

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
March 23, 2020**

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

Mayor Hutnick led the Pledge of Allegiance.

ROLL CALL: Alvarez (via phone), Cruz (via phone), Nardini, Nasisi (via phone), O'Dell (via phone), Slater (via phone), Mayor Hutnick

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

STATEMENT BY MAYOR: "Notice requirements of P.L. 1975, Open Public Meeting Act, NJSA10:4- 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 3, 2020."

Mr. McBriar commented on the consent agenda there is one item number 3; he asks for a motion to remove that from today's agenda, he is still working on that. Is there a motion to remove that?

Councilman Nardini made a motion to approve the consent agenda minus number three. Seconded by Councilman Nasisi. All were in favor. Ms. Hough comment she usually does roll call.

CONSENT AGENDA

1. Approval of regular meeting minutes from March 9, 2020.
2. Approval of Resolution 32-2020 street sweeping agreement with the Township of Hardyston.
3. Approval of consent to transfer and assignment of Service Electric Cable TV of NJ, Inc. to CSC TKR, LLC. **[This item was removed from the consent agenda.]**
4. Accept for filing Sandyston Township resolution 24-2020.
5. Accept for filing Township of Sparta ordinance 20-05.
6. Accept for filing memo to Mayor, Council, Borough Clerk and Court Administrator from Chief Stephen Gordon.
7. Accept for filing letter to the representatives of Ogdensburg from Patrick Gallagher.
8. Accept for filing Township of Byram resolution 052-2020.

Upon Roll call Vote:

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

Nays: None Absent: None Abstain None

Resolution 32-2020

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. (the "Act"), authorizes local units of this State to enter into agreements with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive in its own jurisdiction; and

WHEREAS, the Borough of Ogdensburg and the Township of Hardyston are desirous to enter an Interlocal Services agreement to provide Street Sweeping Services; and

WHEREAS, the Borough of Ogdensburg and the Township of Hardyston have reached an agreement as to the terms and conditions associated with said agreement; and

WHEREAS, it is in the best interest of both municipalities to enter into this Interlocal Services Agreement for the period beginning March 23, 2020 and terminating December 31, 2020.

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NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Ogdensburg, in the County of Sussex, New Jersey that Mayor and Borough Clerk are hereby authorized to execute an Interlocal Services Agreement with the Township of Hardyston to provide Street Sweeping Services.

BE IT FURTHER RESOLVED that the Borough Clerk shall transmit a certified copy of this resolution to the Clerk of the Township of Hardyston.

ADOPTION OF ORDINANCE 02-2020

Councilman Nardini made a motion to adopt Ordinance 02-2020 “ORDINANCE AMENDING SALARY ORDINANCE NO. 11-2019 OF THE BOROUGH OF OGDENSBURG”.

Prior to final roll call, Mayor Hutnick opened the meeting to the public for any comments regarding ordinance 02-2020.

No one stepped forward from the public.

Prior to final roll call, Mayor Hutnick closed the meeting to the public for any comments regarding ordinance 02-2020.

Seconded by Councilman Cruz.

Upon Roll call Vote:

Yeas: Alvarez, Cruz, Nardini, Nasisi, O’Dell, Slater

Nays: None Absent: None Abstain None

WHEREAS, from time to time, the Borough of Ogdensburg (“Borough”) seeks to review, update and amend its salary ordinances; and

WHEREAS, the Borough desires to amend Salary Ordinance No. 11-2019 approved on May 28, 2019 to provide for a stipend in the amount of \$75.00 to the Borough Board of Health Secretary, and any temporary substitute designated by the Borough when required, for attending and recording public meetings conducted by the Borough Board of Health; and

WHEREAS, the Borough desires to further clarify the minimum wage and stipend provided to the Planning and Zoning Board Secretary, and any temporary substitute designated by the Borough when required, for attending and recording public meetings conducted by the Borough Planning and Zoning Boards.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Ogdensburg, in the County of Sussex, State of New Jersey, that Salary Ordinance No. 11-2019 approved on May 28, 2019 is hereby amended as follows:

Board of Health Sec./Recycl. Coord./Deputy Regist./Deputy Clerk	
Per hour minimum wage (excluding Board of Health meetings)	\$21.00
Stipend for attending Board of Health meetings	\$75.00

Planning Board and Zoning Board Secretary/Administrative	
Per hour minimum wage (excluding Planning and Zoning Board meetings)	\$20.00
Stipend for attending Planning Board and Zoning Board meetings	\$75.00

BE IT FURTHER ORDAINED that all other provisions of Ordinance No. 11-2019 shall remain in full force and effect.

BE IT FURTHER ORDAINED that this ordinance shall take effect immediately upon proper passage and publication in accordance with law.

INTRODUCTION OF ORDINANCE 03-2020

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Councilman Nardini made a motion to introduce an ordinance 03-2020 entitled “CALENDAR YEAR 2020 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14). Seconded by Councilman Nasisi.

Public hearing will be held April 13, 2020.

Upon Roll call Vote:

Yeas: Alvarez, Cruz, Nardini, Nasisi, O’Dell, Slater

Nays: None Absent: None Abstain None

RESOLUTION 33-2020

Councilman Nardini made a motion to approve resolution 33-2020 to use a three-year average collection rate for the 2020 budget reserve for uncollected taxes. Seconded by Councilman Nasisi.

Upon Roll call Vote:

Yeas: Alvarez, Cruz, Nardini, Nasisi, O’Dell, Slater

Nays: None Absent: None Abstain None

WHEREAS, according to N.J.S.A. 40A:4-40 et seq., a municipality may utilize a three-year average tax collection rate to calculate a line item appropriation known as Reserve for Uncollected Taxes; and

WHEREAS, prior Borough of Ogdensburg tax collection rates for the calendar years 2019, 2018, and 2017 are 96.63%, 96.84%, and 97.01% respectively; and

WHEREAS, the average of these aforementioned collection rates is 96.83%.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg hereby requests that it utilize a tax collection rate of 96.83% when calculating the line item appropriation Reserve for Uncollected Taxes in its calendar year 2020 Municipal Budget.

Ms. Hough asked Mr. McBriar there is an addendum with resolution for a self-exam does that have to come before the introduction.

Mr. McBriar commented we can do that not.

ADDENDUM

RESOLUTION 35-2020

Councilman Nardini made a motion to adopt resolution 35-2020 authorizing participation in self-examination program of the Municipal Budget for the 2020 budget year. Seconded by Councilman Alvarez.

Upon Roll call Vote:

Yeas: Alvarez, Cruz, Nardini, Nasisi, O’Dell, Slater

Nays: None Absent: None Abstain None

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the *[insert name of municipality]* has been declared eligible to participate in the program by the Division of Local government

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Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 20__ budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the *[insert name of municipality]* that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

INTRODUCTION TO THE CY 2020 MUNICIPAL BUDGET

Councilman Nardini made a motion to adopt resolution 34-2020 introducing the CY 2020 Municipal Budget for the Borough of Ogdensburg. Seconded by Councilman Nasisi.

Public hearing will be held April 27, 2020.

Upon Roll call Vote:

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

Nays: None Absent: None Abstain None

Resolution 34-2020

BE IT RESOLVED that the Local Municipal budget of the Borough of Ogdensburg, County of Sussex, New Jersey for the calendar year 2020 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 April 27, 2020 at 7:00PM in the Council Chambers and that said budget shall authorize total general appropriations of \$2,980,588.61 and the anticipated revenues of \$683,742.61 leaving an amount to be raised by taxes for municipal purposes of \$2,296,846.00. The Water 2020 Budget consists of appropriations of \$392,475.00 and anticipated revenues of \$392,475.00.

OLD BUSINESS

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Mayor Hutnick commented we are going to skip the old business unless anybody has anything critical to say about it; if not we are going to go to new business hit numbers one and two and call it a day for now.

Mr. McBriar asked for a motion to open to public for the fact we introduced the budget and proceed as we usually do.

NEW BUSINESS

Newsletter – Mayor Hutnick asked Ms. Hough to explain. Ms. Hough asked if anyone would like any changes to the newsletter if they wanted any changes. The only items that aren't included yet is the water quality report and the application for the rehabilitation program. Ms. Hough asked if it was ok to start working on this.

Councilwoman O'Dell commented she is looking at it at the moment.

Mayor Hutnick commented you can read this over and send your comments to Robin.

Street Sweeping – Councilman Nardini commented this was approved on the consent agenda. We are not going to be spending a lot of money this year and a lot of things are going to be pushed aside. We had to go with Hardyston, Sparta said they will not be doing it like they did in the past few years. It is basically a wash on the cost and explained.

There was a brief discussion on the tax increase, the percent is 2.05, \$58.00 per household. Mr. Marceau, CFO explained how that percentage was calculated.

PUBLIC SESSION

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

No one from the public stepped forward.

There being no further business from the public, Councilman Nasisi moved, Councilman Cruz 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 payment of vouchers and departmental reports. Seconded by Councilman Nardini

Upon Roll call Vote:

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

Nays: None Absent: None Abstain: None

Current

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>	<u>REASON</u>
3/24/2020	31188	145 Media	240.00	
3/24/2020	31189	AA Fence LLC	300.00	
3/24/2020	31190	CenturyLink	1,266.46	
3/24/2020	31191	CenturyLink		

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			548.37	
3/24/2020	31192	D & E Service Center	2,365.02	
3/24/2020	31193	Gordon, Stephen	578.95	
3/24/2020	31194	Horizon BC/BS of NJ	1,068.90	
3/24/2020	31195	Horizon BC/BS of NJ	361.50	
3/24/2020	31196	Horizon BC/BS of NJ	1,796.07	
3/24/2020	31197	JCP&L	1,898.48	
3/24/2020	31198	Kuiken Brothers	180.80	
3/24/2020	31199	Lafayette Auto Parts	107.90	
3/24/2020	31200	LINA	229.75	
3/24/2020	31201	Municipal Capital	119.00	
3/24/2020	31202	Municipal Software Inc	4,150.00	
3/24/2020	31203	New Jersey Herald	138.30	
3/24/2020	31204	Ogdensburg Board of Education	208,562.83	
3/24/2020	31205	SHI International Corp.	3,066.11	
3/24/2020	31206	Smith, Ken	792.89	
3/24/2020	31207	State Toxicology Laboratory	90.00	
3/24/2020	31208	Sussex County Municipal Clerk Assoc	10.00	
3/24/2020	31209	TRI STATE PAPER & CLEANING SUPPLIES	67.00	
3/24/2020	31210	Van Cleef Engineering Assoc. LLC	195.00	
3/24/2020	31211	Varcadipane Jr, William J.	1,607.80	
3/24/2020	31212	Wallkill Valley Regional H.S.	102,172.00	
3/24/2020	31213	Weldon Asphalt	281.20	

			332,194.33	
Voids				
2/11/2020	31111	Gordon, Stephen	(578.95)	Lost
			=====	
			331,615.38	

General Capital

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
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3/24/2020	1125	Journey Contracting Co., Inc.	10,000.00
		Van Cleef Engineering Assoc.	
3/24/2020	1126	LLC	7,770.00
			=====
			17,770.00

Payroll

DATE	CHECK #	PAID TO	AMOUNT
3/24/2020	1037	AFLAC	653.56
			=====
			653.56

Water Op

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
3/24/2020	4989	JCP&L	
0			800.12
3/24/2020	4990	MGL Printing Solutions	
0			168.00
			=====
			=
			968.12

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

Meeting adjourned at 7:16p.m.

Robin Hough, Borough Clerk

George P. Hutnick, Mayor