

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
August 28, 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 Carly Clinton, Esq. 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 Councilman Poyer seconded motion for approval of items on the consent agenda.

CONSENT AGENDA

1. Approval of regular meeting minutes from August 14, 2023.
2. Approval of Resolution 64-2023 amended to award the New Jersey Department of Transportation contract for Plan Street Improvements Phase II be award through the Morris County Cooperative Pricing Council Vendors.
3. Accept for filing letter dated August 10, 2023 from Christina Marks, Clerk of the Board/Confidential Aide Re: Ordinance amending the previously established regulations governing road opening and access permits issued by the division of engineering for work within the Sussex County Right of Way and work impacting transportation infrastructure owned or maintained by the County.

Upon Roll call Vote:

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

Nays: None Absent: None Abstain None

Resolution 64-2023

BOROUGH OF OGDENSBURG RESOLUTION 64-2023 AMENDED

BE IT RESOLVED

that the **Borough of Ogdensburg Mayor and Council**

hereby recommends to the New Jersey Department of Transportation that the contract for

Plant Street Improvements Phase II

(Name of Project)

in the **Borough of Ogdensburg** County of **Sussex**

(Name of Municipality)

be awarded to **the following Morris County Cooperative Pricing Council Vendors:**

Schifano Construction Corporation (MCCPC Contract #6) whose bid amounted to \$ 118,071.40

Campbell Foundry Company (MCCPC Contract #14) whose bid amounted to \$ 1,036.00

Denville Line Painting, Inc. (MCCPC Contract #36) whose bid amounted to \$ 1,787.72

whose bids amounted to **\$ 120,895.12** subject to the approval of the Department.

That the presiding officer of this body be and is hereby directed to sign for and on its behalf the contract in the prescribed form for said construction.

That the clerk of this body be and Mayor is hereby directed to seal said contract

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
August 28, 2023**

with the corporate seal of this body and to attest to the same.

Approved by the Borough of Ogdensburg on August 28, 2023.

(Name of Local Government)

(Date of Award)

EXECUTIVE SESSION MINUTES

Councilman DeMeo made a motion to adopt executive session minutes from August 14, 2023. Seconded by Councilman Ciasullo.

Upon Roll call Vote:

Yeas: Ciasullo, DeMeo, Poyer, Ruitenberg

Nays: None Absent: None Abstain: Alvarez, Cowdrick

ADOPTION OF ORDINANCE 11-2023

Councilman DeMeo made a motion to adopt Ordinance 11-2023 “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 18-8 ENTITLED “PRIVATELY-OWNED SALT STORAGE.” Seconded by Councilman Ciasullo.

Prior to final roll call, Mayor Hutnick opened the meeting to the public for any comments regarding Ordinance 11-2023.

There were no comments from the public.

Prior to final roll call, Mayor Hutnick closed the meeting to the public for any comments regarding Ordinance 11-2023.

Upon Roll call Vote:

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

Nays: None Absent: None Abstain None

INTRODUCTION OF ORDINANCE 12-2023

Councilman Ciasullo made a motion to introduce an Ordinance 12-2023 “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 18-9 ENTITLED “REFUSE CONTAINERS/DUMPSTERS”. Seconded by Councilman DeMeo.

Public Hearing will be held on September 11, 2023.

Upon Roll call Vote:

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

Nays: None Absent: None Abstain None

OLD BUSINESS

Police Contract – Mayor Hutnick commented this will be moved to executive session for tonight.

First Aid Squad –

Ms. Clinton explained Robert McBriar from her office has reached out to the title company they should have the title prepared within the next week or two and we expect to be able to conclude this by October.

Local Recreation Grant – Mayor Hutnick commented cancel number three this falls into number 11 [basketball courts/park].

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
August 28, 2023**

Heaters Pond – Councilwoman Cowdrick commented the Pond is closing September 3 and she is working on meeting up with some other companies for treatment of the pond.

Peddler Permits – Councilman Ciasullo explained there will be something in the newsletter regarding the process.

Borough Properties for possible Auction and draft ordinance – Mayor Hutnick asked do we want to set up a specific meeting or time to discuss this.

Councilman DeMeo commented he thought at the last meeting we were going with the complete list except of the [two] properties at the end [of the list].

Councilwoman Ruitenbergh explained it was her understanding there were a couple of properties that were of an issue; they were going to be resolved maybe by tonight.

Ms. Clinton explained the update she has from Robert McBriar is that he is still continuing to work with the clerk to obtain recorded documents concerning the land and uncovering information with regards to Block 21 Lots 22, 23 and 24.

There was a discussion on the properties. Mr. Marceau commented he would recommend pulling off the property next to Ficor. There was a discussion on the possibility of designating this property in need of Redevelopment. It is zoned light industrial. Block 27 lot 27 will be remove from the list along with the last two properties listed on the draft ordinance.

Councilman DeMeo commented we shouldn't hold all the lots up for those two. If you want to hold off on those two properties [on Kennedy but tax map and property record card say Yurchak] that is fine with him.

Mayor Hutnick commented why don't we pull number one and wait on those [two lots].

The discussion continued on the properties and to put this on for the next meeting.

Local Planning Grant – No update

Facility Use Application – Councilwoman Cowdrick explained we are just waiting on an answer for the event Ms. Brush brought to us, to have at the pond.

Plan for lead line replacement report – Councilman Poyer commented he know Robert said at the last meeting he wants to take a closer look at this to get more clarity not sure if he had a chance to or not. Ms. Clinton explained she will check with him tomorrow on that.

Mayor Hutnick asked if they could find out if the State came out with a plan on how it is going to be paid for.

Mass notification system – Councilman Ciasullo explained he started to look at this; Robin went ahead to get a password for him to access this system. Councilman Ciasullo explained the password he was sent was invalid so we have to find out why if the password expired? Councilman Ciasullo explained by the next meeting we should be able to do a test.

Mayor Hutnick explained we will probably have to help some of the seniors to sign up for this.

Basketball courts/park – Mayor Hutnick commented the park is being worked on with regards to everything but the courts. He is waiting to get a meeting with the line company; hopefully he will get information about that soon. He was also informed there is at least a minimum thirty day wait period on new pavement before it can be painted. The oils in the pavement rise up to the top and the paint doesn't bond to it.

Councilwoman Cowdrick commented they do it on the roads.

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
August 28, 2023**

Mayor Hutnick explained he is just telling you what [he was told]. We have a line company that comes through the engineering firm which is part of the grant he is just waiting for the meeting to occur. Hopefully sometime this week. As for the rest of the park; DPW is working on the ball field, practice starts weather permitting tomorrow night. They already started doing all the mowing; they will be painting the roofs on the dugouts.

Councilman DeMeo asked about the area around the gazebo. Mayor Hutnick commented they have already started working on it and explained.

Storm drain repairs – Mayor Hutnick explained North Clark Street storm drains have been repaired, we received complaints from the residents that the drains are too high or the road. They are not done; they repaired the drains put in new drains, catch basins and did the stone. They haven't come back to pave or finalize it all off yet and explained the different drain repairs. Mayor Hutnick commented he was up in the President area last night and explained some repairs that were done there.

NEW BUSINESS

DPW Budget – Mayor Hutnick commented DPW ran down to a budget of \$250 dollars left for the year. The reason that occurred is there were far more maintenance repairs on equipment than anticipated not through their own fault; they were using the equipment that wasn't properly maintained or repaired over the course for the years like it should. So, we have had several thousands put into the tractor, set of brakes for the one dump truck which is on hold at the moment; the truck isn't failing its just time for brakes. The DEP compliance testing for the tanks at the fire house by surprise. We have to look at getting these tanks out of the ground not this year but in the immediate future. It is easier when they do testing because the tanks would be above ground. There were several repairs made to the tanks internally which contributed to a significant budget [expense].

Mayor Hutnick commented he has a question with regards to these repairs [on the tanks] can that be distributed between water, fire and police. It came out of the DPW. Mr. Marceau explained the unexpected expenses that came out of the DPW budget.

Mayor Hutnick explained in the immediate need of money for DPW Mike went through and printed out all the current open purchase orders that DPW has with all the different vendors. As we started looking through them there is a lot of them that aren't even used and gave examples.

Mayor Hutnick commented he spoke to Mike about taking some of the money from the property sales and put into the DPW budget. The money isn't getting wasted they are just working faster and spending more with all the repairs they are doing. Vehicles, truck have been repaired we are going through water main breaks like crazy.

Councilman DeMeo asked about salt purchase orders. Mr. Marceau commented salt is separate and explained a two-year budget cycle.

Councilman Ciasullo asked about the repairs with the gas tanks. Mr. Marceau explained what happened.

There was discussion on the DPW budget, repairs at the gas tanks to get the tank up to compliance, Mayor is handling daily activities for DPW, DPW emails, who checks the supervisor email while he is out and phone number at DPW.

Mayor Hutnick asked do we want to transfer money over from the property sales.

Councilman DeMeo asked Mr. Marceau assuming there are no more emergencies what to add to the DPW budget.

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
August 28, 2023**

Mr. Marceau explained to maybe put a not to exceed for the amount.

Councilman DeMeo made a motion to appropriate not to exceed fifteen thousand from the sales proceeds to the DPW budget. Seconded by Councilwoman Cowdrick.

Upon Roll call Vote:

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

Nays: None Absent: None Abstain None

Grant Writers – Councilman DeMeo commented everyone should have copies of the RFP from Franklin and Hardyston. Franklin was done in 2020 Hardyston was 2021. Councilman DeMeo explained we can't do a contingency with a grant writer, if we want to hire a grant writer we would have to put it into the budget. Councilman DeMeo commented he thinks we should put an RFP out it doesn't cost us anything. There is some language he wants to see added and explained.

There was a discussion on the engineering firm does the grants for the roads and not to move that, recreation grant was also down through VanCleeef's officer, we had grant writers before which wasn't successful and other towns are successful.

Ms. Clinton commented if you would like our office to do an RFP you should take a vote on that.

Councilman DeMeo commented why don't we do it at the next meeting to give everybody and chance to look at the sample RFP.

Hiring of Police Officers – Councilman Ciasullo commented he had this put on the agenda as a general conversation that we should be having; not to start tonight.

Draft Ordinance Pond Badges –

Ms. Clinton explained this was a request from the police department; her officer prepared the draft ordinance for your thoughts on any other language that needs to be modified or amended with regards to the ordinance.

Councilman DeMeo commented he doesn't see a violation. Ms. Hough explained it's at the end of the chapter [6].

Ms. Hough explained she worked with Mr. Briar on the draft ordinance; the ordinance now says the beach passes are for boating, swimming and picnicking. So, if someone is going to go eat a sandwich at the pond they need to buy a pass. That is in another section [chapter 2].

Councilman DeMeo explained with every use at the pond you have to show a badge.

The Council discussed what activities are required to wear badges.

Ms. Clinton explained the existing ordinance says fishing, boating and picnicking if you want to add dog walking you have to amend the ordinance.

Ms. Hough explained the police asked to clarify the ordinance in chapter 6 to add language regarding showing the beach pass when asked; then we found in chapter 2 it states the badge is required for fishing, boating and swimming. The Council just needs to clarify what they want.

Councilman Ciasullo asked do we enforce the residency now.

Ms. Hough commented this was based on an incident that happened at the pond.

Long discussion on the draft ordinance regarding what activities to require residents to have a badge.

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
August 28, 2023**

Chief Gordon explained it always was understood if you step foot in the water you need a badge, if you are a town resident you are more than welcome to walk on the grass and have a picnic but you needed a badge if you are going to be in the water. Chief Gordon commented he himself was educated a week and a half ago when he actually sat down and read the ordinance it was changed you needed a badge to actually be on the grass to enjoy the facilities. Yes, we always check people up there; we see people there we know everybody in town and if you're not a familiar face you are asked to leave. Mayor and Council makes the rules to however you want us to enforce it we will enforce it. But past practice was you only needed badges for swimming and beaches; if you wanted to enjoy the parks and recreation in the middle of winter you didn't need a badge.

Councilman Ciasullo commented Chief you are saying something changed to now require to start [wearing badges].

Chief Gordon explained when he read the ordinance that was codified and in the code book something got changed to the point where even if you wanted to use the facility you needed a badge. Previously we enforced if you were a town resident great enjoy the grass but if you want to go in the water during the swim season you needed a badge.

Councilman Ciasullo commented he was not aware there was a change in the codification. So, the Council created an ordinance.

Ms. Hough commented the Council did change the ordinance it was update in 2021.

Ms. Clinton asked does the Council want to change the original ordinance or leave it as is.

Mayor Hutnick commented why don't we table this for this meeting.

Councilman Ciasullo commented here is a problem; when you bring something like this before the Council you can't just plop this on the table and start talking about it. We need to know why this happened.

Ms. Hough explained this is a draft.

Councilman Ciasullo commented no one started a conversation as to why we are looking at this.

Chief Gordon commented we had an incident about a week ago where two town residents decided to go into the water they ran passed the lifeguards, the lifeguards said stop where is your badges and they ran into the water. The police were called an officer responded up there it turned into a bigger thing after that but the problem was what do we enforce because when you look in the ordinance yes you can buy a badge but there was no consequences for not having the badge. We did find a catch all ordinance that we were able to write but there was nothing about having a badge.

Councilman Ciasullo commented now it all makes sense; if you want to table this to the next meeting; give everyone a chance to look at the ordinance.

Ms. Hough asked Mayor Hutnick how does he want her to handle ordinance change requests.

Mayor Hutnick commented anytime there is a request we will bring it up to the Council with a copy of current ordinance and copy of proposed changes that way everybody has the before and why there is a recommendation for the change.

Councilman Ciasullo commented this should have been in the newsletter. Mayor Hutnick commented there are signs up there.

PUBLIC SESSION

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
August 28, 2023**

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

Jennifer Friend and Miranda Hnyda from the Wallkill Valley First Aid Squad addressed the Council.

Ms. Hyde asked if the Borough would like to part with one of our ambulances.

Mayor Hutnick explained both ambulances are sitting in a climate-controlled garage. Both of them have mechanical issues. Mayor Hutnick commented we will look at them to see what condition is of the ambulances.

Judy Perentin representing the Ogdensburg Historical Society addressed the Council. She handed out a list of upcoming events and maintenance that is needed on the building. Ms. Perentin explained the maintenance that is needed around the door and a hot water heater. They want to make the building ADA compliant. Ms. Perentin explained upcoming events for the Historical Society and asked permission if a Historical Society flyer can go out with the Borough newsletter. Ms. Perentin commented on trees in town that she thinks are concerning.

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

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

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.

Upon Roll call Vote:

Yeas: Alvarez, Ciasullo, DeMeo, Poyer, Ruitenberg

Nays: None Absent: None Abstain: Cowdrick recused herself in full

Councilwoman Cowdrick recused herself in full from the entire executive session and left the meeting.

At 8:33pm the Mayor and Council went into executive session.

At 9:07pm the Mayor and Council returned from executive session.

Councilman Ciasullo asked do you want to possibly look into the future of the police department?

Chief Gordon commented with events coming forward in the next couple of days we should probably pass a resolution to hire somebody to replace the officer leaving.

Councilman DeMeo commented it would actually be a motion to advertise because then we would still have to vote on an appointment at some point.

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
August 28, 2023**

Councilman DeMeo made a motion in the event of a vacancy we are authorizing the clerk to publish an ad to replace the police personal.

Councilman Ciasullo commented one of two ways with one being an interlocal transfer and the other hire off the list.

Councilman DeMeo motioned this is in the event of a vacancy the clerk is authorized to advertise for an interlocal governmental transfer. Seconded by Councilman Alvarez.

Upon Roll call Vote:

Yeas: Alvarez, Ciasullo, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Cowdrick Abstain: None

PAYMENT OF VOUCHERS

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

Upon Roll call Vote:

Yeas: Alvarez, Ciasullo, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Cowdrick Abstain: None

CURRENT

DATE	CHECK #	PAID TO	AMOUNT
8/28/202	3	33867 Action Data Services, Inc.	78.62
8/28/202	3	33868 Allied Oil	1,008.32
8/28/202	3	33869 Braen Aggregates, LLC	36.04
8/28/202	3	33870 Brightspeed	19.9
8/28/202	3	33871 Brightspeed	54.38
8/28/202	3	33872 BrightSpeed	750.14
8/28/202	3	33873 Brightspeed	384.41
8/28/202	3	33874 Brightspeed	254.32
8/28/202	3	33875 Brightspeed	63.38
8/28/202	3	33876 Brightspeed	59.81
8/28/202	3	33877 Brightspeed	101.63
8/28/202	3	33878 Brightspeed	50.67
8/28/202	3	33879 Brightspeed	56.38
8/28/202	3	33880 Elizabethtown Gas	37.35
8/28/202	3	33881 Elizabethtown Gas	36.79

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
August 28, 2023**

8/28/202	3	33882	Elizabethtown Gas	50.78
8/28/202	3	33883	Elizabethtown Gas	184.2
8/28/202	3	33884	Gordon, Stephen	38.57
8/28/202	3	33885	Horizon BC/BS of NJ	2,420.10
8/28/202	3	33886	JCP&L	113.94
8/28/202	3	33887	JCP&L	1,868.80
8/28/202	3	33888	JCP&L	2,075.49
8/28/202	3	33889	JCP&L	82.42
8/28/202	3	33890	JCP&L	657.15
8/28/202	3	33891	JCP&L	106.1
8/28/202	3	33892	John Mulcahey	85
8/28/202	3	33893	JPMonzo Municipal Consulting, LLC	50
8/28/202	3	33894	Lumen Technologies Group	125.82
8/28/202	3	33895	Lumen Technologies Group	125.62
8/28/202	3	33896	New Jersey Herald	240.51
8/28/202	3	33897	Noah's Ark Port-a-Jon	170
8/28/202	3	33898	Petro-Mechanics, Inc	6,882.11
8/28/202	3	33899	RR Donnelley	92.5
8/28/202	3	33900	Schenck Price Smith & King LLP	3,964.00
8/28/202	3	33901	Staples Business Advantage	413.47
8/28/202	3	33902	Sussex County Community College	300
8/28/202	3	33903	Tire King	1,048.00
8/28/202	3	33904	Township of Sparta, Police Dept.	15,046.75
8/28/202	3	33905	Valley Vision Care, LLC	50
8/28/202	3	33906	Verizon Business	102.09
8/28/202	3	33907	Walkill Valley Regional H.S.	92,681.50
8/28/202	3	33908	Wielkotz & Company, LLC	7,150.00

				139,117.06
				=====
				139,117.06

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
August 28, 2023**

GRANT FUND

DATE	CHEC K #	PAID TO	AMOUNT
8/28/202			
3	33909	New Jersey Herald	155.49

			155.49
			=====
			=
			155.49

GRANT FUND

DATE	CHEC K #	PAID TO	AMOUNT
8/28/202			
3	33909	New Jersey Herald	155.49

			155.49
			=====
			=
			155.49

WATER OPERATING

DATE	CHEC K #	PAID TO	AMOUNT
8/28/202			
3	5313	Agra Environmental Services	75
8/28/202			
3	5314	Electronic Drives & Controls, Inc.	1,702.50
8/28/202			
3	5315	Staples Business Advantage	104.88

			1,882.38
			=====
			=
			1,882.38

PAYROLL

DATE	CHEC K #	PAID TO	AMOUNT
8/28/202			
3	1253	AFLAC	687.16

			687.16
			=====
			=
			687.16

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

Meeting adjourned at 9:09p.m.

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
August 28, 2023**

Robin Hough, Borough Clerk

George P. Hutnick, Mayor