

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
October 22, 2018**

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

Mayor Slater led the Pledge of Allegiance.

ROLL CALL: Astor, Hutnick, Nasisi, O'Dell, Opilla.

Absent: Nardini

Also in attendance was Richard Briigliodoro, Borough Attorney.

STATEMENT BY MAYOR: "Notice requirements of P.L. 1975, Open Public Meeting Act, NJSA10:4- 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 Hutnick moved Councilman Opilla seconded motion for approval of items on the consent agenda.

CONSENT AGENDA

1. Approval of regular meeting minutes and executive session minutes from October 10, 2018.
2. Approval of Resolution 79-2018 imposing a curfew for October 28, 29, 30 and 31, 2018.
3. Approval of Resolution 80-2018 to dispose of Police Department outdated equipment.
4. Approval of Resolution 81-2018 cancelling Municipal Court outstanding check balance.
5. Approval of Resolution 82-2018 cancelling budget appropriation.

Upon Roll call Vote:

Yeas: Astor (Abstain #1), Hutnick, Nasisi (abstain #1), O'Dell, Opilla (abstain #1)

Nays: None Absent: Nardini Abstain None

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

Resolution 79-2018

WHEREAS, the Chief of Police recommends a curfew be imposed beginning at 9:00PM for October 28, 29, 30 and 31, 2018; and

WHEREAS, the curfew shall be for all individuals under the age of 18 unless accompanied by an adult; and

NOW THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Ogdensburg approve the curfew beginning at 9:00PM for October 28, 29, 30 and 31, 2018 for all individuals under the age of 18 unless accompanied by an adult.

Upon Roll call Vote:

Yeas: Astor (Abstain #1), Hutnick, Nasisi (abstain #1), O'Dell, Opilla (abstain #1)

Nays: None Absent: Nardini Abstain: None

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

Resolution 80-2018

WHEREAS, the Borough of Ogdensburg Police Department has several items which no longer serve any function with this department, and

WHEREAS, the Chief of Police letter dated October 13, 2018 requesting the following items be removed from inventory so they can be destroyed/disposed of:

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Item number and description:

- #20 – Motorola HT750 radio ser#672TAWA424
- #21 – Motorola HT750 radio ser# 672TZYK754
- #24 – Motorola HT750 radio ser#672TAWA424

No inventory tags:

- Motorola Radius P110 radio ser#188TVLG506, Motorola HT440 radio ser# h33lcu3144a
- Motorola Radius P110 radio ser#188TUWG460. Motorola HT440 radio ser#402ajs1243
- Motorola HT440 radio ser# 402ajs1241, Motorola HT440 radio ser#-402ajs1243

No inventory tags;

- Streamlight flashlights – 00228733, 00226921, sd153874, sd151810, se152833, 00226911, uf665482
- Maglite flashlights – R32969177, r32954031, R32956565

NOW THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Ogdensburg hereby approve the items listed be removed from inventory so they can be destroyed/disposed of.

Upon Roll call Vote:

Yeas: Astor (Abstain #1), Hutnick, Nasisi (abstain #1), O’Dell, Opilla (abstain #1)
Nays: None Absent: Nardini Abstain None

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

Resolution 81-2018

Whereas, Certain Accounts within the Borough of Ogdensburg Municipal Court, with outstanding check balances from checks not returned or unclaimed; and

Whereas, It is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective account balance or credited to surplus;

Now, therefore, be it resolved, by the Mayor and Council of the Borough of Ogdensburg, that the following outstanding check balances within the following checking account be canceled:

<u>Date</u>	<u>Check #</u>	<u>Fund Name</u>	<u>Amount</u>	<u>Total</u>
09/01/2017	3802	General Account	\$ 2.00	\$2.00

Upon Roll call Vote:

Yeas: Astor (Abstain #1), Hutnick, Nasisi (abstain #1), O’Dell, Opilla (abstain #1)
Nays: None Absent: Nardini Abstain None

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

Resolution 82-2018

WHEREAS, the Borough of Ogdensburg will not have to make a NJ DEP Dam loan repayment for principal or interest during 2018;

WHEREAS, the following Current Fund budget appropriation balance remains unexpended:

NJ DEP Dam Loan Repayment for Principal and Interest	\$5,000.00
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WHEREAS, it is necessary to formally cancel said balance, the unexpended balance will be credited to surplus;

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NOW THEREFORE, BE IT RESOLVED, by the council of the Borough of Ogdensburg, Ogdensburg, New Jersey, that the above listed unexpended balance of the Current Fund be canceled.

Upon Roll call Vote:

Yeas: Astor (Abstain #1), Hutnick, Nasisi (abstain #1), O'Dell, Opilla (abstain #1)

Nays: None Absent: Nardini Abstain None

OLD BUSINESS

JCP & L/Firehouse parking lot light – Mayor Slater commented she spoke to Jackie Espinoza, JCP&L to see about putting LED lights on the poles that have the big brown boxes on the baseball field. In regards to the parking lot no LED lights in the parking lot. We are going to go with having DPW put something up on the building and try to convince the fire department to put bigger lights in the back of their building.

Councilman Hutnick asked why can't we have LED lights in the parking lot.

Mayor Slater commented because JCP& L will not put those in the parking lot. We did check with Gene Buczynski, Borough Engineer and he suggested not doing them per the Borough Engineer from seven months ago. He suggested putting the light up on the buildings, it will cost too much to run the power out there vs. putting lights on the building.

Councilman Hutnick commented there was power there originally.

Mayor Slater commented there was power there because there was a poll there from JCP& L that was running lights that pole is no longer there and they are not putting it back. The line is gone the poll was taken down.

Councilman Nasisi asked if this was the pole by the dumpster.

Mayor Slater commented yes, the one the backhoe backed into and took down. When they took the poll down they were going to come back. The pole is not coming back it is gone, there is no line there, if you want light it has to go on the building.

Elizabethtown Gas – Councilman Astor commented there is nothing really new they are just continuing to move on.

Mayor Slater commented they are still on schedule to be done at the end of November.

Councilman Hutnick commented they were doing final driveways today.

Hot Water Heater – Councilman Nasisi commented as far as the hot water heater this also goes along with the steam boiler it's the same company and they were doing a company name change and explained.

Borough Hall Roof– Councilman Nasisi commented he is pushing to get one more estimate he only got one. It is hard to get people out, he does have somebody else that seems to be interested and should be out within the next two weeks and take a look.

Steam Boiler for Historical Building – See above under hot water heater.

No trespassing sign at Pond – Councilman Astor commented there is no update.

Block 30 Lot11.05 Wausau Street Septic Repair – Councilman Nasisi commented the septic abandonment up on Wausau for the old community septic system; we are really just waiting for November to allocate some funds and move some things around.

Sparta Dispatch – Mayor Slater commented we received an email from the Sparta Town Clerk everything is with their Council; they are going to put together a new contract for us and hopefully send that over to us by the end of this week.

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Hydrants – Mayor Slater read an email from Councilman Nardini. Chris is working with the contractor to fix the broken hydrants and then they will look at what is left and fix whatever they can.

Heaters for Wells – Mayor Slater continued to read Councilman Nardini’s email. Rob did by the heaters we are waiting on either installing what he can, the small ones they are getting an electrician to come in and fix the electric switches or wiring for the others that are not operational.

Driveway Ordinance from Land Use Board – Councilman Nasisi commented as far as the driveway ordinance from the Land Use Board we are going through our Master Plan and this is something the Chairman thought we should have a little consistency throughout the town. The ordinance wasn’t clear there is more information in there as far as setbacks; some have changed it use to be right on the property line but most of it pertains to new construction. An existing driveway is a pre-existing none conforming condition. There are not a lot of building lots however if you were going to put in a new driveway you would also have to conform to the new ordinance. If it is going to go beyond its existing peramiters you are going to fall subject to certain requirements.

The Council discussed the proposed driveway ordinance from the Land Use Board.

Ms. Hough asked if the Mayor and Council wanted this to be in the form of an ordinance and be introduced at the next Council meeting.

Mayor Slater commented she will leave it to them.

Councilman Hutnick commented it sounds like there is more discussion.

Councilman Nasisi asked if everyone read it. Councilman Nasisi commented he can go through the ordinance.

Mr. Briigliodoro asked did Gene Buczynski, Borough Engineer have input into this draft.

Councilman Nasisi commented yes.

Mayor Slater commented he goes to all the Land Use meeting and is the person that signs off on all the permits. Mayor Slater commented we should have Gene come to the next meeting.

Mr. Briigliodoro commented he thinks that is a good idea.

Sterling Hill Haunted Mine Tour – Councilman Astor commented the Mine had its haunted mine tour it went off Friday and Saturday. It was well attended and well supported by the town. Councilman Astor thanked everyone that was involved from Mrs. Schroder who is here to the EMS, Fire Department and Police Department.

Discussion of CFO – Councilman Hutnick commented we are going to take a different direction with the only individual we had that was qualified. We are going to look into a shared service agreement with Sussex they are in the same boat that we are looking for a CFO part time. Between the two towns we can hire a full time CFO with all the proper qualifications and it will be split between the two towns. How it is going to work we don’t know yet we are in the process of setting up the meeting with Tom Ferry and Sussex Borough.

Mayor Slater commented Tom Ferry, Borough Auditor thought this would be better, we would get more applications and resumes doing it this way.

Councilman Hutnick commented because now we are going to offer a full time position.

Councilman Astor commented we are going to split the costs and benefits.

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Councilman Nasisi asked how long of a contract are we looking to engage for a shared service two, three years.

Councilman Hutnick commented we haven't got that far yet.

Mayor Slater commented the person we all liked when we met with her the second time she realized the drive is two hours here. Councilman Hutnick commented and that two hours and everything else added another fifty thousand dollars more in pay and go as a consultant.

Councilman Astor asked about the business manager also.

Mayor Slater commented we will discuss that in executive.

NEW BUSINESS

Insurance – Councilman Opilla commented we received a renewal notice regarding group Medicare and it actually represents a two percent overall decrease in rates for 2019 which is good news. It is just the annual notice we get it every year. Councilman Opilla commented he wanted the Council to know we were going to renew it, this is for Medicare nothing to do this the plan for the employees currently.

ADDENDUM

Best Practices Discussion- Council

Mayor Slater commented everyone should have the packet, Monica and Robin went through and answered the ones they could there are some highlighted we need to address. Mayor Slater read number 41. We have the local finance notice. Ms. Hough commented Monica reviewed the notice which was regarding electronic payments instead of cutting checks; we put prospective for that number so we could give it to the Council to look into. There was a discussion on number 41. Councilman Hutnick commented reading into this there is a lot more to it. Mayor Slater commented we could look into this and maybe later.

Mayor Slater read number 44. Mayor Slater commented we would need more information. Councilman Astor commented he wants to make sure we are not going to be liable or lose any tax revenue or provide rebates. Ms. Hough asked how do you want us to answer this. Councilman Astor commented prospective is fine, if we could push out a program for solar for families but it is not cost to us and we are not harmed in anyway then fine we can push it out but if we are going to be held. Mayor Slater commented prospective is fine we will get more information.

Mayor Slater read number 50. Ms. Hough explained she spoke to Monica Goscicki, CFO today at Mountain Lakes and they were going over best practices there and for this question they referenced the statute 40A 11-6. Which is about procedures for an emergency and how you would go about? Mayor Slater commented that is all covered in the OEM stuff and that is all approved by the County. Ms. Hough commented we took this as something different and gave an example. Say there was a water main break and it was harmful to the residents we had to get it fixed how would you go about this as an emergency if you had to get something fixed for an emergency. Ms. Hough asked Mr. Briigliodoro, Esq. how would you take this.

Mr. Briigliodoro commented typically something like that if there is a water main break you don't have time, you have to get somebody out there to fix it. Councilman Nasisi commented the emergency would change. Ms. Hough commented but there is an emergency procedure. Mayor Slater commented that is what we have to figure out what the emergency is that this is talking about a water main break or it is talking about a disaster emergency where the OEM is called in. Ms. Hough gave Mr. Briigliodoro a copy of statute 40A11-6 for an emergency.

Councilman Nasisi commented he would say we do; we don't have a vast infrastructure, our team in on call if something breaks we call them they come in if it happens day or night. The only thing we really can't control is whatever overtime occurs due to that emergency. Ms.

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Hough commented when she spoke to Chris he said they fix it right away and usually the DPW fixes it. Councilman Nasisi commented then anything over and above that would be covered by OEM. Ms. Hough asked how do you want to answer the question.

Councilman Opilla commented what does an emergency procurement stand for. Mr. Briigliodoro explained the statue. An emergency effecting the public health safety and welfare which requires immediate action you don't have to deal with the bidding process, you don't have to worry of the cost exceeds the bid amount under normal circumstances and gave an example.

Councilman Nasisi commented to properly answer the question we would need to know what are the mandatory procurement emergency standards.

Councilman Astor asked if you reached out to Chris. Ms. Hough commented yes, what they do is just fix it whether they do it in house or they have to go out and get it if it is an emergency they just fix it then tell you they fixed it.

Councilman Opilla commented in the history with water mains any of that stuff that has happened has been below the bid threshold anyway.

Councilman Astor commented but do we have a policy into affect God forbid if something happens; is that what they are asking Mr. Briigliodoro. Mr. Briigliodoro referenced the statue again and read part of it and explained you would contact the purchasing agent and basically ratify what already has been done.

Councilman Opilla commented that is kind of what the process was for that, is that enough of a process to say we adhere to it. Mayor Slater commented she would say yes. Councilman Astor commented he thinks we have a plan.

The answer to that question is yes.

Mayor Slater read question 58. This was emailed to the Richard Briigliodoro earlier to review. Mr. Briigliodoro commented the answer is yes and explained the question to the Council and why the answer would be yes and gave an example.

Ms. Hough asked if the Council was good with the best practice sheet, she was going to have Monica take one last look at it too.

Budget – Mayor Slater read an email Monica, CFO wrote to the Council regarding transfers for November.

Councilman Astor commented she is talking about transferring \$23,980.68 in the trust (2017) plus \$66,700, move some or all for the expenses from the snow trust.

Councilman Opilla commented so if we move all of the expenses over that doesn't impact any of the budgets then.

Councilman Astor commented he doesn't have a problem transferring it into the fund as long as we make sure that whatever is being transferred if we need to transfer out for something else it's not going to exceed until we know what this winter is going to be.

Councilman Opilla commented we have to keep in mind this is the 2018 not 2019 budget; so 2018 only runs until the end of December.

Councilman Astor commented he doesn't have a problem but say we put \$44,000 in if we need to pull we pull out \$44,000; he doesn't want to take away from that account.

There was a discussion on the budget items, the amounts to transfer in the November and from what accounts to transfer money out of, we won't have the 2019 budget set until March,

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PUBLIC SESSION

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

No one from the public stepped forward.

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

EXECUTIVE SESSION

Councilman Opilla moved, Councilman Astor 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: Astor, Hutnick, Nasisi, O'Dell, Opilla
Nays: None Absent: Nardini Abstain: None

The Mayor and Council returned from executive session approximately 8:30PM.

Councilman Hutnick made a motion to adopt resolution to increase our current employee Kim Cucci, Payroll Clerk from part time to full time of 35 hours per week effective November 5th and with that starting in January she will be taking courses towards her qualified purchasing agent and at that time we will make adjustments as necessary. Seconded by Councilman Opilla.

Upon Roll call Vote:

Yeas: Astor, Hutnick, Nasisi, O'Dell, Opilla
Nays: None Absent: Nardini Abstain: None

PAYMENT OF VOUCHERS

Councilman Opilla made a motion to approve the payment of voucher and departmental reports. Seconded by Councilman Nasisi.

Upon Roll call Vote:

Yeas: Astor, Hutnick, Nasisi, O'Dell, Opilla
Nays: None Absent: Nardini Abstain: None

Current

<u>DATE</u>	<u>CHECK</u> <u>#</u>	<u>PAID TO</u>	<u>AMOUNT</u>	<u>Reason</u>
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10/11/2018	30067	US Postal Service	168.00	
10/25/2018	30074	Atlantic Tomorrows Office	275.68	
10/25/2018	30075	CenturyLink	536.85	
10/25/2018	30076	CenturyLink		1,245.34
10/25/2018	30077	LINA	202.50	
10/25/2018	30078	Dell Marketing L.P.	58.19	
10/25/2018	30079	Gramco Business Communications	140.00	
10/25/2018	30080	Horizon BC/BS of NJ		1,009.49
10/25/2018	30081	Horizon BC/BS of NJ		1,661.91
10/25/2018	30082	Horizon BC/BS of NJ	958.30	
10/25/2018	30083	Horizon BC/BS of NJ	310.10	
10/25/2018	30084	JCP&L		1,952.62
10/25/2018	30085	Johnny on the Spot, LLC	467.70	
10/25/2018	30086	Laddey, Clark & Ryan	400.00	
10/25/2018	30087	Northern Tool & Equip/BlueTarp Fian	263.95	
10/25/2018	30088	ProPay Inc	539.06	
10/25/2018	30089	Staples Business Advantage	51.56	
10/25/2018	30090	Valley Vision Care, LLC-Franklin	289.14	
10/25/2018	30091	Verizon Wireless	120.17	
Voided				
10/12/2018	30067	US Postal Service	(168.00)	Issued too early
			=====	
			10,482.56	

Grant Fund

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>	
10/15/2018	30072	The UPS Store	936.00	
10/16/2018	30073	US Postal Service	151.31	
10/25/2018	30092	Girls on the Run New Jersey North	500.00	
			=====	
			1,587.31	

Payroll

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10/25/2018	430	AFLAC	597.52
			=====
			597.52
		Water Op	

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
10/25/2018	4815	Atlantic Switch and Generator, LLC	123.00
10/25/2018	4816	JCP&L	600.19
10/25/2018	4817	Staples Business Advantage	13.16
10/25/2018	4818	USA Blue Book	1,598.23
			=====
			2,334.58

Mayor Slater commented so everyone is aware now that we do payment of vouchers every meeting we don't have a second meeting in December but bills will be being paid.

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

Meeting adjourned at 8:30p.m.

Robin Hough, Borough Clerk

Rachel Slater, Mayor