilman DeMeo made a motion to adopt the 2023 CY Municipal Budget resolution 42-2023. Seconded by Councilwoman Cowdrick.

Upon Roll call Vote:

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

Nays: None Absent: None Abstain None

INTRODUCTION ORDINANCE 03-2023

Councilman Ciasullo made a motion to introduce an ordinance 03-2023 entitled "AN ORDINANCE OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX, AND STATE AND NEW JERSEY ADDING CHAPTER 18 ENTITLED, "MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4), TIER A COMMUNITY-WIDE ORDINANCES," INCLUDING NEW SECTION 18-1 ENTITLED "PET WASTE". Seconded by Councilman DeMeo.

Mr. McBriar commented the ordinance is due to the recent designation of all Municipalities State wide from Tier B to Tier A. With that comes additional conditions that have to be satisfied to meet the permit requirements. Several of those involve adopting and enforcing Municipal wide ordinances. There are 10 of them that need to be adopted. In consultation with our engineering firm we believe we can adopt them throughout the course of this year that would provide for a more efficient roll out of those ordinances greater for public participation. It would be easier to manage the cost for publication fees. This is the start of this process; we believe it is most efficient to designate a chapter specific for these community wide ordinances. So that will be chapter 18 the first section will be dedicated to pet waste. Mr. McBriar explained the topics of the other 8 ordinances. Mr. McBriar commented many of Robin's suggestions have been echoed in and adopted by our engineering firm that represents a number of municipalities very much liked the idea of dedicating a chapter for these and the roll out for it.

Public hearing will be held on May 8, 2023.

Upon Roll call Vote:

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

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
April 24, 2023**

Nays: None Absent: None Abstain None

OLD BUSINESS

Local Planning Grant – Mayor Hutnick asked for an update. Ms. Hough explained she sent out an email and they are working on the plan. Mayor Hutnick commented the local planning grant we are just leaving it on the agenda while the work on the plan so it isn't forgotten about.

Property Maintenance Code from Land Use Board – Mayor Hutnick commented there is no update.

Police Contract – Mayor Hutnick commented there was some language being discussed; we are waiting on them [the police department representatives].

First Aid Squad – Mayor Hutnick explained we are waiting for the inspection on the building; to close out their building permit. Ms. Hough explained the contractor did call for a final inspection we are waiting on that.

Ad for lifeguards – Mayor Hutnick commented the ad has been posted in the paper, on the website and Facebook page.

Local Recreation Grant – Mayor Hutnick commented at the last meeting he throughout some ideas; he thinks everyone was on board with that; basketball courts and as much as we can get done in that park area. Mayor Hutnick asked Mr. McBriar if you could ask the engineer to start putting this together.

Mr. McBriar commented he would like to see something in writing just to formulize.

Mayor Hutnick asked he is ok to go ahead if this is what the Council agrees with.

Mr. McBriar commented why don't we do a motion to approve the sentiment of the Council at the last meeting with respect to the direction for the park/playground area and asking the engineer to provide a summary of some of the action items.

Councilman Ciasullo made that motion. Seconded by Councilman DeMeo.

Upon Roll call Vote:

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

Nays: None Absent: None Abstain None

NEW BUSINESS

Financial Disclosure Statement – Mayor Hutnick reminded everyone to complete their financial disclosure statements.

Tier A update – See ordinance 03-2023 for an updated explanation from Mr. McBriar.

Mr. McBriar commented after the last meeting he told the Council that he would pull the Statue on the alternate route and provide you with some samples. Mr. McBriar handed out the samples to the Council.

Mayor Hutnick asked if there was anything else for discussion.

Mr. Marceau commented he knows we are up in the air about the pond and asked if there would be any change the fee structure this year.

Mayor Hutnick asked do we need to change the fee structure.

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

April 24, 2023

Mr. Marceau explained we had a lot of complaints last year with the daily guest passes, quite a few residents suggested to pay more for a badge and not having to get guest badges. He wasn't sure if that is something the Council would entertain or not.

There was a discussion on badges, guest badges, the number of badges sold last year, boating and fishing passes, buying badges at the pond vs. at Borough Hall, issues when badges were sold at the pond and safety protocols.

PUBLIC SESSION

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

Vicky Schroder, 12 Willis Drive, Ogdensburg commented she doesn't know how many people on town Council are aware that on May 6 there is a town wide garage sale. She would like to know when the ORA came in to get permission to have a town wide garage sale. What is the traffic plan? When she was PTO president she had to come and ask Council for permission; she doesn't see that happening. There is no plan for traffic, no plan for how it will be handled. Ms. Schroder commented she is here to get this on the record. Is there a town ordinance, do you need a permit to have a town wide event or can anyone have a town wide event at any given moment and have it not matter? Most people assume ORA is part of the town so the town is going to know, but the ORA is not part of the town anymore so they need to be held accountable for what is going on in the town. If we are going to be doing something like this there needs to be one side of the street parking or permits or something. If you park on both sides of the street you can't get in and out.

There is so much bickering going on between ORA and the town this is the third or fourth year in a row we are a small town.

Mr. McBriar commented his recollection when this first came up was whether or not we had some type of ordinance to regulate licensing, what the fee is, what they need to submit maybe signage or a map. The discussion then evolved into that ORA was some sort of Borough political subdivision which it is not. He made it very clear when he started here that ORA are not employees, it is a 501-3c non-profit corporation it is its own corporate identity. It's not a borough/public sub agency. Having said that he thinks that clarified some of the issues in terms of the publication that were being seen was that it was a Borough sponsored event and that they were fund raising and they can do that. At that point there was some consensus to convey that to ORA. We had representatives here [at a meeting], that was conveyed and he thinks at that point it stopped.

Mr. McBriar commented it is all about what this Council wants; if you want to limit or at least have the control to understand when these things are happening, where they are happening and the frequency of them happening. If they are large scale small scale. For the most part they are on private property.

There was a discussion on garage sale ordinance, solicitor ordinance, events on public property, having cooperation between all groups and doing a garage sale ordinance and just make a phone call regarding the wording when advertising for an event.

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

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

Upon Roll call Vote:

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

Nays: None Absent: None 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

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
April 24, 2023**

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;

Attorney client privilege

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 7:36pm the Mayor and Council went into executive session.

At 7:47 pm the Mayor and Council returned from executive session.

PAYMENT OF VOUCHERS

Councilman DeMeo made a motion to approve payment of voucher and departmental finance reports. Seconded by Councilman Ciasullo.

Upon Roll call Vote:

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

Nays: None Absent: None Abstain None

CURRENT

DATE	CHECK #	PAID TO	AMOUNT
4/24/2023	33519	Action Data Services, Inc.	79.46
4/24/2023	33520	Allied Oil	1,342.77
4/24/2023	33521	Amazon	723.69
4/24/2023	33522	Arthur J. Gallagher Risk Management	400
4/24/2023	33523	Bassani Power Equipment, LLC	72.69
4/24/2023	33524	Blue Diamond Disposal, Inc.	21,000.00
4/24/2023	33525	Brightspeed	19.9
4/24/2023	33526	Brightspeed	54.18
4/24/2023	33527	BrightSpeed	738.04
4/24/2023	33528	Brightspeed	382.09
4/24/2023	33529	Brightspeed	251.53
4/24/2023	33530	Brightspeed	63.18
4/24/2023	33531	Brightspeed	58.88
4/24/2023	33532	Brightspeed	99.77
4/24/2023	33533	Bullseye Calibration of NJ	145
4/24/2023	33534	Certified Speedometer Service, Inc	176
4/24/2023	33535	Dover Brake & Clutch Co., Inc	229.65
4/24/2023	33536	Elizabethtown Gas	214.82
4/24/2023	33537	Elizabethtown Gas	154.62
4/24/2023	33538	Elizabethtown Gas	191.09
4/24/2023	33539	Elizabethtown Gas	969.45
4/24/2023	33540	Horizon BC/BS of NJ	2,420.10
4/24/2023	33541	JCP&L	111.61
4/24/2023	33542	JCP&L	1,593.71
4/24/2023	33543	JCP&L	851.81

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14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
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4/24/2023	33544	JCP&L	25.33
4/24/2023	33545	JCP&L	173.46
4/24/2023	33546	JCP&L	71.28
4/24/2023	33547	JCP&L	1,753.87
4/24/2023	33548	JIM DUKE	2,041.20
4/24/2023	33549	New Jersey Herald	316.26
4/24/2023	33550	Power Place, Inc	16.17
4/24/2023	33551	Schenck Price Smith & King LLP	3,894.70
4/24/2023	33552	Sussex County Treasurer	1,086.80
4/24/2023	33553	Sussex County Treasurer	274,127.92
4/24/2023	33554	Sussex County Treasurer	19,890.07
4/24/2023	33555	Township of Sparta, Police Dept.	3,799.32
4/24/2023	33556	Treasurer, State of New Jersey	500
4/24/2023	33557	Verizon Business	113.7
4/24/2023	33558	Verizon Wireless	123.1
4/24/2023	33559	Vernon Township	3,315.00
4/24/2023	33560	Wallkill Valley Regional H.S.	86,607.83
4/24/2023	33561	Wielkotz & Company, LLC	7,325.00

			437,525.05
			=====
			437,525.05

WATER OP

DATE	CHECK #	PAID TO	AMOUNT
4/24/2023	5289	One Call Concepts, Inc.	15.73
4/24/2023	5290	Reliable Restoration Logistics	1,684.00

			1,699.73
			=====
			1,699.73

UNEMPLOYMENT TRUST FUND

DATE	CHECK #	PAID TO	AMOUNT
4/24/2023	123	State of NJ Division of Employer Accounts	892.5

			892.5
			=====
			=
			892.5

DATE	CHECK #	PAID TO	AMOUNT
4/24/2023	2189	US Bank Cust/Pro Cap 8/Pro Capital MGT II	1,236.13
	3	91	

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14 HIGHLAND AVE. OGDENSBURG AT 7:00PM**

April 24, 2023

4/24/202	2190	25	US Bank Cust/Pro Cap 8/Pro Capital MGT II	1,846.79
	3			
		91		
4/24/202	2191	25	US Bank Cust/Pro Cap 8/Pro Capital MGT II	1,492.29
	3			
		91		

				4,575.21
				=====
				4,575.21

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

Meeting adjourned at 7:49p.m.

Robin Hough, Borough Clerk

George P. Hutnick, Mayor