

REGULAR MEETING

November 9, 2009

The eleventh 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, 2009.

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

Upon roll call, the following council members appeared and answered the call: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood.

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 January 2, 2009.

Councilman Hann moved, Councilman Ciasullo seconded motion to approve items on the Consent Agenda.

Approval of Minutes from September 28th, Work Session
Approval of Minutes from October 13th, Regular Meeting
Yeas: Blahut (abstain on 10/13), Ciasullo (abstain on 9/28), Hann, Ingerto, Wolstenholme, Wood.

Mayor Sekelsky asked for a moment of silence to remember all the Veterans who served the Country.

Mayor Sekelsky addressed the police study with the public and mentioned that there will be a meeting on November 30, 2009 and all questions will be addressed at the meeting.

Mr. Tessier from Dykstra associates attended the meeting to speak about the updates of the Highlands Modules. Mr. Tessier spoke about the Modules one and two, and said the next step will be Module 3, which will address COAH issue.. It was mentioned that a sub-committee will be set up by the Land Use Board to look into Round 2 of COAH and the Highlands. Different areas of town were mentioned that are being looked at for development. Mr. Armstrong mentioned that he would like to see the Land Use Board and Council sit and discuss the Highlands Builder's remedies. Councilman Blahut asked Mr. Tessier if he made contact with Steve Weinburg.

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

Mayor Sekelsky informed the public that any talk on the feasibility study will be limited to a total of 15 minutes time frame since the meeting is coming up on the 30th of November when it will be discussed. Frank Sanfilippo, 4 Arch Street stated that he is a tax payer like everyone else in town and that what he said has no bearing on his son being a police officer in town or an employee. Mr. Sanfilippo stated he is not for the merger of the police force and asked if the Borough has met with Sparta regarding the merger. Mr. Sanfilippo was informed the meeting is set for November 23, 2009. Mr. Piest, 7 Grant asked about the police study and wanted to know if a decision was going to be made by December 1st. Mayor Sekelsky stated it will be going to a vote if the council decides. Mrs. Sanfilippo 4, Arch St. spoke about a flyer that went out to the public regarding the police study. Vito Telischak mentioned that he would like to set the date for November 30th and feels the Borough needs to have the meeting. Robert McDonald asked if the

company who did the study will be answering questions. Mr. McDonald was informed that a representative from Summit Collaborative Advisors will be at the meeting to go over the study and take questions. Mrs. Bowlby thought that the public would get to find out how the Council feels about the study. Noreen Lang, Jefferson Terrace asked a question regarding taxes being paid and what is the benefit to the town if most of the taxes are going to the school. Mr. Armstrong, Adams Rd. feels the process the Borough is doing is correct and there are many questions on the report that need to be answered. Richard Predmore, 15 Predmore Road asked if the Property Maintenance ordinance was passed and if there was anything about dumpsters put in the ordinance. Mr. Predmore also mentioned that the school is asking for anyone who is a veteran to talk to the kids about Veterans Day. Mayor Sekelsky mentioned that there will be a public meeting held on November 30, 2009 to discuss the police study. There being no further business from the public, Councilman Hann moved, Councilman Wood seconded motion to close the public session of the meeting. Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood.

Councilman Ciasullo asked Councilman Blahut what was his intention regarding the letter to the public on the police study. Councilman Blahut said it was for informational purposes only. Councilman Ciasullo stated that the people felt it was from the Council and Councilman Ciasullo showed concern because it was not from council. Councilman Wood informed Mayor and Council that he had received a phone call from the Herald and asked if he could respond to the Herald as a councilman. Mayor stated he spoke to the Herald and told them the meeting will be on November 30th and can find out any information on the 30th. The Mayor also stated that the Borough did the study to find out if it was feasible to merge but feels the flyer stated some things that was unfair about the Police. Council felt it was best if Councilman Wood did not get back to the Herald regarding the study.

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

BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Ogdensburg to enter into an agreement with Official Payments Corporation, a Delaware corporation for Electronic Transaction Processing for the Water payments and Tax payments.

BE IT FURTHER RESOLVED the Governing Body authorizes the Mayor to sign this agreement. Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood. Copy attached as Schedule 1.

Councilman Hann moved, Councilman Wood 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:

Parks and Play. 01-201-28-370-010

OTHER EXPENSES

FROM:

TO:

Group Ins. O/E 01-201-23-220-020	9,500.00	Finance O/E 01-201-20-130-020
		Purch. Of Pol. Veh. 01-201-25-241-021
		PERS 01-201-36-471-020
		Assess. Of Taxes 01-201-20-150-020
TOTAL	<u>9,500.00</u>	

Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood. Copy attached as Schedule 2.

Councilman Wood moved to adopt as amended the resolution for the Plan Conformance to the Highlands Water Protection and Land in the Preservation Area by adding the “for those lands within the preservation area” in the next to last paragraph. Seconded, by Councilman Hann. Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood.

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act), N.J.S.A. 13:20-1 et seq., finds and declares that protection of the New Jersey Highlands is an issue of State level importance because of its vital link to the future of the State’s drinking water supplies and other significant natural resources; and

WHEREAS, the Highlands Act creates a coordinated land use planning system requiring the Highlands Water Protection and Planning Council (Highlands Council) to prepare and adopt a Regional Master Plan for the Highlands Region; and

WHEREAS, the Highlands Act requires that within nine to 15 months after the effective date of the Regional Master Plan, September 8, 2008, each municipality located wholly or partially in the Preservation Area shall submit revisions to the municipal master plan, development regulations and other regulations, as applicable to the development and use of land in the Preservation Area, as may be necessary to conform with the goals, requirements and provisions of the Regional Master Plan (Plan Conformance); and

WHEREAS, the Borough of Ogdensburg is located in the Highlands Region with lands lying within the Preservation Area, as defined by the Highlands, Act; and

WHEREAS, the Highlands Council prepared and distributed to the Highlands municipalities Plan Conformance Guidelines outlining the process and procedures for petitioning the Highlands Council for Plan Conformance; and

WHEREAS, the Highlands Council’s Plan Conformance Guidelines also require that a Petition for Plan Conformance be filed with the Highlands Council no later than December 8, 2009, which includes a comprehensive package of planning and implementation documents that meet the requirements of the Highlands Act, the Regional Master Plan and the Highlands Plan Conformance Guidelines for those lands within the preservation area.

NOW, THEREFORE, BE IT RESOLVED, that the governing Body of the Borough of Ogdensburg hereby submit this petition for Plan Conformance to the Highlands Council for that portion of our jurisdiction lying within the Preservation Area in accordance with the Highlands Act, the Regional Master Plan, and the Highlands Plan Conformance Guidelines. Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood. Copy attached as Schedule 3.

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

WHEREAS, CCTS Capital LLC, 1415 Rt. 70 East, Ste 504, Cherry Hill, NJ 08034 has paid for a lien against Block 5 Lot 21 for the year 2007 & 2008, in the amount

of \$1,077.77 with interest and statutory fees of \$155.70 and cost of sale \$15.00, plus premium of \$400.00 totaling \$1,648.47; and

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 \$1,648.47 to CCTS Capital LLC.

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

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

WHEREAS, Chun T. Li, 9 Maljim Ct., Wayne, New Jersey 07470 has paid for a lien against Block 3.03, Lot 3 for the year 2005, in the amount of \$475.27 with interest and statutory fees of \$61.81 and cost of sale \$15.00, plus premium of \$800.00 totaling \$1,352.08, and

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 \$1,352.08 to Chun T. Li.

Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood. Copy attached as Schedule 5.

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

WHEREAS, Jesse Wolosky has paid for a lien against block 3.03, Lot 3 for the years 206, 207 & 2009 in the amount of \$2,408.74 with interest and statutory fees of \$444.77 and cost of sale \$21.78, plus premium of \$100.00 totaling \$2,975.29; and

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 \$2,975.29 to Jesse Wolosky.

Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood. Copy attached as Schedule 6.

Councilman Hann moved, Councilman Ingerto seconded the motion to introduce an ordinance entitled **AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION N.J.S. 40A:4-53** on first reading. Public hearing is scheduled for December 14, 2009.

BE IT ORDAINED by the Mayor and Council of the Borough of Ogdensburg, County of Sussex, State of New Jersey, that pursuant to N.J.S. 40A:4-53 (Ch. 48, P.L. 1956 as amended by Ch. 144, P.L. 1965 and Ch. 38, P.L. 1969) the sum of \$10,260.00 is hereby appropriated for the preparation of a revision and codification of its ordinances and shall be deemed a special emergency appropriation as defined and provided for in N.J.S. 40A:4-55.

The authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least 1/5 of the amount authorized pursuant to this act (N.J.S. 40A:4-55).

BE IT FURTHER ORDAINED that this ordinance shall take effect at the time and in the manner provided by law.

Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood. Copy attached as Schedule 7.

NEW BUSINESS

Councilman Wood discussed interviewing new professionals. Mayor feels it should go through him. Council would like to interview for the positions of Attorney, Engineer, Auditor and Insurance. Mayor stated that he is very pleased with the Borough Attorney. Mayor Sekelsky requested packets for professionals. Councilman Wood would like to have another attorney come in for the Police Contract. Councilman Wood discussed an issue involving his law firm and Courter, Kobert and Cohen. There was a discussion about a conflict. Councilman Wood moved, Councilman Ciasullo seconded motion to hire special council to handle the police contract. Yeas: Ciasullo, Wood Nays: Blahut, Hann, Ingerto, Wolstenholme. Councilman Wood moved, Councilman Hann seconded motion to form a committee. Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood. Councilman Hann moved, Councilman Ciasullo seconded motion to have the Mayor name the committee. Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood. Mayor stated he wanted to talk with the Council President and Commissioner to name the committee. After a brief discussion, the Mayor appointed Councilman Ciasullo, Councilman Blahut and Councilman Wood for the Committee. Councilman Wood discussed expenditures to the professionals and feels they are over budget. Councilman Wood made a suggestion to limit the number of people who contact the professionals. Also suggested was to have the attorney take calls from a single point of contact. Further discussion will be forth coming. Councilman Ingerto discussed a proposal from Weather Works requested by Ken Smith, DPW Supervisor. The company gives two daily reports and is a very efficient company. At present the Police give Mr. Smith a report on how the roads are in the bad weather, but with Weather Works there would be no delay in getting forecasts. Councilman Ingerto feels it would be worth a try. The proposal is \$1,500 for a year. Further discussion will be forth coming. Councilman Ingerto also discussed the phone system. The cost will go from \$18.00 to \$26.00 per line for rollover on the phones. Thomas Hyde, Superintended for Water Operations asked about the contract for the radios for the wells. There is no start date or end date because the company who orders the parts have no idea when they will be receiving them. Mr. Hyde asked permission to have the radios ordered. It was suggested to have the completion of the job be within 120 days from the start date. It was asked if anyone is over seeing the job on Highland Avenue. Councilman Ingerto stated he has received complaints about the curbing. When you look at the curbing, it is not straight. Councilman Ingerto also stated that he only received one quote of \$900.00 from Hartman Roofing and was told that they would send another quote but never received it. Councilman Ingerto said he will bet three quotes not to exceed \$450.00.

OLD BUSINESS

Councilman Ciasullo spoke about fuel for vehicle that the Chief of Fire is using. Councilman Ciasullo moved, Councilman Wolstenholme seconded motion to have the Chief of Fire fuel the command vehicle. Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme Wood. Councilman Ciasullo also inquired if there was any more news on the Edison house. Borough Attorney said there have been some problems with the estate but he is pushing to get the problems resolved. Mayor Sekelsky informed council that he has spoke with Henry Underhill; Sparta Town Manager regarding revenues from construction is down. Councilman Ciasullo addressed a letter he received from Donna Paiva, Board of Health secretary regarding a notice that she requested be put on the web site. Councilman Ciasullo stated that the notice was on the web but apparently when the web master made changes for other announcements, it somehow took off what originally was put on. Councilman Ciasullo said he would look into it. Councilman Ciasullo discussed the change made to the tax map. Attorney mentioned that it was discussed

between the Tax Assessor and Mr. Armstrong. There was a brief discussion regarding the Engineer. Councilman Ciasullo feels the issue is important and must be looked into further. Attorney stated it could have been an honest mistake. Councilman Wood feels the issued should be looked into. Councilman Ciasullo agrees with Councilman Wood

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

CURRENT FUND

DATE	CHECK#	PAID TO	AMOUNT	VOID
01/12/09	22667	NJ Dept of Health & Senior Service		36.00 11/02/2009 Un-cashed
				19,537.85 11/02/2009 Un-cashed
01/12/09	22690	U.S. Bank Corporate Trust Services		cashed
02/09/09	22743	Fire Fighter One LLC		252.00 11/02/2009 Un-cashed
10/19/09	23384	US Postal Service	182.00	
10/20/09	23385	Treasurer State of NJ	1,500.00	
10/23/09	9999	Payroll Account	43,888.39	(Manual)
10/27/09	9999	Borough of Ogdensburg	201,410.64	(Transfer)
10/27/09	9999	Borough of Ogdensburg	9,730.33	(Transfer)
10/27/09	23386	Aetna Inc	1,054.32	
10/27/09	23387	Embarq	200.27	
10/27/09	23388	Embarq	1,089.95	
10/27/09	23389	Horizon BC/BS of NJ	4,245.84	
10/27/09	23390	JCP&L	1,824.07	
10/27/09	23391	Petty Cash Fund	90.52	
10/27/09	23392	Verizon Wireless	88.76	
10/29/09	9999	Borough of Ogdensburg	180,562.55	(Transfer)
10/29/09	9999	Ogdensburg General Capital Account	79,503.04	(Transfer)
11/05/09	9999	TASC	2,121.00	(Manual)
11/06/09	9999	Payroll Account	49,834.37	(Manual)
11/06/09	23393	US Postal Service	182.00	
11/09/09	23394	Acclaim Inventory, LLC	2,200.00	
11/09/09	23395	Action Screen Printing	131.63	
11/09/09	23396	Allen, Marianne	9.98	
11/09/09	23397	Allied Oil LLC	704.50	
11/09/09	23398	Appraisal Systems, Inc.	450.00	
11/09/09	23399	Associated Artists	125.00	
11/09/09	23400	Borough of Ogdensburg	46,400.00	
11/09/09	23401	Borough of Ogdensburg	10,000.00	
11/09/09	23402	Borough of Ogdensburg	21.00	
11/09/09	23403	CCTS Capital LLC	1,248.47	
11/09/09	23404	CIGNA GROUP INSURANCE	189.00	
11/09/09	23405	CMX	1,326.25	
11/09/09	23406	Courter, Kobert & Cohen, PC	17,786.88	
11/09/09	23407	D. Lovenberg's	227.50	
11/09/09	23408	Eastern Propane Corp	14.23	
11/09/09	23409	Falcon Cleaning	300.00	
11/09/09	23410	Ferraioli, Wielkocz, Cerullo & Cuva	26,400.00	
11/09/09	23411	Franklin Mutual Insurance Co.	841.00	
11/09/09	23412	Gordon, Stephen	238.20	
11/09/09	23413	JCP&L	2,229.58	

11/09/09	23414	Jan-Mar Alarm Company	24.20
11/09/09	23415	Kuiken Brothers	468.56
11/09/09	23416	Laddey, Clark & Ryan	825.00
11/09/09	23417	Li, Chun T.	552.08
11/09/09	23418	Little, Jacob	487.42
11/09/09	23419	Miami Systems Corp	151.29
11/09/09	23420	Municipal Software Inc	175.00
11/09/09	23421	NJ Dept of Health & Senior Service	9.60
11/09/09	23422	Ogdensburg Board of Education	191,715.00
11/09/09	23423	Ogdensburg First Aid Squad	8,000.00
11/09/09	23424	S.A.K. Quality Small Engine Service	69.53
11/09/09	23425	State of New Jersey	6,296.76
11/09/09	23426	Sussex County Clerk	8.00
11/09/09	23427	Sussex County Municipal Utility	53.35
11/09/09	23428	Sussex County Treasurer	230,431.42
11/09/09	23429	Sussex County Treasurer	5,821.78
11/09/09	23430	Sussex County Treasurer	16,423.64
11/09/09	23431	Sussex County Treasurer	1,717.76
11/09/09	23432	Township of Sparta	4,109.00
11/09/09	23433	Trump Taj Mahal Casino Resort	210.00
11/09/09	23434	US Postal Service	140.00
11/09/09	23435	Verizon Wireless	109.92
11/09/09	23436	Vital Communications, Inc	252.00
11/09/09	23437	Walkkill Valley Regional H.S.	64,953.10
11/09/09	23438	William J. Mandara Assoc.	75.00
11/09/09	23439	Winters Auto Parts, Inc	553.23
11/09/09	23440	Wolosky, Jesse	2,875.29
11/09/09	23441	Zee Medical, Inc.	200.00

			658,008.88
			95,843.76 Manual
			471,206.56 Bank Transfers
			=====
			1,225,059.20
			-19,825.85 Void checks issued earlier period
			=====
			1,205,233.35

WATER OPERATING

DATE	CHECK #	PAID TO	AMOUNT
10/27/09	3725	Embarq	19.90
10/27/09	3726	Treasurer, State of New Jersey	197.46
10/29/09	9999	Borough of Ogdensburg	34,946.22 (Transfer)
11/09/09	3727	CMX	340.00
		Garden State Laboratories,	
11/09/09	3728	Inc.	225.00
11/09/09	3729	Hyde, Thomas	27.60
11/09/09	3730	JCP&L	3,427.98
11/09/09	3731	Kuiken Brothers	13.98

4,251.92
Bank
34,946.22 Transfers
=====

39,198.14

DEVELOPERS ESCROW

DATE	CHECK #	PAID TO	AMOUNT
11/09/09	1030	CMX	250.00
11/09/09	1031	Laddey, Clark & Ryan	156.00

			406.00
			=====
			406.00

GRANT FUNDS

DATE	CHECK #	PAID TO	AMOUNT
11/09/09	23442	CMX	5,250.00
11/09/09	23443	Dykstra Associates, Inc.	14,000.00

			19,250.00
			=====
			19,250.00

GENERAL CAPITAL

DATE	CHECK #	PAID TO	AMOUNT
10/29/09	9999	Borough of Ogdensburg	55,000.00 (Transfer)
11/09/09	107	Allstate Office Interiors, Inc.	8,399.00
11/09/09	108	Bathing Beauties Sanitary Construction Co., Inc.	1,877.00
11/09/09	109		95,215.97
11/09/09	110	Weldon Quarry Co., LLC	1,015.14

			106,507.11
			55,000.00 Bank Transfer
			=====
			161,507.11

MUNICIPAL ADMINISTRATION TRUST

DATE	CHECK	PAID TO	AMOUNT
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		Borough of	
10/27/09	1002	Ogdensburg	31,150.00
11/09/09	1003	CCTS Capital LLC	400.00
11/09/09	1004	Li, Chun T.	800.00
11/09/09	1005	Wolosky, Jesse	100.00

			32,450.00
			=====
			=

Department financial reports were handed in for review.

At 11: 15 p.m. Councilman Ciasullo moved, Councilman Blahut seconded motion to go into executive session to discuss personnel. Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood.

After returning from executive session at 11:36 p.m. and there being no further business, Councilman Hann moved, Councilman Ciasullo seconded motion to adjourn the meeting. Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood.

Meeting adjourned at 11:36.

Borough Clerk

Mayor