

## REGULAR MEETING

APRIL 13, 2009

The fourth regular meeting of the Mayor and Council of the Borough of Ogdensburg, Sussex County, New Jersey, was held in the Council Chambers of the Borough Hall on April 13, 2009.

Mayor Sekelsky called the meeting to order at 7:00 P.M.

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

Notice requirements of the Open Public Meeting Act. NJSA 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 on January 2, 2009.

### CONSENT AGENDA

1. Approval of Minutes from February 9<sup>th</sup> Regular Meeting
2. Approval of Minutes from February 12<sup>th</sup>, 19<sup>th</sup>, 21<sup>st</sup>, Budget Workshops
3. Approval of Minutes from March 5<sup>th</sup> Budget Workshop
4. Approval of Minutes from March 23<sup>rd</sup>, Special Meeting

Councilman Wood moved, Councilman Wolstenholme seconded motion for approval of item No. 1. Items No. 2, 3 and 4 will be carried over until the next meeting. Yeas: Blahut, Ingerto, Wolstenholme, Wood.

Borough Auditor went over budget and reviewed prior work done. After a brief discussion Councilman Blahut moved, Councilman Wood seconded motion for introduction of 2009 Municipal Budget. Yeas: Blahut, Ingerto, Wolstenholme, Wood. Copy attached as Schedule 1.

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

John Kibildis inquired about the fund balance on the budget. Rich Predmore commended the board for not deferring the pension. Frank Sanfilippo asked about a list of foreclosures. Rich Predmore asked about the New Jersey Highlands Act and if the NJ Highlands Council is after the towns water. Mayor Sekelsky replied that the Highlands Act is being done to preserve the water. Mr. Wayne McCabe, Sussex County Historian attended the meeting to speak about the Edison House on Main Street. He did get to go through the house but would like to have it cleaned out so he could get a better look at the structure and is asking for more time to evaluate it structurally, which he offered to do pro bona. Councilman Wood spoke about ratables and feels the house should be moved by the mines so the land could be use to put in another building to bring in ratables. Mayor asked Mr. McCabe how much you think it would cost to bring the house up to code and how do we get the money. Mr. Kibildis stated that the Historical Society is not looking for the town to encumber any costs. Mr. Kibildis feels the Edison House will be an asset sometime down the road and if the Historical Society can't get the grant money then the project will be scraped. Mr. McCabe asked if the town could put a dumpster on the lot next door to empty out the house. Mayor said there is room on property next to the house, but will have to ask permission from the estate. John Kibildis thanked Mr. McCabe for the work he has done and coming before council.

Councilman Wood moved, Councilman Ingerto seconded motion to have Mr. McCabe further evaluate the Edison House and to have a re-evaluation report by the June 22. Yeas: Blahut, Ingerto, Wolstenholme, Wood.

Councilman Blahut moved, Councilman Wolstenholme seconded motion to appoint Mr. John Kibildis as special historian for the preservation of the Edison House on behalf of the town . Yeas: Blahut, Ingerto, Wolstenholme, Wood.

Emily Slockbower brought up for discussion about the increased traffic on Route 517 and that the intersection of Bettino and Route 517 is very dangerous. Mayor Sekelsky stated a study would have to be done to determine if a light at the intersection would be warranted. Richard Predmore, 15 Predmore Road mentioned his wife was rear ended back in August, 2000 at the intersection of Rt. 517 and Brooksflat Road.

Councilman Wood moved and Councilman Ingerto seconded motion to close the Public Session. Yeas: Blahut, Ingerto, Wolstenholme, Wood.

Councilman Wolstenholme moved, Councilman Blahut seconded motion to open the public hearing on an ordinance entitled **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40-A: 4-45.14)**. Yeas: Blahut, Ingerto, Wolstenholme, Wood.

There being no comment from the public, Councilman Wolstenholme moved, Councilman Wood seconded motion to close the public hearing. Yeas: Blahut, Ingerto, Wolstenholme, Wood.

Councilman Wolstenholme moved, Councilman Wood seconded motion to adopt said ordinance. Yeas: Blahut, Ingerto, Wolstenholme, Wood. Copy attached as Schedule 2.

Councilman Ingerto moved, Councilman Wood seconded motion to introduce an ordinance entitled **AN ORDINANCE TO APPROPRIATE THE SUM OF \$50,000 CURRENTLY LOCATED WITHIN GENERAL CAPITAL RESERVE, FOR ROAD IMPROVEMENTS** on first reading. Public hearing is scheduled for May 11, 2009.

WHEREAS, there are funds in General Capital, Reserve for Road Improvements, and

WHEREAS, the total of these funds is \$50,000, and

WHEREAS, it is deemed appropriate to make use of these funds for Road Improvements

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ogdensburg, County of Sussex, State of New Jersey, that:

Section 1: There is hereby appropriated from General Capital Fund, of the Borough of Ogdensburg, the sum of \$50,000 for the above improvements.

Section 2: This ordinance shall take effect immediately upon proper passage and publication in accordance with law.

Yeas: Blahut, Ingerto, Wolstenholme, Wood. Copy attached as Schedule 3.

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

WHEREAS, the Chief Financial Officer has determined that the following Borough of Ogdensburg check has been outstanding for a period in excess of six months:

OTHER TRUST

<u>Check#</u>	<u>Amount</u>	<u>Date of Issue</u>
1085	\$450.00	9/24/05

NOW, THEREFORE, BE IT RESOLVED that the above outstanding check be restored to the Borough cash balance.

Yeas: Blahut, Ingerto, Wolstenholme, Wood. Copy attached as Schedule 4.

Councilman Ingerto moved, Councilman Wolstenholme seconded motion to adopt the following resolution.

BE IT HEREBY RESOLVED by the Mayor and Common Council of the Borough of Ogdensburg to appropriate a clothing allowance of \$500.00 per employee for the Department of Public Works.

BE IT FURTHER RESOLVED all requests must be approved in writing by the Department head prior to purchasing. Any purchases without prior approval will not be reimbursed. All clothing must be on the approved clothing list stated below.

BE IT FURTHER RESOLVED that this resolution becomes effective January 1, 2009. Yeas: Blahut, Ingerto, Wolstenholme, Wood. Copy attached as Schedule 5.

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

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2008 Recycling tonnage Grant will memorialize the commitment of this municipality to recycling and indicate the assent of the Borough of Ogdensburg to the efforts contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg and the Borough of Ogdensburg hereby endorses the submission of a Municipal Recycling Tonnage Grant application to the New Jersey Department of Environmental Protection, and designates Donna Paiva, Recycling Coordinator, to ensure that the said Application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant, be deposited in a dedicated recycling trust fund to be used solely for the purpose of recycling. Yeas: Blahut, Ingerto, Wolstenholme, Wood. Copy attached as Schedule 6.

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

WHEREAS, Jesse Wolosky, 1 Vista Drive, Sparta, N.J. 07871 has paid for a lien against Block 21, Lot 12.02 for the year 2006 with a premium of \$100.00.

WHEREAS, the homeowner paid the lien on said block and lot.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg that the proper officials be authorized and are hereby instructed to refund the amount of \$100.00 to Jesse Wolosky. Yeas: Blahut, Ingerto, Wolstenholme, Wood. Copy attached as schedule 7.

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

WHEREAS, R. Rothman, 411 Grand Avenue, Englewood, New Jersey 07631 has paid for a lien against Block 35, Lot 24.02 for the years 2006, 2007 and 2008 in the amount of \$14,843.53 with interest and statutory fees of \$2,270.13 and sale cost of \$29.73 totaling \$17,143.39 plus premium of \$3,100.00.

WHEREAS, the homeowner paid the lien on said Block and Lot.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg that the proper officials be authorized and hereby instructed to refund the amount of \$20,243.39 to R. Rothman. Yeas: Blahut, Ingerto, Wolstenholme, Wood. Copy attached as Schedule 8.

At 10:15 P.M. Councilman Wood moved, Councilman Ingerto seconded motion to go into Executive Session to discuss potential litigation contract and negotiation matters. Yeas: Blahut, Ingerto, Wolstenholme, Wood.

After returning from Executive Session at 10:40 P.M., Mayor and Council continued with the regular meeting.

Councilman Ingerto spoke about the donation to the Borough from the Cathy Delben walk and suggested recognition to the organizers with a plaque. Councilman Ingerto moved, Councilman Blahut seconded motion to have a plaque made for the Cathy Delben organization in appreciation for their donation. Yeas: Blahut, Ingerto, Wolstenholme, Wood.

Councilman Wood inquired as to whether we have answered questions regarding the 125 plan. Mayor Sekelsky explained the 125 Cafeteria Plan. Councilman Wood feels it needs to be discussed further. Councilman Wood moved, Councilman Ingerto seconded motion to table the resolution for the opt-out letter. Yeas: Blahut, Ingerto, Wolstenholme Wood.

#### NEW BUSINESS

Councilman Ingerto made a motion to accept the Neopost contract for the new postage machine. Councilman Wolstenholme seconded motion. Yeas: Blahut, Ingerto, Wolstenholme, Wood.

John Ursin, Borough Attorney explained that the town has given him authorization to represent the Borough regarding depositions concerning the Pierce case. Depositions will be taken. There are two more days of depositions. On April 22<sup>nd</sup> he will be present for representation for employees.

Borough Attorney briefly discussed a meeting he attended with developers from Franklin looking for water allocation. Attorney said it is in the preliminary stages. Councilman Blahut asked about a letter from DEP for funding for Heaters Pond. Councilman Ingerto spoke about Sparta Mountain Day. Mr. Morrison will donate trees again and they could be planted by the School and by Heaters Pond. Possibly the Girl Scouts could do the planting as a project. Councilman Wolstenholme spoke about the upgrade of the water

line for the new restaurant. A 2” pipe will have to be installed for the upgrade and asked if the Borough Engineer would be involved in this. Borough Attorney John Ursin stated that the restaurant owner would need to hire his own Engineer.

Mayor Sekelsky stated that the Drug Alliance is having a luncheon with a presentation on prescription drug use.

Councilman Ingerto discussed the possibility of bringing in someone to help out temporarily in Department of Public Works. Councilman Ingerto moved, councilman Wolstenholme seconded motion to hire temporary help for the DPW for 23 hours a week not to exceed three weeks at \$13.41 per hour. Yeas: Blahut, Ingerto, Wolstenholme, Wood.

Councilman Wolstenholme stated he will need appropriation for water meters. He is going to find out the cost of obtaining new models of water meters which are guaranteed for twenty years.

There was discussion regarding the weight limit with easement for the bridge to the Armstrong property. Councilman Wood asked for a letter from the Borough Engineer regarding the 35 ton weight limit. Councilman Wood moved, Councilman Wolstenholme seconded motion to approve the easement for Robert Armstrong with changes for block and lot type and approval of weight limit for over 5 ton axle. Yeas: Blahut, Ingerto, Wolstenholme, Wood.

OLD BUSINESS

Mayor Sekelsky spoke about the contract for the fireworks and that the terms need to be clarified. Draft copy given to Councilman Blahut for review.

Mayor Sekelsky acknowledged a thank you card from Judge Mulhern.

Departmental finance reports were handed in for review.

Councilman Blahut moved, Councilman Wolstenholme seconded motion for review and payment of vouchers. Yeas: Blahut, Ingerto, Wolstenholme, Wood.

CURRENT FUND

DATE	CHECK #	PAID TO	AMOUNT	
03/13/09	9999	Payroll Account	44,768.45	(Manual)
03/27/09	9999	Payroll Account	42,640.77	(Manual)
03/27/09	22864	Embarq	586.80	
03/27/09	22865	Embarq	680.70	
03/27/09	22866	Horizon BC/BS of NJ	7,910.54	
03/27/09	22867	JCP&L	1,863.93	
03/27/09	22868	Neopost Leasing	126.78	
03/27/09	22869	Sussex County Municipal Clerk Assoc	60.00	
03/27/09	22870	US Express/Tygris	330.00	
03/27/09	22871	Verizon Wireless	67.10	
03/31/09	9999	Payroll Account	22,860.00	(Manual)
03/31/09	9999	Payroll Account	87,848.00	(Manual)
04/03/09	9999	TASC	1,330.00	(Manual)
04/06/09	22872	US Postal Service	137.00	
04/08/09	9999	Payroll Account	38,256.36	(Manual)

04/08/09	22873	Aetna Inc	1,054.32
04/08/09	22874	CIGNA GROUP INSURANCE	189.00
04/08/09	22875	Century Office Products	730.80
04/08/09	22876	JCP&L	2,683.23
04/08/09	22877	Jersey Central Power & Light	1,215.24
04/08/09	22878	Verizon Business	122.17
04/08/09	22879	Verizon Wireless	109.96
04/08/09	22880	Waste Management of NJ	18,076.00
04/08/09	22881	Zurich North America	543.00
04/13/09	22882	A A Fence & Mason Co.	57.75
04/13/09	22883	AM/PM Services	99.00
04/13/09	22884	AM/PM Services	368.00
04/13/09	22885	Al Millier Excavating, LLC	13,850.00
04/13/09	22886	Allied Oil LLC	632.45
04/13/09	22887	Aquatic Technologies, Inc	2,237.50
04/13/09	22888	Aurora Electrical Supply	842.68
04/13/09	22889	Avaya	88.32
04/13/09	22890	B & B Marketing	115.00
04/13/09	22891	Ball, Andy & Joy	500.00
04/13/09	22892	Bassani Power Equipment, LLC	11.99
04/13/09	22893	Batty, Matthew	208.00
04/13/09	22894	Blahut, Michael	200.00
04/13/09	22895	CMX	2,325.00
04/13/09	22896	CNP Fittest of NJ, LLC	500.00
04/13/09	22897	Central Parts Warehouse	207.88
04/13/09	22898	Charles Schaffer Associates	1,000.00
04/13/09	22899	Community Action Services	2,200.00
04/13/09	22900	Community Action Services	4,400.00
04/13/09	22901	Courter, Kobert & Cohen, PC	3,921.00
04/13/09	22902	Danforth's	377.15
04/13/09	22903	Davis, Stephen	450.00
04/13/09	22904	Decker's Fire and Safety Equip. Inc	196.00
04/13/09	22905	Dover Brake & Clutch Co., Inc	52.50
04/13/09	22906	ESI Equipment, Inc.	830.00
04/13/09	22907	Employee Data Forms of MO LLC	21.25
04/13/09	22908	Excell Contracting LLC	5,700.00
04/13/09	22909	F.W. Bennett & Son, Inc.	239.18
04/13/09	22910	Falcon Cleaning	375.00
04/13/09	22911	Goffco Industries, Inc	165.83
04/13/09	22912	Golden Rule Creations	411.86
04/13/09	22913	High Bridge Salt	4,254.30
04/13/09	22914	International Salt Co., LLC	7,512.22
04/13/09	22915	JRF Tire Service, Inc.	1,721.00
04/13/09	22916	Jan-Mar Alarm Company	24.20
04/13/09	22917	Jess Tree Service	550.00
04/13/09	22918	Kuiken Brothers	1,037.63
04/13/09	22919	Laddey, Clark & Ryan	840.00
04/13/09	22920	Law Enforcement Training Consultant	295.00
04/13/09	22921	LexisNexis	61.00
04/13/09	22922	Linebarger Goggan Blair	106.54
04/13/09	22923	Little, Jacob	555.04
04/13/09	22924	Lozier, Rich	530.00

4/14/2009 Council  
Denied

04/13/09	22925	MGL Printing Solutions	381.00	
04/13/09	22926	MicroSystems-NJ.com, LLC	1,882.00	
04/13/09	22927	Montague Tool & Supply Co	245.52	
04/13/09	22928	Municipal Record Service	302.00	
04/13/09	22929	Municipal Software Inc	175.00	
04/13/09	22930	NJ League of Municipalities	343.00	
04/13/09	22931	New Jersey Herald	242.70	
04/13/09	22932	Newton Memorial Hospital	150.00	
04/13/09	22933	Ogdensburg Board of Education	167,534.00	
04/13/09	22934	On Site Apparatus Services	1,508.97	
04/13/09	22935	Public Employee's Retirement System	628.99	
04/13/09	22936	Ross, Chris	52.00	
04/13/09	22937	Smith Tractor & Equipment, Inc.	14.70	
04/13/09	22938	Smith, Ken	52.00	
04/13/09	22939	Staples Business Advantage	143.40	
04/13/09	22940	Statewide Insurance Fund	28,947.00	
04/13/09	22941	Struble, Jim	46.00	
04/13/09	22942	Suburban Propane	7,239.81	
04/13/09	22943	Sussex County Assessor's Assoc.	100.00	
04/13/09	22944	The Sign Connection	440.00	
04/13/09	22945	Township of Sparta	4,794.00	
04/13/09	22946	USA Mobility Wireless, Inc.	23.20	
04/13/09	22947	Wallkill Valley Regional H.S.	70,236.86	
04/13/09	22948	Weldon Quarry Co., LLC	236.17	
04/13/09	22949	Winters Auto Parts, Inc	623.80	
04/13/09	22950	Wolosky, Jesse	100.00	
04/13/09	22951	Zee Medical, Inc.	44.10	
			-----	
			383,043.06	
			237,703.58	Manual
			-106.54	** Voided
			=====	
			620,640.10	

WATER OPERATING

DATE	CHECK #	PAID TO	AMOUNT
03/27/09	3655	Embarq	19.90
03/27/09	3656	Horizon BC/BS of NJ	623.31
04/08/09	3657	JCP&L	4,291.32
04/13/09	3658	Dave Heiner Assoc., Inc.	1,205.00
04/13/09	3659	Garden State Laboratories, Inc.	225.00
04/13/09	3660	Hyde, Thomas	37.80
04/13/09	3661	Kuiken Brothers	22.20
04/13/09	3662	One Call Systems, Inc.	11.00
04/13/09	3663	State of New Jersey-PWT	119.47
04/13/09	3664	The Lee Company	1,605.56
			-----
			8,160.56
			=====
			8,160.56

GRANT FUND

DATE	CHECK #	PAID TO	AMOUNT
04/13/09	22952	Sussex County Municipal Utility	502.10
			-----
			502.10
			=====
			502.10

There being no further business, Councilman Ingerto moved, Councilman Blahut seconded motion to adjourn the meeting. Yeas: Blahut, Ingerto, Wolstenholme, Wood.

Meeting adjourned at 11:30 PM

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Borough Clerk

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Mayor