

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
July 9, 2018**

Mayor Slater called the meeting to order at 7:00PM.

Mayor Slater led the Pledge of Allegiance.

ROLL CALL: Gunderman, Hutnick, Nardini, Opilla.

Absent: Astor, Nasisi

Also in attendance was Richard Briigliodoro, Borough Attorney.

STATEMENT BY MAYOR: “Notice requirements of P.L. 1975, Open Public Meeting Act, NJS10:4- 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 in the Borough Hall on January 3, 2018.”

Councilman Opilla moved Councilman Gunderman seconded motion for approval of items on the consent agenda.

CONSENT AGENDA

1. Approval of Workshop meeting minutes from June 25, 2018.
2. Approval of Resolution 65-2018 Discharge of Mortgage between Alfred J. And Lucille DiSalvo 8 Bulmer Drive, Ogdensburg and the Borough of Ogdensburg recorded in the Sussex County Clerk’s Office Mortgage Book 7611 page 52-55.
3. Approval of Resolution 66-2018 to support and participate in the Volunteer Credit Programs (P.L.1998, C. 145).

Upon Roll call Vote:

Yeas: Gunderman, Hutnick, Nardini, Opilla

Nays: None Absent: Astor, Nasisi Abstain None

Councilman Opilla moved Councilman Gunderman seconded motion for approval of items on the consent agenda.

Resolution 65-2018

WHEREAS; a mortgage in the amount of \$15,900.00 was made on the 5th day of April, 2006 between Alfred J. and Lucille DiSalvo, 8 Bulmer Drive, Ogdensburg, NJ 07439 the borrower and the Borough of Ogdensburg 14 Highland Ave, Ogdensburg, NJ 07439 the lender; and

WHEREAS; this mortgage was recorded in the Office of the Sussex County Clerk on June 19, 2006 in Mortgage Book 7611 Pages 52-55; and

WHEREAS; the mortgage was paid in full on or about June 25, 2018, from FNC Title Services, LLC, Wells Fargo Bank NA, National Escrow Trust Account, 1300 Piccard Drive, Suite 105Rockville, Maryland, 20850, check number 82281 in the amount of \$15,900.00;

NOW THEREFORE BE IT RESOLVED the Governing Body of the Borough of Ogdensburg authorize the Mayor and Clerk to sign the attached Discharge of Mortgage for Alfred J. and Lucille DiSalvo, 8 Bulmer Drive, Ogdensburg, NJ 07439 Book 7611 Pages 52-55 and send the executed Discharge of Mortgage to the aforementioned title company to have the mortgage discharged.

Upon Roll call Vote:

Yeas: Gunderman, Hutnick, Nardini, Opilla

Nays: None Absent: Astor, Nasisi Abstain None

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Councilman Opilla moved Councilman Gunderman seconded motion for approval of items on the consent agenda.

Resolution 66-2018

WHEREAS, the Mayor and Council of the Borough of Ogdensburg in the County of Sussex, deems it appropriate to enhance the recruitment and retention of volunteer firefighters and emergency medical volunteers in the Borough of Franklin; and,

WHEREAS, the State of New Jersey has enacted P.L. 1998, c. 145 which permits municipal governments to allow their fire fighting and emergency medical volunteers to take advantage of the Volunteer Tuition Credit Program at no cost to the municipal government.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Ogdensburg in the County of Sussex that the Volunteer Tuition Credit Program as set forth in P.L. 1998, c. 145 is herewith adopted for the volunteer firefighters and emergency medical volunteers in the municipality; and

BE IT FURTHER RESOLVED, that the Borough Clerk, Robin Hough is herewith delegated the responsibility to administer the program and is authorized to enter into all agreements and to maintain files of all documents as may be required under the P.L. 1998, c. 145, a copy of which is herewith made part of this resolution.

Upon Roll call Vote:

Yeas: Gunderman, Hutnick, Nardini, Opilla

Nays: None Absent: Astor, Nasisi Abstain None

RESOLUTION 58-2018 CERTIFYING REVIEW OF THE 2017 AUDIT

Councilman Hutnick made a motion to adopt resolution 58-2018 certifying the Borough of Ogdensburg Governing Body has reviewed the 2017 Audit comments and recommendations as required by N.J.A.C. 5:30-6.5. (Resolution-58-2018 was tabled at the June 25, 2018 meeting.)
Seconded by Councilman Opilla.

WHEREAS, N.J.S.A. 40A:5-4 requires 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 2017 has been filed by a Registered Municipal Accountant with the *Municipal Clerk* pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

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

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, 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 "Comments and 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 "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; 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, pursuant to N.J.A.C. 5:30-6.5; 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

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WHEREAS, failure to comply with the regulations 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 thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the *Mayor and Council* of the *Borough of Ogdensburg*, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Upon Roll call Vote:

Yeas: Gunderman, Hutnick, Nardini, Opilla

Nays: None Absent: Astor, Nasisi Abstain None

After adoption of resolution 58-2018 the Governing Body signed the Certification of the Annual Audit Group affidavit form.

RESOLUTION 59-2018 CORRECTIVE ACTION PLAN

Councilman Hutnick made a motion to adopt resolution 59-2018 to accept and approve for filing the Corrective Action Plan for the Audit Report year 2017 prepared and filed by the Borough's Chief Financial Officer. (Resolution 59-2018 was tabled at the June 25, 2018 meeting.) Seconded by Councilman Opilla.

WHEREAS, a Corrective Action Plan for the Audit Report year 2017 has been prepared and filed by the 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 the Corrective Action Plan for the Audit Report year 2017 is accepted and approved for filing in the Borough Clerk's Office.

Upon Roll call Vote:

Yeas: Hutnick, Gunderman, Nardini, Opilla

Nays: None Absent: Astor, Nasisi Abstain None

OLD BUSINESS

Heaters Pond Dam – Mayor Slater commented we can take this off [the agenda].

Repair of Loop – Councilman Opilla commented no update, the DPW supervisor was out last week so he will get a date from him next week.

JCP & L – Mayor Slater commented we still are waiting on getting the pole numbers. We are also waiting on Councilman Astor regarding poles at the firehouse.

Elizabethtown Gas – Mayor Slater commented they are supposed to be starting today.

Well Update – Councilman Nardini commented he needs to stop and see Rob. Mayor Slater commented she saw him earlier and he told her the part came in and he is making progress.

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Water Personnel – Councilman Nardini commented the ad is out, they have until the 15th [to submit an application]. Councilman Nardini commented he spoke to Jackie and the list of billing for water went down by 80%.

Health Insurance – Councilman Opilla commented you guys should have a copy of this spread sheet; we did have a meeting with FOP.

Code Book Codification – Mayor Slater commented we received an email at 6:30 they sent us a sample of an ordinance for adoption by the Mayor and Council, they are sending the code book for review on a flash key for use by our office and the Borough Attorney. They are reviewing Chapter 30 and will advise the clerk if they need anything else with that.

Guard Shack – Councilman Opilla commented essentially we are done; we can probably remove this item as well.

Garbage Contract – Mayor Slater commented she thinks we are done with this and we can take this off the agenda. Mr. Briigliodoro commented there was an issue at the last meeting with certain size garbage cans. Mayor Slater commented we looked into that it is 75 gallons and if they need more bags put out they have to come to Borough Hall and get stickers. Ms. Hough commented she is looking into getting additional stickers from Blue Diamond. There was a brief discussion on bulk pick up.

Sterling Hill Mine Train Overpass – Councilman Hutnick commented the sign is not ready yet; it is only going to be stickers.

Request for Easement – Councilman Opilla commented he doesn't know where we stand with this. Mayor Slater commented she thinks we are still waiting on Mr. Szanyi.

Hot Water Heater and Roof Borough Hall – No update.
Steam Boiler for Historical Building – No update.

Internet Service – Councilman Hutnick commented we can take this off; this will probably not progress until next year.

Firehouse Parking lot light – Mayor Slater commented we are waiting on Councilman Astor.

No trespassing sign at Pond – No update.

NEW BUSINESS

2018 COPS School Violence Prevention Program Grant – Councilman Gunderman commented Councilman Astor is requesting to apply for a grant it is to improve security in the schools, violence.

Councilman Gunderman made a motion to approve Councilman Astor to move ahead with this [grant]. Seconded by Opilla.

Upon Roll call Vote:

Yeas: Gunderman, Hutnick, Nardini, Opilla

Nays: None Absent: Astor, Nasisi Abstain None

Fish Stocking Heaters Pond – Councilman Gunderman commented he looked into a few places and received some prices.

Councilman Opilla commented he is suppose to met with Solitude this week up there; he can get some information from them and see what they think. Councilman Opilla commented there is a healthy baby bass population at the pond.

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Councilman Gunderman commented there is fish in the pond but the fish need to be replenished they took a lot of fish out.

Councilman Opilla commented we will probably do something by the end of the month.

Regular/Workshop Meetings – Mayor Slater explained we call the first meeting of the month a regular meeting and the second a workshop; there is no difference. The finance department would like to start billing twice a month instead of doing all the bills once a month. Mayor Slater asked if anyone had any objections to that. The only difference is approving the bills and department reports.

Mr. Briigliodoro commented we do have a resolution that was adopted Resolution 16-2018 where we do make a distinction between workshop meetings, the date of workshop meetings and the date of regular meeting but under workshop session we also state formal action may be taken on any agenda item. That is really the main point; if we need to action we can take action.

Ms. Hough asked if we would need a new resolution.

Mr. Briigliodoro commented no.

Mayor Slater commented the [workshop meetings] are now regular [meetings].

PUBLIC SESSION

Councilman Opilla moved, Councilman Hutnick seconded motion to open the public session of the meeting. All were in favor.

Vicky Schroder, 60 Center Street, Ogdensburg, commented she had volunteered to take care of the flowers on Main Street and she has been doing the best she can. Ms. Schroder requested the DPW water them a couple times a week when it is not raining and explained her request.

There being no further business from the public, Councilman Nardini moved, Councilman Gunderman seconded motion to close the public session of the meeting. All were in favor.

EXECUTIVE SESSION

Councilman Opilla moved, Councilman Nardini 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;

FOP Contract update, Personnel and Litigation

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:

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.

Upon Roll call Vote:

Yeas: Gunderman, Hutnick, Nardini, Opilla

Nays: None Absent: Astor, Nasisi Abstain None

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As the public was leaving for executive session two residents arrived and asked to go back into public session.

Councilman Nardini made a motion to open to the public. Seconded by Mr. Hutnick. All were in favor.

Cindy and Richard Predmore, Predmore Road stepped forward. Mrs. Predmore commented she is here about their street and explained issues with Predmore Road. Mr. Predmore passed out pictures of the Road as Mrs. Predmore explained the issues. There are holes in the road; the concrete is cracked and collapsing. Mrs. Predmore explained if the road does collapse there will be six families stranded with now way in or out. Mrs. Predmore explained the condition of her back yard due to the flooding of the improper drainage over time.

Mayor Slater commented she hasn't been down there because she was told this was taken care of with Gene Buczynski, Borough Engineer and she was not given any further update.

Mrs. Predmore commented as she stated in November there aren't enough tax payers or voter on our road to matter. The last time she was at a Council meeting your main concerns were the pond and your Christmas party. That goes back to November and gave her opinion.

There was a discussion on the conditions of Predmore Road. Some of the pictures we not recent pictures.

Mayor Slater commented we are making progress we had the Borough Engineer and Chris go out there they fixed what they needed to do and no one said anything else, you did not come back up here to any meetings. As far as we up here are concerned there hasn't been an issue because it was fixed.

Mr. and Mrs. Predmore expressed concern for the children playing on the road.

Councilman Hutnick commented a repair was made to ensure that the water was flowing, correct. Mrs. Predmore commented it is flowing but the road. Mayor Slater commented that was the original issue. Councilman Hutnick commented so now we have an issue that has to be handled now.

Mr. Briigliodoro commented three of the photographs have a July 9 date, today's date. The rest of the photographs were before the flooding this week. Mr. Briigliodoro asked when were the other pictures taken. Mr. Predmore commented 2011.

Councilman Hutnick commented from our point you came to us with a flooding issue, it was immediately corrected, then our engineer cleared we addressed the issue and no one has come forward since then and presented any of these other findings. Therefore, we as a Council as a whole doesn't go down there every day to check it out, now we have step two which is road deterioration and we are going to address that.

Councilman Hutnick made a motion to close to the public. Seconded by Nardini. All were in favor.

Councilman Opilla made a motion to go into executive session. Seconded by Councilman Nardini.

Upon Roll call Vote:

Yeas: Gunderman, Hutnick, Nardini, Opilla

Nays: None Absent: Astor, Nasisi Abstain None

Mayor and Council returned from executive session at 8:15PM.

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Mr. Briigliodoro commented in regards to health insurance we need a motion to approve the Horizon 20/30 Plan as the insurance coverage regarding the contract with the FOP and Borough employees.

Councilman Opilla made the motion, seconded by Councilman Nardini.

Upon Roll call Vote:

Yeas: Gunderman, Hutnick, Nardini, Opilla
Nays: None Absent: Astor, Nasisi Abstain None

Mr. Briigliodoro commented the next motion we need is there is a mortgage foreclosure complaint with a Federal Home Loan Mortgage Corporation as trustee for Freddie Mac, Plaintiff, vs. Glen Pastrof, Jr. and his wife in the Borough of Ogdensburg it is a foreclosure matter files in the Sussex County Chancery Division Docket no: F-012906-18 and the motion would be to authorize the Borough attorney not to defend the foreclosure action.

Councilman Nardini made the motion. Seconded by Councilman Gunderman.

Upon Roll call Vote:

Yeas: Gunderman, Hutnick, Nardini, Opilla
Nays: None Absent: Astor, Nasisi Abstain None

PAYMENT OF VOUCHERS

Councilman Nardini made a motion to approve the payment of vouchers and the department finance reports were handed in for review. Seconded by Councilman Hutnick.

Upon Roll call Vote:

Yeas: Gunderman, Hutnick, Nardini, Opilla
Nays: None Absent: Astor, Nasisi Abstain None

Admin Trust

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
7/10/2018	2135	Colfax, Daniel	450.00
			=====
			450.00

Current

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
6/27/2018	29853	CenturyLink	536.72
6/27/2018	29854	CenturyLink	1,144.47
6/27/2018	29855	LINA	175.50
6/27/2018	29856	Elizabethtown Gas	176.76
6/27/2018	29857	Horizon BC/BS of NJ	1,009.49
6/27/2018	29858	Horizon BC/BS of NJ	1,661.91
6/27/2018	29859	Horizon BC/BS of NJ	958.30
6/27/2018	29860	Horizon BC/BS of NJ	345.10
6/27/2018	29861	JCP&L	1,751.01
6/27/2018	29862	Oxford Health Plans	9,515.26

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7/10/2018	29866	Agra Environmental Services	65.00
7/10/2018	29867	Bassani Power Equipment, LLC	12.00
7/10/2018	29868	Blue Knights NJ Chapter IX	20.00
7/10/2018	29869	Clean Life Cleaning Service LLC	300.00
7/10/2018	29870	Complete Security Systems, Inc.	24.20
7/10/2018	29871	Dolan & Dolan Esqs.	202.14
7/10/2018	29872	Draeger, Inc.	120.00
7/10/2018	29873	ESI Equipment, Inc.	1,251.00
7/10/2018	29874	Ferraioli, Wielkotz, Cerullo & Cuva	11,000.00
7/10/2018	29875	Gann Law Books	184.00
7/10/2018	29876	Gempler's	104.76
7/10/2018	29877	Global Waste Industries, Inc.	13,833.33
7/10/2018	29878	Gordon, Stephen	93.40
7/10/2018	29879	Johnny on the Spot, LLC	467.70
7/10/2018	29880	Kimberly Cucci	5.40
7/10/2018	29881	Kuiken Brothers	22.48
7/10/2018	29882	Laddey, Clark & Ryan	400.00
7/10/2018	29883	McNeil & Company	2,892.00
7/10/2018	29884	MGL Printing Solutions	415.40
7/10/2018	29885	New Jersey Herald	660.65
7/10/2018	29886	Ogdensburg Board of Education	204,473.50
7/10/2018	29887	Ogdensburg Board of Education	27.38
7/10/2018	29888	Ogdensburg Fire Department	2,500.00
7/10/2018	29889	Public Employee's Retirement System	177.36
7/10/2018	29890	ReadyRefresh	17.58
7/10/2018	29891	Staples Business Advantage	372.21
7/10/2018	29892	Stockton University	299.00
7/10/2018	29893	Sussex County Clerk	195.97
7/10/2018	29894	The Printing Center Inc	1,157.02
7/10/2018	29895	Treasurer, State of NJ	25.00
7/10/2018	29896	Valley Vision Care-Vernon	50.00
7/10/2018	29897	Van Cleef Engineering Assoc. LLC	312.50
7/10/2018	29898	Verizon Business	149.09
7/10/2018	29899	Verizon Wireless	120.28
7/10/2018	29900	Wallkill Valley Regional H.S.	145,589.00
7/10/2018	29901	Weiner Law Group LLP	3,596.00
7/10/2018	29902	Weldon Asphalt	388.82
7/10/2018	29903	Witmer Public Safety Group, Inc.	2,471.40
			=====
			411,270.09

Dog Fund

DATE	CHECK #	PAID	AMOUNT
7/10/2018	209	NJ Dept of Health & Senior Service	25.20
			=====
			25.20

General
Capital

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DATE	CHECK #	PAID TO	AMOUNT
7/10/2018	1098	Ron-Jon Construction Corp.	135,759.89
			=====
			135,759.89

Grant Fund			
<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
6/27/2018	29863	Goscicki, Monica	319.77
6/27/2018	29864	Goscicki, Monica	35.97
6/27/2018	29865	New Jersey Herald	14.40
7/10/2018	29904	The Illusion Maker	1,250.00
7/10/2018	29905	Cherry, Weber & Associates, PC	12,986.41
7/10/2018	29906	Trashcans Unlimited	570.48
7/10/2018	29907	Van Cleef Engineering Assoc. LLC	875.00
			=====
			16,052.03

Unemployment Trust

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
7/10/2018	115	State if NJ Division of Employer Ac	178.85
			=====
			178.85

Water Capital

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
7/10/2018	1042	Staples Business Advantage	527.99
			=====
			527.99

Water Op

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
6/27/2018	4780	JCP&L	215.33
7/10/2018	4781	Agra Environmental Services	45.00
7/10/2018	4782	Ferraioli, Wielkotz, Cerullo & Cuva	1,750.00
7/10/2018	4783	Jackie Ward	74.40

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7/10/2018	4784	JCP&L	2,266.34
7/10/2018	4785	One Call Concepts, Inc.	15.00
7/10/2018	4786	Staples Business Advantage	19.48
7/10/2018	4787	State of New Jersey-PWT	101.08
7/10/2018	4788	Treasurer, State of New Jersey	500.00
			=====
			4,986.63

There being no further business, Councilman Nardini moved, Councilman Opilla seconded motion to adjourn the meeting. All were in favor.

Meeting adjourned at 8:20 p.m.

Robin Hough, Borough Clerk

Rachel Slater, Mayor