

## REGULAR MEETING

MAY 12, 2014

The fifth 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 May 12, 2014. Mayor Ciasullo called the meeting to order at 7:00 p.m.

Upon roll call, the following Council members appeared and answered the call: Astor, Hutnick, McGuire, Opilla, Rizzo. Absent: Amodeo. Also in attendance was Borough Attorney, Richard Brigliadoro.

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 2, 2014.

Councilman Opilla moved, Councilman Astor seconded motion for approval of items listed on the Consent Agenda.

### **CONSENT AGENDA**

1. Approval of Minutes from Regular Meeting of April 14, 2014
2. Approval of Minutes from Work Session of April 28, 2014
3. Approval of Resolution for Tax Identification Statement
4. Approval of Resolution for Self Examination of Budget
5. Approval of Resolution for Bl. 30, Lot 3.022 overpayment from 2011 due State Tax Appeal
6. Approval of Resolution tax lien refund on Bl. 24, Lot 30
7. Approval of Resolution for tax lien refund on Bl. 3.04, Lot 2
8. Approval of Resolution for tax lien refund on Bl. 3.03, Lot 3
9. Approval of Resolution for tax lien refund on B. 14, Lot 7
10. Approval of Resolution Fixing the Salaries of Certain Officers & Employees of the Borough of Ogdensburg.

Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo.

Councilman Opilla moved, Councilman Astor seconded motion for adoption of 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 2013 in the amount of \$2,532.12. 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.

Tax Identification Statement certified by; Monica Goscicki

Name of Official: Monica Goscicki  
Title of Official: Certified Financial Officer  
Date: 5-12-14

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

Councilman Opilla moved, Councilman Astor seconded motion for adoption of the following resolution.

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Ogdensburg has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2014 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Ogdensburg that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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

Councilman Opilla moved, Councilman Astor seconded motion for adoption of the following resolution.

WHEREAS, the following overpayment from 2011 due State Tax Appeal:

Block	Lot	Name	Amount
30	3.022	AA-1 Self Storage LLC	\$4,210.38

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 above amounts to, AA-1 Self Storage LLC c/o McCarter & English, LLP, Four Gateway Center, 100 Mulberry Street, Newark, NJ 07102

Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo. Copy attached as Schedule 3.

Councilman Opilla moved, Councilman Astor seconded motion for adoption of the following resolution.

WHEREAS, Garden State Tax Liens, LLC, Stearns Bank National Association as Custodian, Stearns Bank NA, attn: Kim Wenning, 4191 2<sup>nd</sup> Street South, St. Cloud, MN 56301, has paid for a lien against Block 24 Lot 30, for the years 2008 - 2014 in the amount of \$31,000.32 with interest and statutory fees of \$10,689.17, cost of sale \$76.35 totaling \$41,765.84.

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 \$41,765.84 to Garden State Tax Liens, LLC, Stearns Bank National Associations as Custodian..

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

WHEREAS, Stonefield Investment Fund II, LLC, 21 Robert Pitt Dr. #202, Monsey, NY 10952, has paid for a lien against Block 3.04 Lot 2, for the years 2011, 2012, 2013 & 2014 in the amount of \$27,423.25 with interest and statutory fees of \$3,754.09, cost of sale \$100.00 plus Premium of \$7,300.00 totaling \$38,577.34.

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 \$38,577.34 to Stonefield Investment Fund II, LLC.

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

Councilman Opilla moved, Councilman Astor seconded motion for adoption of the following resolution.

WHEREAS, Another Lien LLC, 1 Vista Dr., Sparta, NJ 07871, has paid for a lien against Block 3.03 Lot 3, for the years 2011, 2012 , 2013 & 2014 in the amount of \$1,242.27 with interest and statutory fees of \$180.47, cost of sale \$15.00, plus Premium of \$300.00 totaling \$1,737.74.

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 \$1,737.74 to Another Lien LLC.

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

Councilman Opilla moved, Councilman Astor seconded motion for adoption of the following resolution.

WHEREAS, Another Lien LLC, 1 Vista Dr., Sparta, NJ 07871, has paid for a lien against Block 14 Lot 7, for the years 2012, 2013 & 2014 in the amount of \$4,526.82 with interest and statutory fees of \$423.21, cost of sale \$40.00, plus Premium of \$300.00 totaling \$5,290.03.

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 \$5,290.03 to Another Lien LLC.

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

Councilman Opilla moved, Councilman Astor seconded motion for adoption of the following resolution.

BE IT HEREBY RESOLVED by the Mayor and Common Council of the Borough of Ogdensburg that the following annual salaries or other compensation shall be in effect, beginning January 1, 2014

Borough Clerk -----	\$54,762.53
Administrator of Elections -----	28.08
Tax Collector-----	4,699.47
Assessment Search Officer-----	\$10 per search to \$1,000 maximum
Tax Search Officer-----	\$10 per search to \$1,000 maximum
Water Collector-----	per hour 14.79
Clerk Typist-----	per hour 15.30
Tax Assessor-----	19,430.85
Municipal Court Judge-----	21,690.18
Interim Municipal Court Administrator-----	per hour 25.00
(plus \$25.00-90.00 stipend court session and \$50.00 stipend call-out)	
Interim Deputy Court Administrator-----	per hour 18.00
(plus \$40 stipend call-out)	
Planning Board /Zoning Board Secretary/Administrator Officer--	per hour 16.09
(plus \$75.00 stipend for meetings)	
Secretary to Bd. of Health/Dept. Regist./Dept. Clerk /Recycling Coordinator	
-----	—per hour 16.40
School Crossing Guard -----	per day 45.76
Code Enforcement Officer-----	3,663.47
Zoning Official-----	3,663.47
Fire Official-----	3,663.47
Emergency Management Coordinator-----	2,500.00
Supervisor/Public Works -----	57,122.35

Public Works Repairer No.1-(includes stipend/mechanic \$3,000)-		42,209.43
Public Works Repairer No. 2-----		35,670.82
Public Works Repairer (part time)-----	per hour	15.00
Emergency Snow Driver-----	per hour	15.00
Supervising Water Plant Treatment Operator-----		8,502.58
Assistant Water Plant Treatment Operator-----	per hour	14.79
Recycling Attendant-----	per hour	14.00
Lifeguard-----	per hour	8.00 - 11.00
Substitute Lifeguard-----	per hour	10.00
Mayor-----		2,500.00
Council Member-----		2,000.00

FURTHER RESOLVED, that the overtime rate for Public Works Supervisor, Assistant Supervisor and Repairers shall be calculated according to Emergency Water System Repairs and Snow Removal Policy adopted on, October 24, 2011 as amended.

FURTHER RESOLVED, that the Longevity Plan for all full time employees of the Borough of Ogdensburg hired prior to January 1, 1996 will be paid annually on or about December 1, 2012, as follows:

5 years of Service:	4%
10 years of Service:	5%
15 years of Service:	6%
20 years of Service:	7%

The percentage rates for longevity pay will be frozen as of January 1, 1996.

Any new hire after January 1, 1996 will not be entitled to Longevity Pay.

FURTHER RESOLVED, January first of the year the employee is hired will be used to determine years of service.

FURTHER RESOLVED, this resolution supersedes any prior resolution.  
Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo. Copy attached as Schedule 8.

Mayor Ciasullo presented a Proclamation to the Ogdensburg First Aid Squad in recognition of First Aid Month.

OLD BUSINESS

Council spoke about the installation of meters. Installations are down to 120 residents and letters went out those who could not be contacted to inform them of their water being shut off. Councilman Hutnick went over information regarding the committees for the 100<sup>th</sup> Anniversary and what was established at the meetings he attended with the town organizations. Councilman McGuire mentioned that the PTA would like to do something and the PTO would like to do rides. Councilman McGuire spoke about different things the Borough could do for the kids and also having a Casino night. Council is looking at July 18 as a possible date for Casino night. Mayor Ciasullo discussed the Main Street Streetscape and informed Council that the work should be completed in about five weeks. The guard rail is back in and the hydrant has been fixed. The Mayor mentioned that some of the walkways to the houses had to be brought up to meet the sidewalks and everything is going good. Councilman McGuire informed Council that he has the quotes for the camera and is ready to go with the company who has done a demo for the Borough. An update was given on the street sweeping. They were scheduled for April and finally started to sweep last week.

NEW BUSINESS

Mayor Ciasullo announced that our attorney, Michael Garofalo is no longer practicing law so Richard Briigliodoro and Glen Kienz are both here tonight and will be working our first meetings

which are the second Monday of the month. Council will discuss some options and send out a RFP for law firms.

Councilman McGuire asked about the leaf and brush pickup for the past Friday and what happened. Supervisor of the Department of Public Works explained what happened and why there was no pick-up. A lot of complaints came in because the residents expected their leaves and brush to be pick up. There was a brief discussion on making someone the Assistant Supervisor so that when the Supervisor is out there is someone in charge. Mayor stated the work should be done with or without an Assistant Supervisor.

Councilman McGuire moved, Councilman Hutnick seconded motion to open the public session of the meeting. Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo.

Richard Predmore, 15 Predmore Road asked Mayor why private residents need new sidewalks to the homes. Mayor Ciasullo informed Mr. Predmore that the grades of the sidewalks have to be brought up to the proper grade with the street sidewalks. Kevin Kervatt, 176 Plant Street said he couldn't be more thrilled that the Borough is finally fixing up Main Street. Judy Perentin attended the meeting on behalf of her mother who resides at 335 Main St. Ms. Perentin wanted to let Council know that there is a sink hole by the end of her driveway on Adams that needs to be fixed. Resident asked if space was going to be rented at the firehouse field for vendors for the anniversary celebration. Councilman McGuire informed the resident that they were not going to rent out space for crafts. They would like it to be more of a community event. There was discussion on 51 Beardslee Hill Drive regarding a storm drain which needs to be fixed. The drain is broken and the water is now starting to wash away the owner's property. Mayor Ciasullo said he will speak to the Engineer about it. Mark L'Ecuyer, 211 Main Street mentioned that there seems to be a lot of water that comes down from Richards Street and was questioning where it comes from. There being no further business from the public, Councilman Opilla moved, Councilman Hutnick seconded motion to close the public session of the meeting. Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo.

Councilman Opilla moved, Councilman McGuire 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:

#### Contract issue and Personnel Issue

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: Astor, Hutnick, McGuire, Opilla, Rizzo.

At 8:12 p.m. Councilman Opilla moved, Councilman McGuire seconded motion to go into executive session to discuss a contract issue and a personnel issue. Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo.

After returning from executive session at 8:37 p.m. Councilman McGuire asked a question of the attorney regarding insurance coverage for spouse of employee who is not divorce but they are not living together. The attorney said he will look into it. Mayor Ciasullo spoke briefly about

the Court with shared services and our deputy court administrator. After speaking with several people in the Court system regarding different options, the Borough is going to advertise for a Court Administrator. The Mayor mentioned briefly about a letter received from a resident requesting permission to go on Borough property to get access to a tree on her property to be cut down. The property is the empty lot on Main Street. Mayor and Council were in agreement to grant permission. Mayor Ciasullo also spoke about water shut offs for residents.

Councilman McGuire moved, Councilman Astor seconded motion for review and payment of vouchers. Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo.

**CURRENT**

<b>DATE</b>	<b>CHECK</b>	<b>PAID TO</b>	<b>AMOUNT</b>
04/30/14	26869	Aetna Inc	1,467.40
04/30/14	26870	Allied Oil LLC	661.43
04/30/14	26871	LINA	189.00
04/30/14	26872	CenturyLink	1,352.16
04/30/14	26873	CenturyLink	101.45
04/30/14	26874	Ford Motor Credit Company	13.10
04/30/14	26875	Horizon BC/BS of NJ	745.72
04/30/14	26876	Horizon BC/BS of NJ	1,091.08
04/30/14	26877	Horizon BC/BS of NJ	2,429.41
04/30/14	26878	Horizon BC/BS of NJ	7,389.20
04/30/14	26879	JCP&L	1,672.03
04/30/14	26880	TASC	1,040.00
04/30/14	26881	Verizon Business	122.91
04/30/14	26882	Verizon Wireless	76.06
05/13/14	26883	AA-1 Self Storage	4,210.38
05/13/14	26884	Another Lien, LLC	4,990.03
05/13/14	26885	Another Lien, LLC	1,437.74
05/13/14	26886	Atlantic Communications	60.00
05/13/14	26887	B & R UNIFORM	129.85
05/13/14	26888	Blue Ridge Lumber Co.	5.97
05/13/14	26889	CNP Fittest of NJ, LLC	525.00
05/13/14	26890	D. Lovenberg's	214.00
05/13/14	26891	Deer Park Direct	8.56
05/13/14	26892	Dolan & Dolan Esqs.	185.22
05/13/14	26893	Drouin, Phyllis	91.74
05/13/14	26894	Finch Fuel Oil Company, Inc	991.89
05/13/14	26895	Galls, LLC	207.26
05/13/14	26896	Gann Law Books	110.00
05/13/14	26897	Garden State Tax Liens, LLC	41,765.84
05/13/14	26898	Gempler's	443.60
05/13/14	26899	Global Waste Industries, Inc.	13,176.82
05/13/14	26900	Grass Roots Turf Products, INc.	1,602.05
05/13/14	26901	JCP&L	2,157.93
05/13/14	26902	Jan-Mar Alarm Company	24.20
05/13/14	26903	Kuiken Brothers	28.00
05/13/14	26904	Laddey, Clark & Ryan	400.00
05/13/14	26905	Municipal Capital Corporation	295.00
05/13/14	26906	NJ League of Municipalities	45.00
05/13/14	26907	Neopost Leasing	150.87
05/13/14	26908	New Jersey Herald	123.71

05/13/14	26909	Ogdensburg Board of Education	188,883.00
05/13/14	26910	Petro-Mechanics, Inc	1,159.73
05/13/14	26911	Petty Cash Fund	78.53
05/13/14	26912	Public Employee's Retirement System	523.45
05/13/14	26913	Redshaw's Flower Shop	105.00
05/13/14	26914	Richard F. Bird Associates	2,174.00
05/13/14	26915	Space Farms Zoo & Museum	31.00
05/13/14	26916	Staples Business Advantage	344.01
05/13/14	26917	Stonefield Investment Fund II, LLC	31,277.34
05/13/14	26918	Sussex County Treasurer	242,672.93
05/13/14	26919	Sussex County Treasurer	6,805.35
05/13/14	26920	Sussex County Treasurer	16,229.23
05/13/14	26921	Sussex County Treasurer	1,221.55
05/13/14	26922	Tony's Concrete Construction Company	3,000.00
05/13/14	26923	Township of Sparta, Police Dept	12,904.25
05/13/14	26924	Treasurer State of NJ	60.00
05/13/14	26925	Van Cleef Engineering Assoc. LLC	187.50
05/13/14	26926	Verizon Wireless	108.34
05/13/14	26927	Wallkill Valley Regional H.S.	77,077.17
05/13/14	26928	William J. Mandara Assoc.	154.00
05/13/14	26929	Winters Auto Parts, Inc	84.58
			<hr/>
			676,812.57
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**GRANT FUND**

DATE	CHECK	PAID TO	AMOUNT
04/28/14	26868	US Postal Service	198.00
05/13/14	26930	Boslough, David J	1,250.00
05/13/14	26931	Gibson, Connie	154.46
05/13/14	26932	Goscicki, Monica	216.50
			<hr/>
			1,818.96
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**ADMIN TRUST**

DATE	CHECK	PAID	AMOUNT
05/13/14	2033	Another Lien, LLC	300.00
05/13/14	2034	Another Lien, LLC	300.00
05/13/14	2035	Stonefield Investment Fund, II	7,300.00
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			7,900.00
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**WATER OPERATING**

DATE	CHECK #	PAID TO	AMOUNT
05/13/14	4375	Agra Environmental Services	45.00
05/13/14	4376	JCP&L	1,449.27



05/13/14	4377	One Call Concepts, Inc.	15.86
05/13/14	4378	Smith Tractor & Equipment, Inc.	148.92
05/13/14	4379	Staples Business Advantage	47.07
05/13/14	4380	Winters Auto Parts, Inc	<u>311.87</u>
			<u><u>2,017.99</u></u>

**DOG FUND**

<b>DATE</b>	<b>CHECK</b>	<b>PAID TO</b>	<b>AMOUNT</b>
05/13/14	150	NJ Dept of Health & Senior Service	<u>97.80</u>
			<u><u>97.80</u></u>

**General Capital**

<b>DATE</b>	<b>CHECK</b>	<b>PAID TO</b>	<b>AMOUNT</b>
05/13/14	1044	Van Cleef Engineering Assoc. LLC	<u>1,380.00</u>
			<u><u>1,380.00</u></u>

Departmental Finance Reports were handed in for review.

Councilman Astor informed Mayor and Council that Lafayette has a trailer available if the Department of Public Works is interested. The only draw back is that it needs about \$2,000 in repairs. Councilman Astor will check with the Supervisor of DPW.

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

Meeting adjourned at 9:05 p.m.

\_\_\_\_\_  
Borough Clerk

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Mayor