

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
September 10, 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 Nardini moved, Councilman Opilla seconded motion for approval of items on the consent agenda.

CONSENT AGENDA

1. Approval of regular Minutes and executive session minutes from August 27, 2018.
2. Approval of Resolution 75-2018 authorizing the execution of a developer’s agreement with Interstate Industrial Management, LLC. for property known as designated as Block 21 Lots 10 and 12.02 on the tax assessment map in the Borough of Ogdensburg.

Upon Roll call Vote:

Yeas: Gunderman, Hutnick, Nardini, Opilla

Nays: None Absent: Astor, Nasisi Abstain None

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

Resolution 75-2018

WHEREAS, Interstate Industrial Management, LLC (hereinafter “Developer”) has received Amended Preliminary and Final Major Site Plan approval in regard to Application No. LU-15-002 before the Borough of Ogdensburg Land Use Board (Land Use Board) which approval was granted on October 25, 2016 and memorialized in a Resolution adopted by the Land Use Board on November 22, 2016, a copy of which is attached hereto and incorporated herein (the approval), in accordance with plans titled: “Preliminary and Final Major Site Plan for Interstate Industrial Management, LLC” prepared by Dykstra Engineering, Sparta, New Jersey dated February 3, 2016, revised through August 23, 2016 consisting of six (6) sheets and any other amendments as a result of the hearing process; and

WHEREAS, the Developer desires to enter into a Developer’s Agreement (hereinafter “the Agreement”) with the Borough of Ogdensburg (hereinafter “the Borough”) in accordance with the aforementioned approved site plan; and

WHEREAS, the Borough and Developer are in mutual agreement respecting the terms and conditions of the Agreement and desire to enter into same.

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

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14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
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1. The Borough intends to enter into the Agreement with the Developer, a copy of which is attached hereto and incorporated herein, in accordance with the Land Use Board approval.

2. The Borough hereby authorizes the Mayor, on behalf of the Borough to execute and do all acts reasonably necessary to enter into said Agreement with the Developer, and the Borough Clerk to attest to same in accordance with the form of Agreement attached hereto and made a part hereof.

3. The Agreement shall be executed on behalf of the Borough only after the Developer submits to the Borough all required forms of surety and same are approved by the Borough Attorney and/or Borough Insurance Risk Management Consultant, and any other submissions which may be required as a condition prerequisite to execution under the Agreement and the approval.

4. This Resolution shall take effect immediately or as otherwise directed by law.

NOW THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Ogdensburg, Sussex County authorizes the Mayor and such other Borough officials as are necessary and required to enter into and to execute a Developer's Agreement with Interstate Industrial Management, LLC.

Upon Roll call Vote:

Yeas: Gunderman, Hutnick, Nardini, Opilla

Nays: None Absent: Astor, Nasisi Abstain None

ADOPTION ORDINANCE 06-2018

Councilman Opilla made a motion to adopt ordinance 06-2018 "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 ORDINANCES OF THE BOROUGH OF OGDENSBURG." Seconded by Councilman Nardini.

Councilman Gunderman made a motion to open to the public any comments regarding Ordinance 06-2018. Seconded by Councilman Hutnick. All were in favor.

No one from the public stepped forward.

Councilman Hutnick made a motion to close to the public any comments regarding Ordinance 06-2018. Seconded by Councilman Opilla. All were in favor.

Upon Roll call Vote:

Yeas: Gunderman, Hutnick, Nardini, Opilla

Nays: None Absent: Astor, Nasisi Abstain None

OLD BUSINESS

Repair of Loop – Councilman Opilla asked that we take this item off the agenda for now. He has to talk to Chris, we are going to have to go out to bid and probably get three bids. We will probably have to look to budget this for next year to try to schedule and get the contractors.

JCP & L – Mayor Slater commented she has not heard back from Jackie Espinoza so there is no update.

Elizabethtown Gas – Mayor Slater commented they are moving along with the project.

Hot Water Heater – No update.

Borough Hall Roof– No update.

Steam Boiler for Historical Building – No update.

Firehouse Parking lot light – Mayor Slater commented no update, haven't heard from Jackie Espinoza.

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14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
September 10, 2018**

No trespassing sign at Pond – Mayor Slater commented Councilman Astor sent her an email with the update, they put two of the no trespassing signs on the telephone poles up at the dam for now, they will have to figure out the other two this week, there is too much concrete on the other side. At least two of them are up for now.

Guard Shack- Councilman Opilla commented no real update; we are just continuing to work on it.

Block 30 Lot11.05 Wausau Street Septic Repair – No update.

Edison Road – Mayor Slater commented she thinks we are holding off on this until next year because of the budget. Mayor Slater commented to take this off [the agenda] for now.

NJDOT Grant/Bike Path – Mayor Slater commented we received an email from Mr. Armstrong with an update. Mayor Slater read part of the email. As of now they [Land Use Board] are not going to look into the grant; this item can be removed from the agenda.

Borough Hall Landscaping – No update.

Internet upgrade- Councilman Hutnick commented he will get it on Monday.

NEW BUSINESS

Budget – Council

Mayor Slater explained an email from Monica Goscicki, CFO; in the Land Use budget there is not enough to cover Professional bills and explained. In regards to the Master Plan Reexamination Plan the Master Plan is \$7,500 which we only have \$4,320.86 in the reserve account so we need an additional \$3,179.14. We will end up transferring funds in November.

Councilman Opilla asked if we confirmed that was required for this year. Mayor Slater commented Gene [Buczynski, Engineer] is saying it is. Ms. Hough commented it's every ten years according to MLUL.

Mr. Brigliadoro commented right the MLUL says at least once every ten years you are required to do a reexamination of your ordinances but you can do it as many times as you want.

Mayor Slater commented we have not done it in ten years so it has to be done this year.

Mayor Slater commented on the overtime budget for the police department.

Mayor Slater commented we need to discuss where we are going to pull money from come November.

Mayor Slater read a note from the CFO regarding certain areas of finance. We will need an additional \$25,000 for legal, \$3,700 for the master plan reexamination, health insurance rates went up in June more than what was budgeted for and the increase of going into the State Health Benefits probably is about \$10,000, Police overtime is not looking good and explained we have some money because they did not hire the new office as of July 1. Monica will speak to Tom Ferry to see if maybe we should do an emergency for legal bills and that would have to be raised in next year's budget. Monica suggested putting a freeze on spending.

Mayor Slater commented we found out about the Master Plan after the budget, Land Use Board never sent anything to let us know.

Councilman Hutnick asked how do we keep the land use board under control as far as the budget.

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
September 10, 2018**

Mayor Slater commented she doesn't know if they just didn't send anything; she thinks the reexamination came after the fact they realized it had to be done this year.

Mayor Slater commented we need to figure out where we can move some funds.

Councilman Hutnick commented he doesn't think the fire department should be cut again.

Mayor Slater commented we need \$57,000 now we need \$54,000 because we just pulled \$3,300 from the fire department.

Councilman Hutnick asked about the police overtime. Mayor Slater commented they are not over now but the CFO feels at the end of the year they will be over.

Councilman Nardini commented on the new DPW hire not starting July 1 so there should be extra with that.

There was a discussion on a new hire for the police department and time line when someone would start. Mayor Slater commented we will have funds from the new DPW hire. Councilman Nardini commented that is about nine.

Mayor Slater asked the council to review where there could be cuts and we will discuss this at the next meeting.

PUBLIC SESSION

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

Vicky Schroder, 60 Center Street, explained they are working on the haunted mine which will benefit the eighth grade class again and their trip to Boston and Great Adventure. The event will be four nights rather than two, October 19, 20, 26 and 27 the first tour starts around six and the final tour ends at ten but we can extend to eleven. Ms. Schroder explained she is here to ask the town for support, emergency services like we all worked together last year. The Historical Society is taking care of parking; it was a great community event last year and hoping we can depend on the town for a little more community help.

Steve Davis, 25 Jefferson Terr., commented on the condition of the road in front of his driveway. He knows the town repaired roads on Plant Street in the spring. Mr. Davis asked if this can be looked into and explained the condition.

Pat Sabourin, 13 Wilson Drive, commented on the streets, they did a great job as far as some of the streets go but it needs to be leveled off in a couple of places.

Mayor Slater explained Elizabethtown Gas will be coming back to fix everything when the project is done.

Mrs. Sabourin commented what is bothersome is the corner of Wilson and Main Street, there is brush there and sometimes you can't see she doesn't know if it is the towns job or the owner of that corner house.

Mayor Slater commented it is the owner.

There was a brief discussion on the right of way.

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
September 10, 2018**

There was a question on the property in front of Green Thumb which is overgrown. Mayor Slater asked the clerk to contact the zoning officer regarding this issue and the corner of Center Street and Passaic.

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

EXECUTIVE SESSION

Councilman Opilla moved, Councilman Hutnick 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;

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

The Mayor and Council returned from executive session at 7:43PM.

PAYMENT OF VOUCHERS

Councilman Opilla made a motion to approve the payment of vouchers and review finance reports. Seconded by Councilman Nardini.

Current

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
9/11/2018	29990	145 Media	147.00
9/11/2018	29991	Agra Environmental Services	325.00
9/11/2018	29992	Blue Diamond Disposal, Inc.	13,833.33
9/11/2018	29993	Clean Life Cleaning Service LLC	375.00
9/11/2018	29994	Cowdrick, David	228.00

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14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
September 10, 2018**

9/11/2018	29995	Davis, Stephen	9,871.00
9/11/2018	29996	Dolan & Dolan Esqs.	396.05
9/11/2018	29997	Gordon, Stephen	582.01
9/11/2018	29998	Home Depot	129.96
9/11/2018	29999	JCP&L	1,450.26
9/11/2018	30000	Laddey, Clark & Ryan	400.00
9/11/2018	30001	Lakeland Auto Parts	406.56
9/11/2018	30002	Lame, James	1,901.00
9/11/2018	30003	New Jersey Herald	61.50
9/11/2018	30004	Ogdensburg Board of Education	204,473.50
9/11/2018	30005	ReadyRefresh	17.58
9/11/2018	30006	Township of Sparta, Police Dept.	13,899.50
9/11/2018	30007	Township of Wantage	3,141.25
9/11/2018	30008	Valley Vision Care, LLC-Franklin	125.00
9/11/2018	30009	Varcadipane Jr, William J.	1,157.00
9/11/2018	30010	Verizon Wireless	122.00
9/11/2018	30011	Wallkill Valley Regional H.S.	100,865.00
			=====
			353,907.50

Developers Escrow

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
9/11/2018	2064	Van Cleef Engineering Assoc. LLC	125.00
9/11/2018	2065	Weiner Law Group LLP	64.00
			=====
			189.00

Dog Fund

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
9/11/2018	212	NJ Dept of Health & Senior Service	17.40
			=====

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OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
September 10, 2018
17.40**

Water Op

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
9/11/2018	4804	Agra Environmental Services	45.00
9/11/2018	4805	JCP&L	1,449.45
9/11/2018	4806	One Call Concepts, Inc.	36.25
			=====
			1,530.70

Upon Roll call Vote:

Yeas: Gunderman, Hutnick, Nardini, Opilla

Nays: None Absent: Astor, Nasisi Abstain None

There being no further business, Mayor Slater moved, Councilman Gunderman seconded motion to adjourn the meeting. All were in favor.

Meeting adjourned at 7:44p.m.

Robin Hough, Borough Clerk

Rachel Slater, Mayor