

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
September 14, 2020**

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

Mayor Hutnick led the Pledge of Allegiance.

ROLL CALL: Alvarez (via zoom), Cruz (via zoom), Nardini, Nasisi (via zoom), O'Dell, Slater

Also, in attendance was Robert McBriar, Borough Attorney, Mike Marceau, CFO, Chief Gordon

Meeting was held via zoom/audio.

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, 2020."

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

CONSENT AGENDA

1. Approval of regular meeting minutes from August 24, 2020.
2. Approval of Resolution 68-2020 corrective action plan for the audit report 2019 from CFO.
3. Approval of resolution 69-2020 third quarter tax overpayment for Block 12 Lot 13 11 Clark Street in the amount of \$1,474.12 to CCK Renovation, Inc. 9 Panther Pass, Byram, NJ 07821.
4. Approval of resolution 70-2020 authorizing the Borough Clerk to renew liquor license 1916-32-004-006 Stew N Dolly's Place LLC. for the 2020-2021 licensing year.
5. Approval of resolution 71-2020 authorizing one-time adjustment to water account for property located at 23 Passaic Ave, Block 15 Lot 4).
6. Approval of resolution 72-2020 authorizing the award of a non-fair and open professional service contract for payroll and accounting services.
7. Approval of application to NJ ABC from the Ogdensburg Fire Department for a social affair permit to be held on September 26, 2020 at Ogdensburg Heaters Pond Pavilion.
8. Accept for filing letter from Upper Delaware Conservation District Re Warren and Sussex County Soil Conservation District merged into one the Upper Delaware Conservation District.
9. Accept for filing Township of Fredon resolution 2020-57.
10. Accept for filing Township of Frankford resolution 2020-063.
11. Accept for filing Township of Andover letter from Mayor and Township Committee re: Re-opening of Restaurants.
12. Accept for filing Township of Andover resolution R2020-97.
13. Accept for filing Borough of Franklin resolution 2020-70.
14. Accept for filing Sandyston Township resolution R-49-2020.
15. Accept for filing Sandyston township resolution R-50-2020.

Upon Roll call Vote:

Yeas: Alvarez, Cruz (abstain #1), Nardini, Nasisi, O'Dell, Slater

Nays: None Absent: None Abstain None

Resolution 68-2020

WHEREAS, a Corrective Action Plan for the Audit Report year 2019 has been prepared and filed by the Chief Financial Officer, Michel Marceau; and

WHEREAS, said Plan has been reviewed by the Mayor and Council of the Borough of Ogdensburg.

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NOW, THEREFORE, BE IT RESOLVED by the governing Body of the Borough of Ogdensburg the Corrective Action Plan for the Audit Report year 2019 is accepted and approved for filing in the Borough Clerk's Office.

Resolution 69-2020

BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF OGDENSBURG THAT THE FOLLOWING REFUND BE MADE TO THE INDIVIDUAL LISTED BELOW FOR TAX OVERPAYMENT RECEIVED BY THE BOROUGH TAX COLLECTOR:

BLOCK: 12 LOT: 13

ADDRESS: 11 CLARK STREET

OWNER: CCK RENOVATION, INC

AMOUNT TO BE REFUNDED: \$1474.12

OVER COLLECTION ON THIRD QUARTER OF 2020

MADE PAYABLE TO: CCK RENOVATION, INC

MAIL TO: 9 PANTHER PASS
 BYRAM, NEW JERSEY 07821

REGINA FLAMMER
TAX COLLECTOR
AUGUST 21, 2020

Resolution 70-2020

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX, STATE OF NEW JERSEY, THAT THE FOLLOWING APPLICATIONS FOR THE RENEWAL OF LIQUOR LICENSES IN THE BOROUGH OF OGDENSBURG FOR THE 2020-2021 LICENSING YEAR, EFFECTIVE JULY 1, 2020, BE AND THE SAME HEREBY APPROVED:

PLENARY RETAIL CONSUMPTION – \$414.00

LICENSE #	LICENSEE	ESTABLISHMENT	ADDRESS
1916-32-004-006	Stew N Dollys Place LLC		46 Main Street

PLENARY RETAIL DISTRIBUTION - \$302.00

CLUB LICENSE - \$70.00

Resolution 71-2020

WHEREAS, the Borough of Ogdensburg ("Borough") bills quarterly for residential water usage; and

WHEREAS, an issue has been timely brought to the attention of the Borough and Borough Department of Public Works concerning a faulty water meter servicing property located at 23 Passaic Ave., identified on the Official Tax Maps of the Borough as Block 15, Lot 4 ("Property"); and

WHEREAS, after reviewing and discussing the unique facts and circumstances involved, the Borough and owner have agreed to resolve this issue by replacing the water meter at the Property and authorizing a one-time credit in the amount of \$50.00 to be applied to the water account for the Property.

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg, County of Sussex and State of New Jersey that a one-time credit in the amount of \$50.00 is hereby authorized to be applied to the water account for property located at 23 Passaic Ave., Ogdensburg, New Jersey otherwise known as Block 15, Lot 4.

Resolution 72-2020

WHEREAS, the Borough of Ogdensburg (“Borough”) has a need for payroll and accounting services to be awarded as a non-fair and open professional service contract; and

WHEREAS, Action Data Services (“ADS”), having a business address at 17 Sherwood Lane, Fairfield, New Jersey has submitted a contract proposal dated August 26, 2020 for said services in an amount not to exceed \$6,369.00 annually as described in the attached contract (“Contract”) which is incorporated herein by reference and made a part hereof; and

WHEREAS, the term of the Contract shall be two (2) years commencing October 1, 2020 and ending September 30, 2022; and

WHEREAS, if either party does not terminate this contract in writing ninety (90) days prior to the termination date, then this contract shall renew for an additional one (1) year term, ending September 30, 2023; and

WHEREAS, ADS has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Borough with the elected officials in the previous one year, and that the Contract will prohibit the firm of ADS from making any reportable contributions through the term of the Contract; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds pursuant to N.J.A.C. 5:30-5.4; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of contracts for professional services without competitive bids and the contract itself be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Ogdensburg, County of Sussex and State of New Jersey authorize the Mayor and Municipal Clerk to enter into a contract with Action Data Services as described herein and in the form attached hereto; and

BE IT FURTHER RESOLVED that this Contract and Resolution shall remain on file and available for public inspection in the office of the Municipal Clerk; and

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in the Borough’s legal newspaper in accordance with law.

ADOPTION OF ORDINANCE 07-2020

Councilwoman Slater made a motion to adopt Ordinance 07-2020 “AN ORDINANCE OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING THE BOROUGH CODE TO ADD CHAPTER 22 ENTITLED “TATTOO, BODY PIERCING AND BODY ART ESTABLISHMENTS”. Seconded by Councilman Nardini.

Prior to final roll call, Mayor Hutnick opened the meeting to the public for any comments regarding ordinance 07-2020.

No one from the public had any comments.

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Prior to final roll call, Mayor Hutnick closed the meeting to the public for any comments regarding ordinance 07-2020.

Upon Roll call Vote:

Yeas: Alvarez, Cruz, Nardini, Nasisi, O'Dell, Slater

Nays: None Absent: None Abstain None

OLD BUSINESS

Salt Shed Roof – Councilman Nasisi commented they are coming tomorrow and explained the work should be done by Saturday.

Bodycam – Councilman Alvarez commented he is waiting for paper work to be completed to send over.

Predmore Road – Mayor Hutnick commented this is activated, plans, DEP has been involved, he has received maps and layouts. Mayor Hutnick commented bog turtles were not found in the middle of the road.

Tank Inspection – Councilman Nardini commented both [tanks] are now done; they are slow with getting back both reports. We did get the inspection report back for the little tank and explained what we have to do vs what is pending.

Lifeguard Shack Exterior – Councilman Nardini commented he is coming by this week; with the weather permitting get that coat on there, seal the doors and light fixtures.

Water Operator Retirement/replacement – Councilman Nardini had no update.

Port a John's – Councilwoman Slater commented this can come off, we are all good; it is all set.

NEW BUSINESS

Newsletter – Ms. Hough commented she emailed everyone a copy.

Walking Path- Mayor Hutnick commented a suggestion was made to create a walking path or connect a walking path around the ball field. Mayor Hutnick asked Ms. Hough to explain.

Ms. Hough commented it started out in land use trying to come up with ideas for recreation. It was suggested to create a walking path around the ball field.

Mayor Hutnick commented around the inside of the fence; basically, to build a track.

The clerk commented she had talked to the DPW supervisor to ask if they could dig out a path or track and then have someone pave the path/track.

Mayor Hutnick commented this is something to look into with regards to creating. It would be a small walking path/track but it may work. We can mark it to see how long.

There was a brief discussion on the location around the fence behind the dugout.

Councilman Nasisi commented he could donate some time and equipment.

Mayor Hutnick commented let's see if we can get it marked out, find out the distance, what we can do material wise and put together an actual plan then run it by the land use board and see if they have anything.

Playground safety – Mayor Hutnick commented he was not at that [safety] meeting.

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Councilwoman O'Dell commented she was copied on an email on this; she has been talking with Chris about a new slide replacement.

Mayor Hutnick commented wasn't there a meeting recently with risk management.

Ms. Hough commented they went over different claims the Borough had, comp claims, different tort claims. They talked about checking if the IT company has a certificate of insurance, they talked about the playground, the slide and the wood.

Mr. Marceau, CFO commented the talked about the basketball court too.

Mayor Hutnick commented if we are going to maintain the park we are going to have to update the park and bring it up to code.

Mr. Marceau commented on the equipment if they have to install the equipment or if we can do it without voiding the guarantee.

Mayor Hutnick asked about the basketball courts.

Mr. Marceau commented it is his understanding it is a fairly small section.

Councilwoman Slater commented we talked awhile ago about taking them out [tennis courts].

Mayor Hutnick commented on making a bigger basketball court.

Mr. Marceau commented the big problem is the slide on the playground right now.

Mayor Hutnick commented can we remove the slide and block the area off. Mayor Hutnick commented have DPW remove the slide and put three quarter plywood to secure that area.

There was a discussion on the slide, getting the broken slide off there and getting prices for a new slide.

Chief Gordon commented they [risk management] also mentioned you can't use asphalt and explained do to the friction with sneakers.

ORA garage sale – Mayor Hutnick commented we received a request to hold a town wide garage sale in October to be run by ORA.

Councilman Nardini commented he just found out about this; he will do what he did in the prior year, get a map.

Mayor Hutnick asked Chief Gordon his opinion on this.

Chief Gordon commented he has no problem with a garage sale. Franklin just held one and there were no issues. We have held them before with no issues.

Mayor Hutnick commented first step for doing a town wide project is to check with you [Chief Gordon].

Councilman Nardini explained he would work on a map and people would pay to be on the map.

Ms. Hough explained the process if they have food trucks.

Mayor Hutnick explained the locations they would like to have the food truck. Mayor Hutnick commented this depends on the current COVID allowances and if the Board of Health would allow for it.

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There was a discussion on applying for food handler licenses, inspections, and the process.

Mayor Hutnick commented the date is October 17 rain date October 18 from 9:00am to 4:00pm. There will be a \$10.00 fee to be on the map. The event is through ORA. Three weeks' notice at least if having food trucks.

Councilman Nasisi asked where are the food trucks going to go that they are going to be on fire house property.

Mayor Hutnick commented the fire house owns the back lot. There was a brief discussion on the property and where the food truck will go.

ADDENDUM
NEW BUSINESS

Heaters Pond and Truck – Councilwoman O'Dell commented Heaters Pond has to do with the electric; we heard back from JCP&L and the electrician. Councilwoman O'Dell explained a drawing, work and cost. The only thing with the electric he was looking to see if our road department could dig the trench from the gate around the corner so he can do what he needs to put in there. Otherwise he would have to find someone.

Mayor Hutnick commented we will go over this and look at the drawings.

Councilwoman O'Dell commented she has had complaint about trucks flying down the roads again; her proposal would be can we drop the speed limit.

Mayor Hutnick commented it is a County road; the county already reduced everything.

Chief Gordon commented about fifteen year ago.

Councilwoman O'Dell commented they are also going down Kennedy around 4:30.

Chief Gordon asked why do they call the Council and not the police department.

There was a discussion on the trucks on Kennedy.

Mayor Hutnick commented the police have done an outstanding job of monitoring the trucks we can all agree to that; there are just more trucks then there are police and that is the same in any town. If there are issues regarding vehicles illegally driving on different roads, speeding, concerns or anything else that is law breaking or involving a police matter the police need to be notified. You don't have to dial 911 you can call 3160 [973-827-3160] and report it to the dispatcher save the 911 call unless it is an emergency.

Fundraiser – Councilwoman O'Dell commented this is a PTO thing; they are looking to copy kind of what Franklin did. It is something where you would collect a fee to join decorate a scarecrow [in your yard]. This is a fall event. Businesses can participate and a fee would go to the PTO.

RESOLUTION 73-2020

Councilwoman Slater made to adopt resolution 73-2020 extending existing Health Coverage for deceased Borough Retiree's immediate family through December 31, 2020. Seconded by Councilman Nardini.

Upon Roll call Vote:

Yeas: Alvarez, Cruz, Nardini, Nasisi, O'Dell, Slater

Nays: None Absent: None Abstain None

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WHEREAS, on February 27, 1998, the Borough of Ogdensburg (“Borough”) and then Department of Public Works Supervisor, Ronald D. Search entered into a termination of employment agreement that provided for, among other things, continued enrollment in the Borough’s retiree health coverage program for Mr. Search and his immediate family; and

WHEREAS, Mr. Search died on September 9, 2020; and

WHEREAS, the Borough desires to extend existing coverage for the benefit of Mr. Search’s immediate family from the date of Mr. Search’s passing through to December 31, 2020, after which date, said coverage shall cease; and

WHEREAS, extending health coverage as described herein shall be contingent upon the Search family insureds reimbursing the Borough for all premium costs paid, within thirty (30) days of the date they are paid.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg, County of Sussex and State of New Jersey that the Borough’s retiree health coverage provided to Mr. Search’s immediate family shall be extended from the date of Mr. Search’s passing through to December 31, 2020, after which date, said coverage shall cease.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Search family insureds shall reimburse the Borough for all premium costs paid, within thirty (30) days from the date they are paid.

PUBLIC SESSION

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

Emily Cutillo, 338 Main Street, she is trying to expand [her business] to cosmetics. Now that the ordinance has passed how does she go about it.

Mr. McBriar commented he doesn’t know where you are in the process but you will have to get County approval to the extent that it is applicable as well as any permitting the is required by the Borough. Have you been to the county already?

Ms. Cutillo commented yes.

Mr. McBriar asked have you been here to the Borough to apply for all the appropriate permits.

Mr. Cutillo commented we put in the zoning application and building permit application; we spoke to the zoning officer and he said we couldn’t do anything until this [the ordinance] was passed. How long to wait before we reapply for the zoning again?

Mr. McBriar explained you don’t have to reapply and the procedure to move forward.

Ms Hough explained the next steps for the process.

Craig Taylor, 170 Kennedy Ave. commented he would like to find out if there is anything the town can do about extending the guard rail on his property around the corner from where it currently is right now. He would like to see the guard rail extended whether it is a county issue or the town can do something.

Mayor Hutnick asked why do you want the guard rail extended around your property.

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Mr. Taylor commented because his house was hit about three years ago and explained when the car hit his house it cost almost ten thousand dollars in damage. Mr. Taylor explained an accident about 20 years ago.

Mr. Taylor commented on his concerns and the cars going fast on Corkhill Road.

Mayor Hutnick commented he will look into this and see what we can do if anything.

Mr. Taylor commented the police department is doing a fine job and he would appreciate anything the town can do for him.

Dion Derkach, Corkhill Road. asked where the Borough was on the signage for Corkhill Road for all the trucks coming down this road, we had an incident a few weeks ago with a tractor and explained. He has to barricade his driveway because the truck back into his driveway when they come down and see the tunnel. The neighbor across the road has had his fence knocked down a few times. Mr. Derkach explained an incident where a truck was backing up and crushed the front end of a car. We need to stop them in Franklin because once they start down Corkhill Road there is no place for them to turn around.

Chief Gordon commented what he is finding is a lot of the trucks that are coming down are actually missing the turn for 12 Corkhill Road which is an industrial complex in Franklin; 12 Corkhill Road is also a house by the dump. So, they are putting in [their GPS] the wrong Corkhill Road. He would like to get a hold of somebody that owns that industrial complex and have them put better signage out there for 12 Corkhill Road. rather than just a sign for whatever businesses that are back there. Also, for them to put a sign when they are leaving the industrial complex no right turn for trucks.

Mr. Derkach, commented we have a lot of box trucks that come down and explained.

Mr. Taylor commented there has been a problem with trucks on Corkhill and Kennedy; the sign was put up there recently that says no through trucks there and explained his experience with driving a truck and signs. He suggested a solar panel sign.

There being no further business from the public, Councilman Nardini moved, Councilwoman Slater 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 Nardini made a motion to do payment of vouchers and review departmental finance reports. Seconded by Councilwoman O'Dell.

Upon Roll call Vote:

Yeas: Alvarez, Cruz, Nardini, Nasisi, O'Dell, Slater

Nays: None Absent: None Abstain: None

Current

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
9/15/2020	31532	Allied Oil	527.29
9/15/2020	31533	Atlantic Communications	117.00
9/15/2020	31534	Bassani Power Equipment, LLC	68.97
9/15/2020	31535	Blessing Service LLC	393.20

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9/15/2020	31536	Blue Diamond Disposal, Inc.	17,775.00
9/15/2020	31537	CenturyLink	97.51
9/15/2020	31538	Chelbus Cleaning Company, Inc.	443.00
9/15/2020	31539	CNP Fittest of NJ, LLC	400.00
9/15/2020	31540	Elizabethtown Gas	226.98
9/15/2020	31541	Fedex	40.07
9/15/2020	31542	General Code, LLC	2,190.00
9/15/2020	31543	Home Depot	169.00
9/15/2020	31544	JCP&L	1,668.92
9/15/2020	31545	Laddey, Clark & Ryan	437.50
9/15/2020	31546	Lafayette Auto Parts	49.00
9/15/2020	31547	Lakeland Auto Parts	194.07
9/15/2020	31548	Leppert Group, LLC	178.14
9/15/2020	31549	Michel Marceau	15.98
9/15/2020	31550	Montague Tool & Supply Co	135.71
9/15/2020	31551	Municipal Software Inc	1,053.88
9/15/2020	31552	Noah's Ark Prot-a-Jon	154.00
9/15/2020	31553	Poster Compliance Center	139.90
9/15/2020	31554	ReadyRefresh	21.28
9/15/2020	31555	Robin Hough	194.00
9/15/2020	31556	Staples Business Advantage	24.39
9/15/2020	31557	Struble, Jim	525.47
9/15/2020	31558	TRI STATE PAPER & CLEANING SUPPLIES	78.20
9/15/2020	31559	Van Cleef Engineering Assoc. LLC	65.00
9/15/2020	31560	Verizon Business	127.64
9/15/2020	31561	Verizon Wireless	121.20
9/15/2020	31562	W.B. Mason Co., Inc.	84.88
9/15/2020	31563	Weldon Asphalt	846.98
			=====
			28,564.16

Dog Fund

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
9/15/2020	244	NJ Dept of Health & Senior Service	8.40
9/15/2020	245	W.B. Mason Co., Inc.	21.98
			=====
			30.38

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Grant Fund**

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
9/15/2020	31564	Agra Environmental Services	150.00
9/15/2020	31565	Signs Etc LLC	674.00
			=====
			824.00

Water Capital

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
9/15/2020	1053	Rio Supply, Inc.	3,480.66
			=====
			3,480.66

Water Op

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
9/15/2020	5039 2248	Agra Environmental Services	450.00
9/15/2020	5040 1044	JCP&L	814.67
9/15/2020	5041 2078	Macko, Bill	250.00
9/15/2020	5042 991	Municipal Software Inc	659.40
9/15/2020	5043 2114	One Call Concepts, Inc.	17.16
9/15/2020	5044 1829	Rio Supply, Inc.	2,979.34
9/15/2020	5045 2575	W.B. Mason Co., Inc.	7.53
			=====
			5,178.10

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

Meeting adjourned at 7:45p.m.

Robin Hough, Borough Clerk

George P. Hutnick, Mayor

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