

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
April 12, 2021**

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

Mayor Hutnick led the Pledge of Allegiance.

ROLL CALL: Cowdrick, DeMeo, Nardini, Nasisi, Slater

Absent: Alvarez

Also, in attendance was Robert McBriar, Borough Attorney.

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/85630463726> and entering Meeting ID: 846 3046 3726 or via teleconferencing/audio conferencing using a traditional phone by calling 1-646-876-9923 and entering Meeting ID: 856 3046 3726 followed by the # sign.

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

CONSENT AGENDA

1. Approval of regular meeting minutes from March 22, 2021.
2. Approval of Resolution 28-2021 Governor’s Council on Alcoholism and Drug Abuse Fiscal Grant Cycle FY2022 with strategic plan for funding Municipal alliances.
3. Approval of Resolution 30-2021 discharge of mortgage between the Borough of Ogdensburg and Georgianne A. Diehl aka Georgianne A. Mueller, 1 Madison Drive, Ogdensburg, NJ in the amount of \$10,970.00.
4. Approval of resolution 32-2021 Authorizing agreement between the borough of Ogdensburg and James R. and Jane E. Smith regarding on-site sewage disposal system alteration at 84 Main Street and 3 Passaic Avenue identifies as Block 16 Lots 1 & 2 Respectively.
5. Approval of resolution 27-2021 Granting Municipal consent to James R and Jane E. Smith as a prerequisite for submitting a treatment works approval permit application (TWA-1) to the New Jersey Department of Environmental Protection for septic improvements and modifications to be installed at 84 Main Street and 3 Passaic Avenue (Block 16 Lots 1 & 2)
6. Approval of resolution 31-2021 authorizing tax account credit associated with 39 Glenbrook Road block 26.06 lot 29.
7. Accept for filing letter dated March 9, 2021 received March 29, 2021 from NJDOT RE: Executed Agreement for Edison Ave. Resurfacing.

Upon Roll call Vote:

Yeas: Cowdrick, DeMeo, Nardini, Nasisi, Slater

Nays: None Absent: Alvarez Abstain None

Resolution 28-2021

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WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough Council of the Borough of Ogdensburg, County of Sussex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Sussex;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Ogdensburg, County of Sussex, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a revised strategic plan for the Ogdensburg Municipal Alliance grant for fiscal year 2022 in the amount of:

DEDR	\$ 1,018.00
Cash Match	\$ 254.50
In-Kind	\$ 763.50

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Resolution 30-2021

WHEREAS, the Borough of Ogdensburg (“Borough”) previously instituted a Home Improvement Program (“Program”) for the purpose of providing low cost home improvement financing to qualifying homeowners; and

WHEREAS, as part of this Program, the Borough granted a loan in the principal amount of \$10,970.00 to be used to rehabilitate property located at 1 Madison Dr., Ogdensburg, New Jersey, identified on the Official Tax Maps of the Borough as Block 3.04, Lot 1; and

WHEREAS, said loan was secured by a mortgage in favor of the Borough dated September 22, 2018 which was recorded in the Sussex County Clerk’s Office on February 14, 2019 in Book 9677, at Page 841; and

WHEREAS, the loan in the principal amount of \$10,970.00 was paid in full evidenced by check number 14086 issued to the Borough endorsed by Abraxas Abstract Inc.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Ogdensburg that the Mayor and Clerk are hereby authorized to execute a discharge of mortgage relative to the above-referenced property and take such further actions as are necessary to effectuate the purpose of this Resolution.

Resolution 32-2021

WHEREAS, James R. and Jane E. Smith (the “Applicants”) are the owners of certain real property situated in the Borough of Ogdensburg (“Borough”), commonly known as 84 Main Street and 3 Passaic Street and described further on the official Tax Maps of the Borough as Block 16, Lots 1 and 2 (collectively “Properties”); and

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WHEREAS, the Applicants seek to replace the dated septic systems that service the Properties by installing modern systems consisting of a septic/trash trap, flow equalization, aerobic treatment, clarification, and new disposal area (the “Project”); and

WHEREAS, the parties desire to enter into an agreement in the form attached hereto setting forth their rights, responsibilities and obligations relative to the Project.

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 Mayor and Borough Clerk are hereby authorized to execute the Agreement attached hereto regarding the above-reference Project and take such further actions as are necessary to effectuate the purpose of this Resolution.

Resolution 27-2021

WHEREAS, James R. and Jane E. Smith (the “Applicants”) are the owners of certain real property situated in the Borough of Ogdensburg (“Borough”), commonly known as 84 Main Street and 3 Passaic Street and described further on the official Tax Maps of the Borough as Block 16, Lots 1 and 2 (collectively “Properties”); and

WHEREAS, the Properties consist of fourteen (14) residential apartments; and

WHEREAS, the Applicants seek to replace the dated septic systems that service the Properties by installing modern systems consisting of a septic/trash trap, flow equalization, aerobic treatment, clarification, and new disposal area; and

WHEREAS, in support of their TWA application, the Applicants submitted plans entitled, “On-Site Sewage Disposal System Alteration 84 Main Street & 3 Passaic Avenue Borough of Ogdensburg Block 16, Lots 1 & 2 Sussex County New Jersey” consisting of five (5) sheets (“Plans”) prepared by J. R. Houser, P.E. of Houser Engineering, LLC located at 1141 Greenwood Lake Tpke, Ringwood, New Jersey 07456, which have been reviewed by the Borough’s engineer, and zoning and construction official; and

WHEREAS, the proposed septic improvement project requires approval from the New Jersey Department of Environmental Protection (“NJDEP”), specifically a Treatment Works Approval (TWA-1) Permit; and

WHEREAS, it is necessary for the Borough to consent to the TWA-1 Permit application as a prerequisite for the Applicant to submit same with the NJDEP; and

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 Mayor and Borough Clerk are hereby authorized to execute the Statements of Consent (Form WQM-003) which is part of the NJDEP TWA-1 permit application concerning the project for the Block 16, Lots 1 & 2.

Resolution 31-2021

WHEREAS, quarterly tax payments are due on February 1, May 1, August 1, and October 1 of each tax year; and

WHEREAS, the Borough grants a ten (10) day grace period for the payment of taxes to the 10th of the month, after which penalties and interest begin to accrue; and

WHEREAS, on March 7, 2021 the taxpayer of 39 Glenbrook Rd. notified the Borough that taxpayer’s First Quarter tax payment had not posted and a notice of tax delinquency had been issued; and

WHEREAS, the taxpayer has provided a written certification stating that the First Quarter tax payment was hand delivered to the Borough Municipal Building on February 3, 2021 within the grace period and placed in the repository for receiving tax and utility payments; and

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WHEREAS, the Borough investigated the matter and based on the specific facts and circumstances unique to this inquiry has determined that a credit is appropriate.

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 penalties and interest that accrued on the First Quarter tax payment described above are hereby cancelled and a credit in that amount shall be reflected on the taxpayer's account associated with 39 Glenbrook Rd. (Block 26.06, Lot 29).

INTRODUCTION ORDINANCE 05-2021

Councilwoman Slater made a motion to introduce an ordinance 05-2021 entitled "CALENDAR YEAR 2021 TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.40A:4-45.14)" Seconded by Councilman Nardini

Public hearing will be held April 26, 2021.

Upon Roll call Vote:

Yeas: Cowdrick, DeMeo, Nardini, Nasisi, Slater

Nays: None Absent: Alvarez Abstain None

INTRODUCTION TO THE CY 2021 MUNICIPAL BUDGET

Councilwoman Slater made a motion to adopt resolution 29-2021 introducing the CY 2021 Municipal Budget for the Borough of Ogdensburg. Seconded by Councilman DeMeo.

Public hearing will be held May 10, 2021

Upon Roll call Vote:

Yeas: Cowdrick, DeMeo, Nardini, Nasisi, Slater

Nays: None Absent: Alvarez Abstain None

Resolution 29-2021

BE IT RESOLVED that the Local Municipal budget of the Borough of Ogdensburg, County of Sussex, New Jersey for the calendar year 2021 be approved by the Mayor and Council of the Borough of Ogdensburg, and the Clerk is hereby instructed to advertise in the New Jersey Herald and that a final public hearing before passage will be held on May 10, 2021 at 7:00PM in the Council Chambers and that said budget shall authorize total general appropriations of \$3,060,781.55 and the anticipated revenues of \$686,837.55 leaving an amount to be raised by taxes for municipal purposes of \$2,373,944.00. The Water 2021 Budget consists of appropriations of \$385,085.00 and anticipated revenues of \$385,085.00.

OLD BUSINESS

Fire Marshall Service – Mayor Hutnick commented Kevin's term is coming to an end he has one more person to contact regarding the Fire Marshall Service for the Borough.

Heaters Pond Usage/Parks and recreation – Councilwoman Cowdrick commented we are waiting for start date regarding the slide. The company we ordered badges from is no longer in business we are looking into another company.

Councilwoman Slater commented on season passes five dollars for an individual up to twenty-five for a family. Seven dollars for individual and thirty-five for a family for non-residents. Also, to have the season passes for swim team to be purchased before season starts. The Borough's CFO will look into having the form and the ability to pay for the badges on the website.

There was a discussion on the passes, facility use form for use of the pond, swim team purchase some sort of annual pass, which would be easier to collect one fee, pay on line show a receipt and they can get the badges from the lifeguards, have a swim team roster, town is offering swim

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lessons and the trees that were not safe at the pond. The tree was removed by DPW and everything is cleaned up.

Grants – Councilman Nardini commented there is not update on the catch basin grant. The engineer is going to try and combine the Passaic and Edison Ave grant work.

Hazard Mitigation Plan – Mr. McBriar explained the plan and we are waiting for responses from the department heads, school board to help update this plan. This is done County wide. There is a section on recommendations if there was a natural disaster which is important to have in the plan.

NEW BUSINESS

Local Recreation Improvement Grant – Mayor Hutnick commented Robin is working on the recreation grant. Ms. Hough explained they council will have to decide their priority to the order of items to apply for, multi courts aka basketball and tennis courts, walking/bike path and new playground equipment. After a brief discussion Mayor Hutnick commented the order will be tennis basketball court area first then walking/bike path then playground.

Mayor Hutnick explained he received a call from the Girl Scout and they would like to contribute to doing projects to help around town. There was a discussion on the projects and age group of the Girl Scouts.

Water Rents – Councilman Nardini explained he would like to increase the water rates for next year. The infrastructure needs updating the pipes are old and we are not prepared for any major breaks.

Mayor Hutnick asked when there is a break is it worth fixing a larger portion of the break.

There was a discussion on the pipes, breaks and upgrades.

Mr. McBriar commented let him know what the Borough decides because we will need an ordinance for this [increase water rates].

Tracking employee time off calendar – Mayor Hutnick commented we ran into an issue where three DPW employees were out at the same time. Mayor Hutnick explained what happened. There was a discussion on tracking time for all employee and following the procedure in the employee handbook, submitting time off in advanced and supervisors watching and tracking time off.

Mayor Hutnick commented he would like to implement reviews for next year and raises based on review not an automatic two percent.

Mr. McBriar commented he will look in the employee handbook; he believes that was put in there when the handbook was redone.

PUBLIC SESSION

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

Vera Olinski, Vernon, with Straus news. Ms. Olinski asked what was the municipal budget amount that was just introduced.

Mike Marceau, CFO stated the amounts Ms. Olinski referenced.

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Kasara Hojas 31 Richardsville Road explained a problem with the water in town and explained the water issues on Richardsville Road. The storm drains are clogged and she hasn't seen them cleaned this year. There is an abandoned property at 29 Richardville and the property needs to be looked at; the property is like a swamp.

Johnathan Gallatly, 54 Main Street, commented on the pot holes in the roads asking when the Borough was going to get around fixing them. He asked if someone could look at flooding in that area of Main Street. Mayor Hutnick commented he will have DPW look at 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.

EXECUTIVE SESSION

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;

Pending Litigation

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:

Pending Litigation

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.

At 7:55p.m. Councilman DeMeo moved, Councilman Nardini seconded motion to go into executive session.

Upon Roll call Vote:

Yeas: Cowdrick, DeMeo, Nardini, Nasisi, Slater

Nays: None Absent: Alvarez Abstain: None

The Mayor and Council returned from executive session at 8:40 PM.

PAYMENT OF VOUCHERS

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

Upon Roll call Vote:

Yeas: Cowdrick, DeMeo, Nardini, Nasisi, Slater

Nays: None Absent: Alvarez Abstain: None

Current

<u>DATE</u>	<u>CHEC K #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
4/15/2021	31978	Action Data Services, Inc.	918.37
4/15/2021	31979	Allied Oil	620.37

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4/15/2021	31980	Amazon	40.99
4/15/2021	31981	Bassani Power Equipment, LLC	364.80
4/15/2021	31982	Blue Diamond Disposal, Inc.	17,775.00
4/15/2021	31983	Bullseye Calibration of NJ	235.00
4/15/2021	31984	CenturyLink	1,299.43
4/15/2021	31985	CenturyLink	101.01
4/15/2021	31986	Chelbus Cleaning Company, Inc.	443.00
4/15/2021	31987	Complete Security Systems, Inc.	24.20
4/15/2021	31988	Finch Fuel Oil Co., Inc.	959.36
4/15/2021	31989	JCP&L	3,522.52
4/15/2021	31990	Kimberly Cucci	28.18
4/15/2021	31991	Lafayette Auto Parts	5.98
4/15/2021	31992	Michel Marceau	15.98
4/15/2021	31993	Montague Tool & Supply Co	35.90
4/15/2021	31994	Ogdensburg Board of Education	212,734.00
4/15/2021	31995	Ross, Chris	284.00
4/15/2021	31996	Smith, Ken	822.61
4/15/2021	31997	Treasurer, State of NJ	50.00
4/15/2021	31998	Van Cleef Engineering Assoc. LLC	4,175.00
4/15/2021	31999	Verizon Business	113.82
4/15/2021	32000	Verizon Wireless	121.40
4/15/2021	32001	W.B. Mason Co., Inc.	63.03
4/15/2021	32002	Wallkill Valley Regional H.S.	96,663.92
			=====
			341,417.87

Admin Trust

<u>DATE</u>	<u>CHEC</u> <u>K #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
4/15/2021	2176	Janine M Cerra, Attorney at Law, LLC	150.00
			=====
			150.00

Dog Fund

<u>DATE</u>	<u>CHEC</u> <u>K #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
4/15/2021	256	NJ Dept of Health & Senior Service	52.20
			=====
			52.20

Grant Fund

<u>DATE</u>	<u>CHEC</u> <u>K #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
3/30/2021	31977	US Postal Service	167.54
			=====
			167.54

Payroll

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<u>DATE</u>	<u>CHEC</u> <u>K #</u>	<u>PAID</u> <u>TO</u>	<u>AMOUNT</u>
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4/15/2021	1089	AFLAC	627.28
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627.28

Water Op

<u>DATE</u>	<u>CHECK</u> <u>#</u>	<u>PAID TO</u>	<u>AMOUNT</u>
4/15/2021	1	Electronic Drives & Controls, Inc.	4,168.73
4/15/2021	1	Home Depot	318.98
4/15/2021	1	One Call Concepts, Inc.	10.01
4/15/2021	1	State of New Jersey-PWT	100.35
4/15/2021	1	W.B. Mason Co., Inc.	5.18
			=====
			4,603.25

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

Meeting adjourned at 8:42p.m.

Robin Hough, Borough Clerk

George P. Hutnick, Mayor