

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
June 26, 2023**

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

Mayor Hutnick led the Pledge of Allegiance.

ROLL CALL: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg, Mayor Hutnick

Absent: Alvarez

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 June 12, 2023.
2. Approval of Resolution 52-2023 authorizing a Discharge of Mortgage for 25 Wausau Street, Ogdensburg Block 30 Lot 11 in the amount of \$11,531.00.
3. Approval of Resolution 53-2023 to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Washington Road Resurfacing.
4. Approval of Resolution 54-2023 to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Lincoln Avenue Resurfacing project.
5. Approval of Resolution 55-2023 Chapter 159 resolution for the 2023 budget to insert a item of revenue clean communities grant in the amount of \$6,807.19.
6. Approval of Resolution 56-2023 amending the rate of pay for lifeguards for the Borough of Ogdensburg 2023 swim season.
7. Approval of Resolution 57-2023 to hire and pay lifeguard for the Borough of Ogdensburg 2023 swim season.
8. Approval of Resolution 58-2023 approving the contract with Riverview Paving, Inc. Through the Sussex County Cooperative Contract purchasing system for improvements to Municipal Recreational Facilities to be funded by the State of New Jersey Local Recreation Improvement Grant Program.
9. Accept for filing letter dated June 20, 2023 from Sandyston Township to New Jersey Sierra Club Re: Delaware Water Gap National Recreation Area.

Mr. McBriar addressed the Council regarding item number 6 and suggested that item should be dealt with separately and explained. The motion would for items 1 – 9 with the exception of number 6.

Councilman DeMeo made the motion to approve items 1 through 9 with the exception of item number 6. Seconded by Councilwoman Cowdrick.

Upon Roll call Vote:

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

Resolution 52-2023

WHEREAS, the Borough of Ogdensburg(“Borough”) previously received funding for its Home Improvement Program (“Program”) from the New Jersey Department of Community Affairs

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Small Cities CDBG Program for the purpose of providing low cost home improvement financing to qualifying homeowners; and

WHEREAS, as part of this Program, the Borough gave a loan in the amount of \$11,531.00 to be used to rehabilitate property located at 25 Wausau Street, Ogdensburg, New Jersey, identified on the Official Tax Maps of the Borough as Block 30, Lot 11.02; and

WHEREAS, said loan was secured by a mortgage in favor of the Borough dated January 25, 2001 which was recorded in the Sussex County Clerk's Office on February 26, 2001 in Mortgage Book M-3920, at Pages 031-033; and

WHEREAS, the Borough's Home Improvement Program, Policies and Procedures Manual, and Mortgage Note state that this loan will be completely forgiven at the expiration of ten (10) years provided the property owner satisfies certain conditions; and

WHEREAS, the ten (10) year time period has expired and the conditions have been satisfied, specifically, the owner has completed the property improvements and has maintained continual residence at the property for the duration of that period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Ogdensburg that the Mayor is hereby authorized to execute a discharge of mortgage relative to the above-referenced property.

**Resolution 53-2023 Attached
Resolution 54-2023 Attached**

Resolution 55-2023

WHEREAS, N.J.S. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Ogdensburg, in the County of Sussex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$6,807.19 which is now available as a revenue from:

Miscellaneous Revenues -
Special Items of General Revenue Anticipated with Prior Written
Consent of the Director of Local Government Services -
Public and Private Revenues Off-set with Appropriations:
Clean Communities Grant \$6,807.19

BE IT FURTHER RESOLVED that a like sum of \$6,807.19 be and the same is hereby appropriated under the caption of:

(A) Operations – Excluded from “CAPS”
Public and Private Programs Offset By Revenues:
Clean Communities Grant \$6,807.19

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Resolution 57-2023

WHEREAS, there is a need for the Borough of Ogdensburg to hire an additional lifeguard for the 2023 swim season at Heaters Pond; and

WHEREAS, Willow Palmer has applied for the position and provided the Borough proof of valid and current certifications required for the lifeguard position; and

WHEREAS, the rate of pay for Willow Palmer shall be \$15.50 per hour.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Ogdensburg, County of Sussex, and State of New Jersey hereby approve hiring Willow Palmer as a lifeguard for the 2023 swim season at the rate of \$15.50 per hour.

Resolution 58-2023

WHEREAS, the State of New Jersey appropriated \$25 million in the Fiscal Year 2023 budget for the Local Recreation Improvement Program (“Grant Program”) to support improvements and repairs to public recreation facilities; and

WHEREAS, the Grant Program is administered by the New Jersey Department of Community Affairs (“DCA”), Division of Local Government Services (“DLGS”); and

WHEREAS, the DLGS has awarded millions of dollars in grants under the Grant Program to counties, municipalities, and school districts across New Jersey to help cover costs associated with a variety of improvements and repairs, project development professional services costs, equipment costs, and environmental remediation costs; and

WHEREAS, by Resolution adopted on May 10, 2021, the Borough of Ogdensburg (“Borough”) applied for a grant under the Grant Program and entered into a Grant/Loan Agreement (Number 2021-04960-0508-00) with DCA for the award period beginning February 1, 2022, and ending August 31, 2023; and

WHEREAS, the Borough received a Local Recreation Improvement Grant in the amount of \$75,000.00; and

WHEREAS, the Borough desires to use the aforesaid grant to rehabilitate recreational facilities in the Borough, including its public basketball and tennis courts, update public playground equipment, and install an ADA complaint walkway within the Borough municipal park; and

WHEREAS, in furtherance of the foregoing, the Borough desires to award a contract through the Sussex County Cooperative Contract Purchasing System (“Sussex County Cooperative”), a State regulated County Contract Purchasing System; and

WHEREAS, the Sussex County Cooperative previously advertised and received bids for various goods and services for its registered members (System Id #CK03-SXC); and

WHEREAS, the bid proposals included an option for the bidder to provide goods and/or services to other registered governmental contracting units without substitution or deviation from the bid specifications and the bidder has defined the purchasing terms within each individual contract; and

WHEREAS, various contracts were awarded and vendors have extended their pricing to registered members of the Sussex County Cooperative, thereby affording the Borough the opportunity of direct purchase without the competitive bidding; and

WHEREAS, the Borough seeks to use the Sussex County Cooperative bid and enter into a contract with Riverview Paving, Inc., having a business address at 859 Willow Grove

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Street, Hackettstown, New Jersey 07840, for all labor, materials, and equipment required for the performance of all work for the above-described purposes; and

WHEREAS, a copy of the proposal and contract from Riverview Paving, Inc. is attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Ogdensburg, County of Sussex, and State of New Jersey hereby authorize and approve the use of the Sussex County Cooperative Contract Purchasing System to enter into a contract with Riverview Paving Inc., Hackettstown, New Jersey, for all labor, materials, and equipment required for the performance of all work for the above-described purposes.

BE IT FURTHER RESOLVED that the proposal and contract submitted by Riverview Paving, Inc. is hereby approved in the form attached hereto subject to the terms, conditions, and requirements of the Sussex County Cooperative and New Jersey Local Recreation Improvement Grant Program.

BE IT FURTHER RESOLVED that the Mayor, Borough Clerk, Chief Financial Officer, and such other Borough officials, as the law may provide, are hereby authorized to execute such documents as may be required to carry out the purposes of this Resolution.

ITEM NUMBER 6. RESOLUTION 56-2023

Councilman DeMeo made a motion to approve item 6 resolution 56-2023. Seconded by Councilman Poyer.

Upon Roll call Vote:

Yeas: Ciasullo, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

Councilwoman Cowdrick recused herself from voting.

Mr. McBriar commented let the minutes reflect that Councilwoman Cowdrick recused herself from the vote.

Resolution 56-2023

WHEREAS, by Resolution adopted on June 12, 2023, the Borough of Ogdensburg (“Borough”) hired Dean O’Dell and Justyn Hetman as certified lifeguards for the 2023 swim season at Heaters Pond; and

WHEREAS, the Borough desires to adjust the rate of pay for O’Dell and Hetman based on their level of experience and general increases in the average rate for lifeguards in the area; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ogdensburg, County of Sussex, and State of New Jersey that the rate of pay for Dean O’Dell for the 2023 swim season shall be \$16.00 per hour, and the rate of pay for Justyn Hetman for the 2023 swim season shall be \$15.25 per hour.

BE IT FURTHER RESOLVED, that the adjusted rates set forth above shall be effective retroactive to June 17, 2023.

ADOPTION OF ORDINANCE 06-2023

Councilman DeMeo made a motion to adopt Ordinance 06-2023 “AN ORDINANCE OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING CHAPTER 18 OF THE BOROUGH CODE ENTITLED “MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4), TIER A COMMUNITY-WIDE ORDINANCES” TO ADD NEW SECTION 18-4 ENTITLED “IMPROPER DISPOSAL OF WASTE” Seconded by Councilman Ciasullo.

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Prior to final roll Mayor Hutnick opened the meeting to the public for any comments regarding Ordinance 06-2023.

There were no questions from the public.

Mayor Hutnick closed the meeting to the public for any comments regarding Ordinance 06-2023.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

ADOPTION OF ORDINANCE 07-2023

Councilman DeMeo made a motion to adopt Ordinance 07-2023 “AN ORDINANCE OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING CHAPTER 18 OF THE BOROUGH CODE ENTITLED “MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4), TIER A COMMUNITY-WIDE ORDINANCES” TO ADD NEW SECTION 18-5 ENTITLED “YARD WASTE COLLECTION PROGRAM”. Seconded by Councilwoman Cowdrick

Prior to final roll call Mayor Hutnick opened the meeting to the public for any comments regarding ordinance 07-2023.

There were no questions from the public.

Mayor Hutnick closed the meeting to the public for any comments regarding ordinance 07-2023.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

INTRODUCTION TO ORDINANCE 08-2023

Councilman Ciasullo is in order to introduce an ordinance 08-2023 entitled “AN ORDINANCE OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING CHAPTER 18 OF THE BOROUGH CODE ENTITLED “MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4), TIER A COMMUNITY-WIDE ORDINANCES” TO ADD NEW SECTION 18-6 ENTITLED “PRIVATE STORM DRAIN INLET RETROFITTING” Seconded by Councilman DeMeo.

Public hearing will be held on July 10, 2023.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

OLD BUSINESS

Local Planning Grant – Mayor Hutnick commented there was a zoom meeting today.

Mr. Marceau explained we had a meeting today, Robin and I, Chief Gordon, Bob Tessier and Gina Fischetti from the local planning services. They want to set up a meeting for July 17th or week of the 17th to go over some of the final [plan]. If anyone is interested in coming let us know we are trying to come up with a list of interested parties and stakeholders. A redevelopment study on the property behind Borough Hall to give to our planner. They will work on a plan for downtown and marketing.

Mayor Hutnick commented let Robin know if anyone wants to attend.

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Ms. Hough asked about doing a notice to inform the public. Mr. McBriar explained yes, we did that last time.

Police Contract – Mayor Hutnick commented he thinks we will be ready to finalize this at the next meeting or be close to finalizing and explained it is mostly verbiage.

First Aid Squad –

Mr. McBriar explained obtaining a title policy for the First Aid Squad building before the Borough takes over the building according to the deed. Mr. McBriar explained the metric the title company used to provide the estimate is the equalized value of the property itself so the property is assessed for 282 thousand and applying the 2023 equalization ratio it comes to about \$350,000. This would be the best form of protection the Borough has. He would recommend the policy.

Mr. McBriar commented it would be appropriate to entertain a motion to allow him to proceed in ordering that title policy. Mr. McBriar explained the importance of the title policy.

Councilman DeMeo made a motion to allow Counsel to proceed in ordering the title. Seconded by Councilwoman Cowdrick.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

Mr. McBriar commented once that is done we will proceed pretty quickly with the paper work. He will be reaching out to the officer in charge of the first aid squad.

Mayor Hutnick explained to the public once the first aid squad folded the town is going to take over ownership of the first aid squad building and make it a town building. This is the final phases we are going through to make sure we can take over the building. That there are no outstanding monies or issues with the building. All the building permits have finally been closed out everything has been settling up so now we are just doing the final searches on the property.

Mr. McBriar commented that was in the original deed a reversion clause that indeed if the first aid squad no longer existed for which it was organized then the property would be revert to the Borough.

Ken Fahrenfeld, 5 Thomas Place, Ogdensburg asked what the Borough's intention were for the property.

Mayor Hutnick explained the town is discussing the different options.

Local Recreation Grant – Mayor Hutnick explained we received a recreation grant for seventy-five thousand dollars to redo or help increase the usage of Fireman's Field Park. We were one of the few towns in the County that received a large sum of money. Mayor Hutnick explained all the different ideas the Borough wanted to work on. Mayor Hutnick explained the Borough will be milling, stripping of the courts and fence all around with some funds left. We are checking if those remaining funds can be used to fix the playground area.

Mr. Marceau explained this is through the Sussex County COOP and its COOP pricing.

New Jersey Department of Transportation grant applications – No update.

Heaters Pond – Councilwoman Cowdrick commented things are running smooth we had our treatment. The pond is open and it passed the inspection today too.

NEW BUSINESS

Peddler Permits –

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Councilman Ciasullo explained every year we have people walk around town that say they have permission and solicit whatever. How do you know if they are legitimate or not? There is an application process, there is an ordinance there are certain things they are supposed to have or be wearing. Councilman Ciasullo commented he just looked everything over, the application and ordinance looks good maybe in our next newsletter or maybe on our website to put something on there to let people know what to do if they had questions; then explained a recent situation with a peddler.

There was a discussion on adding information to the website regarding peddler permits, some residents don't want that contact, a no knock list and possibly revising the ordinance to add a no knock list.

Mayor Hutnick explained an issue that came up today regarding storm drains collapsing. Specifically, we have two on North Clark that didn't fall into the repair of the storm drain grant the Borough received. There are a few more out there that were not part of the grant. Mayor Hutnick explained Mike our CFO sent out an email to our engineer to see what his assessment is.

Councilwoman Ruitenberg commented one of them is big enough for a child to get lost in.

Mayor Hutnick explained Bettino has a water main break that has broken about three times this year in the same area. What is happening we are getting quotes to replace that whole line.

Mr. Marceau reminded the Council we have the ARP money the Borough can use for these repairs.

PUBLIC SESSION

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

Ken Fahrenfeld, 5 Thomas Place, suggested on the solicitor permits asking if they are supposed to have some sort of ID. If you would post that and what that looks like in the newsletter and explained his concerns regarding scams.

There was a discussion on the ordinance and peddler permits.

Ken Goff, 3 Marianne Terr. explained he would like to make the Council aware of a property on the corner of Marianne Terr and Glen Brook; 20 Glen Brook is a vacant property for a number of years. The owner doesn't take care of the property at all, the grass is overgrown, we have seen rodents, foxes running in and out of there; once in a while he shows up to cut the grass.

Mr. Goff explained he looks at this every day; he takes great care in his property. Where the owner of the property is making the renovations, it is open and there are foxes running in the open space in the house. Mr. Goff explained he has called the police a couple of times about needles being found on the corner of the property that have been used. Mr. Goff commented he isn't sure if anyone can do anything.

Mayor Hutnick explained he will talk to the zoning officer, the County Health Department and place a call over to animal control.

Mr. Goff explained his concerns for young children in the neighborhood.

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

There was no executive session.

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PAYMENT OF VOUCHERS

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

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

CURRENT

DATE	CHECK #	PAID TO	AMOUNT
6/26/202	3	33672 Action Data Services, Inc.	84.41
6/26/202	3	33673 Amazon	51.99
6/26/202	3	33674 Atlantic Communications	14,391.14
6/26/202	3	33675 Braen Aggregates, LLC	2,498.17
6/26/202	3	33676 Brightspeed	19.9
6/26/202	3	33677 Brightspeed	54.18
6/26/202	3	33678 BrightSpeed	738.04
6/26/202	3	33679 Brightspeed	379.58
6/26/202	3	33680 Brightspeed	251.53
6/26/202	3	33681 Brightspeed	63.18
6/26/202	3	33682 Brightspeed	58.88
6/26/202	3	33683 Brightspeed	99.77
6/26/202	3	33684 Brightspeed	50.44
6/26/202	3	33685 Brightspeed	56.17
6/26/202	3	33686 Bullseye Calibration of NJ	150
6/26/202	3	33687 Elizabethtown Gas	49.98
6/26/202	3	33688 Elizabethtown Gas	34.4
6/26/202	3	33689 Elizabethtown Gas	51.39
6/26/202	3	33690 Elizabethtown Gas	312.93
6/26/202	3	33691 Genserve, LLC	112.5

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6/26/202	3	33692	Horizon BC/BS of NJ	2,420.10
6/26/202	3	33693	JCP&L	112.84
6/26/202	3	33694	JCP&L	1,868.80
6/26/202	3	33695	JCP&L	1,399.70
6/26/202	3	33696	JCP&L	165.35
6/26/202	3	33697	JCP&L	403.14
6/26/202	3	33698	JCP&L	53.28
6/26/202	3	33699	JPMonzo Municipal Consulting, LLC	50
6/26/202	3	33700	Lumen Technologies Group	125.62
6/26/202	3	33701	Mall Chevrolet	50,247.65
6/26/202	3	33702	MGL Printing Solutions	444.5
6/26/202	3	33703	Schenck Price Smith & King LLP	3,865.40
6/26/202	3	33704	Staples Business Advantage	65.39
6/26/202	3	33705	Statewide Insurance Fund	12,606.88
6/26/202	3	33706	Statewide Insurance Fund	31,690.40
6/26/202	3	33707	Team Life	447
6/26/202	3	33708	The Printing Center Inc	894.3
6/26/202	3	33709	Township of Sparta, Police Dept.	22,494.87
6/26/202	3	33710	Valley Vision Care, LLC	660
6/26/202	3	33711	Verizon Business	122.61
6/26/202	3	33712	Wallkill Valley Regional H.S.	112,082.50

				261,728.91
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				261,728.91

DOG FUND

DATE	CHEC K #	PAID TO	AMOUNT	
6/26/202	3	301	J.P. Cooke Company	118.55

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				118.55

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GENERAL CAPITAL

DATE	CHECK #	PAID TO	AMOUNT
6/26/2023	1185	Van Cleef engineering Assoc. LLC	1,936.00

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			1,936.00

ADMIN TRUST

DATE	CHECK #	PAID TO	AMOUNT
6/26/2023	2196	International Laminating	267.92

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			267.92

PAYROLL

DATE	CHECK #	PAID TO	AMOUNT
6/26/2023	1233	AFLAC	1,030.74

			1,030.74
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			1,030.74

WATER OP

DATE	CHECK #	PAID TO	AMOUNT
6/26/2023	5301	Agra Environmental Services	75
6/26/2023	5302	One Call Concepts, Inc.	10.01

			85.01
			=====
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			85.01

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

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Meeting adjourned at 7:41p.m.

Robin Hough, Borough Clerk

George P. Hutnick, Mayor