

## WORK SESSION

September 27, 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 September 27, 2010.

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, Ciasullo, Hann, Wolstenholme, Wood. Councilman Ingerto Arrived at 7:35 p.m.

Notice requirements 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 the 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 open the public hearing on the Amendment for the 2010 Municipal Budget. Yeas: Blahut, Ciasullo, Hann, Wolstenholme, Wood.

Councilman Hann moved, Councilman Wood seconded motion to close the public session. Yeas: Blahut, Ciasullo, Hann, Wolstenholme Wood.

Councilman Hann moved, Councilman Blahut seconded motion for adoption of the Amendment for the 2010 Municipal Budget. Yeas: Blahut, Ciasullo, Hann, Wolstenholme. Copy attached as Schedule 1.

Councilman Hann moved, Councilman Wood seconded motion to adopt the 2010 Municipal Budget. Yeas: Blahut, Ciasullo, Hann, Wolstenholme, Wood. Copy attached as Schedule 2.

Mayor Sekelsky introduced Mr. William Mercurio, P.E. from Cherry, Weber & Associates who attended the meeting to discuss Heaters Pond Dam and the damage done to the right wall. Mr. Mercurio mentioned that he has been working with the Borough Engineer on the dam for the past four years from time to time. Mr. Mercurio stated that the Department of Public Works did on good job on fixing the wall and repaving the street. Mr. Mercurio stated that physically the dam is in good shape and all the paper work has been submitted to Dam Safety and has been accepted. Mr. Mercurio mentioned the one other thing that needs to be addressed is the spillway. He also spoke about the spillway and the design costs and what needs to be done. The dam is classified as a Hazard Category Class 1 Dam and because it is a Class 1 Dam certain criteria must be met. Mr. Mercurio went over the options and stated it would cost about \$115,000 for the engineering study and \$300,000 to do the rift raft. Ball park figure \$415,000.

Councilman Wolstenholme moved, Councilman Ciasullo seconded motion to open the public hearing on a bond ordinance entitled **BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND NEW INFORMATION TECHNOLOGY EQUIPMENT IN, BY AND FOR THE WATER UTILITY OF THE WATER UTILITY OF THE BOROUGH OF OGDENSBURG, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY TO APPROPRIATE THE SUM OF \$80,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE INSUANCE OF BONDS TO FINANCE SUCH APPROPRIATIONS AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN**

**ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.** Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood.

Councilman Wolstenholme moved, Councilman Ciasullo seconded motion to close the public hearing. Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood.

Councilman Wolstenholme moved, Councilman Ingerto seconded motion to adopt said ordinance. Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme. Copy attached as Schedule 3.

Councilman Ingerto moved, Councilman Ciasullo seconded motion to open the public hearing on an ordinance entitled **AN ORDINANCE REVISING THE LAND DEVELOPMENT ORDINANCE OF THE BOROUGH OF OGDENSBURG TO AMEND REGULATIONS FOR SWIMMING POOLS IN THE BOROUGH OF OGDENSBURG.** Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme.

Councilman Ingerto moved, Councilman Wood seconded motion to close the public hearing. Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme.

Councilman Ingerto move, Councilman Hann seconded motion for adoption of said ordinance. Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme. Copy attached as Schedule 4.

Councilman Blahut moved, Councilman Wolstenholme seconded motion to introduce an ordinance entitled **AN ORDINANCE TO AMEND CHAPTER II, SECTION 11 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF OGDENSBURG ENTITLED COPYING FEES** on first reading. Public hearing is scheduled for October 12, 2010.

**BE IT ORDAINED** by the Mayor and Council of the Borough of Ogdensburg, Sussex County, New Jersey as follows:

**Section 1.** The schedule of fees in Chapter II, Section 11 of the Code of the Borough of Ogdensburg regarding fees charged for copies of government records is hereby amended to read as follows:

Requests for copies of government records under the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

- (1) Photostatic copies of any government record that can be photocopied with municipal facilities - .05¢ per letter size page or smaller and .07¢ per legal size page or larger.
- (2) In the event that the actual cost for duplication of a government record exceeds the foregoing rate, the charge shall be the actual cost of duplicating the government records requested. The actual cost shall be the cost of materials and supplies used to make a copy of the record, but shall not include the cost of labor or other overhead expenses associated with making the copy except as provided in Subsection (5) hereof.
- (3) For any government record copied onto a non-paper medium, the actual cost of the non-paper medium.
- (4) For any copy of a government record for which the Borough is unable to duplicate with its own facilities and requires the services of an outside vendor, the actual cost to the Borough from the outside vendor.
- (5) Whenever the nature, format, manner of collation or volume of a record embodied in the form of printed matter to be inspected,

examined or copied is such that the record cannot be reproduced by ordinary document copying equipment in ordinary business size or involves an extraordinary expenditure of time and effort to accommodate the request, the charge for the record shall be the actual cost to the Borough, together with a service charge of \$12 per hour for each hour required to duplicate the record. The requestor shall have the opportunity to review and object to the charge prior to it being incurred.

- (6) In the event that the Borough does not maintain the record requested in the medium requested, the Borough shall either convert the record to the medium requested or provide a copy in some other meaningful medium. If a request is for a record in a medium not routinely used by the Borough, not routinely developed or maintained by the Borough or requiring a substantial amount of manipulation or programming of information technology, the cost for the record shall be the actual costs of duplication together with a special charge that shall be reasonable and shall be based upon the cost for any extensive use of information technology, or for the labor cost of personnel providing the service, that is actually incurred by the Borough or attributable to the Borough for the programming, clerical and supervisory assistance required, or both.
- (7) Access to electronic records and non-printed materials shall be provided free of charge, provided however, that the Borough may charge for the actual costs of any needed supplies, such as computer disks.
- (8) For a copy of a police accident report, pursuant to N.J.S.A. 39:4-131, the cost shall be as provided for in Subsection (1) above. However, if the request for the report is made other than in person, an administrative fee of \$5.00 shall also be charged.

**Section 2.** When Effective. This ordinance shall take effect upon passage and publication as required by law.

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

Mayor gave a run down on the Best Practices survey, which was given to all municipalities to fill out. There was a brief discussion and Council will review the survey. Mayor and Council discussed the Dam Restoration Loan. Mayor asked Council to review the DEP Loan. Councilman Hann stated the Borough shouldn't accept the loan because of money that is left in a loan from Littell. Further discussion will be forthcoming. Mayor read a letter from Eileen Swan from the Highlands regarding reimbursement for the Environmental Resource Inventory and a proposal in which the Highlands Council can complete the remaining tasks for Plan Conformance for the Borough. A brief discussion followed.

Councilman Ciasullo gave an up date on the Saw Mill Creek. Spoke with the Borough Engineer and looked into the cleaning of the brook. If the Borough keeps the cleaning up to 500 feet, then the Borough won't be subjected to costly permit fees and cross section engineering. Council asked about access to property and Councilman Ciasullo explained how it will be done and also mentioned that the financing will be through the Littell grant. Councilman Ciasullo gave a run down on the three quotes he received, which were Fred Rowett Trucking for \$7,200.00, Hunter's Lawn Service \$7,500 and William Wilson \$9,000.00. Councilman Ciasullo also mentioned that he would like to look at the professional again and advertise for request for professionals for all professionals. Further discussion will be forthcoming. Councilman Wood asked about the rehab program and about the garbage contract. Councilman Blahut spoke about the Tricky

Trunk which is to be held at the Firehouse. After a brief discussion Councilman Blahut moved, Councilman Ciasullo seconded motion for approval of the Tricky Trunk to be held at the Ogdensburg Fire Department. Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood.

Mayor Sekelsky read a thank you card from Joe Concoy thanking the EMT, Police and anyone else involved with his unexpected stroke. Mayor informed council about Carlton Kervatt's request for a lot line adjustment.

Councilman Ciasullo 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 that a curfew is imposed beginning at 9 P.M. from Wednesday, October 27th up to and including Monday, November 1, 2010 for all individuals under the age of 18 years of age.

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

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

BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Ogdensburg that quotes were received for the cleaning of the Saw Mill Brook as follows:

Fred Rowett Trucking	\$7,200.00
Hunter's Lawn Services	\$7,500.00
William Wilson	\$9,000.00 (10 to 14 days @ \$900. Per 8 hr. Day.)

BE IT FURTHER RESOLVED the Borough will go with the low quote of \$7,200.00 from Fred Rowett Trucking.

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

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

WHEREAS, Boy Scout Troop #89 has requested permission to have a fishing and bon fire event at Heater's Pond on October 2, 2010 from 4:00 p.m. to 8:00 p.m.; and

WHEREAS Borough Ordinance No. 3.6.5, General Provisions, Section I under Regulations for Municipal Recreation Areas does not permit fires any time at Ogdensburg Memorial Park, Heater's Pond and surrounding area.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg to grant special permission and waive ordinance No. 3-6.5, Section I to allow Troop #89 to have a bon fire at Heaters Pond pending the receipt of a fire permit and certificate of insurance naming the Borough as additional insured.

Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood. Copy attached as Schedule 8.

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

Fred Rowett, 14 Clark St. asked about Ken Smith's retirement and if they will be hiring a new person. Pat Fitzgibbons, 51 Edison Ave. asked about the re-development study. He

would like to get a committee together with council and the Land Use Board to discuss redevelopment of property behind the Borough Hall. Thomas Hyde, 6 Madden Ave. spoke about the car wash at the school and suggested to have bottled water on site. Mr. Hyde also mentioned that there was an article in the paper regarding a water watch. Jean Castimore asked about the roof on the Historical building. Councilman Ingerto informed Ms. Castimore that there will be someone coming out to look at the building and Councilman Ingerto has asked if they would keep the price originally quoted. There being no further business from the public, Councilman Hann moved, Councilman Wolstenholme seconded motion to close the public session of the meeting. Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood.

Councilman Hann informed Mayor and Council that he has received a letter from Linda Pettenger stating that she will be retiring as of December 31, 2010. Councilman Wood asked about replacing or doing a shared service. Mayor Sekelsky asked council about surrendering their last pay check. He would like to rescind a furlough day for the employees. After a brief discussion Councilman Hann said he will discuss it with the CFO. Councilman Ingerto spoke about the work that the Department of Public Works did on Edison Ave. and what a good job they have done. Also the Department of Public Works repaired the salt shed without hiring an outside contractor, which also was a good job and saved the town money. The Department of Labor said everything looked good and the violations were abated. Councilman Ingerto also spoke about the tape recorded for the Court, which is old and ready to be replaced. The first estimated he received was for \$6,000 from Gramco. Councilman Ingerto continued to pursue getting quotes and was able to get a second estimate from Gramco for \$3,995 including microphones. The recorder will be used for Court, Council meetings and Land Use Board meetings. After a brief discussion, Councilman Wood moved, Councilman Hann seconded motion for approval to purchase a new recorder for \$3,995. Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood. There was a brief discussion on a voucher for vendor, Al Millier which is due for payment. After Council's discussion, Councilman Hann moved, Councilman Ingerto seconded motion to approve payment of the voucher in the amount of \$19,500.

At 9:30 p.m. Councilman Wood moved, Councilman Hann seconded motion to go into executive session to discuss the Police Contract and personnel. Yeas: Blahut, Ciasullo, Hann, Ingerto, Wolstenholme, Wood.

After returning from executive session at 10:10 p.m. discussion was held on codification of the ordinances. Council would like to move forward. Clerk will call the Borough attorney to inquire about reviewing the draft copy.

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 10:20 p.m.

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Borough Clerk

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Mayor