

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
September 27, 2021**

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

Mayor Hutnick led the Pledge of Allegiance.

ROLL CALL: Alvarez, DeMeo, Nardini, Slater, Mayor Hutnick

Absent: Cowdrick, Nasisi

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, NJSA10:4-6 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, 2021.”

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

CONSENT AGENDA

1. Approval of regular meeting minutes from September 13, 2021.
2. Approval of Resolution 64-2021 authorizing the adoption of the 2021 Sussex County, New Jersey Hazard Mitigation Plan update.
3. Approval of Resolution 65-2021 authorizing the discharge of mortgage in the amount of \$18,935 for 319 Main Street, Ogdensburg Block 3.07 Lot 8.
4. Approval of Resolution 66-2021 accepting grant for Law Enforcement Body-Worn Cameras from the New Jersey Department of Law and Public Safety, Office of the Attorney General.
5. Approval of Resolution 67-2021 approval of item(s) of revenue and appropriation pursuant to N.J.S.A. 40A:4-87 for the 2021 budget of the Borough of Ogdensburg.
6. Approval of NJABC special event catering permit for Stew N Dolly’s liquor license 1916-32-004-006 Ogdensburg Fire Department Family Fun Day location Ogdensburg Firemen Field on October 9, 2021 from 11:30am to 5:00pm with a rain date of October 10, 2021.
7. Accept for filing 2021 Sussex County Resurfacing Program project start-up notice distributed September 16, 2021.
8. Accept for filing Borough of Franklin Ordinance 12-2021.
9. Accept for filing Borough of Franklin Ordinance 13-2021.
10. Accept for filing letter dated August 8, 2021 received September 13, 2021 from MAP Engineering re: 42 Richardsville Road Block 26.01 Lot 20.

Upon Roll call Vote:

Yeas: Alvarez (Abstain #1), DeMeo (Abstain #1), Nardini, Slater

Nays: None Absent: Cowdrick, Nasisi Abstain None

Resolution 64-2021

WHEREAS, all jurisdictions within Sussex County have exposure to hazards that increase the risk to life, property, environment, and the County and local economy; and

WHEREAS, pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

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September 27, 2021

WHEREAS, a coalition of Sussex County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Sussex County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg, County of Sussex and State of New Jersey as follows;

- 1) The Borough hereby adopts in its entirety, the 2021 Sussex County Hazard Mitigation Plan Update (the "Plan") as the jurisdiction's Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) The Borough will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) The Borough will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) The Borough will continue its support of the Mitigation Planning Committee as described within the Plan.
- 5) The Borough will help to promote and support the mitigation successes of all participants in this Plan.
- 6) The Borough will incorporate mitigation planning as an integral component of government and partner operations.
- 7) The Borough will provide an update of the Plan in conjunction with the County no less than every five years.

Resolution 65-2021

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 \$18,935.00 to be used to rehabilitate property located at 319 Main Street, Ogdensburg, New Jersey, identified on the Official Tax Maps of the Borough as Block 3.07, Lot 8; and

WHEREAS, said loan was secured by a mortgage in favor of the Borough dated October 23, 2014 which was recorded in the Sussex County Clerk's Office on February 3, 2015 in Book 9288, at Page 920 (four pages); and

WHEREAS, the loan in the principal amount of \$18,935.00 was paid in full evidenced by check number 87228 issued to the Borough and endorsed by Sunnyside Title Agency, LLC.

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.

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
September 27, 2021**

Resolution 66-2021

WHEREAS, New Jersey Attorney General Law Enforcement Directive 2021-5 and accompanying Body-Worn Camera Policy (May 2021 Version) require all uniformed patrol officers to be equipped with body-worn cameras during the performance of their daily law enforcement functions; and

WHEREAS, body-worn cameras utilize advanced technology that will greatly assist law enforcement in fulfilling the safety needs of the Borough Police Department and the community; and

WHEREAS, the Borough Police Department applied for a grant from the New Jersey Department of Law and Public Safety, Office of the Attorney General seeking funding assistance under the State's Body-Worn Camera Program; and

WHEREAS, the Borough Police Department was awarded SFY21 Body-Worn Grant ("Grant") on June 17, 2021, in the amount of \$14,266.00 (Award Number 21-BWC-332) for the period of January 1, 2021, through December 31, 2025; and

WHEREAS, the Mayor and Council of the Borough acknowledge and accept the Grant.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg, Sussex County, New Jersey, as follows:

1. The Mayor and Council accept SFY21 Body-Worn Grant funds on behalf of the Borough of Ogdensburg to be used for the implementation of body-worn cameras; and

2. The Mayor and Clerk are hereby authorized to sign the required grant forms provided by the New Jersey Department of Public Safety, Office of the Attorney General.

Resolution 67-2021

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Ogdensburg, in the County of Sussex, and State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of \$14,266.00, which is now available as a revenue from:

Miscellaneous Revenues -

Special Items of General Revenue Anticipated with Prior Written

Consent of the Director of Local Government Services -

Public and Private Revenues Off-set with Appropriations:

Body-Worn Camera Grant	\$14,266.00
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BE IT FURTHER RESOLVED, that a like sum of \$14,266.00 is hereby appropriated under the caption of:

(A) Operations – Excluded from "CAPS"

Public and Private Programs Offset By Revenues:

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

September 27, 2021

Body-Worn Camera Grant

\$14,266.00

Ordinance 10-2021

Councilwoman Slater made a motion to introduce and ordinance 10-2021 entitled “AN ORDINANCE AMENDING, REVISING, AND SUPPLEMENTING CHAPTER 2, “ADMINISTRATION,” ARTICLE VII, “ADMINISTRATIVE FEES” AND CHAPTER 4, “ANIMAL CONTROL,” SECTION 4-1.2, “FEE: TERM OF LICENSE’ OF THE CODE OF THE BOROUGH OF OGDENSBURG.” Seconded by Councilman Nardini.

Public hearing will be held October 13, 2021

Upon Roll call Vote:

Yeas: Alvarez, DeMeo, Nardini, Slater

Nays: None Absent: Cowdrick, Nasisi Abstain None

OLD BUSINESS

Administrative Fees for Recreation Areas and Facilities- Mayor
Amendments to Regulations for Municipal Recreation Areas – Mayor

Mayor Hutnick commented we are bypassing number one and two for now.

Senior of the year – Mayor Hutnick August Rutkowski, has been named senior of the year. Mayor Hutnick is waiting to hear back from the family fun day committee as to what time he is to appear so we can do this presentation in public. Mayor Hutnick commented a street sign has been ordered. The current street sign will come down and be presented to the Sabourin Family. If we can get Pat Sabourin to come over and we can present that sign to her.

NEW BUSINESS

Swim Docks- Councilman Nardini commented the swim docks on the one side with the last hurricane the pipes were bent; DPW went there to try and straighten them out and couldn’t. Councilman Nardini commented he wanted to see if anyone cared if he went out and got a quote to find out what it would take to repair them.

Water Tank Cleaning – Councilman Nardini commented he had this on pause for a little while because we had a temporary water operator but now we have someone permanent the cleaning is going to be done hopefully during one of the breaks of school. We are not going to do it while school is in session but we will do it one of the teacher conference weekends. We are trying to get that scheduled.

Water Rates – Councilman Nardini passed around a spreadsheet for an increase in water rates. Councilman Nardini explained the spread sheet there were sample of increase for fifty cents, forty cents, thirty cents and twenty cents. The spread sheet had the average increase a year for each of the increases. The increase would help fuel the fund balance on the water side with this modest increase.

Mayor Hutnick asked are you looking for which one we would like to see.

Councilman Nardini commented he is looking to see if that top line is do able. Councilman Nardini commented on our infrastructure, the pipes are so old there is difficulty and very

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14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
September 27, 2021**

minimal grants that are available, there are loans he looked at with Mike and there are loans we can get if we have to do major repairs. Councilman Nardini recommended the highest increase.

Mayor Hutnick commented because are highest is still probably lower then [others]. Mayor Hutnick asked if we need to take a vote on this.

Mr. McBriar commented we would put a resolution on the agenda to introduce this idea; he will be happy to put together a resolution for consideration at the next meeting.

Ms. Hough commented should it be an ordinance because it has to be codified and put in our code book.

Mr. McBriar commented he will look at the sources.

Councilman Nardini commented it is in the code book.

Mr. McBriar commented in the code book would require and introduction second reading, public hearing but if there is a general consensus he will prepare that ordinance based on the fifty cents increase.

Councilman Nardini commented the goal would be to do this for January. Effective January 1.

Mr. Marceau commented whatever we bill in February is going to be based on the reading from the previous quarter which would be the fourth quarter of this year. So, try and get it effective as soon as possible so it effects the next billing.

Councilman Nardini commented probably has to be before she does the billing so December 1 might be the target or even earlier.

Mr. McBriar commented he will prepare that for the next meeting.

Internet/emails – Councilman Nardini explained how slow the emails are for borough hall and how there are issue upstairs with how long it takes for uploads related to body cam's and videos. Councilman Nardini commented we have a 10mg download and 1mg upload in this building which is unheard of; DSL will not get faster, we can pay for an upgrade but the lines for DSL are very old in the town and very weak. Councilman Nardini explained other options and costs.

There was a discussion on the different options. Councilman Nardini will work with Kim on the project.

Councilwoman Slater commented she has a question from the fire department; the garbage dumpster there keeps shrinking in size, every time they bring a new one they are placing it out with a smaller one. The fire department would like to know why.

Mayor Hutnick commented also with the fire department nobody notified them there was a school vote tomorrow and they rented the hall for tomorrow night.

Ms. Hough commented no, they were notified. Mayor Hutnick asked who did you notify. Ms. Hough commented she notified Eric [Slater]. Councilwoman Slater commented that was for November 17. Ms. Hough commented November 17 was for tax sale; when I received the first papers from the Attorney about the School Board Election I emailed the fire house and said that there is a special election. Councilwoman Slater asked did you CC me on it? Ms. Hough commented I should have. Mayor Hutnick commented they are making it work but they had the hall rented for tomorrow night; they are working around it. The election is until eight. Councilwoman Slater commented on the email; the election was with other stuff so he [Eric] probably didn't look at it [the email]; you have stuff for Gordon and Chris and everyone else on

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14 HIGHLAND AVE. OGDENSBURG AT 7:00PM**

September 27, 2021

here [the email]. Ms. Hough commented it all had to do with the election; I did one email and addressed each thing that would have to be done. Councilwoman Slater commented Eric won't pay attention to stuff like that; he needs a direct email to him.

PUBLIC SESSION

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

No one from the public had any comments.

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

EXECUTIVE SESSION

Councilman DeMeo moved, Councilman Alvarez seconded motion to adopt the following resolution

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;

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 Updates

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.

Upon Roll call Vote:

Yeas: Alvarez, DeMeo, Nardini, Slater

Nays: None Absent: Cowdrick, Nasisi Abstain: None

The Mayor and Council returned from executive session at 7:55p.m.

PAYMENT OF VOUCHERS

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

Upon Roll call Vote:

Yeas: Alvarez, DeMeo, Nardini, Slater

Nays: None Absent: Cowdrick, Nasisi, Abstain: None

Current

<u>DATE</u>	<u>CHECK</u> #	<u>PAID TO</u>	<u>AMOUNT</u>
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**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
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14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
September 27, 2021**

9/28/202	1	32276	Action Data Services, Inc.	108.30
9/28/202	1	32277	AGT Batter Supply, LLC	81.19
9/28/202	1	32278	Allied Oil	4,334.89
9/28/202	1	32279	BIS Digital, Inc.	1,045.00
9/28/202	1	32280	Blue Diamond Disposal, Inc.	17,775.00
9/28/202	1	32281	Bullseye Calibration of NJ	135.00
9/28/202	1	32282	CenturyLink	1,130.81
9/28/202	1	32283	CenturyLink	845.60
9/28/202	1	32284	Danziger & Markhoff, LLP	500.00
9/28/202	1	32285	Elizabethtown Gas	213.44
9/28/202	1	32286	Fred Yarosz Janitorial Serices LLC	495.00
9/28/202	1	32287	Horizon BC/BS of NJ	1,872.60
9/28/202	1	32288	Horizon BC/BS of NJ	525.24
9/28/202	1	32289	JCP&L	5,566.05
9/28/202	1	32290	Jefferson Township	200.00
9/28/202	1	32291	Kimberly Cucci	6.67
9/28/202	1	32292	LINA	229.50
9/28/202	1	32293	Michel Marceau	15.98
9/28/202	1	32294	Montague Tool & Supply Co	89.92
9/28/202	1	32295	Municipal Capital	119.00
9/28/202	1	32296	Municipal Clerks' Association of Morris County	75.00
9/28/202	1	32297	Municipal Software Inc	1,075.00
9/28/202	1	32298	My Corporate Hosting Solutions, LLC	232.50
9/28/202	1	32299	New Jersey Herald	158.70
9/28/202	1	32300	Office Basics, Inc.	360.00
9/28/202	1	32301	ReadyRefresh	50.50
9/28/202	1	32302	Robin Hough	328.00
9/28/202	1	32303	Schenck Price Smith & King LLP	6,591.53
9/28/202	1	32304	Sonia Barria	70.00

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14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
September 27, 2021**

9/28/202	1	32305	Staples Business Advantage	143.39
9/28/202	1	32306	Taylor Communicaiotns, Inc.	823.00
9/28/202	1	32307	Township of Wantage	3,333.50
9/28/202	1	32308	Training Unlimited, LLC	100.00
9/28/202	1	32309	Valley Vision Care, LLC	50.00
9/28/202	1	32310	Varcadipane Jr, William J.	1,872.00
9/28/202	1	32311	Verizon Business	218.10
9/28/202	1	32312	Verizon Wireless	122.18
				=====
				50,892.59

Water Op

DATE	CHEC K #	PAID TO	AMOUNT
9/28/202			
1	5143	Agra Environmental Services	66.00
9/28/202			
1	5144	Hank Sanders Inc	2,626.00
9/28/202			
1	5145	Kimberly Cucci	6.67
9/28/202			
1	5146	Kuiken Brothers	30.36
9/28/202			
1	5147	Reliable Restoration Logistics	906.61
9/28/202			
1	5148	Staples Business Advantage	6.35
			=====
			3,641.99

Admin Trust

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
9/28/2021	2180	GameTim e	242.29
			=====
			=
			242.29

Dog Fund

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
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**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
September 27, 2021**

9/28/20				
21	266	Kimberly Cucci		6.66
9/28/20		NJ Dept of Health & Senior		
21	267	Service		3.60
			=====	
				10.26

General
Capital

DATE	CHEC K #	PAID TO	AMOUNT
9/28/20			
21	1151	Riverview Paving, Inc.	192,229.90
9/28/20			
21	1152	Van Cleef Engineering Assoc. LLC	271.50
9/28/20			
21	1153	WatchGuard, Inc.	5,335.00
			=====
			197,836.40

Grant Fund

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
9/16/202			
1	32275	US Postal Service	175.97
9/28/202			
1	32313	Agra Environmental Services	750.00
9/28/202			
1	32314	AmeriMark Direct	1,495.86
9/28/202			
1	32315	County of Sussex	780.00
9/28/202			
1	32316	Staples Business Advantage	94.50
9/28/202		Van Cleef Engineering Assoc.	
1	32317	LLC	65.00
			=====
			3,361.33

RCA
Vernon

DATE	CHEC K #	PAID TO	AMOUNT
9/28/202			
1	147	MAJP Contracting LLC	19,950.00
			=====
			=
			19,950.00

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

September 27, 2021

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

Meeting adjourned at 7:56 p.m.

Robin Hough, Borough Clerk

George P. Hutnick, Mayor