

REGULAR MEETING
NOVEMBER 13, 2012

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 November 13, 2012.

In the absence of the Mayor, Council President Wayne Ingerto called the meeting to order at 7:00 PM.

Upon roll call, the following council members appeared and answered the call: Amodeo Andrews, Hann, Ingerto, McGuire, 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, 2012.

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

CONSENT AGENDA

1. Approval of Minutes from October 9th, Regular Meeting
2. Approval of Minutes from October 22nd, Work Session
3. Adoption of resolution for Dispatch Contract.
4. Adoption of resolution for Transfer 2012 Budget.

Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla.

Councilman Ingerto 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 authorize the Mayor to sign and the Borough Clerk to attest to the Dispatching Services Agreement between the Borough of Ogdensburg and Sparta Township for the period January 1, 2013 through December 31, 2015.

BE IT FURTHER RESOLVED the services rendered by Sparta, Ogdensburg agrees to pay the sum of \$51,106 for 2013. \$51,617 for 2014 and \$52,391 for 2015.

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

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

TRANSFER RESOLUTION - 2012 BUDGET

BE IT RESOLVED by the Council of the Borough of Ogdensburg that the following transfer of Appropriations (2012 Municipal Budget) in accordance with N.J.S. 40A 4-58 be and is hereby approved.

SALARIES & WAGES

FROM:		TO:	
Streets and Roads 01-201-26-290-010	1,070.00	Health 01-207-27-330-010	150.00

OTHER EXPENSES

FROM:	TO:	
	Worker's Comp. 01-201-23-215-020	570.00
	Health Ben. Waiver 01-201-23-221-020	350.00
TOTAL	<u>1,070.00</u>	<u>1,070.00</u>

Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla. Copy attached as Schedule 2.

Councilman McGuire moved, Councilman Amodeo seconded motion to open the public hearing on an ordinance entitled **AN ORDINANCE REPEALING SECTION 2-14 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF OGDENSBURG ENTITLED “ CLASSIFICATIONS FOR APPOINTMENT OF EMPLOYEES TO THE BOROUGH OF OGDENSBURG.** Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla.

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

Council discussed the pros and cons of repealing the present ordinance and decided that it would be in the best interest of the Borough not to repeal the existing ordinance.

Councilman McGuire moved, Councilman Hann seconded motion to adopt said ordinance. Yeas: No vote. Nays: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla. Motion did not carry, ordinance was not adopted. Copy attached as Schedule 3.

Councilman Hann 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, Hann, Ingerto, McGuire, Opilla.

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

Councilman Hann moved, Councilman McGuire seconded motion to adopt said ordinance. Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla. Copy attached as Schedule 4.

Councilman Andrews moved, Councilman McGuire seconded motion to introduce an ordinance entitled **AN ORDINANCE TO AMEND CHAPTER XXX OF THE CODE OF THE BOROUGH OF OGDENSBURG, NEW JERSEY, BEING THE ZONING CODE OF THE BOROUGH TO PROHIBIT OUTDOOR FURNACES AND OUTDOOR WOOD BOILERS** on first reading. Public hearing is scheduled for December 10, 2012.

BE IT ORDAINED by the Borough Council of the Borough of Ogdensburg, County of Sussex and State of New Jersey that Chapter XXX of the Code of the Borough of Ogdensburg, being the zoning chapter, shall be and hereby is amended as follows:

SECTION 1. Section 200 of the zoning chapter entitled “Definitions and Descriptions” is hereby amended by the addition of the following definition to read in its entirety as follows:

Outdoor Furnace: Any equipment, device, appliance or apparatus, or any part thereof, which is: (a) installed, affixed or situated outdoors; (b) wood, biomass and/or pellet-fed;

and (c) utilized for the purpose of combustion of fuel to produce heat or energy used as a component of a heating system providing heat for any interior space or water source. This term includes but is not limited to wood boilers.

SECTION 2. Section 401 of the zoning chapter entitled “General District Regulations” is hereby amended to add the following language to the existing section:

§ 401 General District Regulations.

...Outdoor furnaces are prohibited in all zone districts. No accessory structure shall be permitted to house or enclose an outdoor furnace.

SECTION 3. If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

SECTION 4. All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this ordinance are hereby repealed in their entirety.

SECTION 5. This ordinance will take effect after publication and passage according to law.

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

Councilman Hann 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 annual salaries shall be in effect, retro active beginning January 1, 2012:

	January 1 st , 2012	July 1, 2012
Sergeant -----	\$87,734.00	\$88,975.00
Patrolman-----	\$82,734.00	\$83,975.00

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

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

Steven Verbersky, owner of 345 Main Street asked about pollution with the out door furnaces. Mr. Verbersky was informed that there could be pollution if the wrong type of material was used.

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

NEW BUSINESS

Councilman McGuire mentioned in regard to the E-Waste program that the Mayor is trying to clean out the recycling garage at the present moment. Would like to table discussion until the next meeting. With regard to the New Jersey Clean Communities Council’s Adopt a Beach program, Councilman McGuire will speak with the ORA to see if they would like to take it on. Councilman McGuire also spoke about the budget line for lifeguards is \$400.00 over. The reason being is from the swim meet. Councilman McGuire spoke to the head of the swim team

and was informed that they only have \$20.00 left in their budget due to spoilage of food over the summer. The Borough will cover it, but for next year the ORA will have to budget for the additional lifeguards for the swim meets. Project Self Sufficiency for Sussex County is in partnership with Warren County and is looking for all the towns in Sussex County to show support for their program on child sexual abuse. This has been tabled until next meeting.

It was mentioned that any pieces of furniture left from the auction will be thrown out. Also discussed was garbage that is put behind the old recycling garage. Buildings and Grounds Commissioner will have the DPW clean up the area.

OLD BUSINESS

The renewal contract for the Animal Control will be discussed at the next meeting. Council will be reviewing it. Councilman Andrews has been trying to get quotes for a generator for the Borough Hall but due to the storm things have been slowed down. He will continue to pursue getting prices. Councilman Hann informed Council that he will be speaking with the Fire Department regarding the catering for the Christmas party and will have an answer for the next meeting. Councilman Andrews informed council that the Police Department purchased another computer in the amount of \$567.51 including the software.

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

Steven Verberski, owner of 345 Main Street asked Council if he could put the garbage cans on the side of the apartment area. He stated that his tenants are afraid to take their garbage out at night because of the bears. He said he as a fence on the side of the apartments and would like to incorporate the garbage cans in the fenced in area. Mr. Verberski was informed that he would have to speak with the Zoning Official or the Land Use Board regarding the matter.

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

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

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg, County of Sussex, State of New Jersey, as follows:

The public shall be excluded from discussion of an action upon the hereinafter specified subject matter(s). The general nature of the subject matter to be discussed is as follows:

Personnel

It is anticipated at this time that the above stated subject matter will be made public when settled.

Action may be taken on the above listed matter/matters or on other matters discussed in closed session. This resolution shall take effect immediately. Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire.

At 7:55 p.m. Councilman McGuire moved, Councilman Hann seconded motion to go into executive session to discuss personnel. Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla.

After returning from executive session at 8:27p.m., Councilman Ingerto moved, Councilman Hann seconded motion for review and approval of vouchers. Yeas: Amodeo, Andrews, Hann, Ingerto, McGuire, Opilla.

CURRENT

DATE	CHECK #	PAID TO	AMOUNT	
07/09/12	25579	Gempler's	(302.40)	10/11/2012 Vendor never received check
10/18/12	9999	TASC	1,127.84	(Manual)
10/19/12	9999	Payroll Account	36,192.93	(Manual)
10/25/12	9999	Borough of Ogdensburg	224.53	(Manual)
11/01/12	25753	Aetna Inc	861.46	
11/01/12	25754	CenturyLink	1,315.42	
11/01/12	25755	CenturyLink	124.32	
11/01/12	25756	Elizabethtown Gas	17.23	
11/01/12	25757	Ford Motor Credit Company	829.98	
11/01/12	25758	Franklin Mutual Insurance Co.	833.00	
11/01/12	25759	Horizon BC/BS of NJ	6,710.41	
11/01/12	25760	Horizon BC/BS of NJ	2,025.50	
11/01/12	25761	Horizon BC/BS of NJ	1,157.96	
11/01/12	25762	Horizon BC/BS of NJ	649.24	
11/01/12	25763	JCP&L	1,941.31	
11/01/12	25764	Sussex County Treasurer	263,960.33	
11/01/12	25765	Sussex County Treasurer	8,455.85	
11/01/12	25766	Sussex County Treasurer	19,214.44	
11/01/12	25767	Sussex County Treasurer	648.47	
11/01/12	25768	Verizon Business	100.22	
11/01/12	25769	Verizon Wireless	79.02	
11/02/12	9999	Ogdensburg General Capital Account	64,000.00	(Manual)
11/02/12	9999	Payroll Account	39,598.90	(Manual)
11/05/12	9999	TASC	1,480.00	(Manual)
11/13/12	25770	AccuTrans Transmissions, Inc.	3,816.29	

11/13/12	25771	Allied Oil LLC	1,207.07
11/13/12	25772	Crum, Susan	21.78
11/13/12	25773	D'Onofrio, Joseph J., DDS,PA	1,500.00
11/13/12	25774	Dave's Towne Service	525.78
11/13/12	25775	Drouin, Phyllis	116.62
11/13/12	25776	Atlantic Tomorrows Office	89.93
11/13/12	25777	Falcon Cleaning	300.00
11/13/12	25778	Ferraioli, Wielkocz, Cerullo & Cuva	10,200.00
11/13/12	25779	Finch Fuel Oil Company, Inc	2,664.48
11/13/12	25780	Global Waste Industries, Inc.	13,156.10
11/13/12	25781	Jager, Naomi	10.00
11/13/12	25782	Jan-Mar Alarm Company	48.40
11/13/12	25783	Laddey, Clark & Ryan	1,875.00
11/13/12	25784	Lt. R.A. Madden VFW Post 10152	36.00
11/13/12	25785	Municipal Software Inc	544.00
11/13/12	25786	New Jersey Herald	228.00
11/13/12	25787	New Jersey Law Journal	77.95
11/13/12	25788	Ogdensburg Board of Education	198,784.00
11/13/12	25789	ProPay Inc	168.83
11/13/12	25790	Redshaw's Flower Shop	108.50
11/13/12	25791	Staples Business Advantage	359.09
11/13/12	25792	Struble, Kristi	173.00
11/13/12	25793	Sussex County Lock & Safe	144.00
11/13/12	25794	The Roy Company	34.10
11/13/12	25795	US Postal Service	140.00
11/13/12	25796	Van Cleef Engineering Assoc. LLC	281.25
11/13/12	25797	Verizon Wireless	79.06
11/13/12	25798	Vital Communications, Inc	285.12
11/13/12	25799	Wallkill Valley Regional H.S.	73,934.45

11/13/12	25800	William J. Mandara Assoc.	85.00	

			619,917.96	
			142,624.20	Manual
			=====	
			762,542.16	
		** Voided checks issued in an earlier period	(302.40)	
			=====	
			762,239.76	

WATER OPERATING

DATE	CHECK #	PAID TO	AMOUNT	
10/25/12	9999	Borough of Ogdensburg	10,200.00	(Manual)
10/25/12	9999	Borough of Ogdensburg	(10,200.00)	(Manual)
10/25/12	9999	Borough of Ogdensburg	10,200.00	(Manual)
11/01/12	4250	JCP&L	1,277.93	
11/06/12	9999	Borough of Ogdensburg	4,300.00	(Manual)
11/13/12	4251	Ferraioli, Wielkotz, Cerullo & Cuva	1,300.00	
11/13/12	4252	New Jersey Herald	94.20	
11/13/12	4253	One Call Concepts, Inc.	14.16	
11/13/12	4254	Peters, Ann	60.96	
11/13/12	4255	State of New Jersey-PWT	96.01	

			2,843.26	
			14,500.00	Manual
			=====	
			17,343.26	

DEVELOPERS ESCROW

DATE	CHECK #	PAID TO	AMOUNT
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11/13/12	2016	Cingular Wireless	770.66

			770.66
			=====
			770.66

GRANT FUND

DATE	CHECK #	PAID TO	AMOUNT
11/13/12	25801	Creative Product Sourcing Inc	244.25
11/13/12	25802	Michele Van Allen Assemblies	675.00

			919.25
			=====
			919.25

DOG FUND

DATE	CHECK #	PAID TO	AMOUNT
11/13/12	128	FRA Technologies, Inc	600.00
11/13/12	129	New Jersey Herald	311.98

			911.98
			=====
			911.98

VERNON RCA

DATE	CHECK #	PAID TO	AMOUNT
11/13/12	110	Community Action Services	200.00

			200.00
			=====
			200.00

GENERAL CAPITAL

DATE	CHECK #	PAID TO	AMOUNT
11/13/12	1016	Grinnell Recycling, Inc.	4,225.00

11/13/12	1017	Rogut McCarthy LLC	802.87

			5,027.87
			=====
			5,027.87

WATER CAPITAL

DATE	CHECK #	PAID TO	AMOUNT
11/13/12	1023	Rogut McCarthy LLC	452.87

			452.87
			=====
			452.87

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 8:30 p.m.

Borough Clerk

Council President