

REGULAR MEETING-
MARCH 14, 2011

The third 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 March 14, 2011.

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

Upon roll call, the following council members appeared and answered the call: Andrews, Hann, Ingerto, McGuire, Opillo, Wolstenholme.

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 Hann moved, Councilman Ingerto seconded motion for approval of items on the consent agenda.

1. Approval of Minutes from February 14th, Regular Meeting
2. Approval of Minutes from February 24th, Special Meeting
3. Approval of Minutes from February 28th, Work Session

Yeas: Andrews, Hann, Ingerto, McGuire, Opilla, Wolstenholme (abstain No. 1 & 3)

Councilman Hann moved, Councilman Ingerto seconded motion to introduce an ordinance entitled **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40a-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Ogdensburg in the County of Sussex finds it advisable and necessary to increase its CY 2011 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 1.5 % increase in the budget for said year, amounting to \$ 31,566.95 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Ogdensburg in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final

appropriations of the Borough of Ogdensburg shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1.5%, amounting to \$31,566.95, and that the CY 2011 municipal budget for the Borough of Ogdensburg be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Yeas: Andrews, Hann, Ingerto, McGuire, Opilla, Wolstenholme. Copy attached as Schedule 1.

Borough Auditor, Tom Ferry attended the meeting and spoke about the ordinance establishing a cap bank. Councilman Hann moved, Councilman McGuire seconded motion to open to the public regarding the ordinance to exceed the municipal budget appropriation limits. Yeas: Andrews, Hann, Ingerto, McGuire, Opilla, Wolstenholme.

There being no comment from the public, Councilman McGuire moved, Councilman Hann seconded motion to close the public session. Yeas: Andrews, Hann, Ingerto, McGuire, Opilla, Wolstenholme.

Councilman Ingerto moved, Councilman McGuire seconded motion to introduce the 2011 Municipal Budget. Yeas: Andrews, Hann, Ingerto, McGuire, Opilla, Wolstenholme.

Councilman McGuire spoke about salaries and percentages. Council McGuire stated that he has a little bit of an issue with going forward with the 2% increase looking at the percentages. By giving back the furloughs and adding a 2% raise he can't go along with it. Councilman McGuire feels the percentages are too high on some of the employees. Councilman Hann stated that they are trying to give a 2% increase on the salaries for 2009 since employees did not receive a raise last year and were furloughed. After further discussion on the budget, Councilman Ingerto moved, Councilman McGuire seconded motion to table the introduction the 2011 Municipal Budget at this time. Yeas: Andrews, Hann, Ingerto, McGuire, Opilla, Wolstenholme.

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

Susan Crum, 10 Madison Dr. feels that by giving back the employees their furloughs that Council thinks they are doing the employees a favor but not increasing our salaries. I think that the people who are here five days a week making this Borough run that is a pretty poor thing to do. Thomas Hyde, 6 Madden Avenue stated his job is 24/7, 365 days a year and is responsible for 2,600 people in the town. Mr. Hyde stated that last year he talked about a few things and they didn't seem to be too much. Mr. Hyde also stated that he will never take a furlough because he has too many responsibilities and if Council doesn't think that's worth a 2% increase on a \$40.00 a day salary, then Council has bigger problems than that. Mayor explained that Council has worked hard at trying to get the numbers down, but then was hit with another \$40,000 that had to come out of the budget and the numbers had to be reworked.

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

At 7:41 p.m. Councilman Hann moved, Councilman McGuire seconded motion to go into executive session to discuss personnel matter.

After returning from executive session at 9:31 p.m. Councilman McGuire moved, Councilman Hann seconded motion for adoption of the following resolution.

BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Ogdensburg to reappoint Linda Pettenger as Tax Collector for one day a week with the hours of 3:00 p.m. to 5:00 p.m. at an annual salary of \$4,415.00.

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

After a brief discussion regarding the Tax Collector's time with the Borough and tenure status, Councilman McGuire moved, Councilman Hann seconded motion to table the resolution. Yeas: Andrews, Hann, Ingerto, McGuire, Opilla, Wolstenholme.

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

BE IT RESOLVED by the Council of the Borough of Ogdensburg that the following transfer of Appropriations (2010 Municipal Budget) in accordance with N.J.S. 40A 4-58 be and is hereby approved.

SALARIES & WAGES

FROM:	TO:	
Finance S&W 01-203-20-130-010	12.00	Police S&W 01-203-25-240-010 20,027.00
Ass. Tax S&W 01-203-20-150-010	11.00	
Land Use S&W 01-203-21-180-010	198.00	
St. & Rds. S&W 01-203-26-290-010	1,632.00	
Snow S&W 01-203-26-290-194	5,005.00	
Recycling S&W 01-203-26-306-010	321.00	
Health S&W 01-203-27-330-010	402.00	
Court S&W 01-203-43-490-010	157.00	

OTHER EXPENSES

FROM:	TO:	
Comp. Ser. O/E 01-203-20-140-020	23.00	Clerk O/E 01-203-20-120-020 261.00
Ass. Tax. O/E 01-203-20-150-020	52.00	Finance O/E 01-203-20-130-020 86.00
Coll. Of Tax O/E 01-203-20-145-020	84.00	Police O/E 01-203-25-240-020 15.00
Eng. O/E 01-203-20-165-020	29.00	Court O/E 01-203-43-490-020 124.00
Land Use O/E 01-203-21-180-020	739.00	Soc. Sec. O/E 01-203-36-472-020 35.00
Liab. Ins. O/E 01-203-23-210-090	43.00	
Group Ins. O/E 01-203-220-020	67.00	
Emer. Mgt. O/E 01-203-25-252-020	200.00	
Fire Dept. O/E 01-203-25-255-021	1,918.00	
Fire Saf. O/E 01-203-25-265-020	183.00	
Snow O/E 01-203-26-290-294	6,675.00	
Recycling O/E 01-203-26-306-020	24.00	
Health O/E 01-203-27-330-020	191.00	
Cel. Of Pub. Ets O/E 01-203-30-420-020	16.00	
Electriciy O/E 01-203-31-430-020	330.00	
Gas/Diesel O/E 01-203-31-460-020	2,146.00	
DCRP Ann. Pay. O/E 01-203-36-477-020	90.00	

TOTAL	<u>20,548.00</u>	<u>20,548.00</u>
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Yeas: Andrews, Hann, Ingerto, McGuire, Opilla, Wolstenholme. Copy attached as Schedule 2.

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

WHEREAS, a contract was awarded to Birdsall Service in the amount of \$ 61,700 for Well No. 3 Emergency Generator; and

WHEREAS, Change Order No. 1 in the amount of \$2,135.55 increase, minus a credit for seeding of \$200.00 has increased the contract price to \$63,635.55.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Borough of Ogdensburg that with the approval of Change Order #1, the original amount of \$61,700 is increased to \$63,635.55.

Yeas: Andrews, Hann, Ingerto, McGuire, Opilla, Wolstenholme. Copy attached as Schedule 3.

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

WHEREAS the Borough of Ogdensburg's Department of Public Works has old water meters which are outdated or no longer needed for public use.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Ogdensburg to authorize the Assistant Supervisor of the Department of Public Works to dispose of such equipment.

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

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

WHEREAS, Another Lien LLC, 1 Vista Dr., Sparta, NJ 07871, has paid for a lien against Block 3.08 Lot 5, for the years 2009 & 2010 in the amount of \$510.69 with interest and statutory fees of \$70.27, cost of sale \$15.00, totaling \$595.96.

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 \$595.96 to Another Lien LLC.

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

Mayor Ciasullo mentioned how resident, Bill Amodeo is interested in getting a group together of residents for the Heater's Pond Committee to help with the up keeping of Heaters' Pond. After a brief discussion, Councilman Ingerto moved, Councilman Hann seconded motion to start a committee for the upkeep of Heater's Pond. Yeas: Andrews, Hann, Ingerto, McGuire, Opilla, Wolstenholme.

It was discussed about having the gates unlocked going up to the pavilion. Further discussion will be forth coming.

OLD BUSINESS

Councilman Ingerto discussed the specs for the garbage contract. Councilman Ingerto also mentioned that the school has been getting billed for pickup when the school is included in the contract and should not be getting billed. Mayor Ciasullo mentioned that it might be a double pick up and asked Councilman Ingerto to check into it. Mayor

Ciasullo mentioned that Councilman Wolstenholme and himself spoke to Franklin about shared services with the Garbage contract and feels it might be another option to look into. Borough attorney spoke about MD Sass and the tax sale certificate. They were the purchasers of a tax sale certificate back in 2008 or earlier. In 2008 the tax payer paid their taxes. MD Sass who had purchased the tax lien had paid \$19,000 for it. Ogdensburg had refunded the Ogdensburg resident their money, but never gave back MD Sass their \$19,000 nor were they informed the tax sale certificate was redeemed. The \$19,000 has been refunded to MD Sass but without interest. MD Sass had written another letter requesting payment of interest for \$1,800. The attorney's suggestion is to pay the \$1,800. Attorney stated that the tax lien was redeemed in December 2008 so whoever was working for the Borough during 2008 redeemed the tax sale certificate to the tax payer, but unfortunately did not follow through and the money stayed with the Borough for another two years. Council also spoke about Gila Bauer's matter. Attorney said he needs to know if a tax sale certificate was legally noticed and sold prior to the present Tax Collector. Councilman McGuire stated that there is a tax sale notice that was advertised. After further discussion Mayor Ciasullo asked Councilman McGuire to look into the matter and find out why the situation has not been rectified yet. Councilman McGuire spoke about health insurance and stated he has spoken to Rob Mania and asked him to look into combining the retirees and employees insurance into one plan and possible getting a better plan and saving the Borough some money. The Clerk will be sending Mr. Mania information on the different plans the Borough has to see what he can do for us.

Mayor spoke about Mr. Bickerton's letter regarding the removal of the trees. Mayor will seek the advice of the attorney regarding Mr. Bickerton's requests in the letter. Councilman Ingerto spoke about an ORA meeting that he and the Mayor attended. They discussed the possibility of having the ORA helping with lifeguards for the swim meets. The Borough has budgeted money for lifeguards but not for the swim meets. Councilman Ingerto mentioned that the ORA's more then willing to help the Borough out to cover the salary for lifeguards for swim meets. Councilman Andrews stated that he spoke to Chief Varcadipane and the Chief needs to send Sergeant Gordon to school and the cost would be under \$400. Councilman Andrews also stated that the Chief is also looking at different options for a car. Leasing is one option the Chief is thinking about and will be looking into. Councilman Andrews also stated as far as Land Use Board and the redevelopment study, the new planner we have with Van Cleef Engineer is doing a fine job and is going to map out everything and exactly what direction the Borough should go with the properties and after the next Land Use Board meeting Councilman Andrews said he should have some more answers. Councilman Andrews said the LUB is looking for support with the redevelopment of Main Street. Mayor asked about auctioning off the properties that have been foreclosed on. The Attorney stated that you must identify the properties and make sure that none of them are duress properties of any kind. Make sure it is a good clean lot. An ordinance is done, a date is set and establish a bid price and the properties are auctioned off. Councilman Andrews inquired about selling off police cars. The attorney stated you can sell police cars any way you want. He informed Mayor and Council that Sparta has an auction once a year for all the towns.

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

CURRENT FUND

DATE	CHECK #	PAID TO	AMOUNT
02/22/11	24556	Eagle Point Gun	2,316.16
02/25/11	9999	Payroll Account	36,934.30 (Manual)
02/25/11	24557	Aetna Inc	1,279.62

02/25/11	24558	LINA	189.00	
02/25/11	24559	CenturyLink	1,329.00	
02/25/11	24560	CenturyLink	107.80	
02/25/11	24561	Horizon BC/BS of NJ	6,153.89	
02/25/11	24562	Horizon BC/BS of NJ	1,154.84	
02/25/11	24563	Horizon BC/BS of NJ	948.93	
02/25/11	24564	JCP&L	6,712.18	
02/25/11	24565	Verizon Wireless	34.04	
03/07/11	9999	TASC	1,013.00	(Manual)
03/11/11	9999	Payroll Account	41,675.48	(Manual)
03/14/11	24566	Agatino, Daniel	150.00	
03/14/11	24567	Allied Oil LLC	1,948.04	
03/14/11	24568	Another Lien, LLC	595.96	
03/14/11	24569	Atlantic Tomorrows Office	68.60	
03/14/11	24570	Atlantic Communications	95.00	
03/14/11	24571	B & R UNIFORM	163.20	
03/14/11	24572	Bassani Power Equipment, LLC	48.09	
03/14/11	24573	Borough of Ogdensburg	24,200.00	
03/14/11	24574	Certified Speedometer Service	35.00	
03/14/11	24575	Cliffside Body Corp.	1,712.73	
03/14/11	24576	Colfax, Daniel	150.00	
03/14/11	24577	Danforth's	884.31	
03/14/11	24578	Dave's Towne Service	870.50	
03/14/11	24579	Dover Brake & Clutch Co., Inc.	102.39	
03/14/11	24580	Econo Signs LLC	62.56	
03/14/11	24581	Employee Data Forms of MO LLC	22.00	
03/14/11	24582	FRA Technologies, Inc	600.00	
03/14/11	24583	Atlantic Tomorrows Office	174.69	
03/14/11	24584	Falcon Cleaning	300.00	
03/14/11	24585	Finch Fuel Oil Company, Inc	11,187.91	
03/14/11	24586	Gann Law Books	52.00	
03/14/11	24587	Garden State HighwayProducts, Inc	62.00	
03/14/11	24588	Gherlone Jr., David	422.27	
03/14/11	24589	Goffco Industries, Inc	96.00	
03/14/11	24590	Gramco Business Communications	179.00	
03/14/11	24591	Horizon BC/BS of NJ	200.00	
03/14/11	24592	International Salt Co., LLC	24,034.53	
03/14/11	24593	JCP&L	23.04	
03/14/11	24594	James P Sloan Esq.	150.00	
03/14/11	24595	Jan-Mar Alarm Company	24.20	
03/14/11	24596	Laddey, Clark & Ryan	5,130.00	
03/14/11	24597	Lame, James	117.00	
03/14/11	24598	Little, Jacob	376.99	
03/14/11	24599	Municipal Clerks Assoc of NJ	100.00	
03/14/11	24600	Municipal Record Service	177.00	
03/14/11	24601	Municipal Software Inc	5,927.72	
03/14/11	24602	NJCM	295.00	
03/14/11	24603	Neopost, Inc.	50.00	
03/14/11	24604	Neopost Leasing	301.74	
03/14/11	24605	New Jersey Herald	709.30	
03/14/11	24606	North Church Gravel, Inc	1,776.77	
03/14/11	24607	Ogdensburg Board of Education	196,270.00	

03/14/11	24608	ProPay Inc	238.04	
03/14/11	24609	Ross, Chris	36.00	
03/14/11	24610	Sheaffer Supply, Inc.	20.30	
03/14/11	24611	Staples Business Advantage	1,073.24	
03/14/11	24612	Struble, Jim	36.00	
03/14/11	24613	Sussex County Chief's Association	200.00	
03/14/11	24614	Sussex County Clerk	40.00	
03/14/11	24615	Sussex County Detectives' Assoc	100.00	
03/14/11	24616	Sussex County Municipal Clerk Assoc	25.00	
03/14/11	24617	The Flower Box	78.50	
03/14/11	24618	Township of Sparta	583.70	
03/14/11	24619	Velez, John	150.00	
03/14/11	24620	Verizon Business	106.64	
03/14/11	24621	Verizon Wireless	80.02	
03/14/11	24622	Wallkill Valley Regional H.S.	65,349.39	
03/14/11	24623	Warmington, Robert	150.00	
03/14/11	24624	Waste Management of NJ	20,689.00	
03/14/11	24625	Winters Auto Parts, Inc	128.98	
03/14/11	24626	Wottle, Dennis	36.00	

			389,191.81	
			79,622.78	Manual
			=====	
			468,814.59	

WATER OPERATING

DATE	CHECK #	PAID TO	AMOUNT
02/25/11	4070	CenturyLink	19.90
02/25/11	4071	JCP&L	4,456.62
03/14/11	4072	Dell Marketing L.P.	627.89
03/14/11	4073	Garden State Laboratories, Inc	315.00
03/14/11	4074	Harris	874.14
03/14/11	4075	High Point Electric, Inc	642.93
03/14/11	4076	JRF Tire Service, Inc.	975.50
03/14/11	4077	New Jersey Herald	46.70
03/14/11	4078	One Call Concepts, Inc.	6.42
03/14/11	4079	Philadelphia Business Forms	463.00
03/14/11	4080	Ross, Chris	8.00
03/14/11	4081	Smith Tractor & Equipment,	298.96
03/14/11	4082	Staples Business Advantage	2.70
03/14/11	4083	Struble, Jim	18.00
03/14/11	4084	USA Blue Book	67.53
03/14/11	4085	Wottle, Dennis	18.00

			8,841.29
			=====
			8,841.29

WATER CAPITAL

DATE	CHECK #	PAID TO	AMOUNT
03/14/11	1010	Birdsall Services Group	3,915.00
03/14/11	1011	Dee-En Electrical Contracting,	5,866.02
03/14/11	1012	Heiman Fire Equipment	1,340.30
03/14/11	1013	Rio Supply, Inc.	10,650.00
03/14/11	1014	Rogut McCarthy LLC	234.47

			22,005.79
			=====
			22,005.79

GRANT FUND

DATE	CHECK #	PAID TO	AMOUNT
03/14/11	24627	Van Cleef Engineering Assoc, LLC	375.00

			375.00
			=====
			375.00

DEVELOPERS ESCROW

DATE	CHECK #	PAID TO	AMOUNT
03/14/11	2003	Morse, Bruce	1,439.10

			1,439.10
			=====
			1,439.10

DOG FUND

DATE	CHECK #	PAID TO	AMOUNT
03/14/11	104	NJ Dept of Health & Senior Services	158.40

			158.40
			=====
			158.40

GENERAL CAPITAL

DATE	CHECK #	PAID TO	AMOUNT
03/14/11	1009	Rogut McCarthy LLC	468.94

			468.94

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468.94

Mayor discussed the cleaning services for the Borough and stated the Borough never had a contract with the present cleaning service company. Mayor would like to meet with someone from the cleaning company to find out exactly what they do and also get three other estimates. Councilman Wolstenholme will look into the matter.

Councilman Hann moved, Councilman Wolstenholme seconded motion to open the public session for non agenda items. Yeas: Andrews, Hann, Ingerto, McGuire, Opilla, Wolstenholme.

Jean Castimore, 63 Main Street thanked the Mayor and Councilman Ingerto for getting oil to the Historical Building. Mayor asked about why the oil wasn't delivered as quickly as the oil company stated. Councilman Ingerto said they weren't going to have a truck in the area on the day we needed it and then they did. There was definitely a misunderstanding. Councilman Ingerto went down to the Department of Public Works and obtained some 5 gallon container and was able to get oil to the Historical Building. There is no automatic delivery so it will have to be checked on for delivery purposes. There being no further business from the public, Councilman Hann moved, Councilman Wolstenholme seconded motion to close the public session. Yeas: Andrews, Hann, Ingerto, McGuire, Opilla, Wolstenholme.

Council discussed briefly a date for the next budget meeting. The date of March 21st was decided on.

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

Meeting adjourned at 10:53 p.m.

Borough Clerk

Mayor