

REGULAR MEETING  
JUNE 13, 2011

The sixth 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 June 13, 2011.

Mayor Ciasullo called the meeting to order at 7:00 PM.

Upon roll call, the following council members appeared and answered the call: Amodeo, Andrews, Ingerto, McGuire. Arrived late Councilman Hann and Councilman Opilla.

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 3, 2011.

Councilman Ingerto moved, Councilman McGuire seconded motion for approval of items on the Consent agenda.

1. Approval of Minutes from March 21<sup>st</sup>, Special Meeting
2. Approval of Minutes from April 11<sup>th</sup>, Regular Meeting
3. Approval of Minutes from April 25<sup>th</sup>, Work Session
4. Approval of Minutes from May 9<sup>th</sup>, Regular Meeting
5. Approval of Minutes from May 23<sup>rd</sup>, Special Meeting
6. Approval of Minutes from May 23<sup>rd</sup>, Work Session

Yeas: Amodeo, Andrews (abstain #5), Ingerto, McGuire.

Councilman Andrews moved, Councilman McGuire seconded motion to open the public hearing on an ordinance entitled **AN ORDINANCE AMENDING THE SALARIES OF THE POLICE OFFICERS OF THE BOROUGH OF OGDENSBURG THEREFORE.** Yeas: Amodeo, Andrews, Ingerto, McGuire.

There being no comments from the public, Councilman Andrews moved, Councilman Ingerto seconded motion to close the public hearing. Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire.

Councilman Andrews moved, Councilman Ingerto seconded motion for adoption of said ordinance. Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire. Copy attached as Schedule 1.

Councilman McGuire moved, Councilman Ingerto seconded motion to open the public hearing on an ordinance entitled **AN ORDINANCE TO APPROPRIATING THE SUM OF \$4,000 CURRENTLY LOCATED WITHIN GENERAL CAPITAL FUND BALANCE.** Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire.

There being no comments from the public, Councilman McGuire moved, Councilman Ingerto seconded motion to close the public hearing. Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire.

Councilman McGuire moved, Councilman Ingerto seconded motion for adoption of said ordinance. Yeas: Amodeo, Ingerto, McGuire. Nays: Andrews, Hann. Copy attached as Schedule 2.

Councilman Ingerto moved, Councilman Hann seconded motion to introduce an ordinance entitled. **FLOOD DAMAGE PREVENTION ORDINANCE FOR THE BOROUGH OF OGDENSBURG** on first reading. Public hearing is scheduled for July 11, 2011. Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire.

The Borough attorney explained basically the ordinance is for anybody who might need flood insurance and that this ordinance must be in place in order for an insurer to be able to underwrite one of the citizens or their family. This ordinance is also required by the State. Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire. Copy attached as Schedule 3.

Councilman Hann moved, Councilman Ingerto seconded motion to open the public session of the meeting. Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire.

Steve Sund, 96 High Street mentioned that the Borough should put the time of the meetings on the web site calendar. Mr. Sund also discussed speeding on High Street. He has noticed cars doing at least 30-40 miles per hour, and asked if something can be done about it. Mayor Ciasullo said he will talk to the Chief of Police. Jean Castimore, 63 Main Street asked why the grant for the Municipal Alliance was cancelled. Councilman Hann said he would talk to the CFO to find out more information regarding Alliance. Wasco Hadowanetz 15 Richards St. briefly spoke about a letter the Historical is requesting from Council granting authorization to seek funds for the restoration of the Edison house. Councilman Andrews informed Mr. Hadowanetz that the Borough will send a letter to the Historical Society granting permission to search for funds for anything that has to do with the house. Sam Burlum, 4 Main Street asked about the clean up of the Saw Mill Creek. Mayor Ciasullo updated him on what was done. Mr. Burlum also asked if anyone on Council plans on participating at the County Freeholders meeting and how many council members plan on participating at the 5K Run. Mayor informed Mr. Burlum that he would like to attend the Freeholders meetings in the future and will try to or possible have a council member attend. Mayor also informed Mr. Burlum that he thinks everyone on Council will be attending the 5K Run. Sally Mason, 109 High Street informed Mayor and Council about an adolescent who was on a four wheeler and came out of the woods by 150 Main St and went straight across Rt. 517 in front of a car and the police officer who was at the location didn't do anything about it. The Mayor said he would tell the Chief about it and see what they can do.

Councilman Andrews moved, Councilman McGuire seconded motion to adopt the following resolution.

BE IT HEREBY RESOLVED by the Mayor and Common Council of the Borough of Ogdensburg that the following annual salaries shall be in effect retro active beginning January 1, 2011.

Sergeant -----	\$86,511.00
Patrolman 1 -----	81,511.00
Patrolman 2 -----start of 4 <sup>th</sup> year -----	57,057.70
-----start of 5 <sup>th</sup> year -----	65,208.80

Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire. Copy attached as Schedule 4.

Councilman McGuire moved, Councilman Andrews seconded motion to adopt the following resolution.

WHEREAS, a Corrective Action Plan for the Audit Report Year of 2010 has been prepared and filed by Chief Financial Officer, Monica Goscicki; and

WHEREAS, said Plan has been reviewed by the Mayor and Council of the Borough of Ogdensburg.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Ogdensburg that the Corrective Action Plan for the Audit Report Year of 2010 is accepted and approved for filing in the Borough Clerk's Office.

Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire. Copy attached as Schedule 5.

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

WHEREAS, N.J.S.A. 40A: 5-4 required the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2010 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A5-6, and a copy has been received by each member of the governing body, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments  
Recommendations

and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments  
Recommendations

as evidenced by the group affidavit form of the governing body, and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgation's of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:

R.S. 52:27BB-52 – “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more

than one thousands (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Ogdensburg, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla. Copy attached as Schedule 6.

Councilman Andrews moved, Councilman McGuire seconded motion to adopt the following resolution.

WHEREAS there exists a need for a Borough Prosecutor for 2011 for the Borough of Ogdensburg; and

WHEREAS the present prosecutor, Victor Jusino, Esq. has left the law firm of Laddey, Clark and Ryan and therefore is no longer representing the Borough of Ogdensburg.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg to appoint Jonathan E. McMeen, Esq. as Prosecutor for the remainder of the year 2011.

Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla. Copy attached as Schedule 7.

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

BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Ogdensburg to appoint Christopher Ross as Supervisor of the department of Public Works according to the terms and conditions of his contact.

BE IT FURTHER RESOLVE that this resolution is retroactive as of January 1, 2011.

Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla. Copy attached as Schedule 8.

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

BE IT HEREBY RESOLVED by the Mayor and Council to compensate the Department of Public Works for meals during overtime hours as follows:

Breakfast	\$ 6.00
Lunch	8.00
Dinner	10.00

BE IT FURTHER RESOLVED that this resolution is retroactive as of January 1, 2011.

Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla. Copy attached as Schedule 9.

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

BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Ogdensburg to hire Linda Pettenger as Tax Collector for one day a week with the hours of 2:30 p.m. to 4:30p.m. at her current annual salary of \$4,384.38.

BE IT FURTHER RESOLVED this resolution be effective retroactive back to February 1, 2011 whereby she will collect 11/12 of her annual salary for 2011 only.

Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla. Copy attached as Schedule 10.

Councilman Amodeo moved, Councilman Opilla seconded motion to adopt the following resolution.

BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Ogdensburg to incur the cost for the police officers, port a johns and lifeguards for the Swim Meet Championships for 2011.

Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla. Copy attached as Schedule 11.

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

**BE IT HEREBY RESOLVED** by the Mayor and Common Council of the Borough of Ogdensburg that the following persons be hired for the 2011 swim season pending certification:

**Lifeguards**

Natalie Amodeo – Head Lifeguard & Scheduler	\$11.50
Kristie Brino	8.75
Michael Combs	8.75
Nicole Tironi	8.75
Margaret Hartigan	8.25
Sheri Brino	8.25
Kimberly Brino	8.25
Victoria Hartigan	8.25
Jaclyn Jimenez	8.25

**Borough Swim Lessons**

Michael Combs	\$9.00
Kristie Brino	9.00

**FURTHER RESOLVED** that the following fees shall be in effect:

Memorial Park Badge	\$7.00 per person
Guest Beach Badge	\$1.00 per day
Boat License	\$5.00
Parking Permit for Memorial Park	\$1.00 per annum

Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla. Copy attached as Schedule 12.

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

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 to Olivia & Brian Bonser, PO Box 518, Simpsonville, SC 29681. The amount of \$2,179.69 due to overpayment of 2<sup>nd</sup> Quarter taxes for 2011 due to sale of property.

Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla. Copy attached as Schedule 13.

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

WHEREAS, there is a receivable with an offsetting appropriation from the State of New Jersey for the 2009 Municipal Alliance Grant in the amount of \$843.34 and for the 2010 Municipal Alliance Grant in the amount of \$1,443.67 and a local share of \$174.57 for 2009 and \$356.82 for 2010; and

WHEREAS, this receivable is no longer collectible as revenue and the remaining appropriations will not be expended.

NOW, THEREFORE, BE IT RESOLVED that the receivable and budget appropriations be cancelled to current fund balance.

Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla. Copy attached as Schedule 14.

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

WHEREAS, there is a receivable in the amount of \$62.50 and an appropriation in the amount of \$62.50 from the State of New Jersey for the HIGHLANDS INITIAL ASSESSMENT Grant; and

WHEREAS, this receivable is no longer collectible as revenue and the remaining appropriation will not be expended.

NOW, THEREFORE, BE IT RESOLVED that the receivable and budget appropriation be cancelled.

Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla. Copy attached as Schedule 15.

#### NEW BUSINESS

Councilman Andrews spoke about the sale of the police car. Attorney stated the car can be sold in any manner the Borough prefers. Councilman Andrews will reach out to the Chief regarding selling the car. Mayor spoke briefly about the Open Public Meetings Act with regard to e-mails. Cannot be used when discussing matters as a whole council. Attorney informed Mayor and Council about some of the OPRA laws and how it ties into e-mails. There was a brief discussion about setting up an e-mail for the Borough. Councilman McGuire informed Mayor and Council that the Borough has a balance with the TASC account and do they want to put the money back into the 2011 account or have the money refunded to the Borough. After a brief discussion, Council feels the money should be put back into the TASC account. Mayor Ciasullo spoke about the Borough's Noise Ordinance. The Mayor mentioned that the cost to purchase a decibel reader, having it calibrated every year and the officers would have to be trained to use it would not be cost effective for the Borough. The Borough attorney spoke briefly about the current noise ordinance and that it should be amended to meet the needs of the Borough. Councilman Andrews spoke about a letter that will be sent to the Historical Society to seek funding to restore the Edison House. Councilman McGuire spoke about the requirements to become Police Chief. The way the ordinance reads right now shows because of the amount of college credits needed it holds back any of our officers from becoming Chief. Councilman McGuire feels that because the Borough might be looking at having to replace the Chief at the end of the year the ordinance should be changed to

say that anyone hired after the current officers the qualifications should be met. Therefore, moving forward it would give our current officers, who may have some of the qualifications, a chance to apply for the Chief of Police position. Councilman McGuire feels the present officers should be grandfathered in and not obligated to have a college degree to become Chief. Further discussion will be forth coming. Councilman Hann spoke briefly about Dykstra having an invoice out for \$15,000 for Module 3 which the Boroughs still owes. The Mayor explained that until the Highlands makes a recommendation regarding the payments for Module 3# nothing will be done. Councilman Andrews mentioned that there is a water runoff coming from two rentals on Rt. 517. Not sure if it's from a sub-pump or a problem with a water pipe. Would like to have someone look into it. Councilman McGuire spoke about the port-a-johns being cleaned at Heater's pond and the garbage being picked up. Councilman McGuire also inquired if the rake was ordered for Heater's Pond. Councilman Ingerto updated Council on raking out the weeds in the pond and is looking into the purchase of the rake. Councilman Ingerto explained that there was an incident at school and one of the teachers was very sick and they had to wait a long time before an ambulance arrived. Councilman Ingerto was asked by the Superintendent of the School if an ambulance can't respond immediately is there is anyone who could transport the person to a hospital. Pat Sabourin , President of the First Aid Squad explained that if none of the surrounding towns are able to respond the call goes to paid ambulance and the insurance pays for most of it. Councilman Ingerto also asked if there is anyway the school can help out. Pat suggested that maybe the First Aid Squad can give the school a flyer to send home with the kids and if any of the parents are interested in joining the First Aid Squad they can call to get more information.

OLD BUSINESS

Mayor Ciasullo discussed picking a date for the first meeting of the Heater's Pond Committee. After a brief discussion, June 16, 2011 at 6:00 p.m. was agreed upon. Councilman McGuire spoke briefly about moving forward with the codification of the ordinances. Mayor Ciasullo explained that the information for a temporary employee for the Department of Public Works was posted on the Web Site. The salary is \$13.50 per hour. One application has been received so far. Mayor also read unemployment qualifications. Councilman McGuire asked if letters went out regarding property maintenance.

Councilman Hann moved, Councilman Ingerto seconded motion for review and payment of vouchers. Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire Opilla.

CURRENT FUND

DATE	CHECK #	PAID TO	AMOUNT
05/31/11	24742	Aetna Inc	1,279.62
05/31/11	24743	Borough of Ogdensburg	496.25
05/31/11	24744	LINA	189.00
05/31/11	24745	Century Link	1,231.66
05/31/11	24746	Century Link	107.71
05/31/11	24747	Ford Motor Credit Company	829.98
05/31/11	24748	Horizon BC/BS of NJ	7,147.05
05/31/11	24749	Horizon BC/BS of NJ	1,554.84
05/31/11	24750	Horizon BC/BS of NJ	1,062.80
05/31/11	24751	JCP&L	3,845.47
05/31/11	24752	Verizon Wireless	114.00

06/02/11	9999	Neopost - Postage EFT	400.00
06/03/11	9999	Payroll Account	40,395.14
06/06/11	9999	TASC	1,013.00
06/13/11	24755	Action Screen Printing	104.94
06/13/11	24756	Allied Oil LLC	1,805.85
06/13/11	24757	Antler Translation Services, Inc.	480.00
06/13/11	24758	Atlantic Communications	977.50
06/13/11	24759	Bassani Power Equipment, LLC	28.50
06/13/11	24760	Certified Speedometer Service	105.00
06/13/11	24761	Colfax, Daniel	750.00
06/13/11	24762	D & M Printing	150.00
06/13/11	24763	D. Lovenberg's	195.00
06/13/11	24764	Dave's Towne Service	1,108.84
06/13/11	24765	Decker's Fire and Safety Equip. Inc	56.00
06/13/11	24766	Draeger Safety Diagnostics, Inc.	142.00
06/13/11	24767	Falcon Cleaning	675.00
06/13/11	24768	Ferraioli, Wielkocz, Cerullo & Cuva	11,900.00
06/13/11	24769	Finch Fuel Oil Company, Inc	996.79
06/13/11	24770	Hamburg Plumbing Supply Co	3.67
06/13/11	24771	JRF Tire Service, Inc.	717.00
06/13/11	24772	Jan-Mar Alarm Company	24.20
06/13/11	24773	Laddey, Clark & Rya	1,925.00
06/13/11	24774	Little, Jacob	823.39
06/13/11	24775	Lt. R.A. Madden VFW Post 10152	246.00
06/13/11	24776	Macko, Bill	105.00
06/13/11	24777	Municipal Capital Corporation	295.00
06/13/11	24778	Municipal Software Inc	435.00
06/13/11	24779	NJ Division of Alcoholic Beverage	12.00
06/13/11	24780	NJ League of Municipalities	16.00
06/13/11	24781	Neopost Leasing	150.87
06/13/11	24782	New Jersey Herald	338.13
06/13/11	24783	Ogdensburg Board of Education	177,989.00
06/13/11	24784	Statewide Insurance Fund	31,523.00
06/13/11	24785	The Star-Ledger	103.24
06/13/11	24786	The Woodland Group	2,961.00
06/13/11	24787	Township of Sparta	1,451.00
06/13/11	24788	Township of Wantage	7,333.00
06/13/11	24789	Valley Vision Care, LLC	304.99
06/13/11	24790	Van Cleef Engineering Assoc. LLC	281.25
06/13/11	24791	Verizon Business	100.56
06/13/11	24792	Verizon Wireless	80.02
06/13/11	24793	Wallkill Valley Regional H.S.	65,349.38
06/13/11	24794	Waste Management of NJ	41,378.00
06/13/11	24795	Zep Sales & Service	57.72

\*Warning voided 6/14/2011 check still in paid totals as of this date! (7,333.00)

371,337.22  
41,808.14  
=====  
413,145.36

WATER OPERATING

DATE	CHECK #	PAID TO	AMOUNT	
05/27/11	9999	Borough of Ogdensburg	5,000.00	(Transfer)
05/31/11	4111	JCP&L	1,994.43	
06/09/11	4112	US Postal Service	170.00	
06/13/11	4113	F.W. Bennett & Son, Inc.	220.05	
06/13/11	4114	Ferraioli, Wielkocz, Cerullo & Cuva	1,300.00	
06/13/11	4115	Garden State Laboratories, Inc.	725.00	
06/13/11	4116	Hamburg Plumbing Supply Co	44.02	
06/13/11	4117	Hyde, Thomas	40.95	
06/13/11	4118	JRF Tire Service, Inc.	1,418.00	
06/13/11	4119	Mumford-Bjorkman Assoc., Inc.	3,000.00	
06/13/11	4120	Municipal Software Inc	435.00	
06/13/11	4121	One Call Concepts, Inc.	13.44	
			9,360.89	
			5,000.00	Bank Transfers
			=====	
			14,360.89	

DOG FUND

DATE	CHECK #	PAID TO	AMOUNT
6/14/2011	107	NJ Dept of Health & Senior Service	21.00
			=====
			21.00

GRANT FUND

DATE	CHECK #	PAID TO	AMOUNT
05/31/11	24753	Boslough, David J	700.00
06/07/11	24754	Allen, Marianne	187.50
06/13/11	24796	Allen, Marianne	375.00
06/13/11	24797	Paiva, Donna	29.23
06/13/11	24798	Sussex county Municipal Utility	486.40
			-----
			1,778.13
			=====
			1,778.13

DEVELOPERS ESCROW

DATE	CHECK #	PAID TO	AMOUNT
06/13/11	2006	Van Cleef Engineering Assoc. LLC	31.25
			-----
			31.25

=====  
31.25

WATER CAPITAL

DATE	CHECK #	PAID TO	AMOUNT
06/13/11	1017	Birdsall Services Group	457.50
			-----
			457.50
			=====
			457.50

There was a question regarding a bill for an interpreter for the Court. Councilman Hann was informed by the Court Administrator that she goes with who ever she can get at the time.

Departmental finance reports were handed in for review.

There being no further business, Councilman Hann moved, Councilman McGuire seconded motion to adjourn the meeting. Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire Opilla.

Meeting adjourned at 9:28 p.m.

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Borough Clerk

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Mayor