

REGULAR MEETING  
June 10, 2013

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 10, 2013.

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

Upon roll call, the following Council members appeared and answered the call: Amodeo, Andrews, Astor, Hutnick, McGuire, Opilla. Also in attendance was the Borough Attorney, Michael Garofalo.

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, 2013.

Councilman Hutnick moved, Councilman McGuire seconded motion for approval of items on the consent agenda.

1. Approval of Minutes from Regular Meeting on May 13, 2013
  2. Approval of resolution for 2013-2014 Liquor Licenses
  3. Adoption of resolution for cancellation of Municipal Alliance 2012 Grant Receivable & Appropriation Balances.
  4. Adoption of resolution for Shared Service Agreement with Wantage for Vehicle Washing Equipment.
  5. Adoption of resolution for Tax Identification Statement
  6. Adoption of resolution for 2013 Lifeguards
  7. Adoption of resolution for Bl. 26.03, Lot 2 for tax lien
  8. Adoption of resolution for Bl.26.06, Lot 8.02 for tax lien
  9. Adoption of resolution for Bl. 12, Lot 12 for tax lien
  10. Adoption of resolution for Bl. 26.05, Lot 1for account credit for water.
- Yeas: Amodeo, Andrews, Astor, Hutnick, McGuire, Opilla.

Mayor Ciasullo presented to the Police Department, Fire Department and First Aid Squad, a check in the amount of \$1,000 for each department from Kuiken Brothers in deep appreciation for all the help and services they have provided over the past 15 years.

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

WHEREAS, the following applicants have applied for renewal of their liquor licenses for the licensing year July 1, 2013 to June 30, 2014.

<u>NAME</u>	<u>TYPE OF LICENSE</u>
Ogdensburg Fire Dept., Inc.	Club License No. 1916-31-005-001
A Mannion Venture Inc.	Plenary Retail Distribution License No. 1916-44-003-004
Atlantic Manor, L.L.C.	Plenary Retail Consumption License No. 1916-33-002-005

WHEREAS, the applicants have in the opinion of the Mayor and Council complied with the requirements of the Alcoholic Beverage Conduct Act and all amendments thereto, and will conduct the business in accordance with rules and regulations of the Alcoholic Beverage Control Commission and the Ordinance of the Borough of Ogdensburg.

BE IT RESOLVED that the following licenses be renewed for the period July 1, 2013 – June 30, 2014 in accordance with the requirements of said Act and said Ordinance:

<u>NAME</u>	<u>TYPE OF LICENSE</u>
Ogdensburg Fire Dept. 30 Main Street Ogdensburg, N.J. 07439	Club License No. 1916-31-005-001
A Mannion Venture Inc. 81 Main Street Ogdensburg, N.J. 07439	Plenary Retail Distribution License No. 1916-44-003-004
Atlantic Manor LLC 83 Main Street Ogdensburg, N.J. 07439	Plenary Retail Consumption License No. 1916-33-002-005

FURTHER RESOLVED, that the Borough Clerk is hereby designated to sign and deliver such license certificates on behalf of the Mayor and Council.

Yeas: Amodeo, Andrews, Astor, Hutnick, McGuire, Opilla. Copy attached as Schedule 1.

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

WHEREAS, there is a receivable with an offsetting appropriation from the State of New Jersey Municipal Alliance 2012 Grant in the amount of \$1,383.33 and matching funds in the amount of \$211.44.

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 and the matching funds are credited to fund balance

Yeas: Amodeo, Andrews, Astor, Hutnick, McGuire, Opilla. Copy attached as Schedule 2.

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

BE IT HEREBY RESOLVED by the Governing Body of the Borough of Ogdensburg to have the Mayor sign and the Clerk attest to the Shared Service Agreement between the Township of Wantage and the Borough of Ogdensburg for the utilization of the Vehicle Washing Equipment of the Wantage Township Public Works Department.

BE IT FURTHER RESOLVED the duration of the agreement shall be for a period of calendar year 2013. Yeas: Amodeo, Andrews, Astor, Hutnick, McGuire, Opilla. Copy attached as Schedule 3.

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

WHEREAS, The Recycling Enhancement Act, P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants may be

made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, When ever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract award pursuant to the “Local Public Contracts Law”, the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant monies received by the municipality shall be expended only for its recycling program.

NOW THEREFORE BE IT RESOLVED by the Borough of Ogdensburg that the Borough of Ogdensburg hereby certifies a submission of expenditure for taxes paid pursuant to P.P. 2007, Chapter 311, in 2012 in the amount of \$2,376.57. Documentation supporting this submission is available at 14 Highland Avenue, Ogdensburg, New Jersey 07439, and shall be maintained for no less than five years from this date.

Yeas: Amodeo, Andrews, Astor, Hutnick, McGuire, Opilla. Copy attached as Schedule 4.

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

**BE IT HEREBY RESOLVED** by the Mayor and Council of the Borough of Ogdensburg that the following persons be added as lifeguards for the 2013 swim season pending certification:

Kimberly Brino-----	\$9.50
Sheri Brino-----	\$9.50
Lauren Byrne -----	\$8.25
Rebecca Byrne-----	\$8.00
Joseph Bauberger -----	\$8.00
Nicole Bauberger -----	\$8.00

Yeas: Amodeo, Andrews, Astor, Hutnick, McGuire, Opilla. Copy attached as Schedule 5.

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

WHEREAS, US Bank Cust/Emp IV Cap One, 2 Liberty Pl-50 50<sup>th</sup> 16<sup>th</sup>, Philadelphia, PA 19102, has paid for a lien against Block 26.03 Lot 2, for the years 2010012 in the amount of \$2,450.95 with interest and statutory fees of \$122.00, cost of sale \$47.27, totaling \$2,620.22.

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 \$2,620.22 to US Bank Cust/Emp IV Cap One.

Yeas: Amodeo, Andrews, Astor, Hutnick, McGuire, Opilla. Copy attached as Schedule 6.

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

WHEREAS, Garden State Tax Liens, LLC, 623 Eagle Rock Avenue #120, West Orange, NJ 07052-2948, has paid for a lien against Block 26.06 Lot 8.02, for the years 2008 - 2013 in the amount of \$60,996.29 with interest and statutory fees of \$13,352.21, cost of sale \$100.00, totaling \$74,448.50.

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 \$74,448.50 to Garden State Tax Liens, LLC.

Yeas: Amodeo, Andrews, Astor, Hutnick, McGuire, Opilla. Copy attached as Schedule 7.

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

WHEREAS, Another Lien LLC, 1 Vista Dr., Sparta, NJ 07871, has paid for a lien against Block 12 Lot 12, for the years 2011, 2012 & 2013 in the amount of \$5,396.25 with interest and statutory fees of \$533.51, cost of sale \$15.00, plus Premium of \$1,00.00 totaling \$6,944.76.

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 6,944.76 to Another Lien LLC.

Yeas: Amodeo, Andrews, Astor, Hutnick, McGuire, Opilla. Copy attached as Schedule 8.

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

WHEREAS, Dana Filipone, 2 Lesko Terrace Block 26.05 Lot 1, has overpaid for approximately 49,000 gallons for her water bill for the last two and a half years, with interest totaling \$340.62.

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 credit to the account in the amount of \$340.62. No refund.

WHEREAS the homeowner paid the water on said block and lot.

Yeas: Amodeo, Andrews, Astor, Hutnick, McGuire, Opilla. Copy attached as Schedule 9.

Mayor Ciasullo mentioned that Mr. Armstrong was unable to attend the meeting tonight but there is nothing new at this time with the update on the Main Street Streetscape. Mayor Ciasullo mentioned with regard to the property maintenance ordinance he would like to send out a blanket letter to everyone on Main Street informing them about the Main Street Streetscape and somehow ask if anything can be done to their owner property to support the pride of the town and to help to clean up Main Street would be greatly appreciated.

Council discussed briefly a resolution regarding a credit for a water bill. Councilman Opilla will double check the reading.

Mayor Ciasullo mentioned that the Borough has received several complaints on Trecman Inc. a tavern in town and would like to have them come to the next meeting on June 24<sup>th</sup> to discuss the matter. A letter will be sent out to the owner requesting attendance at the June 24<sup>th</sup> meeting. Councilman McGuire moved, Councilman Opilla seconded motion to open the public session of the meeting. Yeas: Amodeo, Andrews, Astor, Hutnick, McGuire, Opilla.

Chief of Fire, Rick Keslo spoke about getting parts for the fire truck. The price was estimated between \$30,000 to \$35,000.

A representative from the First Aid Squad reminded Mayor and Council that the 5K Run was on Saturday, June 14<sup>th</sup> starting at 8:00 a.m. for the Fun Run and 9:00 a.m. for the 5K.

#### OLD BUSINESS

Councilman McGuire informed Council that he still is unable to get any more quotes, but will keep trying. Vendors are not getting back to him. Councilman Astor spoke about the pavilion. The trees are down and the Department of Public Works will start chipping and will also secure the grills. The pavilion will be ready for this coming weekend June 15th. The Department of Public Works got the trailer and Councilman Astor mentioned that he will keep up with the fields. Mayor briefly spoke about Heater's Pond and mentioned that maybe a paddle boat could be added to the pond and added to insurance. Councilman Amodeo informed Council that Aquatic Analyses came in to treat the pond, the phone is on and the first aid kit is stocked. Also it was mentioned that a policies and procedures form is being prepared for the lifeguards. Swim lessons were discussed and the ORA will be handling the lessons.

Councilman Andrews mentioned that the generator is ready to be installed and that Elizabethtown Gas will be in to change out the meter. The Department of Public Works will also need to remove the shrubs in the front of the building. It was also mentioned that an ordinance will need to be done for the capital projects. Mayor mentioned that Matt Wesolowski will start at the recycling center this Saturday from nine to twelve. Councilman McGuire informed Mayor and Council that the assistant to the tax collector did not pass her test and had informed him that she did not want to retake the test. She is qualified to be the deputy tax collector. Councilman Andrews read a letter of thanks from back on April 17<sup>th</sup> to Steve Gordon along with the First Aid Squad and colleagues from the residents at 8 Spring Street for the quick response during the situation at hand.

The Mayor updated the Council regarding the court situation. He has been in touch with Sparta and the Town Manager has two options for a shared service. The Mayor is hoping to hear back from him soon. The Mayor has spoken with Chief Varcadipane and the Chief feels it will be more of a cost for the Borough due to the fact that Sparta has two days of court weekly. The Mayor explained how it could work without the extra expense. Councilman Hutnick stated that the website is doing very good. Between May 9<sup>th</sup> and June 6<sup>th</sup> we had about 851 hits averaging about 4 minutes per hit.

#### NEW BUSINESS

Mayor briefly mentioned that the shared service contract with West Milford needs to be renewed. The Borough attorney will review and proceed to update. Mayor also mentioned that he and the Council President will be out on vacation at the same time so to have someone cover Councilman William Andrews was asked to fill in and he agreed. The Mayor asked for a motion from the Council. Councilman Opilla moved, Councilman Astor seconded motion to name Bill Andrews as Acting Mayor in the absence of the Mayor and Council President. Yeas: Amodeo, Andrews, Astor, Hutnick, McGuire, Opilla.

Councilman McGuire spoke about the backwards tunnel on Corkhill Road. A truck got stuck in the tunnel. Apparently, the height of the tunnel is not accurate all the way through causing a truck to get stuck half way through. It was also noted that there is no sign posted for height on the north side of the tunnel. Signs will have to be put up on the tunnel and before entering.

Councilman Opilla moved, Councilman Astor seconded motion to adopt the following resolution. Yeas: Amodeo, Andrews, Astor, Hutnick, McGuire, Opilla.

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:

Chief of Police Contract

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.

At 8:25 p.m. Councilman Opilla moved, Councilman Astor seconded motion to go into executive session to discuss the Chief's contract. Yeas: Amodeo, Andrews, Astor, Hutnick, McGuire, Opilla.

At 8:50 p.m. after returning from executive session, Councilman Andrews moved, Councilman McGuire seconded motion for review and payment of vouchers. Yeas: Amodeo, Andrews, Astor, Hutnick, McGuire, Opilla.

CURRENT				
DATE	CHECK #	PAID TO	AMOUNT	
05/17/13	9999	Payroll Account	37,780.89	(Manual)
05/28/13	26216	Aetna Inc	895.56	
05/28/13	26217	LINA	189.00	
05/28/13	26218	CenturyLink	1,307.24	
05/28/13	26219	CenturyLink	39.95	
05/28/13	26220	Ford Motor Credit Company	829.98	
05/28/13	26221	Horizon BC/BS of NJ	6,976.64	
05/28/13	26222	Horizon BC/BS of NJ	2,025.50	
05/28/13	26223	Horizon BC/BS of NJ	1,285.07	
05/28/13	26224	Horizon BC/BS of NJ	649.24	
05/28/13	26225	JCP&L	1,710.39	
05/28/13	26226	Verizon Business	97.58	
05/31/13	9999	Payroll Account	40,814.15	(Manual)
06/06/13	26227	US Postal Service	46.00	
06/10/13	26228	Allied Oil LLC	2,816.44	
06/10/13	26229	Another Lien, LLC	5,944.76	
06/10/13	26230	Braen Aggregates, LLC	1,090.17	
06/10/13	26231	CenturyLink		

			37.28
06/10/13	26232	D. Lovenberg's	390.00
06/10/13	26233	Deer Park Direct	6.27
06/10/13	26234	Dolan & Dolan Esqs.	93.90
06/10/13	26235	Finch Fuel Oil Company, Inc	1,230.00
06/10/13	26236	Garden State Tax Liens, LLC	74,448.50
06/10/13	26237	Global Waste Industries, Inc.	13,177.66
06/10/13	26238	Gordon, Stephen	60.98
06/10/13	26239	JCP&L	1,936.88
06/10/13	26240	Jan-Mar Alarm Company	24.20
06/10/13	26241	Laddey, Clark & Ryan	1,876.11
06/10/13	26242	Lame, James	330.00
06/10/13	26243	Matthew Bender & Co., Inc.	171.38
06/10/13	26244	Municipal Capital Corporation	295.00
06/10/13	26245	Municipal Software Inc	450.00
06/10/13	26246	NJ Division of Alcoholic Beverage	12.00
06/10/13	26247	Neopost Leasing	150.87
06/10/13	26248	New Jersey Herald	195.00
06/10/13	26249	North Jersey Garage Doors, LLC	200.00
06/10/13	26250	Ogdensburg Board of Education	185,183.00
06/10/13	26251	ProPay Inc	331.32
06/10/13	26252	Staples Business Advantage	170.13
06/10/13	26253	Statewide Insurance Fund	33,158.00
06/10/13	26254	Township of West Milford	12,307.83
06/10/13	26255	US Bank Cust/Emp IV Cap One	2,620.22
06/10/13	26256	Valley Vision Care, LLC	1,030.00
06/10/13	26257	Van Cleef Engineering Assoc. LLC	1,031.25
06/10/13	26258	Verizon Wireless	80.02
06/10/13	26259	Wallkill Valley Regional H.S.	73,934.44
06/10/13	26260	Winters Auto Parts, Inc	

330.61  
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431,166.37

78,595.04     Manual  
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509,761.41

WATER OPERATING

DATE	CHECK #	PAID TO	AMOUNT
05/28/13	4300	JCP&L	1,364.14
05/28/13	4301	State of New Jersey-PWT	100.99
05/28/13	4302	US Postal Service	189.00
06/06/13	4303	Agra Environmental Services	170.00
06/10/13	4304	Agra Environmental Services	160.00
06/10/13	4305	Capitol Supply Construction Products	1,967.58
06/10/13	4306	JCP&L	1,723.91
06/10/13	4307	One Call Concepts, Inc.	5.70
06/10/13	4308	Treasurer, State of New Jersey	500.00
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			6,181.32
			=====
			6,181.32

DOG FUND

DATE	CHECK #	PAID TO	AMOUNT
06/06/13	135	NJ Dept of Health & Senior Services	22.20
06/10/13	136	NJ Dept of Health & Senior Services	45.60
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			67.80
			=====
			67.80

MUNICIPAL ADMIN CHECKING

DATE	CHECK #	PAID TO	AMOUNT
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05/28/13	2025	State of New Jersey	8.06
06/10/13	2026	Another Lien, LLC	1,000.00
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			1,008.06
			=====
			1,008.06

GENERAL CAPITAL

DATE	CHECK #	PAID TO	AMOUNT
06/10/13	1026	Van Cleef Engineering Assoc. LLC	1,500.00
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			1,500.00
			=====
			1,500.00

PAYROLL

DATE	CHECK #	PAID TO	AMOUNT	
05/17/13	9999	Internal Revenue Service - 941	9,716.60	(Manual)
05/17/13	9999	Net Payroll/Direct Deposit	21,730.81	(Manual)
05/17/13	9999	State of NJ - Gross Income Tax	1,204.44	(Manual)
05/30/13	9999	Internal Revenue Service - 941	11,231.05	(Manual)
05/31/13	9999	Net Payroll/Direct Deposit	27,778.15	(Manual)
05/31/13	9999	State of NJ - Gross Income Tax	1,283.88	(Manual)
05/31/13	9999	Franklin Ogdensburg F.O.P.	420.00	(Manual)
06/10/13	232	AFLAC	512.04	
			-----	
			512.04	
			73,364.93	Manual
			=====	
			73,876.97	

DEVELOPERS ESCROW

DATE	CHECK #	PAID TO	AMOUNT
06/10/13	2023	Dolan & Dolan Esqs.	440.00
06/10/13	2024	Van Cleef Engineering Assoc. LLC	156.25
			-----
			596.25
			=====

596.25

GRANT FUND

DATE	CHECK #	PAID TO	AMOUNT
06/10/13	26261	Center for Prevention & Counseling	175.00
06/10/13	26262	Conklin, Lauren	87.00
06/10/13	26263	Gunderman, Cynthia	87.00
06/10/13	26264	Ogdensburg Recreation Association	500.00
06/10/13	26265	PAIVA, DONNA	40.00
06/10/13	26266	Spooner, Jeanette	412.73
06/10/13	26267	Van Cleef Engineering Assoc. LLC	500.00
			-----
			1,801.73
			=====
			1,801.73

Departmental finance reports were handed in for review.

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

Meeting adjourned at 8:56 p.m.

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Borough Clerk

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Mayor