

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
January 14, 2019**

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

Mayor Hutnick led the Pledge of Allegiance.

ROLL CALL: Astor, Nardini, O'Dell, Slater

Absent: Nasisi, Opilla

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, 2019."

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

Upon Roll call Vote of Consent Agenda:

Yeas: Astor, Nardini, O'Dell, Slater

Nays: None Absent: Nasisi, Opilla Abstain None

CONSENT AGENDA

1. Approval of regular meeting minutes from December 10, 2018.
2. Approval of the reorganization meeting minutes from January 2, 2019.
3. Approval of Resolution 15-2019 to redeem third party tax sale certificate #2018-008 in the amount of \$202.75 to Rustic Ridge Holdings LLC.
4. Approval of Resolution 16-2019 transfer of appropriations (2018 Municipal Budget)
5. Approval of Resolution 17-2019 salary increase for Court Administrator.
6. Approval of Resolution 18-2019 contract with Phoenix Advisors.
7. Approval of Resolution 19-2019 agreement with Space Wild Animal Farms. Inc.
8. Approval of raffle application submitted by St. Thomas of Aquin RC Church for a tricky tray to be held on April 5, 2019 at the Ogdensburg Fire House.
9. Approval of raffle application submitted by St. Thomas of Aquin RC Church for an on premise 50/50 to be held on April 5, 2019 at the Ogdensburg Fire House.

Resolution 15-2019

TO REDEEM THIRD PARTY TAX SALE CERTIFICATE# 2018-008

BLOCK 26.09 LOT 33

2 WALLKILL TERR

ZAWACKI, JEFFREY & JENNIFER

WHEREAS, THE TAX COLLECTOR, REGINA FLAMMER HAS ADVISED THAT PAYMENT HAS BEEN RECEIVED IN THE AMOUNT OF \$ 202.75 TO REDEEM TAX SALE CERTIFICATE # 2018-008

WHEREAS,

RUTSTIC RIDGE HOLDINGS LLC
60 DEER TRAIL LAKE ROAD
STOCKHOLM, NJ 07460

IS THE HOLDER OF TAX SALE CERTIFICATE # 2018-008

AND AS MUCH IS DUE PAYMENT IN THE AMOUNT OF \$ 202.75

TO REDEEM SAME.

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NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX, STATE OF NEW JERSEY, THAT APPROVAL BE GRANTED TO ISSUE A CHECK IN THE AMOUNT OF \$ 202.75 TO REDEEM TAX SALE CERTIFICATE # 2018-008

REGINA FLAMMER
TAX COLLECTOR
DECEMBER 26, 2018

Resolution 16-2019

BE IT RESOLVED by the Council of the Borough of Ogdensburg that the following transfer of Appropriations (2018 Municipal Budget) in accordance with N.J.S. 40A 4-58 be and is hereby approved.

SALARIES & WAGES

FROM:	TO:
Finance 01-203-20-130-010	6,000.00
Parks & Play. 01-203-28-370-010	1,579.00
Police 01-203-25-240-010	8,121.00

OTHER EXPENSES

FROM:	TO:	
Parks & Play. 01-201-28-370-020	4,000.00	Legal 01-203-20-155-020 \$10,00
		Land Use 01-203-21-180-020 \$1,40
		PFRS 01-203-36-475-020 \$8,30

TOTAL	\$19,700.00	\$19,700.00
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Resolution 17-2019

WHEREAS; Magret Rodriguez was hired as a temporary acting Court Administrator on December 26, 2016; and

WHEREAS; Magret Rodriguez was permanently hired as the Borough of Ogdensburg Court Administrator by resolution on June 12, 2017 at the rate of \$22.00 per hour with a \$3.00 per hour increase upon completion of her certification; and

WHEREAS; Magret Rodriguez has completed all the necessary requirements to be a fully accredited Court Administrator and has maintained all the necessary credits as Court Administrator; and

WHEREAS; Magret Rodriguez has requested the Mayor and council to consider a \$1.50 increase of the \$3.00 be given as of this resolution as she is a fully accredited Court Administrator and the addition \$1.50 increase be given after the completion of her Court Project and the project is approved by the AOC she will be a certified Court Administrator.

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Ogdensburg approves a \$1.50 increase per hour effective immediately to Magret Rodriguez as she is a fully accredited Court Administrator and the additional \$1.50 once she completes her Court project and has approval by the AOC to be a certified Court Administrator.

Resolution 18-2019

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WHEREAS, the Borough of Ogdensburg, Sussex County, New Jersey has previously issued it bonds, bond anticipation notes and/or other debt obligation (the “Bonds”); and

WHEREAS, in connection with the issuance of certain Bonds and for purposes of assisting underwriters to comply with Rule 15c-12 under the Securities Exchange Act of 1934, the Borough of Ogdensburg has covenanted and/or entered into one or more undertakings or agreements to provide Continuing Disclosure Agent Services Agreements (the “CDA”) to the public marketplace; and

WHEREAS, Phoenix Advisors LLC provides such Continuing Disclosure Agent Services and is an independent registered municipal advisor under the SEC regulations; and

WHEREAS, the Chief Financial Officer has recommended that Phoenix Advisors LLC be retained to provide Continuing Disclosure Agent Services agreement services to the Borough of Ogdensburg.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Ogdensburg, Sussex County, State of New Jersey the following.

1. The Mayor and Borough Clerk be and are hereby authorized to execute a contract with Phoenix Advisors LLC for Continuing Disclosure Agent Services applicable to bonds in an amount not to exceed the base fee \$1,050.00 (for up to three outstanding issues).
2. This contract is awarded without competitive bidding as a “Professional Service” pursuant to N.J.S.A. 19:44A-20 et seq. and the local public contract law.
3. The term of this contract shall be until December 31, 2019.
4. The total fee authorized for this contract shall not exceed \$1,050.00 without prior written approval of the Governing Body.
5. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Borough Clerk.

Resolution 19-2019

WHEREAS, the Governing Body of the Borough of Ogdensburg to enter into an agreement with Space Wild Animal Farms Inc. for the removal of deer carcasses from the municipal road right-of-way for the fee of \$31.00 per deer;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Ogdensburg to approve an agreement between Space Wild Animal Farm Inc. and the Borough of Ogdensburg for removal of deer carcasses from the municipal road right a ways at a fee of \$31.00 per deer payable monthly.

INTRODUCTION TO ORDINANCE 01-2019

Councilwoman Slater made a motion to introduce an ordinance 01-2019 entitled “AN ORDINANCE ADDING THE POSITION SENIOR PAYROLL CLERK TO THE ORDINANCE FIXING THE SALARIES OF THE OFFICES AND EMPLOYEES OF THE BOROUGH OF OGDENSBURG” Seconded by Councilman Astor

Public Hearing will be held January 28, 2019.

Upon Roll call Vote:

Yeas: Astor, Nardini, O’Dell, Slater

Nays: None Absent: Nasisi, Opilla Abstain None

INTRODUCTION TO ORDINANCE 02-2019

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Councilwoman Slater made a motion to introduce an ordinance 02-2018 entitled “AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 3, POLICE REGULATIONS OF THE CODE OF THE BOROUGH OF OGDENSBURG PROHIBITING “ENGINE-BRAKING” IN THE BOROUGH.” Seconded by Councilman Astor

Public Hearing will be held January 28, 2019.

Upon Roll call Vote:

Yeas: Astor, Nardini, O’Dell, Slater

Nays: None Absent: Nasisi, Opilla Abstain None

OLD BUSINESS

JCP & L/Firehouse parking lot light – Mayor Hutnick commented he spoke to Jackie Espinoza from JCP & L they did fix the light on Center Street. Mayor Hutnick was asked to check out the firehouse which he did the other night; it is kind of ok. The lighting is better than it was.

Councilwoman Slater commented yes there are just lights on the firehouse.

Mayor Hutnick commented he thinks we can do better but at least we have lights to start with so we can see when people go in the back of the building and cars go around they can still see.

Elizabethtown Gas – Councilman Astor commented he spoke with Tyler from Elizabethtown Gas he said they are basically all finished they do have to come back for some last bit of remediation on soils and on people’s property, there is no sense doing that now with the cold weather. So, they will come back to clean up a little. More and more people are adding on and they will just have to come and set up when those individuals decide to call and ask for a hook up. Councilman Astor commented at this time he thinks we can take Elizabethtown Gas off [the agenda] since they are pretty much finished.

Mayor Hutnick commented so far everything seems positive for people that are receiving it. We can let this settle down a little then start pushing for the rest of the town. Clearly we have proven that we can do the project and that the residents are still looking for it. So the residents that haven’t been able to receive it will be given a shot at it.

Councilman Astor commented there are a lot of people that do want it in areas that [don’t have it].

Hot Water Heater – No update

Borough Hall Roof– No update

Steam Boiler for Historical Building – No update

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

Hydrants – Councilman Nardini commented he thinks we can take these two things off for now. The heater situation, the electric everything has been updated, Rob said there is one light fixture that has to be replaced. We are totally caught up from the heaters not working and fixing used ones in there, those are all gone. There is one light fixture that has to be replaced.

Councilman Nardini commented with the hydrants Chris did replace the one; we are waiting to get the second one done. We will talk about this more with the 2019 projects.

Councilwoman Slater asked if the hydrant flushing goes in the Fire Department budget.

Mayor Hutnick commented he had a discussion with Chris Ross about it, he is very receptive to it borderline excited about it. Mayor Hutnick told Chris his the entire plan, who he plans on having come in to assist with it. He was fully supportive of it. Mayor Hutnick commented he thinks what we need to do is increase DPW budget this year to cover a lot of these water projects that have been pushed off for years and we will take it from there. The Fire Department will

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assist or coordinate wherever they are needed, he is not planning on making the guys come out over night and do any of the work. Surely the Chief and Deputy can inspect and have their input on it. Let the chief [Fire Department] know and their input is welcomed.

Councilman Astor commented he is happy to hear DPW might be increased instead of slashed.

Mayor Hutnick commented we can't because there are so many things that need to be done.

Councilwoman Slater commented to leave on [the agenda] Hydrant Flushing.

Heaters for Wells – See above “Hydrants”.

Discussion of CFO – Mayor Hutnick commented we had a series of interviews for our CFO position to discuss shared services with Sussex, we interviewed three candidates and we found the candidate that we are very pleased with, who is local, who has more experience then we were actually thinking of, he has worked with large multimillion dollars budgets, projects, planning, grants and he is very interested in us. Mayor Hutnick commented tonight we will discuss the candidate in more detail, he has already been rice noticed, an new law states that candidates now have to be rice noticed that we are going to talk about them. So he was sent his notice. We will discuss him in executive session and Sussex is going to do the same thing tomorrow night, we will have a quick phone call on Wednesday morning and if everyone is in agreement we will give the candidate an offer on Wednesday.

Councilwoman Slater commented everyone should have his resume in their packet.

Email Technology – Councilman Nardini commented we [Council] have all our emails set up; hopefully everyone has seen them, used them, logged in and changed your password.

There was a brief discussion on the email change.

Crosswalk – Councilman Astor commented Robin sent out a letter to the gentleman regarding the crosswalk and hopefully we will be able to set up a meeting with him shortly.

Councilwoman Slater asked will the bus issue be addressed.

Councilman Astor commented we will address all that with the gentleman. Councilman Astor explained the crosswalk issue to refresh the Council.

Professional Services Attorney and Engineer – Mayor Hutnick commented we sent out proposals for professional services so we can look at other attorneys and other engineering firms. Do we discuss this now or in executive?

Mr. Brigliadoro commented it should be in executive session.

Mayor Hutnick commented we will discuss this in executive and tell you what we found and what we have.

NEW BUSINESS

Blue Diamond- Councilman Astor commented Blue Diamond our new garbage and recycling company.

Mr. Brigliadoro commented this should been in executive session also it is contractually related.

Block 21 Lot 27, 76 Kennedy Ave.- Mayor Hutnick commented we have received several inquires about Block 21 Lot 27, which is 76 Kennedy Ave, you have in your packet a letter of interest from a particular resident, we also have a copy of the map showing the area. It is a 10 acres parcel. Mayor Hutnick commented he has also had two verbal communications with

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somebody that is interested in the same parcel of land. They want to know if the Borough is willing to sell it. Mayor Hutnick commented he knows the intention of one person, he doesn't know the intention or use of the other party. So is this something we would consider it would be a ratable, collect some money and have a piece of land be used that we are not using.

Mr. Briigliodoro asked what is the land used for now. Mayor Hutnick commented nothing, it is woods.

Mr. Briigliodoro commented it is just unimproved land. Mr. Briigliodoro commented is there anything in terms of any environmental restraints.

There was a discussion on the property and process if the Borough is interested in selling.

Mr. Briigliodoro commented we have to be satisfied the property no longer serves a purpose and if it is unimproved land and we don't think we will have a use for it in the future that would be one thing and this really should go out to public bid.

Mayor Hutnick commented that is the intention, he just wants to make sure we have the information first.

Radon Awareness – Councilman Nardini commented this is a program were we apply by the end of the month to the state and if they accept it we basically can purchase up to a thousand dollars of radon kits where residents in the town can come to us to get the kit. We can either have them pay for the kit or we cannot charge people for it and get reimbursed from the State up to \$1,000 worth of equipment. Councilman Nardini thought this would be a good thing to do for anyone that is concerned with it. If they approve us and accept us into the program then it doesn't cost us anything as long as we don't purchase more than \$1,000 worth of test kits.

There was discussion on radon awareness program.

PUBLIC SESSION

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

Ed Savick, Kennedy Ave, stepped forward. Mr. Savick commented he is trying to get a lien taken off his property now for a couple of weeks and he is not making any headway. The town clerk has taken this as far as she could go and he was advised to come to this meeting and bring this up.

Mayor Hutnick commented what Robin has informed him is the lien on the property we can't find any documentation on it. Is that correct?

Mr. Savick commented correct, to a point, she found his name on the list but she cannot find his paper work in the basement.

Ms. Hough commented the mortgage we found was on the Sussex County website. Monica and I have searched everything downstairs, we went through all the boxes and we can't find anything. It doesn't usually say in the mortgage that it is forgiven after 10 years it says it in the note and we can't find it anywhere.

Mr. Savick commented why can't we look at others in the program.

Mr. Briigliodoro commented it looks like there were a couple of different programs and read off the number of programs. Mr. Briigliodoro commented he was looking for any documents with the SCP 94 program.

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Mr. Savak commented he was supposed to be forgiven on the loan if he stayed in town for 10 years.

There was a discussion back and forth regarding the mortgage.

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

EXECUTIVE SESSION

Councilman Astor 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;

Personnel, Litigation, Contract

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, Litigation, Contract

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, Nardini, O'Dell, Slater
Nays: None Absent: Nasisi, Opilla Abstain: None

The Mayor and Council returned from executive session at 8:45PM.

PAYMENT OF VOUCHERS

Councilwoman Slater made a motion to review department reports and payment of the vouchers. Seconded by Councilman Astor.

Upon Roll call Vote:

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

			Current
<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
1/15/2019	30202	Atlantic Communications	644.60
1/15/2019	30203	Aurora Electrical Supply	424.31
1/15/2019	30204	B & R UNIFORM	1,348.55

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1/15/2019	30205	Blue Diamond Disposal, Inc.	13,833.33
1/15/2019	30206	Borough of Franklin	709.03
1/15/2019	30207	Center for Education & Employment Law	263.54
1/15/2019	30208	CenturyLink	1,434.75
1/15/2019	30209	CenturyLink	377.39
1/15/2019	30210	Certified Speedometer Service	156.00
1/15/2019	30211	LINA	202.50
1/15/2019	30212	Clean Life Cleaning Service LLC	425.00
1/15/2019	30213	Coast To Coast Solutions	338.69
1/15/2019	30214	Complete Security Systems, Inc.	24.20
1/15/2019	30215	Danforth's	719.74
1/15/2019	30216	Dave's Towne Service	658.75
1/15/2019	30217	Elizabethtown Gas	1,747.41
1/15/2019	30218	Fernbruck LLC	474.05
1/15/2019	30219	Ford Motor Credit Company	8,800.00
1/15/2019	30220	Gempler's	319.90
1/15/2019	30221	Gordon, Stephen	150.00
1/15/2019	30222	Home Depot	44.90
1/15/2019	30223	Horizon BC/BS of NJ	895.00
1/15/2019	30224	Horizon BC/BS of NJ	344.00
1/15/2019	30225	Horizon BC/BS of NJ	1,603.55
1/15/2019	30226	JCP&L	2,001.10
1/15/2019	30227	Kimberly Cucci	23.40
1/15/2019	30228	Laddey, Clark & Ryan	800.00
1/15/2019	30229	Lakeland Auto Parts	100.00
1/15/2019	30230	Mathew Bender & Co. Inc.	77.22
1/15/2019	30231	Magloclen	400.00
1/15/2019	30232	New Jersey Herald	511.00
1/15/2019	30233	Nielsen Ford, Inc.	1,644.32
1/15/2019	30234	NJ League of Municipalities	160.00

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1/15/2019	30235	NJ League of Municipalities	349.00
1/15/2019	30236	Ogdensburg Board of Education	204,473.33
1/15/2019	30237	Ogdensburg Fire Department	700.00
1/15/2019	30238	Petty Cash Fund	100.00
1/15/2019	30239	ProPay Inc	474.60
1/15/2019	30240	Randolph Township	1,100.00
1/15/2019	30241	Sonia Barria	70.00
1/15/2019	30242	Space Farms Zoo & Museum	31.00
1/15/2019	30243	Sparta Discount Tire, Inc.	1,119.52
1/15/2019	30244	Staples Business Advantage	811.34
1/15/2019	30245	Staples Business Advantage	598.92
1/15/2019	30246	Sussex County Lock & Safe	12.00
1/15/2019	30247	Sussex County Treasurer	1,541.87
1/15/2019	30248	Sussex County Treasurer	101.83
1/15/2019	30249	Sussex County Treasurer	8.72
1/15/2019	30250	Team Life	997.00
1/15/2019	30251	Treasurer, State of NJ	150.00
1/15/2019	30252	Van Cleef Engineering Assoc. LLC	3,031.25
1/15/2019	30253	Verizon Business	164.18
1/15/2019	30254	Verizon Wireless	120.27
1/15/2019	30255	W.S. Darley & Co.	1,520.02
1/15/2019	30256	Wallkill Valley Regional H.S.	104,445.00
1/15/2019	30257	Weiner Law Group LLP	9,044.48
1/15/2019	30258	Wottle, Dennis	109.99

	Voided		372,730.55
1/15/2019	30243	Sparta Discount Tire, Inc.	(1,119.52)
			=====
			371,611.03

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Admin Trust

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
1/15/2019	2145	Danforth's	384.06
1/15/2019	2146	Rustic Ridge Holding, LLC	202.75
			=====
			586.81

Capital Fund

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
1/15/2019	1102	Fire Fighter One LLC	10,152.00
1/15/2019	1103	Gordon, Stephen	110.31
			=====
			10,262.31

Dog Fund

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
1/15/2019	217	FRA Technologies, Inc	650.00
1/15/2019	218	J.P. Cooke Company	122.70
			=====
			772.70

Grant Fund

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
1/15/2019	30259	Sussex County Municipal Utility	511.60
			=====
			511.60

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Payroll			
<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
1/15/2019	439	AFLAC	627.28
			=====
			627.28

Water Op

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
1/15/2019	4833	Agra Environmental Services	390.00
1/15/2019	4834	Atlantic Switch and Generator, LLC	698.75
1/15/2019	4835	DPS Pump Service. LLC	3,308.00
1/15/2019	4836	Fedex	29.49
1/15/2019	4837	Jackie Ward	36.00
1/15/2019	4838	JCP&L	2,106.16
1/15/2019	4839	One Call Concepts, Inc.	35.00
1/15/2019	4840	Schmidt's Wholesale, Inc.	1,078.00
1/15/2019	4841	Staples Business Advantage	65.05
1/15/2019	4842	State of New Jersey-PWT	98.84
1/15/2019	4843	USA Blue Book	497.16
			=====
			8,342.45

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

Meeting adjourned at 8:46p.m.

Robin Hough, Borough Clerk

George P. Hutnick, Mayor

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