

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
March 8, 2021**

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

Mayor Hutnick led the Pledge of Allegiance.

ROLL CALL: DeMeo (via zoom), Nardini (via zoom), Nasisi (via zoom), Slater, Mayor Hutnick (via zoom)

Absent: Alvarez, O'Dell (arrived via zoom 7:03)

Also, in attendance was Robert McBriar, Borough Attorney and Mike Marceau, CFO.

STATEMENT BY MAYOR: "Notice requirements of P.L. 1975, Open Public Meeting Act, N.J.S.A.10:4-6 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 5, 2020." Notice of this remote meeting has also been published in accordance with N.J.A.C. 5:39-1.1 through 1.7 which establishes standard protocols for remote public meetings governed by OPMA during a Governor-declared state of emergency. Said notice contains instructions and information for (i) accessing remote public meeting using the Zoom web-based platform via internet web address or teleconferencing number, (ii) making or submitting public comments, and (iii) accessing relevant documents, if any, for the public to view.

This meeting was held via zoom/audio. Participation/public access to the meeting was available at <https://us02web.zoom.us/j/81935285646> and entering Meeting ID: 819 3528 5646 or via teleconferencing/audio conferencing using a traditional phone by calling 1-646-876-9923 and entering Meeting ID: 819 3528 5646 followed by the # sign.

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

CONSENT AGENDA

1. Approval of regular meeting minutes and executive session meeting minutes from February 22, 2021.
2. Approval of the budget meeting minutes from March 1, 2021.
3. Approval of Resolution 20-2021 to redeem third party tax sale certificate 0018-005 Block 12 Lot 8 11 N Clark Street to Redstone Capital Group LLC, 1 Paragon Dr Suite 252 Montvale, NJ 07645 in the amount of \$48,894.10.
4. Approval of Resolution 21-2021 person to person liquor license transfer for Plenary Retail Distribution license 1916-44-003-005 Mannion.
5. Approval of agreement between the Borough of Ogdensburg and Sussex County Municipal Utilities Authority for Certified Recycling Professional (CRP) to certify the 2020 Annual Recycling Tonnage Report.
6. Memorandum from Michael Vreeland, Borough Engineer Summary of Bids received Re Plant Street Improvements Project.
7. Accept for filing letter dated March 1, 2021 from Statewide Insurance re: Loss Control Service Visit.
8. Accept for filing the Township of Sparta Ordinance 21-01.
9. Accept for filing the Township of Sparta Ordinance 21-02.

Upon Roll call Vote:

Yeas: DeMeo, Nardini, Nasisi, Slater (abstain #2), O'Dell

Nays: None Absent: Alvarez Abstain None

Councilman Nardini made a motion to adopt resolution 22-2021 and resolution 23-2021 reading both resolution titles.

Ms. Hough asked Mr. McBriar if the resolutions can be done together.

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Mr. McBriar commented we need a first and a second but we will do separate votes on each one.

Councilwoman Slater commented she will second both.

RESOLUTION 22-2021

Councilman Nardini made a motion to adopt resolution 22-2021 authorizing award of contract to Riverview Paving Inc. for Plant Street Improvements Project. Seconded by Councilwoman Slater.

Upon Roll call Vote:

Yeas: DeMeo, Nardini, Nasisi O'Dell, Slater,
Nays: None Absent: Alvarez Abstain None

RESOLUTION 23-2021

Councilman Nardini made a motion to adopt resolution 23-2021 "Resolution recommending award of State Aid Project to the New Jersey Department of Transportation Division of Local Aid and Economic Development." Seconded by Councilwoman Slater.

Upon Roll call Vote:

Yeas: DeMeo, Nardini, Nasisi O'Dell, Slater,
Nays: None Absent: Alvarez Abstain None

ADOPTION ORDINANCE 01-2021

Councilwoman Slater made a motion to adopt Ordinance 01-2021 "AN ORDINANCE OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 30 OF THE BOROUGH CODE ENTITLED "LAND DEVELOPMENT" TO PROVIDE STANDARDS AND REGULATIONS FOR KEEPING FOWL". Seconded by Councilman Nardini.

Prior to final roll call, Mayor Hutnick opened the meeting to the public for any comments regarding ordinance 01-2021.

No one from the public spoke.

Prior to final roll call, Mayor Hutnick closed the meeting to the public for any comments regarding ordinance 01-2021.

Upon Roll call Vote:

Yeas: DeMeo, Nardini, Nasisi O'Dell, Slater,
Nays: None Absent: Alvarez Abstain None

ADOPTION ORDINANCE 03-2021

Councilwoman Slater made a motion to adopt Ordinance 03-2021 "AN ORDINANCE OF THE BOROUGH OF OGDENSBURG, SUSSEX COUNTY, NEW JERSEY AMENDING AND MODIFYING CHAPTER 30 "LAND DEVELOPMENT", SECTION 201 "DEFINITIONS", AND SECTION 502.1 "STORMWATER MANAGEMENT", OF THE BOROUGH OF OGDENSBURG." Seconded by Councilman Nardini.

Prior to final roll call, Mayor Hutnick opened the meeting to the public for any comments regarding ordinance 03-2021.

No one from the public spoke.

Prior to final roll call, Mayor Hutnick Closed the meeting to the public for any comments regarding ordinance 03-2021.

Upon Roll call Vote:

Yeas: DeMeo, Nardini, Nasisi O'Dell, Slater,

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Nays: None Absent: Alvarez Abstain None

OLD BUSINESS

Mayor Hutnick asked if anyone had any updates on old business.

Councilman Nardini gave an update on **Well #3**. We did get tracking devices installed and we did the repair not the full replacement. The company that did the work said the there was humidity corrosion on the unit so they recommended we get a dehumidifier so adding a dehumidifier and repairing the control board instead of replacing it. The dehumidifier is there that will be another maintenance thing so we an address some concerns in the other buildings.

Councilman Nardini commented on **Beardslee Hill Loop**. Councilman Nardini commented to take this off for now. We are going to address with the storm water grant that we have. We just need to wait for Predmore [to be done] to wait and see what funds are left to use for this project.

Councilman Nasisi asked for some direction on **Borough property/ sales**. Councilman Nasisi commented we previously had someone interested in the parcel we have, he has been asked several times. Is this something we should be working with Land Use or Council.

Mayor Hutnick commented the Land Use Board can look at that property there. Councilman Nasisi commented they can make sure it is zoned property. Mayor Hutnick commented Borough property can't be sold it has to go to auction.

There was a discussion the property and procedure as to selling Borough property.

Mayor Hutnick commented we can bring this up at the next Land Use Board meeting.

First Aid Squad- Councilwoman O'Dell commented nothing new. Councilman Nasisi commented on the oil tank that still needs to be removed and explained.

Mayor Hutnick commented the First Aid Squad is responsible for all financials. The Borough should stay out of it or anyone involved with the Borough.

Paper Road (Orchard Street) – Mayor Hutnick commented we can remove this from the agenda; when Mr. McBriar has an update, we can add this back on.

Main Street Zoning Analysis – Mayor Hutnick commented we are still working with Land Use on this.

Budget – Mayor Hutnick commented our next budget meeting will be March 15, 2021 at 6:00pm.

Councilman Nardini asked Ms. O'Dell if they ordered the slide yet. Ms. O'Dell commented no, we are still waiting on the insurance and our decision on who is going to install it. The insurance company recommends to have the company install it. There was a discussion on installing the slide.

NEW BUSINESS

Grants – Councilman Nardini commented the catch basin grant the work is all done. Mike Vreeland told him everything is on his desk and completed then he is going to submit it to the State. There were no major changes like we had with Plant Street. Councilman Nardini commented moving on with Passaic and Edison; he is going to combine the projects in a plan. We are not adding guard rails or anything else because it is one big paving job and we might get a better deal too. So, he is going to get the specs together for that.

Heaters Pond Usage – Mayor Hutnick commented it is March the Pond will be opening in June; we need to prevent everything that has happened in the last few years and create a clear

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definition of goals and regulations which include pond usage hours of operation, guest passes, parties, pavilion anything that has to do with the property we need to iron this out.

Mayor Hutnick commented on the Pond opening hours in 2019; it was open Monday through Friday 12-5 and the weekends not sure. Last year we went way over the budget on salaries extending the hours of the pond and he doesn't think we had any extra usage of the pond to justify the costs.

Councilwoman Slater commented wasn't it 12 – 6.

Councilwoman O'Dell commented she believes it was 11-6.

Councilman Nasisi commented it was 12-6.

Councilwoman O'Dell commented the lifeguards were there from 11 doing their clean up and getting ready for the day and swimmers were allowed 12-6. It really only added 2 hours per day. There were people that would start to show up around 11 by 6:00 the lake was still being used. On the weekend we opened 12-6.

Councilwoman Slater commented when she had it, the hours were 12-6 Sunday through Saturday. It is listed in the code book what the hours are.

Councilwoman O'Dell commented she is trying to come up with a way to track what the usage is and explained. Swim team needs to check in to avoid all the chaos we had last year.

Councilwoman Slater asked if it would be helpful to have a log book to sign in and out when they are done.

Councilwoman O'Dell commented she was thinking of that; with people coming [from swim team] maybe they need to start getting guest passes for the swim clinic season only for whoever their siblings are and wanted to swim. Pay all in the beginning and they would automatically be in the list. With that being said it would be fair to raise the prices a little bit. Councilwoman O'Dell commented she has three lifeguards the are returning. She could operate with four guards.

Mayor Hutnick asked that is two guards on with every shift, correct.

Councilwoman O'Dell commented yes, that is a head life guard plus another guard with them. If somebody is out sick or vacation time then the lake gets closed that day.

There was a discussion on the prices for guest passes, residents, guest passes for the swim team clinic season, not to increase the cost for residents, swim team season guest pass for the five-week period, where to purchase the passes and log book.

Councilman Slater commented the payment [for swim team clinic session pass] would have to be a separate payment to the Borough; it can't be tagged on with the swim team and have the swim team pay us.

The discussion continued on the prices for passes, go through Borough Hall and/or lifeguards, get the form created and send it to the Borough, by time swim team season comes passes they should have already received their passes, everything needs to be put in writing, parties and rentals, the pond pavilion has always been free for residents as long as they clean up, some changes were already updated several years ago when we updated the code book and the raft that was ordered for use at the pond.

Mayor Hutnick commented salaries for lifeguards have we finalized the price. Councilwoman O'Dell commented are they entitled to a raise or do we keep them the same as we did last year.

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Mr. Marceau commented in theory they are in compliance with the new minimum wage, you could give them a raise but it would have to be via the salary ordinance. Councilwoman O'Dell asked if Mr. Marceau could advise her of this. Mr. Marceau commented he will take a look and give you some options.

Mayor Hutnick asked Councilman Nardini if he could make sure ORA has finalized their insurance and it is all complete. Councilman Nardini commented he believes it is all taken care off.

PUBLIC SESSION

Councilwoman O'Dell moved, Councilman DeMeo seconded motion to open the public session of the meeting. All were in favor.

Thomas Kuplin, 39 Glenbrook Road, Ogdensburg. Mr. Kuplin commented he lived here for over 37 years, he put his property tax payment in his mailbox in front of the building on February 3rd, which is the first really clear day after the big snow storm and apparently it never got anywhere it just seems to have disappeared because it was never cashed. He received the delinquency notice and of course the charge for interest that was accrued from not paying on time. Mr. Kuplin commented he was told to bring this before Council, it can be handled like a business. So, he is here to present this to you; he placed the payment in your mailbox and it never seemed to go any further than that.

Mayor Hutnick asked are you looking for the sixty-four dollars back. Mr. Kuplin commented yes, he did pay the tax as soon as he found out this happened.

Mayor Hutnick commented he doesn't have a problem with this and asked Mr. McBriar and Mr. Marceau the process.

Mr. Marceau commented you would have to pass a resolution waiving the late fee and issuing a refund.

Mayor Hutnick asked if the later fee was paid. Mr. Kuplin commented yes, he didn't want to continue any further charges.

Mr. Marceau commented we could also due a resolution and give you a credit of the interest payment to the following quarter.

Mayor Hutnick asked if this was acceptable.

Mr. Kuplin commented yes, that would be fine.

Mr. McBriar asked Mr. Kuplin would be willing to sign a certification as to the facts that you just presented.

Mr. Kuplin commented yes, he would.

Mr. McBriar commented he would prepare the resolution for the next Council meeting and would reach out to Mr. Kuplin for the background.

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

EXECUTIVE SESSION

There was no executive session.

PAYMENT OF VOUCHERS

Councilwoman Slater made a motion to review payment of voucher and review of departmental finance reports. Seconded by Councilman Nardini.

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Upon Roll call Vote:

Yeas: DeMeo, Nardini, Nasisi O'Dell, Slater,
Nays: None Absent: Alvarez Abstain None

Current

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
3/9/2021	31917	Action Data Services, Inc.	1,203.42
3/9/2021	31918	Allied Oil	2,201.43
3/9/2021	31919	Amazon	69.99
3/9/2021	31920	Arthur J. Gallagher Risk Management	300.00
3/9/2021	31921	Blue Diamond Disposal, Inc.	17,775.00
3/9/2021	31922	CenturyLink	1,034.85
3/9/2021	31923	CenturyLink	833.07
3/9/2021	31924	Chelbus Cleaning Company, Inc.	443.00
3/9/2021	31925	Complete Security Systems, Inc.	48.40
3/9/2021	31926	Elizabethtown Gas	303.04
3/9/2021	31927	Geene, Christopher	1,065.00
3/9/2021	31928	JCP&L	2,457.86
3/9/2021	31929	Jersey Central Power & Light	1,107.75
3/9/2021	31930	Laddey, Clark & Ryan	375.00
3/9/2021	31931	Lakeland Auto Parts	124.92
3/9/2021	31932	Michel Marceau	15.98
3/9/2021	31933	MicroSystems-NJ.com, LLC	50.00
3/9/2021	31934	Municipal Capital	119.00
3/9/2021	31935	Ogdensburg Board of Education	212,734.00
3/9/2021	31936	Richard Luthcke	280.85
3/9/2021	31937	Schenck Price Smith & King LLP	4,666.35
3/9/2021	31938	Selective Insurance Company	20.00
3/9/2021	31939	Sussex County Assessor's Assoc.	100.00
3/9/2021	31940	Valley Vision Care, LLC	190.00
3/9/2021	31941	Van Cleef Engineering Assoc. LLC	1,005.50
3/9/2021	31942	Verizon Business	99.99
3/9/2021	31943	Wallkill Valley Regional H.S.	96,663.92
			=====
			345,288.32

Admin Trust

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
3/9/2021	2174	Janine M Cerra Attorney at Law, LLC	150.00
			=====
			150.00

Dog Fund

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
3/9/2021	255	NJ Dept of Health & Senior Service	81.60

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81.60

General Capital

<u>DATE</u>	<u>CHECK</u> #	<u>PAID TO</u>	<u>AMOUNT</u>
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3/9/2021	1138	Van Cleef Engineering Assoc. LLC	2,029.50
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2,029.50

Grant Fund

<u>DATE</u>	<u>CHECK</u> #	<u>PAID TO</u>	<u>AMOUNT</u>
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3/9/2021	31944	Van Cleef Engineering Assoc. LLC	6,788.50
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6,788.50

Payroll

<u>DATE</u>	<u>CHECK</u> #	<u>PAID TO</u>	<u>AMOUNT</u>
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3/9/2021	1082	AFLAC	627.28
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627.28

Water Op

<u>DATE</u>	<u>CHECK</u> #	<u>PAID TO</u>	<u>AMOUNT</u>
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3/9/2021	5098	Agra Environmental Services	66.00
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3/9/2021	5099	Genserve, LLC	240.00
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3/9/2021	5100	Miller Energy	4,405.67
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3/9/2021	5101	One Call Concepts, Inc.	8.58
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4,720.25

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

Meeting adjourned at 7:56pm.

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Robin Hough, Borough Clerk

George P. Hutnick, Mayor