

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
March 11, 2019**

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

Mayor Hutnick led the Pledge of Allegiance.

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

Also in attendance was Robert McBriar, 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 4, 2019."

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

CONSENT AGENDA

1. Approval of regular meeting minutes from February 25, 2019.
2. Approval of Budget meeting minutes from March 4, 2019.
3. Approval of Resolution 28-2019 authorizing compliance with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the consideration of arrest and conviction records in employment decision under Title VII of the Civil Rights Act of 1964" (This resolution was tabled at the February 25, 2019 meeting.)
4. Approval of Resolution 29-2019 to authorize the execution of a shared service agreement with the Sussex County Municipal Utilities Authority (SCMUA) for provision of Certified Recycling Professional (CRP) services to certify and submit the Borough of Ogdensburg's 2018 recycling tonnage report to the New Jersey Department of Environmental Protection. (Agreement Attached)
5. Approval of Resolution 30-2019 Transfer Resolution 2018- Budget
6. Accept for filing Bruno Associated February 2019 Grant Report.
7. Accept for filing Township of Hardyston Ordinance 2019-01.
8. Accept for filing Borough of Stanhope resolution supporting Path to Progress.
9. Accept for filing Township of Byram Resolution 068-2018.
10. Accept for filing Borough of Franklin Ordinance 03-2019.

Upon Roll call Vote:

Yeas: Astor, Nardini, Nasisi (Abstain #1 and #2), O'Dell, Opilla, Slater

Nays: None Absent: None Abstain None

At this time, the Mayor and Council signed the Group Affidavit Certification Pursuant to P.L. 2017 C. 183 of compliance with the US Equal Employment Opportunity Commission's.

Resolution 28-2019

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

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NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of the Borough of Ogdensburg, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Resolution 29-2019

WHEREAS, the Sussex County Municipal Utilities Authority (hereinafter "SCMUA") has passed a resolution agreeing to shared services of their Certified Recycling Professional (CRP) with the Borough of Ogdensburg by providing the services of a CRP for submission of the Borough of Ogdensburg's 2018 Recycling Tonnage Report to the Department of Environmental Protection; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A 40A:65-1 et. Seq.) (hereinafter, "the Act") provides that local units of government may enter into a contract to provide or receive any service that either local unit participating in the Agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating units (N.J.S.A. 40A:65-4); and

WHEREAS, the Borough of Ogdensburg will prepare the 2018 Recycling Tonnage Report; and

WHEREAS, the Borough of Ogdensburg has requested the services of the SCMUA in the form of the District Recycling Coordinator as a Certified Recycling Professional to certify and submit the required 2018 Borough of Ogdensburg Recycling Tonnage Report to the New Jersey Department of Environmental Protection by April 30, 2019; and

WHEREAS, the SCMUA has the qualified staff to certify the Recycling Tonnage Report prepared by the Borough of Ogdensburg and electronically submit it to the New Jersey Department of Environmental Protection on behalf of the Borough of Ogdensburg under the terms and conditions set forth in the Shared Services Agreement.

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

1. The Mayor and Council are hereby authorized and directed to execute a Shared Services Agreement, a copy of which is attached hereto, with SCMUA for the provision of Certified Recycling Professional Services to certify and submit the Borough of Ogdensburg's 2018 Recycling Tonnage Report to NJDEP.
2. All SCMUA Staff and Professionals are authorized to take any and all necessary actions to see to the implementation of this Resolution
3. This Resolution shall take effect immediately.

Resolution 30-2019

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

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Account Description	From:	To:
Clerk O/E 01-203-20-120-099	\$ 0.12	
Snow O/E 01-203-26-290-299	656.00	
Clerk S&W 01-203-20-120-010		\$ 0.12
Snow S&W 01-203-26-290-194		656.00
TOTALS	\$ 656.12	\$ 656.12

DISCHARGE OF MORTGAGE

Mayor Hutnick commented a while back we had a discussion with Mr. Savick regarding the discharge of his mortgage and new information has come forward to state that we can indeed discharge the mortgage.

Mr. McBriar commented Mr. Savick purchased the property in 1991 and in 1996 he came to the Borough for an amount that did not exceed the qualifying amount. The amount was \$8,760. The mortgage was made to secure a home improvement loan which was part of the Ogdensburg Borough home improvement program and that program received funding from NJDCA Small Cities CDBG program. According to the policy we were able to locate in our extensive search with the help of our clerk, to put some of these missing pieces together. We were able to locate the written policies of the home improvement program and on page four of that it specifically states that if repairs are completed and the home owner continues to live at the property (for ten years) the loan will be forgiven. Mr. McBriar explained some additional documents that were found and documents researched at the County. Mr. McBriar commented he does believe it would be appropriate for the Council to do formal action; he prepared a resolution for that as well a fixed discharge of mortgage. At this time he feels it is appropriate to entertain a motion to approve this resolution authorizing the discharge of mortgage.

Councilman Astor made a motion to approve resolution 31-2019 a discharge of mortgage between the Borough of Ogdensburg and Edward Savick, 125 Kennedy Ave. Ogdensburg, in the amount of \$8,760 recorded in the Sussex County Clerk's office on June 1, 1998, mortgage book M-3230, pages 196-199. Seconded by Councilman Opilla.

Upon Roll call Vote:

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

Resolution 31-2019

WHEREAS, the Borough of Ogdensburg("Borough") previously received funding for its Home Improvement Program ("Program")from the New Jersey Department of Community Affairs Small Cities CDBG Program for the purpose of providing low cost home improvement financing to qualifying homeowners; and

WHEREAS, as part of this Program, the Borough gave a loan in the amount of \$8,760.00 to be used to rehabilitate property located at 125 Kennedy Avenue, Ogdensburg, New Jersey, identified on the Official Tax Maps of the Borough as Block 19, Lot 30; and

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WHEREAS, said loan was secured by a mortgage in favor of the Borough dated January 25, 1996 which was recorded in the Sussex County Clerk's Office June 1, 1998 at Mortgage Book M-3230, Pages 196-199; and

WHEREAS, the Borough's Home Improvement Program, Policies and Procedures Manual states that the loan will be completely forgiven at the expiration of ten (10) years provided the property owner satisfies certain conditions; and

WHEREAS, the ten (10) year time period has expired and the conditions have been satisfied, specifically, the owner has completed the property improvements and has maintained continual residence at the property.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Ogdensburg that the Mayor is hereby authorized to execute a discharge of mortgage relative to the above-referenced property.

ADOPTION OF ORDINANCE 04-2019

Councilman Astor made a motion to adopt ordinance 04-2019 "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX, STATE OF NEW JERSEY ADOPTING AND CODIFYING CHAPTER 30 LAND DEVELOPMENT". Seconded by Councilman Nasisi.

Prior to final roll call, Mayor Hutnick opened the meeting to the public for any comments regarding Ordinance 04-2019.

No one from the public stepped forward with any comments.

Prior to final roll call, Mayor Hutnick closed the meeting to the public for any comments regarding Ordinance 04-2019.

Upon Roll call Vote:

Yeas: Astor, Nardini, Nasisi, O'Dell, Opilla, Slater

Nays: None Absent: None Abstain: None

INTRODUCTION TO ORDINANCE 06-2019

Councilwoman Slater made a motion to introduce an ordinance 06-2019 entitled "AN ORDENANCE TO AMEND AND SUPPLEMENT CHAPTER 2, ADMINISTRATION ARTICLE III DEPARTMENTS ESTABLISHED 2-19 POLICE DEPARTMENT 2-19.16 REQUIREMENTS AND FEES FOR OFFICERS PERFORMING QUASI-PUBLIC POLICE SERVICES." Seconded by Councilman Astor.

Mr. McBriar commented he [changed] the ordinance just a little bit to make it clear on the section to be changed the ordinance as it reads which will be introduced as "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2, ARTICLE III SECTION 2-19.16 OF THE CODE OF THE BOROUGH OF OGDENSBURG ENTITLED "REQUIRMENTS AND FEES FOR OFFICERS PERFORMING QUASI-PUBLIC POLICE SERVICES"

Councilwoman Slater commented this is just changing the fees they charge when they are out working it is now an \$85.00 flat fee.

Public hearing will be held March 25, 2019.

Upon Roll call Vote:

Yeas: Astor, Nardini, Nasisi, O'Dell, Opilla, Slater

Nays: None Absent: None Abstain: None

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Ms. Hough asked Mr. McBriar when it comes to police matters and voting should Councilwoman O'Dell abstain from it. There was a brief discussion; Councilman Slater commented they are not benefiting from it the town is benefiting from it.

INTRODUCTION TO ORDINANCE 07-2019

Councilwoman O'Dell made a motion to introduce an ordinance 07-2019 entitled "AN ORDINANCE APPROPRIATING THE SUM OF \$40,000 CURRENTLY LOCATED WITHIN WATER CAPITAL-CAPITAL IMPROVEMENT FUND." Seconded by Councilman Astor.

Councilman Astor asked for clarification, so this is appropriating the sum of \$40,000 currently located within the water capital improvement fund and or what with it.

Mike Marceau, CFO commented it is for various improvements, facilities and equipment.

Councilman Astor commented so we are going to pull it out and put it into the cap.

Councilman Nardini commented [it's for] pump house and then there are a few other upgrades that we are planning to do. This gives us room to get through what we need to get through right now and then we have a little cushion for breaks.

Upon Roll call Vote:

Yeas: Astor, Nardini, Nasisi, O'Dell, Opilla, Slater

Nays: None Absent: None Abstain: None

Public hearing will be held March 25, 2019.

OLD BUSINESS

Borough Hall Roof– Councilman Nasisi commented there is nothing new.

Steam Boiler for Historical Building – No update.

Block 30 Lot11.05 Wausau Street Septic Repair – Councilman Nasisi commented this is something we are going to take care of once we complete this year's budgets. There is a minimal fee for whatever we need to do with what is inside those tanks. Councilman Nasisi commented he will donate his time and labor to uncover everything and research what he is going to do at no cost to the town but we are going to need some other stuff just to fill those tanks, permits and all of those things.

Crosswalk – Councilman Astor commented he has not had a meeting or heard from the County regarding the crosswalk. The same thing with Blue Diamond he has not heard back from them.

Blue Diamond- No new update.

Radon Awareness – Councilman Nardini commented there is no update on radon yet, we submitted the application and now we have to wait for the State to appropriate the funds and give us a go. Once we get the funds we can start ordering the kits.

Water Capital for 2019 improvements – Councilman Nardini commented we just introduced the ordinance. Councilman Nardini commented he spoke to Rob last night there are a few things, issues with certain vendors, one guy does not want to do some work. Rob is using the guy that just did the repairs on the wells to do some other stuff; check valves and some other repairs. We are going to get it done by somebody, Rob is making other arrangements.

NEW BUSINESS

Ogdensburg Hosing Rehabilitation Program/ 125 Kennedy Ave. – Mayor Hutnick commented we already covered this.

Friends of Heaters Pond – Councilman Nasisi commented we are doing a bunch of events, one we want to make you guys aware of what we are doing and the other one is a request. First is we

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are going to promote people egging houses but not in a raw egg way but you can purchase a batch of eggs and you get a surprise, you can get jelly beans, coins, dollar treats, it is a surprise and explained the event. Councilman Nardini commented there is going to be a camp out event at Heaters Pond and explained. We wanted an overnight stay for family for up at the pond. There was a discussion on the event. Mayor Hutnick commented he doesn't see any issues set it up and make it happen.

Municipal Drug Alliance – Councilwoman O'Dell commented she was talking with Nick at the County and he had sent her the form the State gives them to give the drug alliance their grant money. Monica had suggested she talk with him and get together to allocate some of the money towards our group if we can promote drug free events or tie them in with other events.

Budget – Mayor Hutnick commented since Mike has done an outstanding job on our budget and helped us get to a point where we are all going to be comfortable, we are probably going to be looking for another meeting date to finalize everything but before we do that at the Historical Society meeting the other night he was presented with a whole list of repairs that need to be done to the building. Which we do have the money for after talking to Mike and it is not going to impede our budget so we can approve this and then give them the ok to start fixing things.

There was a discussion on improvements needed to the Historical Society building.

Mayor Hutnick commented for Ogdensburg Day we allocated fifteen thousand dollars, he asked Mike to check with Tom to see if we could increase that four thousand without causing any harm to our budget or raising taxes and explained why. There is no date yet for Ogdensburg Day.

There was a discussion on introducing the budget. The budget will be updated and discussed at the next meeting March 25 and introduced on April 8.

Increase in fees for Zoning Permits and Certificate of Continued Occupancy – Mayor Hutnick explained a memo to increase the fees for zoning permits and certificates of continued occupancy; our rates have not gone up in over 20 years so we are bringing them up to current rates. This has to be done by ordinance. There was a discussion on the rates. An ordinance will be prepared to increase the fees.

Federal Migratory Bird Depredation Permit – Councilman Opilla commented we will be renewing the permit again and updating the list and explained.

Land Use Hours – Mayor Hutnick commented Land Use is requesting an increase of hours for the Land Use Secretary; she can't keep up with the work load and needs more hours. Mayor Hutnick asked for a list of hours and what they are recommending but we didn't receive that yet. There was a discussion on the hours.

Facebook page for recognizing resident achievements – Mayor Hutnick commented he posted on Facebook a resident that grew up in town just completed boot camp for the Marines so everyone is congratulating him. Mayor Hutnick commented he would like to make our facebook page more of community events and explained.

ADDENDUM

Scouting Event at Sterling Mine – Mayor Hutnick explained there was a meeting at Sterling Mine the Boy Scouts will be holding an event at the Mine April 12th through 14. They are expecting up to 300 Scouts and explained the event and activities planned. They would like to have parking on Plant Street and explained the area. The event and parking and parking lot by the Mine was owned by DEP and overgrown was discussed.

Chief Gordon reminded everyone they should lock their car doors.

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Oburg 5K Run – Mayor Hutnick commented we just received a packet and a copy will be placed in the Council mailboxes. There was a discussion on the race, the town will be blocked off and the route.

At this time, Mayor Hutnick read a letter of resignation from Councilman Astor.

Councilman Astor commented he didn't put a date to give you time to find someone but the end of April will be his last.

Ms. Hough commented if we introduce the budget on April 8, 28 days has to pass before we can adopt the budget which will be the first meeting in May. Councilman Astor commented so that would be to May 13. The date was discussed.

PUBLIC SESSION

Councilman Opilla moved, Councilman Nasisi 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 Nasisi moved, Councilman Opilla

seconded motion to close the public session of the meeting. All were in favor.

EXECUTIVE SESSION

There was no executive session

PAYMENT OF VOUCHERS

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

Upon Roll call Vote:

Yeas: Astor, Nardini, Nasisi, O'Dell, Opilla, Slater

Nays: None Absent: None Abstain: None

Current

DATE	CHECK #	PAID To	AMOUNT	REASON
3/6/2019	30358	Tractor Supply Co.	5.99	
3/12/2019	30359	Blue Diamond Disposal, Inc.	13,833.33	
3/12/2019	30360	Bruno Associates, Inc.	3,000.00	
3/12/2019	30361	Clean Life Cleaning Service LLC	300.00	
3/12/2019	30362	Eagle Point Gun	629.00	
3/12/2019	30363	Finch Fuel Oil Co., Inc.	680.50	
3/12/2019	30364	Fire Fighters Equipment Company Inc	300.00	
3/12/2019	30365	Allied Oil	1,568.77	
3/12/2019	30366	Home Depot		

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			12.73	
3/12/2019	30367	JCP&L	1,994.08	
3/12/2019	30368	Jersey Central Power & Light	1,225.80	
3/12/2019	30369	Laddey, Clark & Ryan	400.00	
3/12/2019	30370	Lafayette Auto Parts	184.53	
3/12/2019	30371	Maggie Rodriguez	48.18	
3/12/2019	30372	Morton Salt, Inc.	22,617.42	
3/12/2019	30373	New Jersey Herald	438.90	
3/12/2019	30374	Ogdensburg Board of Education	204,473.33	
3/12/2019	30375	ProPay Inc	925.38	
3/12/2019	30376	ReadyRefresh	25.25	
3/12/2019	30377	Staples Business Advantage	84.91	
3/12/2019	30378	Sussex County Municipal Clerk Assoc.	15.00	
3/12/2019	30379	Township of Sparta, Police Dept.	14,177.50	
3/12/2019	30380	Township of Wantage	3,204.00	
3/12/2019	30381	US Postal Service	235.00	
3/12/2019	30382	Van Cleef Engineering Assoc. LLC	250.00	
3/12/2019	30383	Varcadipane Jr, William J.	1,423.50	
3/12/2019	30384	Verizon Business	147.03	
3/12/2019	30385	Verizon Wireless	121.21	
3/12/2019	30386	Vital Communications, Inc	181.16	

			272,502.50	
Voided Checks				
2/12/2019	30324	Tractor Supply Co.	(5.99)	Lost in Mail
			=====	
			272,496.51	

Developers Escrow

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
3/12/2019	2073	Van Cleef Engineering Assoc. LLC	2,389.00
			=====

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2,389.00

Dog Fund			
<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
3/12/2019	220	NJ Dept of Health & Senior Service	113.40
			=====
			113.40

Grant Fund			
<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
3/12/2019	30387	Goscicki, Monica	122.00
3/12/2019	30388	Sussex County Municipal Utility	86.40
			=====
			208.40

Water Op			
<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
3/12/2019	4866	Hamburg Plumbing Supply Co	357.69
3/12/2019	4867	JCP&L	2,829.76
3/12/2019	4868	One Call Concepts, Inc.	21.76
3/12/2019	4869	Staples Business Advantage	36.44
			=====
			3,245.65

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

Meeting adjourned at 7:50p.m.

Robin Hough, Borough Clerk

George P. Hutnick, Mayor