

WORK SESSION
MARCH 22, 2010

A Work Session of the Mayor and Common Council of the Borough of Ogdensburg, Sussex County, New Jersey, was held in the Council Chambers, in the Borough Hall on March 22, 2010.

Council President, Steve Ciasullo 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 requirement of the Open Public Meeting Act, NJSA 10:4-6 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, 2010.

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

BE IT HEREBY RESOLVED by the Mayor and Common Council of the Borough of Ogdensburg to accept a letter of retirement from Land Use Board Secretary, Blanche Stuckey as of March 31, 2010.

Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood. Copy attached as Schedule 1.

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

WHEREAS Donna Paiva was hired as a provisional Board of Health secretary pending a civil service examine; and

WHEREAS Donna Paiva has passed her Civil Service examine.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg to appoint Donna Paiva as permanent part time Board of Health secretary.

BE IT FURTHER RESOLVED that the rate of pay will be \$15.30/hr.

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

Councilman Hann moved, Councilman Wood seconded motion to adopt the following resolution. Councilman Wood noted that CMX has dissolved and questioned if CMX will have any recourse since the appointment for a municipal engineer is a three year appointment. Borough Engineer explained the situation. The legal opinion is the contract belongs to the firm. Councilman Wood moved, Councilman Hann seconded motion to amend the resolution as follows. Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood.

WHEREAS, Eugene Buczynski, P.E., P.P., C.M.E. was appointed Engineer for the Borough of Ogdensburg on January 4, 2010 for a one year term; and

WHEREAS, Mr. Buczynski is now associated with the Engineering firm of Van Cleef Engineering Associates; and

WHEREAS, the Mayor and Council of the Borough of Ogdensburg wishes to acknowledge Mr. Buczynski's change of employer by formal resolution.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg that Eugene Buczynski and his employer, Van Cleef Engineering Associates shall remain as Engineers for the Borough of Ogdensburg through December 31, 2010 provided CMX does not object or contest the appointment. Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood. Copy attached as Schedule 3.

Councilman Ciasullo opened discussion on Edison Road and Heater's Pond and then turned it over to Councilman Wolstenholme. Councilman Wolstenholme gave some details as to what damage occurred during the storm. There was a landslide, guardrails are damaged, side of the road has damage. Councilman Wolstenholme stated that no one is allowed on Edison Road. Engineer has his account of the damage. Engineer stated that if FEMA considers this a project they will reimburse the Borough. Insurance representative, George Morville feels there is very little reimbursable with Edison Road. Mr. Morville also stated per the Engineer's findings that Edison Road is unsafe to travel and the risk management side Edison Road should be limited to emergency vehicles only. Councilman Wood inquired as to whether Mr. Bickerton who resides on Edison Road would be willing to sign a Hold Harmless Agreement while the road is being stabilized. Mr. Bickerton agreed. Mr. Morville suggested to Mr. Bickerton that he seek legal counsel to make sure he understands the agreement. Mr. Bickerton has advised that the road is unsafe and would like to put a time limit on how long the road will be closed. Councilman Wood moved, Councilman Hann seconded motion to have a resolution to close Edison Road to the public with the exception of Mr. Bickerton provided Mr. Bickerton signs a Hold Harmless Agreement within 24 hours. Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood. Councilman Blahut asked Ken Smith, DPW Supervisor how long it would take to fix the road. Mr. Smith responded he didn't know and it depends on what they fix. Councilman Ciasullo spoke about doing work on the road but felt it's not considered an emergency. Eric Slater stated that it wasn't declared an emergency right away and feels we have to be careful what we do here on out. Councilman Ciasullo asked if anyone knows how much it will cost to repair. Councilman Ciasullo mentioned to have Mr. Slater put something in writing to apply for emergency funding. Councilman Ciasullo stated his concerns that appeared there was work being authorized to fix Edison Road without any one knowing the cost. Councilman Wolstenholme and the Engineer stated that everything was stabilized that needed to be. Ken Smith asked about unclogging the pipe. Mr. Smith mentioned that he spoke with DEP and FEMA. There was discussion about getting better signs for warning the pedestrians. Mr. Smith was given permission to work on the pipe.

Councilman Ciasullo spoke about the junkyard. Councilman Ciasullo mentioned that he has spoken to Judge Mulhern about payment of back fees from the owners of the junkyard. Judge Mulhern informed Councilman Ciasullo that it's not the position of the court to collect back fees for the town. Councilman Ciasullo feels we can now move forward with any new ordinance relating to collection of back fees and DEP compliance. Councilman Wood further elaborated that he attended the municipal court hearing on the date in question and clarified that the court had already reached a settlement and the court was not empowered to collect the back licensing fees at that time.

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

Bill Amado, 136 Kennedy Avenue asked if the town looking at the possibility on a first or third party bases. Mr. Morville informed Mr. Amado that FEMA will not look at anything until there is no other coverage. Mr. Brino, 4 Washington Road asked how fast does FEMA act on this type of situation. Borough Engineer responded they do not

respond fast enough and it will probably be about a month before we hear anything. The town can do certain repairs. Richard Predmore, 15 Predmore Road mentioned that in 2000 there was a washout and Predmore Road got washed out. It is now washed out again on Predmore Road. Bob Armstrong, 32 Adams Drive stated that Heater's Pond must be kept open and the Borough needs to do everything they can to get the road fixed and get the pond open. Mr. Armstrong sympathizes with council and mentioned that the Borough has a Master Plan to protect the lake and feels the lake is vital to the town. Eric Schmidl, 16 Glenbrook Road asked about excavating and mentioned about residents pumping water into the streets. Tom Hartigan, 19 Glenbrook Road stated that before getting any money from FEMA the County has to have at least \$500,000 in damages. Mr. Hartigan asked if anyone has spoken to Sparta regarding their damages. Councilman Ciasullo spoke briefly about anyone in town incurring damages to please call the Clerk and a list of all damages will be recorded. Mr. Brino stated that their consideration was to cut out the life guards. But they have seen about a 70% increase in use in the last few years and is concerned that the pond is used and not to cut it out all together. Councilman Wood stated there is no money for lifeguards. Mr. Brino inquired what they are looking at as far as swim team use for practices. Several other suggestions were made by residents. Councilman Ciasullo stated all aspects will be looked at regarding keeping the pond open.

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

At 9:00 p.m. Councilman Wood moved, Councilman Hann seconded motion to go into executive session to discuss personnel.

After returning from executive session at 9:25 p.m., Councilman Wood moved, Councilman Hann seconded motion to reappoint the Chief of Police as for negotiated terms for two years with a third year at the discretion of council subject to a sign agreement memorializing the terms acceptable to council.

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

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

Meeting adjourned at 9:30 p.m.

Borough Clerk

Mayor