

REGULAR MEETING
JUNE 13, 2016

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 13, 2016. 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 and Slater. 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 4, 2016.

Councilman McGuire moved, Councilman Opilla seconded motion to approve items on the Consent Agenda.

1. Approval of Minutes from the Regular Meeting of May 9, 2016
2. Approval of Minutes from the Work Session Meeting of May 23, 2016
3. Approval of Resolution to Authorize the Execution of an Agreement with the Morris County Cooperative Pricing Council for the Period of October 1, 2016 through September 30, 2021.
4. Approval of Resolution for Hiring Lifeguards for the 2016 Swim Season
5. Approval of Resolution for the Annual Report of Audit for the 2015
6. Approval of Resolution for the Corrective Action Plan
7. Approval of Resolution for a Tax Lien Redemption on Bl.4, Lot,17
8. Approval of Resolution for a proposal/contract between the Borough of Ogdensburg and Aquatic Analysts for the 2016 Season
9. Approval of Resolution for 2016-2017 Liquor Licenses

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

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

WHEREAS, the Morris County Cooperative Pricing Council (“MCCPC”) was created in 1974 to conduct a voluntary cooperative pricing system with municipalities, boards of educations, and other public bodies located in the County of Morris and adjoining counties; and

WHEREAS, the purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process; and

WHEREAS, the Borough of Ogdensburg desires to enter into an Agreement with the MCCPC, which is administered by Randolph Township as Lead Agency to become a member of the MCCPC for the period of October 1, 2016 through September 30, 2021.

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

1. Steven Ciasullo, Mayor and the Governing Body of the Borough of Ogdensburg hereby authorizes the execution of an Agreement with the Morris County Cooperative Pricing Council by the Township of Randolph as Lead Agency dated October 1, 2016 pursuant to N.J.S.A. 40A:11-11(5). Said Agreement is for **renewal** of membership to the MCCPC for a five (5) year period from October 1, 2016 through September 30, 2021.

2. The Borough of Ogdensburg Clerk is hereby directed to submit a copy of this adopted Resolution, along with an executed Agreement, to Randolph Township as Lead Agency of the MCCPC.

3. This Resolution shall take effect immediately upon final passage according to law.

4. All appropriate Ogdensburg officials are authorized and directed to perform all required acts to affect the purpose of this Resolution.

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

Councilman Opilla moved, Councilman McGuire 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 hired for the 2016 swim season pending certification:

Lifeguards

Alexa Batelli– Head Lifeguard & Scheduler	\$10.00
Ashlyn Gec	9.00
Cameron Gec `	9.00
John Nasisi	9.00
Caitlin Conrow (Emergency Lifeguard)	9.25

Borough Swim Lessons

Boro Swim Lessons will be held the week of July 4th through July 15th. The lessons will be performed by the life guards.

BE IT FURTHER RESOLVED that this resolution is effective retro-active back to June 1, 2016. Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo, Slater. Copy attached as Schedule 2.

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

WHEREAS, N.J.S.A. 40A: 5-4 required the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A5-6, and a copy has been received by each member of the governing body, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments
Recommendations

and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments

Recommendations

as evidenced by the group affidavit form of the governing body, and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgation's of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:

R.S. 52:27BB-52 – “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousands (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Ogdensburg, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance. Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo, Slater. Copy attached as Schedule 3.

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

WHEREAS, a Corrective Action Plan for the Audit Report year of 2015 has been prepared and filed by Chief Financial Officer, Monica Goscicki; and

WHEREAS, said Plan has been reviewed by the Mayor and Council of the Borough of Ogdensburg.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Ogdensburg that the Corrective Action Plan for the Audit Report Year of 2015 is accepted and approved for filing in the Borough Clerk's Office.

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

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

WHEREAS, the Tax Collector, Regina Flammer, has advised that payment has been received for a lien against Block 4, Lot 17 for the year(s) 2014 in the amount of \$1,314.23 with interest and statutory fees of \$90.29 plus premium of \$1,500.00 totaling \$2,904.52.

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 \$2,904.52 for Certificate # 2015-003 to Rustic Ridge Holding LLC, 60 Dear Trail Lake Road, Stockholm, N.J. 07460.

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

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

WHEREAS, a proposal for the treatment of Heater's Pond vegetation has been submitted by Aquatic Analysts Inc. for the 2016-2017 season; and

WHEREAS the cost for this proposal is \$2,410.00, which includes a fee of \$180.00 for the 2016-2017 N.J. DEP permit fee and an addendum for aquatic plant control, Rodeo (not to exceed \$1,000.)

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg that the proposal submitted by Aquatic Analysts, Inc. for the treatment of Heater's Pond in the amount of \$2,410.00 is accepted.

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

Councilman Opilla moved, Councilman McGuire 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, 2016 to June 30, 2017.

<u>NAME</u>	<u>TYPE OF LICENSE</u>
A Mannion Venture Inc.	Plenary Retail Distribution License No. 1916-44-003-004
Ogdensburg Fire Department	Club License License No. 1916-31-005-001

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, 2016 – June 30, 2017 in accordance with the requirements of said Act and said Ordinance:

NAME	TYPE OF LICENSE
A Mannion Venture Inc. 81 Main Street Ogdensburg, N.J. 07439	Plenary Retail Distribution License No. 1916-44-003-004
Ogdensburg Fire Dept. 30 Main Street Ogdensburg, N.J. 07439	Club License License No. 1916-31-005-001

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

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

Councilman McGuire moved, Councilman Astor seconded motion to introduce an ordinance entitled **AN ORDINANCED APPROPRIATING THE SUM OF \$29,800-CURRENTLY LOCATED WITHIN GENERAL CAPITAL – FUND BALANCE** on first reading. Final passage is scheduled for June 27, 2016.

WHEREAS, there are funds in General Capital – Fund Balance, and

WHEREAS, the total of these funds is \$29,300, and

WHEREAS, it is deemed appropriate to make use of these funds for the purchase of the following:

SCBA Cylinders – Fire Department	\$4,800
Gas Powered Portable Pump – Fire Department	\$5,000
Swim Platform	\$5,000
Improvement to Buildings	\$10,000
Electronic Marquee	\$4,500

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

Section 1: There is hereby appropriated from General Capital – Fund Balance, of the Borough of Ogdensburg, the sum of \$29,300 for the above improvements.

Section 2: This ordinance shall take effect immediately upon proper passage and publication in accordance with law.

Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo, Slater. Copy attached as Schedule 8.

OLD BUSINESS

Mayor Ciasullo spoke about the treatment from Aquatic Analysis for Heaters Pond. The Mayor mentioned that there are no new updates for the Dam. The Mayor spoke about the pond regarding new signs for boat stickers and badges. The Mayor has spoken to George Morville, Risk Insurance Manager about signs that are presently at Heaters Pond and Mr. Morville stated that the signs are good. The Mayor stated that the Police Department is doing a good job of monitoring the Pond. Councilwoman Slater spoke about new dome top outdoor garbage cans that won't have to be dragged in. They are made of concrete and are 30 gallon in size. There will be one for garbage and one for recycling and it will be paid through Board of Health Clean Communities Program. Councilman Hutnick spoke about IT Support for all the computers at the Borough Hall and Department of Public Works. He spoke with someone from Computer Urgent Care to come in and look over the Borough computers and give a quote for services. Councilman Hutnick will also be looking at other companies for quotes. Councilman McGuire spoke about getting foreclosed properties off the tax roll. It will take about two years before the Borough sees a savings. After a brief discussion, Councilman McGuire moved, Councilman Astor seconded the motion to start the process of foreclosing on the list of properties provided by the Chief Financial Officer with Attorney Susan Spada through Weiner Lesniak. Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo, Slater.

Mayor wants to recognize Sgt. Sanfilippo for the work he did getting the grant for the Click It or Tick It and to show appreciation for the leg work he did in applying the grant. There were 105 stops made during the program. The Mayor briefly asked if there were any more complaints regarding the blasting coming from the Quarry in Franklin. The Mayor did meet with the owner to discuss the situation. Council briefly discussed Ogdensburg Day. Councilman Hutnick asked about funds for amusements and spoke about vendors.

NEW BUSINESS

Councilman Astor spoke about the cross walk signs. They have been destroyed over the course of the years from being hit by vehicles. The cost is \$350.00 each to replace. Councilman Opilla spoke about the Windows 7 program upgrading to Windows 10 in the Water Dept. It is not compatible with the software that works with the meter gun and the Borough doesn't have a contract for the software so it was not allowing the Water Cashier to do billings. The Cashier asked if she could go back to Windows 7 for the time being and the Borough will be looking into a new software program. The Mayor spoke about a situation regarding a resident who owed over \$10,000 in taxes and paid the full amount but felt that he shouldn't have had to pay the additional

6% penalty when owed over \$10,000 because it wasn't stated on the back of the tax bill. The resident was looking for a refund. A resolution is done every year regarding interest and penalties on taxes. The Mayor spoke with the Tax Collector about the situation and her recommendation was to apply the additional money paid to his 2016 open taxes and not refund the money. The statement about the 6% penalty is now added on to the back of the tax bills.

Councilman Astor reminded Mayor and Council that the County will start work on the Passaic Ave. Bridge. Councilwoman Slater mentioned that swim lessons will be from July 4th, to July 15th and it has been posted on face book. Councilwoman Slater also mentioned that she needs a new rescue board. It was mentioned that there are two boards and both boards are falling apart. If she could get two that would be good, but for now she definitely needs one new board. Councilman Slater also mentioned that the lifeguard shack needs to be worked on. The face needs to be fixed because it is falling off. A mason will need to be called in to look at the shack.

Mayor Ciasullo mentioned that the Police Department did an excellent job trying to help with the unfortunate situation at Heaters Pond. Also, the Mayor stated that Lott (retired) did an excellent job at the Memorial Day services, which was held at the Ogdensburg Elementary School.

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

There being no business from the public, Councilman McGuire moved, Councilman Opilla seconded the motion to close the public session of the meeting. Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo, Slater.

Councilman McGuire moved, Councilman Opilla seconded the 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:

Litigation

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 8:19 p.m. Councilman McGuire moved, Councilman Hutnick seconded the motion to go into executive to discuss litigation. Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo, Slater.

After returning from executive session at 8:32 p.m. Mayor Ciasullo stated that no action will be taken from executive session. Mayor Ciasullo spoke about the Cupcake Café which is looking to open a business in Ogdensburg but there was an issue with the well on the property. The County said it was alright for them to use the well as long as the Borough was ok with it. There are certain requirements the County is asking of them. Mayor spoke with the Land Use Board Chairman and the Zoning Official and they both said the well was grandfathered in many years ago and they had no problem with the Cupcake Cafe using the well. The well will be monitored and tested on a regular basis. They will also have to hire someone to operate the well. The Mayor wrote a letter to the County stating the Borough is allowing the use of the well but will

not be responsible for any testing, water quality or the use of the well in any way. When the next tenant comes in, the Borough can either deny it or approve it.

Mayor Ciasullo briefly mentioned that there is no trespassing on the Borough property across from Grant St. Someone has been trespassing on Borough property across from Grant St. and was seen cutting grass. It was not Mr. Tyler or Mr. McGovern. The Borough will be checking into it.

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
05/11/16	28371	Atlantic Communications	1,063.80
05/31/16	28372	CenturyLink	1,551.05
05/31/16	28373	CenturyLink	119.41
05/31/16	28374	LINA	175.50
05/31/16	28375	Coast To Coast Solutions	191.45
05/31/16	28376	Elizabethtown Gas	545.61
05/31/16	28377	Horizon BC/BS of NJ	751.21
05/31/16	28378	Horizon BC/BS of NJ	1,204.95
05/31/16	28379	Horizon BC/BS of NJ	1,690.72
05/31/16	28380	JCP&L	3,310.83
05/31/16	28381	Oxford Health Plans	9,620.65
05/31/16	28382	Verizon Business	143.22
05/31/16	28383	Verizon Wireless	76.02
06/07/16	28386	Urgent Care of Sparta	149.00
06/14/16	28387	Aida Cahill	51.00
06/14/16	28388	Allied Oil LLC	704.25
06/14/16	28389	Atlantic Communications	579.50
06/14/16	28390	B & R UNIFORM	744.55
06/14/16	28391	Batty, Matthew	340.00
06/14/16	28392	Complete Security Systems, Inc.	24.20
06/14/16	28393	Econo Signs LLC	137.16

06/14/16	28394	ESI Equipment, Inc.	115.00
06/14/16	28395	Falcon Cleaning	300.00
06/14/16	28396	Ferraioli, Wielkotz, Cerullo & Cuva	9,150.00
06/14/16	28397	Ford Motor Credit Company	9,434.76
06/14/16	28398	Global Waste Industries, Inc.	13,071.75
06/14/16	28399	JCP&L	1,672.56
06/14/16	28400	Johnny on the Spot, LLC	623.60
06/14/16	28401	Johnny on the Spot, LLC	155.90
06/14/16	28402	Laddey, Clark & Ryan	400.00
06/14/16	28403	Lame, James	369.36
06/14/16	28404	Marlin Business Bank	286.90
06/14/16	28405	Michael T. Ward, DMD	203.35
06/14/16	28406	Neopost Leasing	476.46
06/14/16	28407	NJ Advance Media	192.30
06/14/16	28408	NJ Division of Alcoholic Beverage	12.00
06/14/16	28409	NJ League of Municipalities	20.00
06/14/16	28410	Ogdensburg Board of Education	195,833.00
06/14/16	28411	ProPay Inc	252.94
06/14/16	28412	ReadyRefresh	8.92
06/14/16	28413	Staples Business Advantage	36.53
06/14/16	28414	Statewide Insurance Fund	36,796.25
06/14/16	28415	Sussex County Municipal Clerk Assoc	30.00
06/14/16	28416	Sussex County Municipal Utility	355.50
06/14/16	28417	Team Life	160.00
06/14/16	28418	Township of Sparta	7,301.00
06/14/16	28419	Township of Sparta, Police Dept.	13,359.75
06/14/16	28420	Township of Wantage	3,019.25
06/14/16	28421	Valley Vision Care, LLC	280.00
06/14/16	28422	Varcadipane Jr, William J.	1,267.50
06/14/16	28423	Verizon Wireless	108.49

06/14/16	28424	Wallkill Valley Regional H.S.	95,552.75
06/14/16	28425	Weiner Lesniak LLP	1,136.40
06/14/16	28426	Weiner Lesniak LLP	112.00
06/14/16	28427	Weiner Lesniak LLP	<u>608.00</u>
			<u><u>415,876.30</u></u>

Water Operating

DATE	CHECK #	PAID TO	AMOUNT
05/31/16	4560	JCP&L	2,999.53
06/14/16	4561	Agra Environmental Services	45.00
06/14/16	4562	Braen Aggregates, LLC	140.28
06/14/16	4563	Ferraioli, Wielkotz, Cerullo & Cuva	3,100.00
06/14/16	4564	Staples Business Advantage	<u>6.54</u>
			<u><u>6,291.35</u></u>

Admin Trust fund

DATE	CHECK #	PAID TO	AMOUNT
06/09/16	2098	Change Fund	25.00
06/14/16	2099	Rustic Ridge Holding, LLC	<u>2,904.52</u>
			<u><u>2,929.52</u></u>

Dog Fund

DATE	CHECK #	PAID TO	AMOUNT
06/14/16	180	NJ Dept of Health & Senior Service	<u>36.00</u>
			<u><u>36.00</u></u>

Grant fund

DATE	CHECK #	PAID TO	AMOUNT
05/31/16	28384	Gibson, Connie	128.67
05/31/16	28385	Jeanette Spooner	849.66
06/14/16	28428	Boslough, David J	1,250.00
06/14/16	28429	Center for Prevention & Counseling	825.00

06/14/16	28430	George Hutnick	306.20
06/14/16	28431	Goscicki, Monica	14.70
06/14/16	28432	Goscicki, Monica	6.60
06/14/16	28433	PAIVA, DONNA	40.10
06/14/16	28434	Sussex County Municipal Utility	250.00
06/14/16	28435	Van Cleef Engineering Assoc. LLC	<u>437.50</u>
			<u><u>4,108.43</u></u>

Departmental Finance Reports were handed in for review.

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

Meeting adjourned at 8:40 p.m.

Borough Clerk

Mayor