

REGULAR MEETING  
APRIL 13, 2015

The fourth 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 April 13, 2015. 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, McGuire, Hutnick, Opilla, Rizzo, Slater (arrived at 7:28 pm). Also in attendance was Borough Attorney Richard Briigliodoro.

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 5, 2015.

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

1. Approval of Minutes from the Regular Meeting of March 9, 2015
  2. Approval of Minutes from the Special Meeting of March 12, 2015
  3. Approval of Minutes from the Work Session of March 23, 2015
  4. Approval of Raffle License No. 527 for a 50/50 to be held on September 13, 2015 by St. Thomas of Aquin RCC.
  5. Approval of Resolution for Tax Lien refund Bl. 3.08, Lot 6
  6. Approval of Resolution for Tax Lien refund Bl. 10, Lot 1
  7. Approval of Resolution for the 5K Run to be held on June 20, 2015
  8. Approval of Resolution for appointment of Emergency Management Coordinator
- Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo.

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

WHEREAS, Another Lien, LLC has paid for lien against Block 3.08, Lot 6 for year(s) 2013 in the amount of \$543.85, with interest and statutory fees of \$63.18, cost of sale \$15.00 plus premium return of \$1,300.00, with total of \$1,922.03 for Certificate # 2014-006 and

WHEREAS, the homeowner paid the lien on said Block 3.08, Lot 6.

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 \$1,922.03 to Another Lien, LLC.

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

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

WHEREAS, Another Lien LLC, 1 Vista Dr., Sparta, NJ 07871, has paid for a lien against Block 10 Lot 1, for the years 2013 & 2014 in the amount of \$13,080.44 with interest and statutory fees of \$852.54, cost of sale \$56.36 plus premium return of \$300.00 Total \$14,289.34, Certificate # 2014-009.

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

\$14,289.34 to Another Lien LLC. Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo. Copy attached as Schedule 2.

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

WHEREAS the Ogdensburg First Aid Squad is sponsoring an Ogdensburg 5 K Fun Run and Race on Saturday, June 20, 2015. This race is known as a Major Race in a Miner Town.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg to endorse the Ogdensburg 5K Fun Run and Race for 2015 to be held on Saturday, June 20, 2015 pending all County requirements are met.

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

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

BE IT HEREBY RESOLVED by the Common Council of the Borough of Ogdensburg that Steven Ciasullo be appointed Emergency Management Coordinator at an annual salary of \$2,500.

BE IT FURTHER RESOLVED that this appointment is for a three-year term retro-active as of January 1, 2015.

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

Councilman McGuire moved, Councilman Astor seconded motion to open the public hearing on the 2015 Municipal Budget. Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo.

Borough Auditor, Thomas Ferry attended the meeting to presented information for the public hearing on the 2015 Budget. Mr. Ferry mentioned that one point is equal to \$19,721.05 and the amount to be raised by taxation is \$2,147,278.00. Mr. Ferry went through each page of the Budget Analysis for Mayor and Council. Mr. Ferry also went over the Water Utility and mentioned that rents have gone up by \$42,831.00. After Mr. Ferry was done with his presentation the Mayor asked the public if anyone had any questions regarding the Budget.

There being no questions from the public, Councilman McGuire moved, Councilman Astor seconded motion to close the public hearing. Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo.

Council had a brief discussion on when the adoption of the budget would take place and decided on April 20, 2015 at 8:00 p.m. There also was discussion on refinancing of outstanding municipal water loans. The current percentage rates that are in effect are 5.8% and 5.0%. The amount to be refinanced is \$1,770,981.18. The procedure should take approximately two months.

Councilman McGuire moved, Councilman Opilla seconded motion to introduce an ordinance entitled **AN ORDINANCE AMENDING THE SALARIES OF THE POLICE OFFICERS OF THE BOROUGH OF OGDENSBURG THEREFORE** on first reading. Public hearing is scheduled for April 27, 2015.

BE IT ORDAINED by the Mayor and Common Council of the Borough of Ogdensburg that:

1. The following salaries for the Police officers hereinafter set forth for the year 2015 beginning January 1<sup>st</sup>, and each year thereafter until amended or repealed, are hereby established and fixed as the salary to be paid for the offices wherein the salaries are set at fixed figures, and for the offices wherein a minimum and maximum range is set for the salaries, the salaries shall be paid to the holder of said offices within the minimum and maximum range set by resolution of the Mayor and Common Council, to wit:

Sergeant-----	75,364.00	125,000.00
Patrolman -----	30,000.00	120,000.00

2. The aforesaid salary ranges shall take effect as of January 1, 2015, and shall be paid at the times and in the manner established by resolution of the Borough Council for the payment of said salaries.

3. Overtime pay for Borough employees shall be determined by Article XIV, Section D of the Borough Employee’s manual.

4. As of January 1, 2015, a Salary Guide for the Ogdensburg Police Department shall be negotiated as accepted Police Contract.

5. Bonuses, if any, shall be paid at the discretion of the Mayor and Council

6. All prior salary ordinances adopted by the Borough of Ogdensburg and any other ordinance or ordinances or portions thereof that may be inconsistent with the provisions of this ordinance are hereby rescinded.

7. This ordinance shall become effective upon adoption and publication according to law.

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

Councilman McGuire moved, Councilman Astor seconded motion to introduce an ordinance entitled **AN ORDINANCE PERMITTING THE BOROUGH OF OGDENSBURG TO ACQUIRE TITLE TO REAL PROPERTY KNOWN AND DESIGNATED AS BLOCK 28, LOT 4.03 ON THE TAX ASSESSMENT MAP OF THE BOROUGH OF OGDENSBURG** on first reading. Public hearing is scheduled for April 27, 2015.

**WHEREAS**, pursuant to the Local Lands and Buildings Law under N.J.S.A. 40A:12-1 et. seq. a municipality has the right to acquire real property; and

**WHEREAS**, pursuant to Ordinance No. 9-90, the Borough of Ogdensburg conveyed to Lt. Robert A. Madden V.F.W. Post 10152 (“V.F.W.”) title to real property known and designated as Block 28, Lot 4.03 on the tax assessment map of the Borough of Ogdensburg (“the Property”) on July 11, 1990; and

**WHEREAS**, the Deed for the property was recorded in the office of the Sussex County Clerk on August 21, 1990 in Deed Book 1748 page 072 (“the Deed”); and

**WHEREAS**, the Deed contains a restriction that the lands shall be used only for the purpose of the Lt. Robert A. Madden V.F.W. Post 10152 and not for commercial business, trade or manufacture and in the event said lands are not used in accordance with this limitation, title thereto shall revert to the Borough of Ogdensburg without any entry or re-entry made thereon on behalf to the Borough of Ogdensburg; and

**WHEREAS**, the V.F.W. no longer has a need to own the Property; and

**WHEREAS**, the V.F.W. intends to convey the real property to the Borough of Ogdensburg; and

**WHEREAS**, the Borough of Ogdensburg has determined that it is in the public interest that the Borough of Ogdensburg acquire title to the Property known and designated as Block 28, Lot 4.03 on the tax assessment map of the Borough of Ogdensburg.

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Borough of Ogdensburg, located in Sussex County, State of New Jersey:

1. The Mayor and Council of the Borough of Ogdensburg hereby authorize and direct the Mayor, Borough Clerk, Borough Attorney and such other officials, employees and agents of the Borough as may be necessary to prepare and execute any and all

documents and to perform all acts necessary in order for the Borough of Ogdensburg to acquire title to real property designated as Block 28, Lot 4.03 on the tax assessment map of the Borough of Ogdensburg.

2. The V.F.W. has offered the subject property to the Borough of Ogdensburg for no consideration.
3. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.
4. All ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency.
5. This ordinance shall take effect after final passage, adoption and publication according to law.

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

#### OLD BUSINESS

Regarding the work to be done at Heaters Pond Mayor Ciasullo mentioned that right now he is waiting for numbers and hopes to have some information for the next meeting. Regarding the Water Booster station on Edison Rd. Mayor Ciasullo informed Council that he met with the Engineer and Rob Lawler to inspect the building and machinery. Everything is functional and he feels there is no reason to down size. The building itself may need to be resurfaced. The valves on Edison need to be fixed and will be getting quotes for the job.

Water meters update was given by Councilman Opilla. There are some curb boxes on Beardslee Hill Road that need to be fixed and some meters that need to get back on the schedule for replacement. Tax lien update shows that the Borough has not received any response from a letter that was sent to the original home owner for paying back some of the lien that was incorrectly stated, therefore, the Borough will have to pay the amount. The Mayor briefly stated that the Borough has made a counter offer to West Milford for a shared service but has not heard back yet. Councilman Astor mentioned that nothing has changed for the cost of the truck. The backhoe has been ordered and should arrive sometime in May. It was also mentioned that the door for the Water Department has been replaced.

#### NEW BUSINESS

Mayor went over a letter that was sent to the employees regarding Chapter 78. Councilwoman Slater mentioned that a new shed will be put up by the baseball field. It was also mentioned that there is a problem with people parking in no parking areas. People are parking by the railing which is not allowed. The barrier that was by the playground has been knocked down and needs to be put back up. Also there are problems with the older kids smoking by the playground and using foul language. The police will be patrolling the area more often. Councilman Hutnick informed Mayor and Council that he spoke with the Fire Department regarding hydrant flushing and was told that the Department of Public Works does the flushing. The Mayor mentioned that if the Borough decides to flush the hydrants it has to be done strategically. It hasn't been done lately and a decision will be made as to whether to do it or not. Councilman McGuire mentioned the codification of ordinances needs to be worked on and will resume in the near future. Councilwoman Rizzo informed Mayor and Council that Officer Lane requested permission to use the south parking area of the Ogdensburg Fire Department to conduct a car wash to raise fund for the Annual Special Olympics Law Enforcement Torch Run on June 5, 2015. The car wash is scheduled for May 9<sup>th</sup> with a rain date of May 30, 2015.

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

Sergeant Gordon spoke about people parking along the railing up at the Firehouse and it was suggested to have an ordinance done designating where parking is and is not allowed. Jean Castimore, 62 Main Street asked about the dates for the leaf and brush pickup and street sweeping. It was mentioned that street sweeping will be the end of May. Council mentioned that they will be looking into buying a sweeper. 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, Slater.

Councilman McGuire moved, Councilman Astor 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:

Contracts

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, Slater.

At 8:28 p.m. Councilman McGuire moved, Councilman Astor seconded motion to go into executive session to discuss contracts.

At 8:48 p.m. after returning from executive session, Councilman McGuire moved, Councilman Opilla seconded motion for review and approval of vouchers. Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo, Slater.

**Current Fund**

DATE	CHECK #	PAID TO	AMOUNT
03/30/15	27514	LINA	175.50
03/30/15	27515	CenturyLink	1,508.81
03/30/15	27516	CenturyLink	94.64
03/30/15	27517	Horizon BC/BS of NJ	9,121.85
03/30/15	27518	Horizon BC/BS of NJ	770.83
03/30/15	27519	Horizon BC/BS of NJ	1,577.00
03/30/15	27520	Horizon BC/BS of NJ	1,710.06
03/30/15	27521	JCP&L	3,926.79
03/30/15	27522	Verizon Business	130.69
03/30/15	27523	Verizon Wireless	32.32
04/14/15	27525	Allied Oil LLC	

			287.86
04/14/15	27526	Another Lien, LLC	13,989.34
04/14/15	27527	Another Lien, LLC	622.03
04/14/15	27528	Atlantic Communications	1,759.09
04/14/15	27529	Ayers Chevrolet Inc.	495.88
04/14/15	27530	B & R UNIFORM	274.05
04/14/15	27531	Gallagher Bollinger	659.00
04/14/15	27532	Central Parts Warehouse	182.46
04/14/15	27533	Certified Valuations, Inc	81.25
04/14/15	27534	Danforth's	179.47
04/14/15	27535	Deer Park Direct	38.41
04/14/15	27536	Dover Brake & Clutch Co., Inc	187.92
04/14/15	27537	Draeger Safety Diagnostics, Inc.	240.00
04/14/15	27538	Eastern Propane Corp	4,334.00
04/14/15	27539	Elizabethtown Gas	2,782.16
04/14/15	27540	Employee Data Forms of MO LLC	23.00
04/14/15	27541	Falcon Cleaning	675.00
04/14/15	27542	Finch Fuel Oil Co., Inc.	981.15
04/14/15	27543	Fire Fighter One LLC	4,565.80
04/14/15	27544	G&G Diesel Service, Inc	432.11
04/14/15	27545	Global Waste Industries, Inc.	13,036.12
04/14/15	27546	Hamburg Plumbing Supply Co	65.31
04/14/15	27547	JCP&L	3,725.93
04/14/15	27548	Johnny on the Spot, LLC	356.45
04/14/15	27549	Laddey, Clark & Ryan	400.00
04/14/15	27550	Lame, James	519.98
04/14/15	27551	MCAA of NJ	225.00
04/14/15	27552	MGL Printing Solutions	101.00
04/14/15	27553	Marlin Business Bank	649.02
04/14/15	27554	Morris County Registrar's Assoc.	30.00

04/14/15	27555	Morton Salt, Inc.	10,638.22
04/14/15	27556	Morton Salt, Inc.	10,919.09
04/14/15	27557	Municipal Capital Corporation	590.00
04/14/15	27558	Municipal Record Service	91.00
04/14/15	27559	NJ Planning Officials	315.00
04/14/15	27560	Neopost Leasing	165.37
04/14/15	27561	New Jersey Herald	102.90
04/14/15	27562	Newton Trophy & Sport Center LLC	93.00
04/14/15	27563	North Church Gravel, Inc.	2,013.45
04/14/15	27564	Ocean Place Resort and Spa	195.48
04/14/15	27565	Ogdensburg Board of Education	205,123.00
04/14/15	27566	ProPay Inc	149.75
04/14/15	27567	Redshaw's Flower Shop	91.50
04/14/15	27568	Ross, Chris	532.28
04/14/15	27569	Space Farms Zoo & Museum	31.00
04/14/15	27570	Staples Business Advantage	216.65
04/14/15	27571	Staples Business Advantage	288.55
04/14/15	27572	Staples Business Advantage	276.29
04/14/15	27573	Struble, Jim	30.00
04/14/15	27574	Susan Ciasullo	28.80
04/14/15	27575	TRI STATE PAPER & CLEANING SUPPLIES	171.80
04/14/15	27576	Tony Sanchez Ltd.	377.52
04/14/15	27577	Treasurer State of NJ	60.00
04/14/15	27578	Valley Vision Care, LLC	34.56
04/14/15	27579	Van Cleef Engineering Assoc. LLC	187.50
04/14/15	27580	Verizon Wireless	32.32
04/14/15	27581	Vital Communications, Inc	182.29
04/14/15	27582	Wallkill Valley Regional H.S.	96,549.92
04/14/15	27583	Weiner Lesniak LLP	2,009.41
04/14/15	27584	Weiner Lesniak LLP	

			192.00
04/14/15	27585	Weiner Lesniak LLP	1,841.48
04/14/15	27586	Weiner Lesniak LLP	272.00
04/14/15	27587	Winters Auto Parts, Inc	867.01
04/14/15	27588	Wottle, Dennis	<u>30.00</u>
			<u><u>405,646.42</u></u>

**Admin trust**

DATE	CHECK #	PAID TO	AMOUNT
04/14/15	2063	Another Lien, LLC	300.00
04/14/15	2064	Another Lien, LLC	<u>1,300.00</u>
			<u><u>1,600.00</u></u>

**Payroll**

DATE	CHECK	PAID TO	AMOUNT
03/11/15	285	Prudential Retirement	127.89
03/20/15	286	Prudential Retirement	127.89
03/20/15	13541	Franklin Ogdensburg F.O.P.	420.00
04/02/15	287	Prudential Retirement	127.89
04/14/15	288	AFLAC	<u>224.76</u>
			<u><u>1,028.43</u></u>

**Vernon RCA**

DATE	CHECK	PAID TO	AMOUNT
04/14/15	119	Sussex County Clerk	<u>47.00</u>
			<u><u>47.00</u></u>

**Dog Fund**

DATE	CHECK	PAID TO	AMOUNT
04/14/15	164	NJ Dept of Health & Senior Service	<u>59.40</u>

59.40

**Water Capital**

DATE	CHECK	PAID TO	AMOUNT
04/14/15	1029	Rogut McCarthy LLC	<u>237.46</u>
			<u>237.46</u>

**General Capital**

DATE	CHECK #	PAID TO	AMOUNT
04/14/15	1058	Rogut McCarthy LLC	<u>474.92</u>
			<u>474.92</u>

**Water operating**

DATE	CHECK #	PAID TO	AMOUNT
03/30/15	4445	JCP&L	1,535.22
04/14/15	4446	Agra Environmental Services	95.00
04/14/15	4447	Hach Company	342.48
04/14/15	4448	Hamburg Plumbing Supply Co	1.17
04/14/15	4449	Hank Sanders Inc	5,859.00
04/14/15	4450	JCP&L	2,660.65
04/14/15	4451	Jackie Ward	36.00
04/14/15	4452	Staples Business Advantage	91.26
04/14/15	4453	State of New Jersey-PWT	<u>96.39</u>
			<u>10,717.17</u>

**Grant Funds**

DATE	CHECK	PAID TO	AMOUNT
03/30/15	27524	Jeanette Spooner	80.37
04/14/15	27589	George Hutnick	52.00

04/14/15	27590	Goscicki, Monica	36.96
04/14/15	27591	Jeanette Spooner	<u>34.68</u>
			<u><u>204.01</u></u>

Departmental finance reports were handed in for review.

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

Meeting adjourned at 8:49 p.m.

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Borough Clerk

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Mayor