

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL  
OF THE BOROUGH OF OGDENSBURG  
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM  
March 22, 2021**

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

Mayor Hutnick led the Pledge of Allegiance.

**ROLL CALL:** Alvarez (via zoom), DeMeo (via zoom), Nardini (via zoom), Nasisi (via zoom), O'Dell, Slater, Mayor Hutnick

Absent: none

Also, in attendance was Robert McBriar, Borough Attorney (via zoom) and Mike Marceau, CFO.

**ROLL CALL FOR THE LAND USE BOARD:**

Present: Honig (via zoom), Mayor Hutnick, Councilman Nasisi (via zoom)

Absent: Andrews, Fierro, Fitzgibbons, Kervatt, Kibildis, Telischak

**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/85612619386> and entering Meeting ID: 856 1261 9386 or via teleconferencing/audio conferencing using a traditional phone by calling 1-646-876-9923 and entering Meeting ID: 856 1261 9386 followed by the # sign.

**PRESENTATION**

Mayor Hutnick commented we are going to open tonight's meeting with a quick presentation from the New Jersey Highlands Council.

Lisa Plevin, Herbert August, Maryjude Haddock-Weiler, and Steve Simone were from the Highlands Council for the presentation. Also present was Angela Knowles, Borough Planner.

Lisa Plevin, Executive Director for the NJ Highlands Council thanked the Mayor and Council and introduced those present from the Highlands Council.

Ms. Plevin commented we consider Ogdensburg one of the most unique and historic communities in the Highlands Region. You are one of the world's famous destinations in the Highlands Region. As you may recall the Highland Act designated two areas within the Highlands. One is the preservation zone where conformance with the regional master plan and highlands act is required and the other is the planning area in the highland's region where conformance with the act and regional master plan is voluntary. Ogdensburg is 86 percent in the planning area and 14 percent in the preservation area. Ogdensburg submitted a preservation area petition for plan conformance to the highlands council back 2012 and it was approved at that time. Back in 2012 you identified a number of municipal goals; which included revitalizing your downtown retaining your small-town character with the existing historic properties and establishing a plan for sustainable economic growth. Part of the reason we are here tonight because we wanted to hear from you directly are they still the goals of the Borough, have they changed and if so how have they changed.

Ms. Plevin referred to the slide presentation explaining each slide. Their agency has non-competitive grants to share/award to 88 municipalities in 7 counties that make up the

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Highlands Region. These grants are for soft costs; the grant is for planning design engineering purposes. They are restricted that way in the Highlands Act. As anybody who works on municipal projects knows that is usually the first step required to get a project off the ground. You have to create and develop a plan. For Highlands Planning Grants they are not competitive there is no match required they do require a pre-approved scope of work.

Ms. Plevin referenced the slide show and explain the different types of projects and flexibility in the grants. If you sit down with their staff and say you want to do x, y or z and it helps to further the goals of the highlands act and regional master plan chances are very high we can find a way to work with you and find that grant. Ms. Plevin explained the different grants in the different areas.

Maryjude Haddock-Weiler thanked the Council for inviting them tonight. Ms. Weiler referenced the slide and explained how to move forward with some of the projects. Ms. Weiler explained what a designated center is; an area where development and redevelopment is encouraged. If the Council is interested the Highlands Council could provide money upfront to prepare a feasibility study to look at the facts and help you to determine whether or not a center makes sense for the Borough. If the feasibility study determines this a good move then highlands council would help the Borough put together a petition for plan conformance that would include this highlands center. You don't need to make any commitments up front you can request to work with the highlands council to do this feasibility study. The feasibility study would be done prior to any petition. Ms. Weiler referenced the slide explaining the time line and other municipalities that have complete projects with the highlands. Ms. Weiler asked if there were any questions.

Mayor Hutnick asked how does what they are saying compare to what you are currently working on.

Ms. Knowles commented it would provide funding to continue what she has been working on.

Ms. Knowles commented if the town decided they didn't want to do a center designation could they still conform with the planning area and also get all the tasks list as well. Ms. Weiler commented absolutely. Ms. Knowles explained some experience she has with a designated center in another municipality.

Elliott Honig, Chairman of the Land Use Board, asked what is the down side to this for a small town like us in joining the Highlands program? The last time you gave a presentation he was not part of the Land Use Board so a lot of this is new to him.

Ms. Weiler explained the down side; you have the Wallkill river and also there are already in place environmental protection usually implemented by the DEP for those lands. We mirror that as far as those protections. We also would support protection of some of the steep slope areas that you might have in the town that you might not currently have any ordinances in place for. We would work with you on that. A lot of things you are looking to protect like expanding your trail system are things they would want to protect as well. Because it is the planning area the ordinances that get adopted are adopted locally. It actually takes some time to get all of those things in place and explained.

Ms. Plevin commented let me add one thing we don't advocate for this but you should be aware that if you decide to conform voluntary in the planning area if at any point the Borough feels it is not in your best interest to remain conforming you can withdraw your conformance from the planning area. Ms. Plevin asked Mr. August do they have the ability to do an initial assessment grant for the planning area since they are conforming for preservation.

Mr. August commented we would go back to that slide about taking a look at what they would need to do to petition it would be like an initial assessment grant but yea in essence that is how we would be providing funding for it. Ms. Plevin commented the second answer to your questions is if you are unsure of the impact this would have on the Borough we provide what is essentially an initial assessment grant; we pay you to literally assess what impact with conforming with the highlands act and regional master plan would have on the Borough. So frankly you would be able to make an informed decision as to the value of doing this.

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Mr. Honig commented as part of the assessment grant is that in conjunction with the feasibility study or are they two different things.

Ms. Plevin commented they are essentially two different things but they can be done at the same time.

Mr. Honig commented if it is free work he would like to find out more details and more information and explained and talked about regulation and not wanting to make additional regulations. Mr. Honig asked about a grant for a walking path. Ms. Plevin explained for a walking path we sit down and see the goals for the borough; their funding dollars are for the planner design engineering of the trail but the actual construction of the trail wouldn't [be funded].

There was a discussion on funding, additional funding benefit on being endorsed you would get special consideration and municipal goals.

Mr. Honig commented he would like more information on the assessment grant, so he can bring this to Land Use Board. Mr. Honig thanked the Highlands Council for taking their time to present this he is looking forward to sharing this with other people the Land Use Board.

Mr. Honig asked if they could email out their contact information and a copy of the slide show to the clerk.

Ms. Knowles commented however the town decides to go forward it would need to be a Council decision and probably a resolution of some kind.

Councilwoman Slater moved Councilwoman O'Dell seconded motion for approval of items on the consent agenda.

**CONSENT AGENDA**

1. Approval of regular meeting minutes from March 8, 2021.
2. Approval of budget meeting minutes from March 15, 2021.
3. Approval of Resolution 24 2021 authorizing an interlocal services agreement with the Township of Hardyston to provide street sweeping services.
4. Approval of Resolution 25-2021 authorizing compliance 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"
5. Approval of Resolution 26-2021 authorizing the execution of a shared Service agreement with the Sussex County Municipal Utilities Authority (SCMUA) for provisions of certified recycling professional (CRP) services to certify and submit the Borough of Ogdensburg's 2020 recycling tonnage report to the New Jersey Department of Environmental Protection.
6. Proclamation Child Abuse Prevent Month.
7. Accept for filing letter from Kristi Young, Executive Director of Ginnie's House re: Proclamation Child Abuse Prevent Month.
8. Accept for filing Township of Sparta Ordinance 21-02 after adoption.
9. Accept for filing Borough of Franklin Ordinance 02-2021 after adoption.
10. Accept for filing public notice New Jersey DEP permit for 32 Bridge Street.
11. Accept for filing Preliminary Equalization Table for the County of Sussex 2021.

**Upon Roll call Vote:**

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

Nays: None Absent: None Abstain None

**Mayor Hutnick read at this time, the Mayor and Council will sign the Group Affidavit Certification Pursuant to P.L. 2017 C. 183 of compliance with the US Equal Employment Opportunity Commission's.**

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Mayor Hutnick commented everyone needs to come to Borough Hall and sign this form by Friday and pick up your paper work sitting by your chairs.

**OLD BUSINESS**

Fire Marshall Service – Mayor Hutnick commented he contacted the County today; I was told I would get a call back in 20 minutes to a half hour that was about six hours ago, he will call them again tomorrow to see what is going on.

Budget – Mayor Hutnick commented we are scheduled for our next budget meeting April 5, 2021 at 6:00pm.

Well #3 update – Councilman Nardini commented you can take this off for now; the well is back up and running and explained. Councilman Nardini asked if anyone from Council was still experiencing an issue with water. Mayor Hutnick commented he thinks its has cleared up.

Heaters Pond Usage/Parks and recreation – Councilwoman O’Dell commented on the cost for the slide to be installed she wants to secure that so it is in time for the summer. Councilwoman O’Dell commented as far as the lake opening she has a date Mr. Astor told her school will be now will be closing June 14; so, open the 15<sup>th</sup>. The ad is being run already for the lifeguards; we are still set we have one interested party that is coming in to get an application so that should put them at four. There pay is going to remain the same, the guards are \$12.00 the head guards are \$13.00 that was last years we are not going to increase and they are not going to get paid this year if they are there and have to close due to storms. This will help shrink the budget a little. Councilwoman O’Dell commented Councilman Nardini sent her some information on a grant to apply for the softball fields so she is going to check that out.

Mayor Hutnick commented Wallkill asked for a key to the garage so they can store equipment there by the ballfield.

Councilwoman Slater commented the side door was ORA’s. They have that key that was their section and fielder’s choice has that main garage door. Councilwoman Slater commented she doesn’t know if the ORA part has been cleaned out.

Councilman Nasisi commented there is a bunch of stuff in that back section.

Grants – Councilman Nardini commented we did award the contract [for Plant Street the engineer] said they are just waiting to confirm warm weather so we can do paving probably mid to late April before that begins. The Engineer told him Predmore is done he does have a draft to go over the costs and budget. The catch basin [grant] is in its final stage he has a final draft which the engineer has to review and that can be submitted. Councilman Nardini commented so hopefully we should get that out to bid. Councilman Nardini commented once everything is in motion with all the other grants then Mike Vreeland will start working on potential combining those two [Plant Street and Edison Ave] since it is one hundred percent paving.

**NEW BUSINESS**

Newsletter – Mayor Hutnick commented you have the final draft of the newsletter.

Hazard Mitigation Plan – Mayor Hutnick commented this was in your packet.

Mr. McBriar commented the Sussex County Hazard mitigation plan is updated every five years. It will ultimately be approved by the State and FEMA. The County had asked that each jurisdiction update its specific annex; that annex Robin had forwarded to Mayor and Council, department heads, land use board as well as the school board for review and comments and any editing that needs to take place. It is important that this be done collaboratively because of future grants and money may be contingent on us being very through on how we complete this in particular with future projects and goals. We are asking any comments be submitted to Robin by

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April 14. If anyone has any comments or questions to reach out to him or Robin they have been in touch with the County coordinator on this.

Councilman Nardini commented he heard back from a couple of tree companies this is in regards to the tree that is right behind the lifeguard bench. There has been a lot of branches falling the last two years. Chris [received] a quote from the company that cleaned up the trees behind Borough Hall. This tree needs to come down it is too large and [we] suspect [it maybe] water log and may split. This is the time now to get rid of it; DPW could actually do that work so that would save.

Councilwoman O'Dell asked are we replacing it. Mayor Hutnick commented we can replace it.

Councilman Nardini commented we do have from the municipal alliance pop up tents that could be put behind the lifeguards.

Mayor Hutnick commented we will take this all under considerations and have the parks and recreation commissioner go take a look at that tree as well and see what she wants to do as far as pop up tents for the lifeguards.

Councilwoman O'Dell asked Councilman Nardini to include her when you have things going on.

**PUBLIC SESSION**

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

Victoria Castalonia, 17 Wilson Drive is representing ORA; she has a question from the ORA Board regarding the soccer field. Will you guys still be maintaining the field like mowing the grass.

Mayor Hutnick commented with regards to the soccer field down at the mine. Ms. Castalonia commented yea.

Mayor Hutnick commented the way this going to work is the ORA being their own entity is going to be responsible for filing the DEP paper work to request the use of the field; the town is no longer going to do that because you have your own insurance now. The town will maintain the mowing the field since it is already on the list of properties to mow. As far as user ship and insurance that is going to fall under the ORA responsibilities.

Ms. Castalonia asked if the port a john will be put back there in the spring when the season opens.

Mayor Hutnick commented all that now becomes the responsibility of the ORA. We can coordinate that with our port a john company if you want by that area.

There being no further business from the public, Councilwoman Slater moved, Councilman Demeo seconded motion to close the public session of the meeting. All were in favor. [note the motion and second was before Ms. Castalonia started to speak]

**EXECUTIVE SESSION**

There was no executive session

**PAYMENT OF VOUCHERS**

Councilwoman Slater made a motion to approve payment of vouchers and departmental finance reports. Seconded by Councilwoman O'Dell.

**Upon Roll call Vote:**

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

Nays: None Absent: None Abstain: None

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**Current**

<u>DATE</u>	<u>CHEC K #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
3/23/2021	31945	145 Media	500.00
3/23/2021	31946	Action Data Services, Inc.	98.95
3/23/2021	31947	Allied Oil	446.21
3/23/2021	31948	Aquatic Analysts, Inc.	200.00
3/23/2021	31949	Atlantic Tactical of NJ, Inc.	299.80
3/23/2021	31950	Bullseye Calibration of NJ	270.00
3/23/2021	31951	Elizabethtown Gas	2,154.15
3/23/2021	31952	Gordon, Stephen	825.00
3/23/2021	31953	High Point Electric, Inc	988.59
3/23/2021	31954	Horizon BC/BS of NJ	1,872.60
3/23/2021	31955	Horizon BC/BS of NJ	525.24
3/23/2021	31956	JCP&L	4,577.85
3/23/2021	31957	LINA	229.50
3/23/2021	31958	Morton Salt, Inc.	12,712.75
3/23/2021	31959	Municipal Capital	119.00
3/23/2021	31960	Municipal Software Inc	1,420.00
3/23/2021	31961	My Corporate Hosting Solutions, LLC	199.50
3/23/2021	31962	New Jersey Herald	256.20
3/23/2021	31963	ReadyRefresh	25.20
3/23/2021	31964	Robin Hough	180.00
3/23/2021	31965	Schenck Price Smith & King LLP	6,644.14
3/23/2021	31966	Staples Business Advantage	66.06
3/23/2021	31967	Statewide Insurance Fund	27,744.75
3/23/2021	31968	Statewide Insurance Fund	11,037.25
3/23/2021	31969	Township of Wantage	3,333.50
3/23/2021	31970	TRI STATE PAPER & CLEANING SUPPLIES	122.60
3/23/2021	31971	Varcadipane Jr, William J.	1,872.00
3/23/2021	31972	Verizon Wireless	122.53
3/23/2021	31973	W.B. Mason Co., Inc.	109.31
3/23/2021	31974	Witmer Public Safety Group, Inc.	522.00
			=====
			79,474.68

**Admin Trust**

<u>DATE</u>	<u>CHEC K #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
3/11/2021	2175	Redstone Capital Group, LLC	48,894.10
			=====
			48,894.10

**Grant Fund**

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
3/23/2021	31975	The Illusion Maker	1,150.00
3/23/2021	31976	Van Cleef Engineering Assoc. LLC	7,110.00
			=====
			8,260.00

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**RCA Vernon**

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
3/23/2021	146	Community Action Services	2,800.00
			=====
			2,800.00

**Water Op**

<u>DATE</u>	<u>CHEC K #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
3/23/202	1	Agra Environmental Services	66.00
3/23/202	1	Genserve, LLC	450.00
3/23/202	1	One Call Concepts, Inc.	2.86
3/23/202	1	Staples Business Advantage	3.17
3/23/202	1	W.B. Mason Co., Inc.	31.80
			=====
			553.83

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

Meeting adjourned at 8:07p.m.

\_\_\_\_\_  
Robin Hough, Borough Clerk

\_\_\_\_\_  
George P. Hutnick, Mayor