

SPECIAL MEETING
DECEMBER 16, 2009

A Special Meeting of the Mayor and Common Council of the Borough of Ogdensburg, Sussex County, New Jersey, was held in the Council Chambers at the Borough Hall on December 16, 2009.

Mayor James Sekelsky called the meeting to order at 5:00 p.m.

Upon roll call the following Council Members appeared and answered the call: Ciasullo, Hann, Ingerto, Wolstenholme, Wood. Absent; Blahut

STATEMENT BY MAYOR: Notice requirements of the Open Public Meeting Act N.J.S.A. 10:4-6 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 2, 2009.

The following professionals were interviewed by Mayor and Council; Hatch McDonald, Laddey Clark and Ryan, Tom Ferry, Weiner Lesniak, CMX, John Ursin, Esq., Nissivocia and Co., Scott Sealagy, Esq.

Councilman Hann Moved, Councilman Wood seconded motion to adopt an ordinance entitled **AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION N.J.S. 40A:4-53.**

Yeas: Ciasullo, Hann, Ingerto, Wolstenholme, Wood.

Councilman Hann moved, Councilman Wood seconded motion to open the public session of the meeting. Yeas: Ciasullo, Hann, Ingerto, Wolstenholme, Wood.

There being no comment from the public, Councilman Hann moved, Councilman Wood seconded to close the public session of the meeting. Yeas: Ciasullo, Hann, Ingerto, Wolstenholme, Wood.

Councilman Hann moved, councilman Ciasullo seconded motion to adopt the following resolution.

WHEREAS, an ordinance has been adopted creating a special emergency appropriation of \$10,260 for Codification of Ordinances and no adequate provision was made in the 2009 budget for the aforesaid purpose, and N.J.S.A. 40A:4-53 provides for the creation of a special emergency appropriation for the purpose above mentioned, and

WHEREAS, the total amount of Emergency Appropriations created including the appropriation to be created by this resolution is.....\$10,260

NOW, THEREFORE, BE IT RESOLVED (not less than two thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-48 and 40A:4-53:

1. A special emergency appropriation be and the same is hereby made for Codification of Ordinances.....\$10,260
2. That the special emergency appropriation shall be provided for in the amount of \$2,052 per year in the budgets of the next five succeeding years commencing with the budgets of 2010 in accordance with 40A:4-55 (C).

3. That a special emergency note or notes be authorized not in excess of \$10,260, the amount appropriated by ordinance as stated above.
 4. Such notes are hereby authorized to be issued pursuant to the Ordinance and this resolution and shall be negotiable notes payable to bearer, and shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law, and such interest shall be payable at the maturity of such notes. The notes shall be dated on or about the date of their issuance and may be renewed from time to time, but at least 1/5 of the total amount of notes hereby authorized, and the renewals thereof, shall mature and be paid in each year, so that all notes and renewals shall have matured and have been paid not later than the last day of the fifth year following the date of this resolution. The issuing officers are authorized to provide that the notes may be redeemable at the option of the Township.
 5. The Mayor and the Chief Financial Officer are hereby authorized to execute said notes, and the Borough Clerk is hereby authorized to affix the seal of the Borough to such notes and to attest such seal and said notes, and said officers are hereby authorized to issue said notes in such form as they may adopt in conformity with law and to recite therein that all requirements and conditions of law have been complied with in the issuance of said notes, and that said notes are within every debt and other limit prescribed by the Constitution or statutes of New Jersey.
 6. The Chief Financial Officer is hereby authorized to sell said notes and any renewals thereof from time to time, at not less than par and accrued interest and to determine within the limitations prescribed by this resolution, the date, principal amount, maturity date, and denomination of said notes, and the rate of interest said notes shall bear and to deliver such notes upon receiving the purchase price to be paid therefore.
 7. The Borough Council hereby designates the Special Emergency Notes as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code"). It is hereby determined and stated that the Special Emergency Notes (1) are not "private activity bonds" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of tax-exempt obligations (other than private activity bonds) during the calendar year 2009. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, the Borough does not covenant to do so, and expressly states that a covenant is not made hereby.
 8. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services; however, no approval is required from the Division.
 9. This resolution shall take effect immediately upon its adoption.
- Yeas; Ciasullo, Hann, Ingerto, Wolstenholme, Wood. Copy attached as Schedule 1.

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

BE IT RESOLVED by the of the Borough of Ogdensburg that the following

transfer of Appropriations (2009 Municipal Budget) in accordance with N.J.S. 40A 4-58 be and is hereby approved.

Salaries & Wages

From:		TO:	
		Court S&W 01-201-43-490-010	1,100.00
		Clerk S&W 01-201-20-120-010	500.00
		Health & Wel. S&W 01-201-27-330-010	1,100.00
		Recycling S&W 01-201-26-306-010	600.00
OTHER EXPENSES			
FROM:		TO:	
Group Ins. O/E 01-201-23-220-020	4,700.00	Liability Ins. O/E 01-201-23-210-020	700.00
Parks & Play. O/E 01-201-28-370-020	1,000.00	Telephone O/E 01-201-31-440-020	800.00
Mayor & Council O/E 01-201-20-110-020	16,000.0	Social Security O/E 01-201-36-0 472-020	4,000.00
Court O/E 01-201-43-490-020	1,100.00	Legal O/E 01-201-20-155-020	12,000.0
			0
		Fire Dept. O/E 01-201-25-255-020	2,000.00
TOTAL	<u>22,800.0</u>		<u>22,800.0</u>
	<u>0</u>		<u>0</u>

Yeas; Ciasullo, Hann, Ingerto, Wolstenholme, Wood.

Councilman Wood moved, Councilman Hann seconded motion to adopt the following resolution.

BE IT HEREB Y RESOLVED by the Mayor and Council of the Borough of Ogdensburg to authorize the Mayor and Council President to enter into an agreement with the Borough Engineer, CMX and Borough Planner Dykstra Associates, to proceed with the initial steps to create a redevelopment plan for Municipal property not to exceed \$16,000 for surveying, wetland delineations and anything else required to move forward with this professional contract for the redevelopment of municipal land.

Yeas; Ciasullo, Hann, Ingerto, Wolstenholme, Wood. Copy attached as Schedule 3.

There being no further business, Councilman Hann moved, Councilman Ingerto seconded to carry over this meeting to January 4, 2010. Yeas: Ciasullo, Hann, Ingerto, Wolstenholme, Wood.

Meeting carried to January 4, 2010.

Deputy Clerk

Mayor