

REGULAR MEETING  
MARCH 14, 2016

The third 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 March 14, 2016. In the absence of the Mayor, Council President, George Hutnick 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, Slater, Rizzo. 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 February 8, 2016
  2. Approval of Minutes from the Work Session Meeting of February 22, 2016
  3. Approval of Minutes from the Special Meeting of March 3, 2016
  4. Approval of Resolution for Budget Read by Title
  5. Approval of Resolution for purchase of new Council Chairs
  6. Approval of Resolution for Tax Overpayment Refund for Another Lien LLC.
  7. Approval of Resolution for Tax Lien Refund on Bl. 24, Lot 10.01.
  8. Approval of Resolution authorizing an Agreement with SCUMA for Provisions of Certified Recycling Professional Services.
  9. Approval of Resolution for Municipal Recycling Tonnage Grant Application.
- Yeas: Astor, Hutnick, McGuire, Opilla (abstain #3), Rizzo, Slater.

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

WHEREAS, P.L. 2015, c. 95, sections 14 and 15 amend N.J.S.A.40A:4-8 and 40A:4-10 respectively to eliminate the requirement that a copy of the introduced and adopted budgets be provided to a public library; and

WHEREAS the following is still adhered to.

- a. At least one week prior to the date of the public hearing a complete copy of the approved Budget shall be made available for public inspection.
- b. Copies are made available to each person requesting same during said week and during the public hearing.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg, State of New Jersey, that it is hereby declared that the conditions of N.J.S.A. 40A:4-8 have been met and therefore the Budget for 2016 may be read by title only.  
Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo, Slater. Copy attached as Schedule 1.

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

WHEREAS, the Borough of Ogdensburg has obtained quotes for the purchase of new chairs for the council dais; and

WHEREAS, the following quotes were obtained for such purchase:

<u>Company</u>	<u>Quote</u>
Office Furniture	\$696.00/ea.
Office Chairs	\$596.00/ea.
National Business Furniture	\$395.00/ea.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg to go with the low bid of \$395.00 from National Business Furniture.

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

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

BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Ogdensburg that the following refunds are made to Another Lien LLC for tax overpayment received by the Borough Tax Collector.

<u>Block</u>	<u>Lot</u>	<u>Amount Refunded</u>
15	1.04	\$2,571.16
35	12	\$1,643.54
12	2	\$1,238.82

BE IT FURTHER RESOLVED that the amount refunded was paid by the lien holder/Bank and was done in a timely matter so the refund goes back to the lien holder.

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

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

WHEREAS US Bank CUST for PRO CAP 4 & CRDTS., 50 So. 16<sup>th</sup> Street-Ste 2050, Philadelphia, PA 19102 has paid for a lien against Block 24, Lot 10.01 for the year 2014 in the amount of \$370.06 with interest and statutory fees of \$1,964.47 totaling \$2,334.53; and

WHEREAS the mortgage company paid the lien on Block 24, Lot 110.01.

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 \$2,334.53 for Cert No. 2015-008 to US Bank CUST for PRO CAP 4 & CRDTRS.

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

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

WHEREAS, the Sussex County Municipal Utilities Authority (hereinafter "SCMUA") has passed a resolution agreeing to shared services of their Certified Recycling Professional (CRP) with the Borough of Ogdensburg by providing the services of a CRP for submission of the Borough of Ogdensburg's 2015 Recycling Tonnage Report to the Department of Environmental Protection; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A 40A:65-1 et. Seq.) (hereinafter, "the Act") provides that local units of government may enter into a contract to provide or receive any service that either local unit participating in the Agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating units (N.J.S.A. 40A:65-4); and

WHEREAS, the Borough of Ogdensburg will prepare the 2014 Recycling Tonnage Report; and

WHEREAS, the Borough of Ogdensburg has requested the services of the SCMUA in the form of the District Recycling Coordinator as a Certified Recycling Professional to certify and submit the required 2014 Borough of Ogdensburg Recycling Tonnage Report to the New Jersey Department of Environmental Protection by April 30, 2016; and

WHEREAS, the SCMUA has the qualified staff to certify the Recycling Tonnage Report prepared by the Borough of Ogdensburg and electronically submit it to the New Jersey Department of Environmental Protection on behalf of the Borough of Ogdensburg under the terms and conditions set forth in the Shared Services Agreement.

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

1. The Mayor and Council are hereby authorized and directed to execute a Shared Services Agreement, a copy of which is attached hereto, with SCMUA for the provision of Certified Recycling Professional Services to certify and submit the Borough of Ogdensburg's 2015 Recycling Tonnage Report to NJDEP.
2. All SCMUA Staff and Professionals are authorized to take any and all necessary actions to see to the implementation of this Resolution
3. This Resolution shall take effect immediately.

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

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

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102 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, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2015 tonnage grant will memorialize the commitment of this municipality to recycling and indicate the asset of the Borough of Ogdensburg to the efforts contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed, and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg that the Borough of Ogdensburg hereby endorses the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental

Protection, Office of Recycling designates Donna Paiva, Recycling Coordinator, 14 Highland Avenue, Ogdensburg, N.J. to ensure the application is properly filed.

BE IT FURTHER RESOLVED, that, should monies be received from the recycling tonnage grant, said monies shall be deposited in a dedicated recycling trust fund to be used solely for the purpose of recycling.

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

Councilman McGuire moved, Councilman Hutnick seconded motion to introduce and ordinance entitled **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)** on first reading. Public hearing and adoption is scheduled for April 11, 2016.

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Mayor and Council of the Borough of Ogdensburg in the County of Sussex finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Mayor and Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 74,134.76 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Borough of Ogdensburg, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Borough of Ogdensburg shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 74,143.76 and that the CY 2016 municipal budget for the Borough of Ogdensburg be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

Councilman Hutnick moved, Councilman Opilla seconded **motion to introduce the 2016 Municipal Budget**. Public hearing and adoption is schedule for April 11, 2016.

Councilman McGuire made mentions that the budget will be introduced at a 1% increase instead of 2% as previously stated.

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

OLD BUSINESS

Councilwoman Slater spoke about the raft and slide for Heaters Pond and what requirements are needed per the insurance company. Also discussed was the Grandstand Roof at Fireman’s Field. The roof is falling down and needs to be taken down. An estimate for fixing the roof is \$1,800 to \$2,000. As far as an update on Heaters Pond, Councilman Hutnick mentioned that there is no update on Heaters Pond at this time.

NEW BUSINESS

Councilwoman Rizzo asked Council’s approval for herself and the Mayor to start negotiations with the Police Department. Councilman McGuire moved, Councilman Astor seconded the motion to authorize the Mayor and Councilwoman Rizzo to start Police negotiations. Yeas: Astor, Hutnick, McGuire, Opilla, Rizzo, Slater. Councilman McGuire spoke about having the Department of Public Works look at the garage doors at the Historical Museum. It looks like they might be deteriorating on the bottom. It maybe something the Department of Public Works can fix.

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

Jackie Espinoza from JCP&L attended the meeting to talk about Sussex County Day. She is on the board and spoke about what the day entails and what a good time everyone has. She briefly mentioned about a lockout zone. Silvia Opresnick, 2 Megan Tr., Sparta spoke about Sparta Mountain and how it will affect Ogdensburg and Heaters Pond. Ms. Opresnick also spoke about soil erosion, logging and truck traffic. She asked Council to reject the plan. It was also mentioned that Hardyston is against the Sparta Mt. Plan. Bill Parchomcik, 17 Spring Street informed Council that the State has put up a no swimming sign at the back end of Heaters Pond. Pat Sabourin, member of the First Aid Squad informed Council that this coming Saturday at Firehouse Field there will be an Easter Egg hunt for kids ages two thru second grade from 12:00 noon to 1:00 p.m.

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

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

**CURRENT FUND**

<b>DATE</b>	<b>CHECK #</b>	<b>PAID TO</b>	<b>AMOUNT</b>
02/26/16	28183	Allied Oil LLC	385.41
02/26/16	28184	CenturyLink	1,530.09
02/26/16	28185	CenturyLink	137.73
02/26/16	28186	LINA	175.50
02/26/16	28187	Elizabethtown Gas	1,198.61
02/26/16	28188	Horizon BC/BS of NJ	751.21
02/26/16	28189	Horizon BC/BS of NJ	240.89
02/26/16	28190	Horizon BC/BS of NJ	1,690.72
02/26/16	28191	JCP&L	

			4,650.69
02/26/16	28192	Marlin Business Bank	573.80
02/26/16	28193	Oxford Health Plans	7,454.27
02/26/16	28194	Verizon Wireless	32.47
03/15/16	28195	Acclaim Inventory, LLC	500.00
03/15/16	28196	Aida Cahill	12.60
03/15/16	28197	Allied Oil LLC	552.48
03/15/16	28198	Another Lien, LLC	1,238.82
03/15/16	28199	Another Lien, LLC	2,571.16
03/15/16	28200	Another Lien, LLC	1,643.54
03/15/16	28201	Atlantic Communications	1,135.76
03/15/16	28202	B & R UNIFORM	903.20
03/15/16	28203	Gallagher Bollinger	1,074.00
03/15/16	28204	CenturyLink	33.67
03/15/16	28205	Chemung Supply Corp	1,081.82
03/15/16	28206	Complete Security Systems, Inc	48.40
03/15/16	28207	DCRP	192.65
03/15/16	28208	Dover Brake & Clutch Co., Inc	329.88
03/15/16	28209	Enforsys Police Systems, Inc.	2,000.00
03/15/16	28210	Falcon Cleaning	675.00
03/15/16	28211	Gempler's	519.70
03/15/16	28212	Global Waste Industries, Inc.	13,070.21
03/15/16	28213	Gramco Business Communications	199.00
03/15/16	28214	JCP&L	2,031.11
03/15/16	28215	Kuiken Brothers	24.94
03/15/16	28216	Lafayette Auto Parts	81.02
03/15/16	28217	Magarino Ford & Mercury	593.76
03/15/16	28218	Marlin Business Bank	286.90
03/15/16	28219	MicroSystems-NJ.com, LLC	1,800.00
03/15/16	28220	Morton Salt, Inc.	7,688.68

03/15/16	28221	Municipal Software Inc	8,034.84
03/15/16	28222	National Business Furniture, L	3,555.00
03/15/16	28223	New Jersey Herald	150.60
03/15/16	28224	Ogdensburg Board of Education	194,588.00
03/15/16	28225	ProPay Inc	523.52
03/15/16	28226	ReadyRefresh	45.41
03/15/16	28227	Rectifier Auto Electric	285.19
03/15/16	28228	SHI International Corp.	3,326.24
03/15/16	28229	Staples Business Advantage	242.56
03/15/16	28230	Statewide Insurance Fund	36,796.25
03/15/16	28231	Sussex County Clerk	8.00
03/15/16	28232	Tire King	375.00
03/15/16	28233	TRI STATE PAPER & CLEANING SUPPLIES	130.20
03/15/16	28234	US Bank Cust for Procap 4 & CrDtrs	2,334.53
03/15/16	28235	US Postal Service	225.00
03/15/16	28236	Varcadipane Jr, William J.	1,267.50
03/15/16	28237	Verizon Wireless	184.59
03/15/16	28238	Vital Communications, Inc	310.80
03/15/16	28239	Wallkill Valley Regional H.S.	95,552.75
03/15/16	28240	Weiner Lesniak LLP	694.20
03/15/16	28241	Weiner Lesniak LLP	32.00
03/15/16	28242	Weiner Lesniak LLP	175.00
03/15/16	28243	Witmer Public Safety Group, Inc.	<u>2,542.96</u>
			410,489.83
02/17/16	28046	Johnny on the Spot, LLC	(77.72)

**Admin Trust**

<b>DATE</b>	<b>CHECK #</b>	<b>PAID TO</b>	<b>AMOUNT</b>
03/15/16	2090	Interstate Fireworks, Inc.	1,875.00
03/15/16	2091	Jeanette Spooner	<u>                    </u>

268.18

2,143.18

**Vernon RCA**

<b>DATE</b>	<b>CHECK #</b>	<b>PAID TO</b>	<b>AMOUNT</b>
03/15/16	123	BGW Home Improvement	20,000.00
03/15/16	124	Community Action Services	<u>4,400.00</u>
			24,400.00

**Water Operating**

<b>DATE</b>	<b>CHECK #</b>	<b>PAID TO</b>	<b>AMOUNT</b>
02/26/16	4535	JCP&L	2,907.87
03/15/16	4536	Agra Environmental Services	248.00
03/15/16	4537	Agra Environmental Services	137.00
03/15/16	4538	Atlantic Switch and Generator, LLC	1,202.00
03/15/16	4539	DCRP	55.44
03/15/16	4540	Hank Sanders Inc	1,638.00
03/15/16	4541	JCP&L	3,213.26
03/15/16	4542	Municipal Software Inc	1,440.00
03/15/16	4543	Staples Business Advantage	<u>5.02</u>
			10,846.59

**Dog Fund**

<b>DATE</b>	<b>CHECK #</b>	<b>PAID TO</b>	<b>AMOUNT</b>
03/15/16	176	NJ Dept of Health & Senior Service	<u>93.60</u>
			93.60

**Grant funds**

<b>DATE</b>	<b>CHECK #</b>	<b>PAID TO</b>	<b>AMOUNT</b>
03/15/16	28244	Cherry, Weber & Associates, PC	6,400.00
03/15/16	28245	Grinnell Recycling Inc	98.60
03/15/16	28246	Laddey, Clark & Ryan	400.00
03/15/16	28247	New Jersey Herald	21.90
03/15/16	28248	Jeanette Spooner	<u>127.07</u>
			7,047.57



**Payroll**

<b>DATE</b>	<b>CHECK #</b>	<b>PAID TO</b>	<b>AMOUNT</b>
02/18/16	14167	Franklin Ogdensburg F.O.P.	420.00
02/19/16	324	Prudential Retirement	295.05
03/04/16	325	Prudential Retirement	289.74
03/15/16	326	AFLAC	<u>224.76</u>
			1,229.55

Departmental finance reports were handed in for review.

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

Meeting adjourned at 7:35 p.m.

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Borough Clerk

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Council President