

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
August 27, 2018**

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

Mayor Slater led the Pledge of Allegiance.

ROLL CALL: Astor, Gunderman, Hutnick, Nardini, Nasisi, Opilla.

Also in attendance was John Miller, Esq.

STATEMENT BY MAYOR: “Notice requirements of P.L. 1975, Open Public Meeting Act, N.J.S.A.10:4- 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 Hutnick seconded motion for approval of items on the consent agenda.

CONSENT AGENDA

1. Approval of regular meeting minutes and executive session minutes for August 13, 2018.
2. Approval of Resolution 71-2018 cancellation of Municipal Alliance 2017 Grant receivable and appropriations balances.
3. Approval of Resolution 72-2018 requesting the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018.
4. Approval of Resolution 73-2018 to submit a grant application and execute a grant contract with NJDOT for the improvements to Plant Street project.
5. Approval of Resolution 74-2018 a resolution to adopt the provisions of Chapter 48 (N.J.S.A. 52:14.17.38) under which a public employer may agree to pay for the State Health Benefits Program coverage of certain retirees.

Upon Roll call Vote:

Yeas: Astor, Gunderman (abstain from number 1), Hutnick, Nardini, Nasisi, Opilla

Nays: None Absent: None Abstain None

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

Resolution 71-2018

WHEREAS, there is a receivable with an offsetting appropriation from the County of Sussex for the 2017 Municipal Alliance Grant in the amount of \$412.39 and a cash match in the amount of \$100.00

WHEREAS, this receivable is no longer collectible as revenue

NOW, THEREFORE, BE IT RESOLVED that the receivable, budget appropriation, and cash match be cancelled.

Upon Roll call Vote:

Yeas: Astor, Gunderman (abstain from number 1), Hutnick, Nardini, Nasisi, Opilla

Nays: None Absent: None Abstain None

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

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Resolution 72-2018

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Ogdensburg received notification from the County of Sussex that the Borough of Ogdensburg shall receive \$3,493.00 in payment of a grant award under the Municipal Alliance Program, and The Borough of Ogdensburg wishes to amend its 2018 Municipal Budget to include this amount as a revenue,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Ogdensburg, in the County of Sussex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of.....\$3,493.00

which is now available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with

Prior Written Consent of the Director of Local

Government Services-Public and Private Revenues Off-set with Appropriations:

Municipal Alliance on Drug and Alcohol Abuse

BE IT FURTHER RESOLVED that a like sum of\$3,493.00

be and the same is hereby appropriated under the caption of:

(A) Operations – Excluded from “CAPS” Public and Private Programs Offset By
Revenues Municipal Alliance on Drug and Alcohol Abuse
Local Match\$873.00

Upon Roll call Vote:

Yeas: Astor, Gunderman (abstain from number 1), Hutnick, Nardini, Nasisi, Opilla
Nays: None Absent: None Abstain None

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

Resolution73-2018

NOW, THEREFORE, BE IT RESOLVED that Council of Ogdensburg formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2019-Improvements to Plant Street-00014 to the New Jersey Department of Transportation on behalf of Ogdensburg.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Ogdensburg and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Upon Roll call Vote:

Yeas: Astor, Gunderman (abstain from number 1), Hutnick, Nardini, Nasisi, Opilla
Nays: None Absent: None Abstain None

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

Resolution 74-2018

A RESOLUTION to adopt the provisions of Chapter 48 (N.J.S.A. 52:14.17.38) under which a public employer may agree to pay for the State Health Benefits Program (SHBP) and/or School Employees Health Benefits Program (SEHBP) coverage of certain retirees.

BE IT RESOLVED:

1. The Borough of Ogdensburg, County of Sussex 0204-00
CORPORATE NAME OF EMPLOYER - COUNTY SHBP/SEHBP ID NUMBER

hereby elects to adopt the provisions of N.J.S.A. 52:14-17.38 and adhere to the rules and regulations promulgated by the State Health Benefits Commission and School Employees' Health Benefits Commission to implement the provisions of that law.

2. This resolution affects employees as shown on the attached Chapter 48 *Resolution Addendum*. It is effective on the 1st day of November, 2018.
MONTH YEAR

3. We are aware that adoption of this resolution does not free us of the obligation to pay for post-retirement medical benefits of retirees or employees who qualified for those payments under any *Chapter 88 Resolution* or *Chapter 48 Resolution* adopted previously by this governing body.

We agree that this *Resolution* will remain in effect until properly amended or revoked with the SHBP and/or SEHBP. We recognize that, while we remain in the SHBP and/or SEHBP, we are responsible for providing the payment for post-retirement medical coverage as listed in the attached *Chapter 48 Resolution Addendum* for all employees who qualify for this coverage while this *Resolution* is in force.

We understand that we are required to provide the Division of Pensions and Benefits complete copies of all contracts, ordinances, and resolutions that detail post-retirement medical payment obligations we undertake. We also recognize that we may be required to provide the Division with information needed to carry out the terms of this *Resolution*.

Upon Roll call Vote:

Yeas: Astor, Gunderman (abstain from number 1), Hutnick, Nardini, Nasisi, Opilla
Nays: None Absent: None Abstain None

ADOPT AND RATIFY AMENDED RESOLUTION 69-2018

Councilman Opilla read a motion is in order to adopt and ratify amended Resolution 69-2018 a resolution for Local Government Employers to limit medical plans officer under the State Health Benefits Program.

Councilman Astor moved, seconded by Councilman Nasisi.

Upon Roll call Vote:

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

ADOPTION OF ORDINANCE 05-2018

Councilman Gunderman made a motion to adopt Ordinance 05-2018 "AN ORDINANCE TO AMEND AND SUPPLIEMENT CHAPTER 3, POLICE REGULATION OF THE CODE OF THE BOROUGH OF OGDENSBURG." Seconded by Councilman Opilla.

Councilman Opilla made a motion to open to the public ordinance 05-2018. Seconded by Councilman Nardini. All were in favor.

No one from the public stepped forward.

Councilman Opilla made a motion to close to the public ordinance 05-2018. Seconded by Councilman Hutnick. All were in favor.

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Upon Roll call Vote:

Yeas: Astor, Gunderman, Hutnick, Nardini, Nasisi, Opilla

Nays: None Absent: None Abstain None

INTRODUCTION TO ORDINANCE 06-2018

Councilman Astor made a motion to introduce an ordinance 06-2018 entitled “AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX, STATE OF NEW JERSEY ADOPTING A CODE CONTAINING THE CODIFIED ORDINANCE OF THE BOROUGH OF OGDENSBURG.” Seconded by Councilman Hutnick.

Public hearing will be held September 10, 2018.

Upon Roll call Vote:

Yeas: Astor, Gunderman, Hutnick, Nardini, Nasisi, Opilla

Nays: None Absent: None Abstain None

OLD BUSINESS

Repair of Loop – Councilman Opilla commented no update.

JCP & L – Mayor Slater commented no update.

Elizabethtown Gas – Mayor Slater commented they are still working, we have had some complaints, Gene Buczynski, [Borough Engineer] the project manager and Robin have been very good at working together and getting everyone happy and satisfied.

Health Insurance – Councilman Opilla commented he thinks this can come off the agenda, we just completed everything.

Code Book Codification – Mayor Slater commented this can come off also.

Hot Water Heater – Councilman Nasisi commented this is in the works as far as the hot water heater.

Borough Hall Roof– Councilman Nasisi commented he did get another quote for the roof for \$23,000, he is still looking to get two more [quotes] for the roof.

Steam Boiler for Historical Building – Councilman Nasisi commented we are still working on the boiler.

Firehouse Parking lot light – Mayor Slater commented no update on this yet.

No trespassing sign at Pond – Councilman Astor commented he hadn’t checked yet. The Clerk explained the ordinance was passed tonight so she will email Chris with the number.

Guard Shack- Councilman Opilla commented most of the work has been done but will probably start up again after the season ends.

Block 30 Lot11.05 Wausau Street Septic Repair – Councilman Nasisi commented he did make it up to Wausau Street, he had a meeting with a couple of veteran gentlemen up there that know where everything is; he was told the story of sixty years ago. We treaded through the woods and we found where some stuff is; he did talk to Monica about this and she asked how much this will cost. Councilman Nasisi commented this is what he does for a living, he can donate his time but he isn’t going to pay for the materials as well. Councilman Nasisi commented he told her [Monica] it could be between one to two thousand dollars. The gentlemen that were there believe it was never pumped so the septic tank that is there is still filled with water and that is a hazard. We might have to wait until November to move some things [funds] around.

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Predmore Street – Councilman Astor commented no update on Predmore Street.

Catch Basin's – Councilman Astor commented DPW is still trying to play catch up with everything that is going on. Councilman Astor commented he thinks we can remove these and when everything is all done he will update the Council.

Interview for new DPW/Water Department Employee – Councilman Astor commented he thinks we can remove this since we did interview.

Heaters Pond Dam- Mayor Slater commented she did speak to Gene [Buczynski, Borough Engineer]; they have not been up there to put the guard rail up and pave. They said it will be done this week.

Edison Road – Councilman Astor commented he thinks Gene and Chris are trying to talk to the Railroad to figure out what would be best to solve the railroad drainage problem. It's not the dam, the railroad department has said there were some things the town had to take care of and the town was saying basically it's their property. So we have to figure this out first before we move forward.

NJDOT Grant/Bide Path – Mayor Slater commented we did get an email from Gene [Buczynski, Borough Engineer] that the Land Use Board is looking to create bike paths and explained it would have to be a rural path not a trail bike path; which she believes the Land Use Board is looking to do.

Councilman Nasisi commented he is looking at the actual letter from NJDOT and it says bikeways. Councilman Nasisi read part of the letter. "A special consideration would be given to bikeways that are physically separated from motorized vehicular traffic by open space or barrier but an on a road with bike lanes and other bike routes facilities are also eligible."

Mayor Slater commented there is a Land Use meeting tomorrow and asked Councilman Nasisi to get some additional information.

There was a discussion on bike trails.

Borough Hall Landscaping – Councilman Nasisi commented he did speak to someone in town Jim Jiminez, and asked him about the landscaping design and maybe to supervise the installation. A rough idea of a design and maybe supervise the installation around two thousand. Councilman Nasisi commented he will speak to Monica about it. This maybe something we can do in the spring not the fall.

Mayor Slater commented he takes care of the Fire House too.

Internet upgrade- Councilman Hutnick commented he will email information out to everybody.

Mayor Slater commented with internet upgrade; our Judge [Gavan] would like to get a TV. This was discussed a few years ago. Mayor Slater commented she doesn't know what we need to do.

Mayor Slater commented we are supposed to have this; when we interviewed Judges we were told we really need to get this.

Chief Gordon commented the AOC just came down with a new ruling that anybody that has a traffic warrant or a municipal issued warrant and they wind up in the County jail it has to be heard by a Municipal Court Judge within 48 hours. If there is a screen here they can do a teleconference from the jail for a warrant hearing. We are going to have to move on this sooner than later.

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Mayor Slater asked Councilman Hutnick to look into this. Work with Maggie there maybe some grants.

There was a brief discussion.

NEW BUSINESS

ADDENDUM

SOCIAL AFFAIR PERMIT

Councilman Astor made a motion to approve the Division of Alcoholic Beverage Control application submitted by the Ogdensburg Fire Department for a social affair permit to be held on September 22, 2018 from 5:00PM to 9:00PM at the Ogdensburg Heaters Pond Pavilion. Seconded by Councilman Hutnick.

Upon Roll call Vote:

Yeas: Astor, Hutnick, Nardini, Nasisi, Opilla

Nays: None Absent: None Abstain: Gunderman

PUBLIC SESSION

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

Michele Nardini, manager of the Ogdensburg Swim Team, asked for consideration to extend the hours of Heaters Pond or does she have to go to ORA. Mrs. Nardini commented when she did registration this year part of the challenge is we had to have practice so early; a lot of parents that are working can't get there. Generally we been starting at 3:30 and done by 6:00. Our swim meets begin from 5:30; they are usually over around 8:00. Mrs. Nardini explained the reasons why she was requesting to extend the hours. There was a discussion back and forth with the Council and Mrs. Nardini regarding the swim team, practices and lifeguards.

Amy Matega, 8 Washington Road, asked about the damage being done to properties with the Elizabethtown Gas project.

Mayor Slater commented they will fix it when everything is done; what they are doing now is just temporary and explained.

Necia McQueen, 14 Willis Road, spoke about the work being done with Elizabethtown Gas.

Michele Nardini commented she was up by Heater's today there is new guard rail and they paved.

Amy Matega, 8 Washington Road asked why there was only one leaf pick and one brush up in the spring.

Councilman Astor commented in the fall we will have multiple dates.

There being no further business from the public, Councilman Opilla moved, Councilman Astor 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

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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;

Personnel

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:

Personnel

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: Astor, Gunderman, Hutnick, Nardini, Nasisi, Opilla

Nays: None Absent: None Abstain None

Mayor and Council returned from executive session at 8:10PM

PAYMENT OF VOUCHERS

Councilman Astor made a motion to approved payment of the bills. Seconded by Councilman Opilla.

Upon Roll call Vote:

Yeas: Astor, Gunderman, Hutnick, Nardini, Nasisi, Opilla

Nays: None Absent: None Abstain None

Current

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
8/21/2018	29967	Cowdrick, David	2,520.68
8/28/2018	29968	Airgas East	183.05
8/28/2018	29969	Atlantic Communications	1,209.20
8/28/2018	29970	BCMCAA	50.00
8/28/2018	29971	Blue Diamond Disposal, Inc.	13,833.33
8/28/2018	29972	CenturyLink	534.95
8/28/2018	29973	CenturyLink	1,210.99
8/28/2018	29974	LINA	175.50
8/28/2018	29975	Complete Security Systems, Inc.	24.20
8/28/2018	29976	Elizabethtown Gas	110.29

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8/28/2018	29977	Enforsys Police Systems, Inc.	2,000.00
8/28/2018	29978	Horizon BC/BS of NJ	1,009.49
8/28/2018	29979	Horizon BC/BS of NJ	1,661.91
8/28/2018	29980	Horizon BC/BS of NJ	958.30
8/28/2018	29981	Horizon BC/BS of NJ	30.10
8/28/2018	29982	JCP&L	2,008.67
8/28/2018	29983	Johnny on the Spot, LLC	467.70
8/28/2018	29984	Municipal Clerk's Association of NJ	100.00
8/28/2018	29985	Oxford Health Plans	9,515.26
8/28/2018	29986	ProPay Inc	194.94
8/28/2018	29987	Staples Business Advantage	67.50
8/28/2018	29988	Van Cleef Engineering Assoc. LLC	62.50
8/28/2018	29989	Verizon Business	158.79
			=====
			38,087.35

Developers Escrow

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
8/28/2018	2063	Van Cleef Engineering Assoc. LLC	2,898.00
			=====
			2,898.00

Dog Fund

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
8/28/2018	211	J.P. Cooke Company	89.30
			=====
			89.30

Payroll

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
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8/28/2018 424 AFLAC 896.28

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896.28

Water Capital

<u>DATE</u>	<u>CHECK</u> #	<u>PAID TO</u>	<u>AMOUNT</u>
8/28/2018	1045	Rio Supply Inc	11,750.00

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11,750.00

Water Op

<u>DATE</u>	<u>CHECK</u> #	<u>PAID TO</u>	<u>AMOUNT</u>
8/28/2018	4802	JCP&L	607.88
8/28/2018	4803	Staples Business Advantage	7.37

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615.25

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

Meeting adjourned at 8:11 p.m.

Robin Hough, Borough Clerk

Rachel Slater, Mayor