

REGULAR MEETING
FEBRUARY 9, 2015

The second 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 February 9, 2015. Council President Peter Opilla 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. Also in attendance was Borough Attorney Richard Briigliadoro.

Notice requirements of the Open Public Meeting Act N.J.S.A. 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 Astor moved, Councilwoman Rizzo seconded motion for approval of items listed on the Consent Agenda.

CONSENT AGENDA

1. Approval of Findings & Determination and Raffle Application # 522 for a Raffle to be held on January 1, 2016 by Karen Ann Quinlan Charitable Foundation.
 2. Approval of Resolution for Transfer of Appropriations (2014 Water Budget).
 3. Approval of Resolution for Transfer of Appropriations (2014 Municipal Budget).
 4. Approval of Resolution for Municipal Alliance Grant for 2015.
 5. Approval of Resolution for Appointing Municipal Alliance Committee Members.
 6. Approval of Resolution for 2015 Temporary Capital Budget
- Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo, Slater.

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

BE IT RESOLVED by the Mayor Council of the Borough of Ogdensburg that the following Transfer of Appropriations (2014 Water Budget) in accordance with N.J.S. 40A 4-58 be and is hereby approved.

SALARIES & WAGES

FROM:

TO:

Water S&W 05-203-55-500-510 200.00

OTHER EXPENSES

FROM:

TO:

Water O/E 01-203-55-500-520 200.00

TOTAL

200.00

200.00

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

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

BE IT RESOLVED by the Council of the Borough of Ogdensburg that the following transfer of Appropriations (2014 Municipal Budget) in accordance with N.J.S. 40A 4-58 be and is hereby approved.

SALARIES & WAGES

FROM:

TO:

Clerk 01-203-20-120-010	\$986.76
Assessing 01-203-20-150-010	\$377.38
Roads 01-203-26-290-010	\$3,022.14
Court 01-203-43-490-010	\$984.09

OTHER EXPENSES

FROM:

TO:

Liability Ins. 01-203-23-210-020	\$5,670.37	Telephone 01-203-31-440-020	\$300.00
Legal 01-203-20-155-020	\$1,070.00	Natural Gas 01-203-31-448-020	\$1,070.00

TOTAL

\$6,740.37

\$6,740.37

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

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

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Borough Council of the Borough of Ogdensburg, County of Sussex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Sussex.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Ogdensburg, County of Sussex, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Ogdensburg Municipal Alliance grant for fiscal year 2015 in the amount of :

DEDR \$2,993.00

Cash Match 748.00

In-Kind 2,245.00

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

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

BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Ogdensburg to appoint the following to the Ogdensburg Municipal Alliance.

<u>Individual Representative</u>	<u>Sector</u>
George Hutnick/Council Member	Mayor/Governing Body
Jeanette Spooner	Parent-Teachers Association
Jean Castimore	Private Citizen
Connie Gibson/Church Secretary-St. Thomas Of Aquin	Faith Based Organizations
Monica Goscicki/ Coordinator	Parents & others directly affected by ATOD abuse or juvenile delinquency
Patricia Sabourin/Chairperson	Prevention/Treatment Organization
Maryanne Allen	Concerned Citizen

BE IT FURTHER RESOLVED that this resolution be effective as of February 9, 2015.
Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo, Slater. Copy attached as Schedule 4.

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

WHEREAS, the Borough of Ogdensburg desires to constitute the 2015 Temporary Capital Budget of said municipality by inserting therein the following project.

NOW, THEREFORE BE IT RESOLVED by the Council of the Borough of Ogdensburg as follows:

Section 1. The 2015 Temporary Capital Budget of the Borough of Ogdensburg is hereby constituted by the adoption of the schedule to read as follows:

Temporary Capital Budget of the							
Borough of Ogdensburg							
County of Sussex, New Jersey							
Projects Scheduled for 2015							
Method of Financing							
<u>Project</u>	<u>Est. Costs</u>	<u>Grants</u>	<u>Budget</u>	<u>Capital</u>	<u>Capital</u>	<u>Debt</u>	
			<u>Appr.</u>	<u>Imp.</u>	<u>Surplus</u>	<u>Authorized</u>	
			<u>Fund</u>	<u>Fund</u>			
Acquisition of a new Backhoe	\$89,000			\$5,000			\$84,000

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services Department of Community Affairs, State of New Jersey, within three days after the adoption of this project for 2015 Temporary Capital Budget, to be included in the 2015 Permanent Capital Budget as adopted.
Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo, Slater. Copy attached as Schedule 5.

Councilman McGuire moved, Councilman Opilla seconded motion to introduce an ordinance entitled **AN ORDINANCE AMENDING THE SALARY OF THE TAX COLLECTOR OF THE BOROUGH OF OGDENSBURG THEREFORE** on first reading.

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

1. Pursuant to N.J.S.A. 40A:9-141, the following salary for the Tax Collector hereinafter set forth for the year 2015 beginning January 1st, is hereby established as follows:

Salary Range

Tax Collector----- \$4,000.00 \$7,500.00

2. 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.
3. The Mayor and Council shall set the hours of operation of the Office of the Borough Tax Collector by resolution, in accordance with N.J.S.A. 40A:9-141
4. This ordinance shall become effective upon adoption and publication according to law. Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo, Slater. Copy attached as Schedule 6.

Councilman Astor moved, Councilman McGuire seconded motion to introduce a Bond Ordinance entitled **BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF A NEW BACKHOE IN, BY AND FOR THE BOROUGH OF OGDENSBURG, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$89,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS** on first reading.

BE IT ORDAINED by the Borough Council of the Borough of Ogdensburg, in the County of Sussex, State of New Jersey, as follows:

Section 1. The Borough of Ogdensburg, in the County of Sussex, State of New Jersey (the "Borough") is hereby authorized to acquire new additional or replacement equipment and machinery consisting of a backhoe for the use of the Department of Public Works in, by and for the Borough. Said improvement shall include all work, materials and appurtenances necessary and suitable therefore.

Section 2. The sum of \$89,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the total estimated cost of said purpose is \$89,000, and (4) \$5,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$84,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$4,000 which is estimated to

be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$5,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purpose. The sum of \$5,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$84,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$84,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of fifteen years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$84,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Sussex, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as

approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 12. The Borough intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 13. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

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

OLD BUSINESS

Councilman Opilla discussed the water infrastructure for the town and brought up the idea of having a proposal sent out to people in the industry so one company can come in to do all the work that needs to be done rather than having it done piecemeal. Council would like to get the work going for the second quarter of the year. Further discussion will be forth coming.

NEW BUSINESS

Council discussed dates for budget meetings. The first meeting will be held on January 26th at 6:00 p.m. Councilman Astor discussed changing the procedure and policy for call outs for the Department of Public Works. At present the Police notify the DPW and it will continue until the situation is resolved. Councilman Hutnick updated Council on the repair of the fire truck. The cost to replace the radiator is \$8,000.

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

Kathy Armstrong, owner of the Boro Pub asked if she could obtain a one day liquor license for an anniversary celebration to be held on May 2, 2015 during the day. Jackie Espinoza, Area Manager from JCP&L, attended the meeting to discuss a survey asking if municipal officials would be interested in receiving outage information and if the Borough has had any problems.

There being no further information from the public, Councilman McGuire moved, Councilman Opilla 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:

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.

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

At 7:38 p.m. Councilman McGuire moved, Councilman Astor seconded motion to go into executive session to discuss the police contract. Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo, Slater.

After returning from executive session at 7:42 p.m. Councilman Astor moved, Councilman McGuire seconded motion for review and approval of vouchers. Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo, Slater.

Current

DATE	CHECK	PAID TO	AMOUNT
01/14/15	27392	Dover Brake & Clutch Co., Inc	499.27
01/30/15	27393	LINA	175.50
01/30/15	27394	CenturyLink	1,500.49
01/30/15	27395	CenturyLink	97.65
01/30/15	27396	Elizabethtown Gas	680.03
01/30/15	27397	Finch Fuel Oil Co., Inc.	1,568.64
01/30/15	27398	Horizon BC/BS of NJ	9,121.85
01/30/15	27399	Horizon BC/BS of NJ	3,420.12
01/30/15	27400	JCP&L	3,613.63
01/30/15	27401	Marlin Business Bank	324.51
01/30/15	27402	Neopost Leasing	165.37
01/30/15	27403	Verizon Business	134.38
02/10/15	27404	Acclaim Inventory, LLC	500.00
02/10/15	27405	Allied Oil LLC	726.36
02/10/15	27406	B & R UNIFORM	1,479.95
02/10/15	27407	Blue Ridge Lumber Co.	44.98
02/10/15	27408	Blue Ridge Lumber Co.	25.83
02/10/15	27409	Deer Park Direct	4.97
02/10/15	27410	Dell Marketing L.P.	909.61
02/10/15	27411	Draeger Safety Diagnostics, Inc.	165.00
02/10/15	27412	Falcon Cleaning	300.00
02/10/15	27413	Fedex	89.82
02/10/15	27414	Global Waste Industries, Inc.	13,004.90
02/10/15	27415	Goodyear Auto Service Center	1,006.42
02/10/15	27416	JCP&L	2,170.34
02/10/15	27417	Jan-Mar Alarm Company	24.20
02/10/15	27418	Laddey, Clark & Ryan	400.00
02/10/15	27419	MGL Printing Solutions	61.00
02/10/15	27420	Maglocen	400.00
02/10/15	27421	Michael T. Ward, DMD	1,000.00
02/10/15	27422	MicroSystems-NJ.com, LLC	1,800.00
02/10/15	27423	Municipal Software Inc	5,869.40
02/10/15	27424	NJ League of Municipalities	328.00
02/10/15	27425	New Jersey Herald	334.50
02/10/15	27426	Ogdensburg Board of Education	210,772.00

02/10/15	27427	ProPay Inc	687.57
02/10/15	27428	Randolph Township	1,250.00
02/10/15	27429	Space Farms Zoo & Museum	31.00
02/10/15	27430	Susan Ciasullo	69.50
02/10/15	27431	Sussex County Municipal Clerk Assoc	60.00
02/10/15	27432	Sussex County Municipal Utility	447.60
02/10/15	27433	Sussex County Treasurer	234,259.54
02/10/15	27434	Sussex County Treasurer	7,980.40
02/10/15	27435	Sussex County Treasurer	17,607.16
02/10/15	27436	Sussex County Treasurer	1,148.34
02/10/15	27437	Tony Sanchez Ltd.	81.41
02/10/15	27438	Valley Vision Care, LLC	130.00
02/10/15	27439	Van Cleef Engineering Assoc. LLC	125.00
02/10/15	27440	Verizon Wireless	32.32
02/10/15	27441	Wallkill Valley Regional H.S.	96,549.92
02/10/15	27442	Weiner Lesniak LLP	923.76
02/10/15	27443	Weldon Asphalt	850.13
02/10/15	27444	William J. Mandara Assoc.	145.00
02/10/15	27445	Winters Auto Parts, Inc	204.20
			<u>625,301.57</u>

Dog Fund

DATE	CHECK	PAID TO	AMOUNT
02/10/15	162	NJ Dept of Health & Senior Service	<u>175.80</u>
			<u>175.80</u>

Grant

DATE	CHECK	PAID TO	AMOUNT
02/10/15	27446	Center for Prevention & Counseling	<u>150.00</u>
			<u>150.00</u>

Vernon RCA

DATE	CHECK	PAID TO	AMOUNT
02/10/15	116	BGW Home Improvement	18,935.00
02/10/15	117	Excell Contracting LLC	<u>20,000.00</u>
			<u>38,935.00</u>

Water Operating

DATE	CHECK	PAID TO	AMOUNT
01/30/15	4434	JCP&L	2,947.04
02/10/15	4435	JCP&L	1,992.68
02/10/15	4436	Municipal Software Inc	1,440.00

02/10/15	4437	New Jersey Water Association	325
02/10/15	4438	One Call Concepts, Inc.	2.44
02/10/15	4439	Tomahawk Electric, LLC	1,325.00
02/10/15	4440	Treasurer, State of New Jersey	<u>3,880.00</u>
			<u><u>11,912.16</u></u>

Departmental Finance reports were handed in for review.

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

Meeting adjourned at 7:45 p.m.

Borough Clerk

Mayor