

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
May 10, 2021**

Mayor Hutnick called the meeting to order at 7:14PM.

Mayor Hutnick led the Pledge of Allegiance.

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

Absent: Slater

Also, in attendance was James Polles Esq. (via zoom) and Mike Marceau, CFO

STATEMENT BY MAYOR: “Notice requirements of P.L. 1975, Open Public Meeting Act, NJS10:4-6 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/86845956059> and entering Meeting ID: 868 4595 6059 or via teleconferencing/audio conferencing using a traditional phone by calling 1-646-876-9923 and entering Meeting ID: 868 4595 6059 followed by the # sign.

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

CONSENT AGENDA

1. Approval of regular meeting minutes from April 26, 2021.
2. Approval of executive session minute from April 12, 2021.
3. Approval of Resolution 35-2021 authorizing professional service contract for public defender.
4. Approval of Resolution 36-2021 authorizing execution of an agreement with the Morris County Cooperative pricing Council to renew membership therein for the period of October 1, 2021 through September 30, 2026.
5. Approval of off premise 50/50 raffle license 01-2021 for St. Thomas of Aquin RC Church to be held at 53 Kennedy Ave on September 12, 2021.
6. Accept for filing letter dated April 30, 2021 from Mayor Hutnick to Louis Kilmer, NJ Department of Community Affairs Re: Fire Marshall services.
7. Accept for filing 2021 Final Equalization Table for the County of Sussex.
8. Accept for filing Borough of Franklin resolution 2021-38.
9. Accept for filing letter from NJDOT re: Fiscal year 2022 State Aid Programs.
10. Accept for filing notice from Sparta Township hearing of Ordinance 21-02 to comply with recent changes in stormwater control.
11. Accept for filing notice from Sparta Township introduction of Ordinance 21-03 ordinance amending ordinance 21-02.

Upon Roll call Vote:

Yeas: Alvarez, Cowdrick, DeMeo, Nardini, Nasisi

Nays: None Absent: Slater Abstain: None

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Resolution 35-2021

WHEREAS, there exists a need for the services of a Municipal Public Defender in the Borough of Ogdensburg (“Borough”) for the Borough Municipal Court located in Sussex County, New Jersey; and

WHEREAS, James D. Opfer, Jr., Esq. has submitted a proposal indicating that he will provide professional legal services as the Borough’s Municipal Public Defender for the 2021 year at the rate of \$150.00 per case; and

WHEREAS, the Borough seeks to award a contract to James D. Opfer, Jr., Esq. as a non-fair and open contract pursuant to, and in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, James D. Opfer, Jr., Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions in violation of State or local Pay to Play laws, in the previous one year, and that the contract will prohibit him from making any reportable contributions, contrary to N.J.S.A. 19:44A-20.5, through the term of said contract with the Borough; and,

WHEREAS, the Chief Financial Officer of the Borough has certified that the appropriations specified with this resolution have been provided for within the Municipal Budget and/or proceeding capital ordinances.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg, County of Sussex, and State of New Jersey that James D. Opfer, Jr., Esq. is hereby appointed Municipal Public Defender for the Borough of Ogdensburg and shall serve for a term expiring December 31, 2021.

BE IF FURTHER RESOLVED that James D. Opfer, Jr., Esq. shall be compensated at the rate of \$150 per case.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED, a notice of the action shall be published at least once in the New Jersey Herald.

CERTIFICATION OF FUNDS

I, Michel Marceau, Chief Financial Officer does hereby certify that the appropriations specified within foregoing resolution have been provided for within the Municipal Budget and/or proceeding capital ordinance.

Michel Marceau, CFO

Resolution 36-2021

WHEREAS, the Morris County Cooperative Pricing County (“MCCPC”) was created in 1974 to conduct a voluntary cooperative pricing system with municipalities, boards of education, and other public bodies located the County of Morris and adjoining counties; and

WHEREAS, the purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process; and

WHEREAS, the Borough of Ogdensburg desires to enter into an Agreement with MCCPC, which is administered by Randolph Township as Lead Agency, to renew its membership in the MCCPC for the period of October 1, 2021 through September 30, 2026.

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BE IT RESOLVED, by the Borough of Ogdensburg, County of Sussex, State of New Jersey as follows:

1. Mayor and Council of the Borough of Ogdensburg hereby authorizes the execution of an Agreement with the Morris County Cooperative Pricing Council by the Township of Randolph as Lead Agency dated October 1, 2021, pursuant to N.J.S.A. 40A:11-11(5). Said Agreement is for renewal of membership in the MCCPC for a five (5) year period from October 1, 2021, through September 30, 2026.
2. The Borough of Ogdensburg Clerk is hereby directed to submit a copy of this adopted Resolution, along with an executed Agreement, to Randolph Township as Lead Agency of the MCCPC.
3. This Resolution shall take effect immediately upon passage according to law.
4. All appropriate Borough of Ogdensburg officials are authorized and directed to perform all required acts to affect the purpose of this resolution.

PUBLIC HEARING ON THE INTRODUCED 2021 CY MUNICIPAL BUDGET

Councilwoman Cowdrick read “Mayor Hutnick will open the meeting to the public for any comments on the introduced 2021 CY Municipal Budget.”

No one from the public had any comments on the 2021 CY Municipal Budget.

Mayor Hutnick closed the meeting for any comments on the CY 2021 Municipal Budget.

RESOLUTION 37-2021 TO ADOPT THE CY 2021 MUNICIPAL BUDGET

Councilwoman Cowdrick made a motion to adopt the CY 2021 Municipal Budget resolution 37-2021. Seconded by Councilman Nasisi.

Upon Roll call Vote:

Yeas: Alvarez, Cowdrick, DeMeo, Nardini, Nasisi

Nays: None Absent: Slater Abstain: None

A copy of resolution 37-2021 is attached to the minutes.

ORDINANCE 06-2021

Councilman Nasisi made a motion to introduce an ordinance 06-2021 entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7 OF THE CODE OF THE BOROUGH OF OGDENSBURG ENTITLED “TRAFFIC” TO REGULATE MAXIMUM GROSS VEHICLE WEIGHT ON CERTAIN PUBLIC STREETS” Seconded by Councilman Nardini.

Public hearing will be held on May 24, 2021.

Upon Roll call Vote:

Yeas: Alvarez, Cowdrick, DeMeo, Nardini, Nasisi

Nays: None Absent: Slater Abstain: None

RESOLUTION 38-2021

Councilman Nasisi made a motion to adopt resolution 38-2021 authorizing submission of Local Planning Services Application to the New Jersey Department of Community Affairs Office of Local Planning Services. Seconded by Councilwoman Cowdrick.

Upon Roll call Vote:

Yeas: Alvarez, Cowdrick, DeMeo, Nardini, Nasisi

Nays: None Absent: Slater Abstain: None

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WHEREAS, the New Jersey Department of Community Affairs, Office of Local Planning Services (“LPS”) offers a variety of planning services to eligible municipalities to assist local governments achieve their land use and planning goals at no direct cost; and

WHEREAS, such services include, but are not limited to Master Plans and Redevelopment Plans, Land Use and Mapping, Economic Development Plans, and special municipal projects; and

WHEREAS, the Borough of Ogdensburg (“Borough”) is interested in applying for LPS assistance for its short- and long-term planning goals and objectives; and

WHEREAS, the Council has determined that the interests of the Borough will be best served by exploring opportunities for assistance from LPS.

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 Clerk is hereby authorized to complete and submit an application for local planning services to the New Jersey Department of Community Affairs, Office of Local Planning Services, and take such further action(s) as may be necessary to effectuate the purposes of this resolution.

RESOLUTION 39-2021

Councilman Nasisi made a motion to adopt resolution 39-2021 authorizing the submission to the New Jersey Department of Community Affairs grant application to Rehabilitate the Ogdensburg Municipal Park. Seconded by Councilwoman Cowdrick.

Upon Roll call Vote:

Yeas: Alvarez, Cowdrick, DeMeo, Nardini, Nasisi

Nays: None Absent: Slater Abstain: None

A copy of resolution 39-2021 will be attached to the minutes.

OLD BUSINESS

Fire Marshall Service – Mayor Hutnick commented as we all know Mr. Kervatt has retired from the Fire Marshall Service. Mayor Hutnick commented he has turned the Fire Marshall Services over to the State since we have nobody else that is qualified. Should we come up with someone that is qualified and wants the position he can take it back from the State under the agreement that we have.

Heaters Pond Usage/Parks and recreation – Mayor Hutnick commented we still have to finalize everything with regards to the park with badges and amendments.

Hazard Mitigation Plan – Ms. Hough commented some of the questions she will go over [with the Eric Slater, Chief of the Fire Department and Rick Keslo, OEM Coordinator.] Ms. Hough commented one question in the plan is asking an administrative question. Ms. Hough read “Does your Municipality have access to resources to determine the possible impacts of climate change for the Municipality?” then it says is your administrative support of integrating climate change in policies or actions.” Ms. Hough asked the council if they would be in supportive this. Mayor Hutnick commented we would be supportive of it but we are not going to run out and buy weather equipment. Ms. Hough commented if you say yes you have to briefly describe you can say no and that will be that.

Eric Slater, Chief of the Ogdensburg Fire Department commented what they are asking for would be to monitor the rise of the river that would be under climate control. Ms. Hough commented then it would be yes, to monitor the river. Mayor Hutnick commented fine. Councilman Nasisi added as well as the pond that is watched by our DPW supervisor.

Local Recreation Improvement Grant – Mayor Hutnick commented this is the grant we have been discussing it will be officially submitted to the State by May 24th. Mr. Marceau explained

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there is a narrative the Mayor has to sign off on in green sage otherwise Robin and I have submitted everything the engineer needed.

Local Planning Service Grant – Mayor Hutnick commented that was taken care off. [There was a resolution earlier on the agenda.]

Highlands Council – Mayor Hutnick commented he doesn't have an update on that. Ms. Hough asked if he wanted this removed from the agenda. Mayor Hutnick commented yes.

NEW BUSINESS

NJDOT Fiscal year 2022 State Aid Grants – Ms. Hough explained there was a letter in your packets and the Council has to decide what roads the Council would want to submit application for. Mayor Hutnick commented we have Passaic and Plant street that is 2021 we have Predmore but that isn't a grant we are paying for that, Edison grant that is coming for 2021 and we have storm water.

Councilman Nardini commented we can do Phase II of Plant Street should we reapply. Mayor Hutnick commented yes, we can do that for 2022. Ms. Hough ask if that would be your first choice. Mayor Hutnick commented yes. Ms. Hough asked do you want the second choice to continue past Edison where they left off because they only went to a certain point on Edison.

Mayor Hutnick commented what really needs to be done is start where Sparta starts needs to be paved. Ms. Hough commented we could continue and go up to Sparta because we connect to another town that way that is good for us they look for that. Mayor Hutnick commented we can put that as our secondary.

PUBLIC SESSION

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

Kasara Hojas, 31 Richardsville Road, Ogdensburg commented on the water issue with the drains on Richardsville, they are all still clogged and asked if Ogdensburg was responsible for all the channels between houses.

Mayor Hutnick commented he did a tour of that area and looked at it. When that development was built it was built in a swamp area as you know there was a drain put in back the 50's or 60's whenever the development was created that went from one end to the other. Over that duration the drain that went through all the private properties were filled in he assumes by homeowners at that time which is stopping the drain. There is no official piping for that. That how the drains work. The Borough of Ogdensburg is not responsible or can we go on private property dig it up and explained.

There was a discussion on this area and the problem with drainage.

Mayor Hutnick asked Vero Olinski from the Advertiser if she had any comments. Mrs. Olinski commented all is right with the world.

There being no further business from the public, Councilwoman Cowdrick 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

Councilman Nasisi made a motion to approve payment of vouchers and review of departmental reports. Seconded by Councilman Nardini.

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Upon Roll call Vote:

Yeas: Alvarez, Cowdrick, DeMeo, Nardini, Nasisi

Nays: None Absent: Slater Abstain: None

Current

<u>DATE</u>	<u>CHEC K #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
5/11/202	1	32032 Allied Oil	980.34
5/11/202	1	32033 Atlantic Communications	85.80
5/11/202	1	32034 Atlantic Tomorrows Office	205.99
5/11/202	1	32035 Blue Diamond Disposal, Inc.	17,775.00
5/11/202	1	32036 CenturyLink	142.25
5/11/202	1	32037 Couch Braunsdorf Insurance Group Inc.	500.00
5/11/202	1	32038 Finch Fuel Oil Co., Inc.	259.88
5/11/202	1	32039 Gordon, Stephen	103.95
5/11/202	1	32040 Gramco Business Communications	5,200.00
5/11/202	1	32041 JCP&L	6,647.63
5/11/202	1	32042 Kenvil Power Mower	98.40
5/11/202	1	32043 Kimberly Cucci	270.36
5/11/202	1	32044 Lafayette Auto Parts	160.89
5/11/202	1	32045 Michel Marceau	15.98
5/11/202	1	32046 MicroSystems-NJ.com, LLC	1,800.00
5/11/202	1	32047 Noah's Ark Prot-a-Jon	231.00
5/11/202	1	32048 Ogdensburg Board of Education	212,734.00
5/11/202	1	32049 Petro-Mechanics, Inc	168.00
5/11/202	1	32050 ReadyRefresh	21.37
5/11/202	1	32051 Schenck Price Smith & King LLP	5,185.58
5/11/202	1	32052 Statewide Insurance Fund	27,744.75
5/11/202	1	32053 Statewide Insurance Fund	11,037.25
5/11/202	1	32054 Township of Sparta, Police Dept.	14,750.25

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5/11/202	1	32055	Treasurer, State of New Jersey	500.00
5/11/202	1	32056	Van Cleef Engineering Assoc. LLC	603.75
5/11/202	1	32057	Verizon Business	100.33
				=====
				=
				307,322.75

Dog Fund

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
5/11/2021	257	NJ Dept of Health & Senior Service	28.20
			=====
			28.20

General Capital

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
5/11/2021	1141	Van Cleef Engineering Assoc. LLC	10,095.50
			=====
			10,095.50

Grant Fund

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
5/11/2021	32058	Atlantic Tomorrows Office	308.00
5/11/2021	32059	Van Cleef Engineering Assoc. LLC	65.00
			=====
			373.00

Water Op

<u>DATE</u>	<u>CHEC K #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
5/11/202	1	5112 Hamburg Plumbing Supply Co	31.92
5/11/202	1	5113 Main Pool & Chemical Co., Inc.	553.50
5/11/202	1	5114 Municipal Software Inc	75.00
5/11/202	1	5115 One Call Concepts, Inc.	22.88

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683.30

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

Meeting adjourned at 7:37 p.m.

Robin Hough, Borough Clerk

George P. Hutnick, Mayor

SECTION 2 - UPON ADOPTION FOR YEAR 2021

RESOLUTION 37-2021

Be it Resolved by the COUNCIL MEMBERS of the BOROUGH
of OGDENSBURG, County of SUSSEX that the budget hereinbefore set forth is hereby
adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 2,373,944.00 (Item 2 below) for municipal purposes, and
- (b) \$ - (Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and,
- (c) \$ - (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in
Type II School Districts only (N.J.S.A. 18A:9-3) and certification to the County Board of Taxation of
the following summary of general revenues and appropriations.
- (d) \$ - (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e) \$ - (Sheet 44) Arts and Culture Trust Fund Levy
- (f) \$ - (Item 5 Below) Minimum Library Tax

RECORDED VOTE
(insert last name)

Mayor Hutnick (tie only) ^{Ayes}

Alvarez
Cowdrick
DeMeo
Nardini
Nasisi

Nays

Abstained

Absent

Slater

SUMMARY OF REVENUES

1. General Revenues				
Surplus Anticipated		08-100	\$	160,000.00
Miscellaneous Revenues Anticipated		13-099	\$	342,837.55
Receipts from Delinquent Taxes		15-499	\$	184,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSED (Item 6(a), Sheet 11)		07-190	\$	2,373,944.00
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:				
Item 6, Sheet 42		07-195	\$	-
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)		07-191	\$	-
TOTAL AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY				
\$ -				
4. To Be Added TO THE CERTIFICATE FOR THE AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:				
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)		07-191	\$	-
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY TAX				
Total Revenues		13-299	\$	3,060,781.55

SUMMARY OF APPROPRIATIONS

	XXXXXX	XXXXXXXXXXXXXX
5. GENERAL APPROPRIATIONS:	XXXXXX	XXXXXXXXXXXXXX
<u>Within "CAPS"</u>		
(a & b) Operations Including Contingent	34-201	\$ 2,221,001.00
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	\$ 304,185.00
(g) Cash Deficit	46-885	\$ -
<u>Excluded from "CAPS"</u>	XXXXXX	XXXXXXXXXXXXXX
(a) Operations - Total Operations Excluded from "CAPS"	34-305	\$ 152,787.55
(c) Capital Improvements	44-999	\$ 20,000.00
(d) Municipal Debt Service	45-999	\$ 135,683.00
(e) Deferred Charges - Municipal	46-999	\$ -
(f) Judgments	37-480	\$ -
(n) Transferred to Board of Education for Use of Local Schools (N.J.S.A. 40:48-17.1 & 17.3)	29-405	\$ -
(g) Cash Deficit	46-885	\$ -
(k) For Local District School Purposes	29-410	\$ -
(m) Reserve for Uncollected Taxes	50-899	\$ 227,125.00
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICT ONLY (N.J.S.A. 40A:4-13)	07-195	
Total Appropriations	34-499	\$ 3,060,781.55

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 10th day of May, 2021. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2021 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 10th day of May, 2021, *Robert Hough*, Clerk
Signature

RESOLUTION 39-2021

Whereas, the Borough of Ogdensburg

(formal name of organization)

desires to apply for and obtain a grant from the New Jersey Department of Community Affairs

for approximately \$ 290,000

(dollar amount of request)

to carry out a project to Rehabilitate the Ogdensburg

Municipal Park

(briefly describe the project)

Be it therefore RESOLVED,

1) that the Borough of Ogdensburg

(formal name of organization)

does hereby authorize the application for such a grant; and,

2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between

Borough of Ogdensburg

(formal name of organization)

and the New Jersey Department of Community Affairs.

Be it further RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith.


(signature)

Robin Hough
(type or print name)

Borough Clerk
(title)


(signature)

George P. Hutnick
(type or print name)

Mayor
(title)

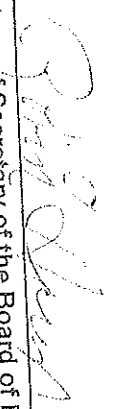
CERTIFICATION:

I, Robin Hough, the Borough Clerk
(name of Board Secretary / Government Clerk) (title of position - Board Secretary or Government Clerk)

of Borough of Ogdensburg (formal name of organization)
hereby certify that at a meeting of the Board of Directors / Governing Body held on 05/10/2021 (meeting date)

the above RESOLUTION was duly adopted.

AFFIX GOVT,
CORPORATE OR
NOTARY SEAL


(Signature of Secretary of the Board of Directors or Government Clerk)