

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
July 27, 2020**

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

Mayor Hutnick led the Pledge of Allegiance.

ROLL CALL: Alvarez (via zoom), Nardini, O’Dell, Slater, Mayor Hutnick

Absent: Cruz, Nasisi

Also, in attendance was Robert McBriar, Borough Attorney.

Meeting was held via zoom and audio.

STATEMENT BY MAYOR: “Notice requirements of P.L. 1975, Open Public Meeting Act, N.J.S.A.10:4- 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.”

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

CONSENT AGENDA

1. Approval of regular meeting minutes from July 13, 2020.
2. Approval of Resolution 63-2020 authorizing the execution of a Mutual Aid and Assistance Agreement with the County of Sussex.
3. Approval of Resolution 64-2020 authorize submission of a revised strategic plan for the Ogdensburg Municipal Alliance grant for the fiscal year 2021.
4. Approval of Resolution 65-2020 payment of temporary stipend to Borough clerk and Senior Payroll Clerk for additional duties performed during COVID – 19 Pandemic.
5. Accept for filing Town of Newton resolution 174-2020.
6. Accept for filing Borough of Franklin resolution 2020-48.

Upon Roll call Vote:

Yeas: Alvarez, Nardini, O’Dell, Slater

Nays: None Absent: Cruz, Nasisi Abstain None

Resolution 63-2020

WHEREAS, the Borough of Ogdensburg (“Borough”) works cooperatively with the County of Sussex in matters of emergency; and

WHEREAS, it is in the best interest of public safety for the Borough to enter into a new mutual aid and assistance agreement (“Agreement”) with the County of Sussex; and

WHEREAS, a copy of said Agreement is attached hereto and incorporated by reference as if fully set forth herein; and

WHEREAS, this Agreement is proposed pursuant to the requirements for municipalities and the County of Sussex to adopt mutual aid plans under N.J.A.C. 5:75A-1.1 et seq. and pursuant to the New Jersey Civilian Defense and Disaster Control Act, N.J.S.A. App. A9-33 et seq. and Homeland Security Directive HSPD-5 (February 28, 2003), which encourage local governments to work together to prevent, prepare for, respond to, and recover from domestic incidents; and

WHEREAS, this Agreement shall commence upon signing and shall continue in full force and effect through December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Ogdensburg, County of Sussex, and State of New Jersey hereby authorize the Mayor and Clerk to

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execute the documents necessary to enter into a mutual aid and assistance agreement with the County of Sussex.

Resolution 64-2020

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 2021 in the amount of:

DEDR	\$ 732.00
Cash Match	\$ 183.00
In-Kind	\$ 548.00

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

Resolution 65-2020

WHEREAS, the Borough Clerk and Senior Payroll Clerk were required to perform additional duties for the Borough in addition to their respective regular positions following Governor Philip D. Murphy’s issuance of Executive Order No. 103 (and subsequent extensions thereof) declaring a State of Emergency and Public Health Emergency in the State of New Jersey due to the COVID-19 pandemic; and

WHEREAS, the Borough desires to compensate the Borough Clerk and Senior Payroll Clerk with a stipend for performing such additional duties which contributed to ensuring that the Borough’s normal operations could continue to function during the State of Emergency and its immediate aftermath; and

WHEREAS, said stipend shall include a one-time payment of \$2,000 to each the Borough Clerk and Senior Payroll Clerk for the additional work performed from April through July, 2020, plus a \$200 weekly stipend to be paid to each beginning August 1, 2020 until said additional duties are no longer required to be performed, or until October 31, 2020, whichever occurs sooner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg, County of Sussex and State of New Jersey that Robin Hough and Kim Cucci shall each be compensated with a \$2,000 stipend for temporarily performing the additional duties required by the Borough during the COVID-19 pandemic from April through July, 2020.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Ogdensburg, County of Sussex and State of New Jersey that beginning August 1, 2020,

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Robin Hough and Kim Cucci shall each be compensated with a \$200 weekly stipend for continuing to perform such additional duties required by the Borough until such time that said duties are no longer required to be performed, or until October 31, 2020, whichever occurs sooner.

ADOPTION ORDINANCE 05-2020

Councilwoman Slater made a motion to adopt Ordinance 05-2020 “AN ORDINANCE OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 2, ARTICLE III, SECTION 2-19 OF THE BOROUGH CODE ENTITLED “POLICE DEPARTMENT”

Seconded by Councilman Nardini

Mayor Hutnick opened the meeting to the public for any comments regarding ordinance 05-2020.

No one from the public spoke.

Mayor Hutnick closed the meeting to the public for any comments regarding ordinance 05-2020.

Upon Roll call Vote:

Yeas: Alvarez, Nardini, O’Dell, Slater

Nays: None Absent: Cruz, Nasisi Abstain None

OLD BUSINESS

Salt Shed Roof – No update

Building/Grounds Differentiations – No update

2013 Chevrolet Tahoe SSV – Councilwoman Slater commented nothing yet we are working on the truck and explained the equipment and costs.

Recycling Center – Mayor Hutnick thanked Kim and Robin for running the recycling center this past weekend. Mayor Hutnick thanked Councilwoman O’Dell for stepping up and taking weekends; he has been running it other times. Mayor Hutnick commented he is looking for Council participation; he is reaching out each week for an hour or two hours. There was a discussion on help at the recycling center.

Bodycam – Councilman Alvarez commented nothing yet.

Insurance – Mayor Hutnick commented this is old. This can be taken off

Code book Chapter 6 – Mayor Hutnick commented he received a letter this afternoon which is in all of your packets, discussing their thoughts and ideas with regards to the ORA and them using the pond. The letter has a lot of points and has to be addressed.

Mayor Hutnick commented he knows representatives from ORA are on zoom. On page 2 of the letter item number 4 use of the speaker system that was purchased through Friends of Heaters Pond which is through the drug alliance is now back on the town’s property. It was requested that the swim team be allowed to use this for their swimming events. Yes, absolutely. Just sign it out and bring it back. Use of the snack shake item number 3 you already have that. Request of lifeguards for swim meets absolutely as long as it is coordinated 24 hours at least in advanced if not more with the coordinator for Parks and Recreation and the head life guard to make sure they can have the appropriate personal involved. We do have to look at items 1, 2, 3 of the beginning of the letter. Council will have to look at all that, discuss it and put together our questions. We will look at this to make sure we have a clear understanding of what you are asking for.

Mayor Hutnick commented for anyone in the public that is listening we are putting together an ordinance rewrite of pond usage for residential, nonresidential and swim team usage. Mayor

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Hutnick has asked the members of the ORA Board for their input so they can participate in this as well.

There was a brief discussion on the number of guest passes to issue.

Mr. McBriar commented this would manifest some type of an agreement which would be continued to be negotiated based on input from this Council as well as some ideas from the ORA but then coming to the governing body for the ultimate approval. At this point we are still building on the discussion of the last Council meeting inviting Council members to provide any additional comments on the proposed changes to the existing ordinance and we welcome those.

Councilwoman Slater commented on item number one. It should be the immediate family. Number 2 she is confused on and read number 2. Councilwoman Slater commented she doesn't agree with that.

Mayor Hutnick commented to review and made your notes.

There was a discussion on pond usage and comparing to other private lake communities.

Mayor Hutnick asked if the public could still hear us. Mindy Gordon asked to talk louder. Mayor Hutnick asked if everyone heard about the letter from ORA.

Vera (Olinsey) commented she heard it.

Michele Nardini commented there are two items she needs to add to the list they are the lane lines and explained. The other thing ORA needs clarity. Residents are requesting to use the lane line area.

Pond Usage Ordinance/boat usage ordinance – see above.

Safety shields being installed – Mayor Hutnick commented they are coming within the next couple of weeks we are just waiting for them to be installed at some point we are going to need them anyway that is why we are moving forward now. The vendor that was chosen is Bathing Beauties in town.

Land Use Secretary Retirement – Mayor Hutnick commented we can remove this. Robin is assuming these responsibly until we advertise and hire someone and explained.

NEW BUSINESS

Body Art Procedure Ordinance – Mayor Hutnick commented we currently in the Borough doesn't have any ordinances for tattoo parlors, body piercing shops anything of this nature falls under body art whether it is a tattoo shop or body piercing shop. We have to work on creating one; the reason we are doing this is because we have a request for an expanded business/new business. There is a draft Ordinance in the Council packets and explained. There was a discussion on the ordinance.

Mr. McBriar commented there is an administrative code that establishes standard sanitation, sterilization, safety for a person in the business of tattooing, cosmetics and body piercing. Part of the ordinance would be to adopt that by reference to the code book which will allow business owners to become familiar with what is required. It also establishes the requirement that anyone seeking to operate such an establishment would apply with the Borough; they would be given a license there are provisions in there for inspections. The only items to fine tune would be the fees for the initial license or to reinstate a license, also the duration of the license, renewal fee, will renewal be required those are items we should think about.

There was a discussion on the fees.

Pond and electric info – Councilwoman O'Dell commented she met up with the electrician and they walked the gate [at the pond area]. He has to contact JCP & L and they suggested that from

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the gate there and pole to have the brush cleared; but that would be too expensive. Councilwoman O'Dell explained the work and cost. There was a brief discussion on the electric at the Pavilion area.

Predmore Road – Mayor Hutnick commented we are going to make progress. We have the money to do the project the estimated costs to replace the drain pipes, spill ways, engineering fees etc. is around \$180,000. We currently have \$315,000, sitting in the Littell waste water money that is designated for this type of use. So therefore, we don't have to take out loans grants etc. There will still be money in the account. Mayor Hutnick commented is everyone is ok with this, they are ready to start we just have to say go. This is going to have to get done at some point so we might as well just do it. Everyone agreed.

There was a brief discussion about the catch basin grant, the grant to for Plant Street and a water issue on Brooks Flat and Plant Street. Mayor Hutnick explained the drainage up at the Storage place, [drains] were cleaned out up there so hopefully that helps.

Budget VS actual Year to date – Councilman Nardini commented he thought this was nice to see half way through the year [with the budget]. Councilman Nardini commented it is nice to see, there are no big red flags. With Streets and Roads, it is very tight and explained some of the upcoming costs. Councilman Nardini commented on money in other areas not being spent. Councilman Nardini asked to hold on to some of the money in other areas in case it is needed for streets and roads.

Councilwoman Slater commented we can't move money until November.

Mayor Hutnick commented there is a problem down by Richards Street. Councilman Nardini commented DPW needs the full staff to do some of the road repairs. They are working around vacations now.

Mayor Hutnick commented while we are bouncing back and forth, his thoughts are to cancel Ogdensburg Day they will not be able to keep up with the sanitation requirements. Mayor Hutnick commented he would like to suggest doing the fireworks; he will talk to the person that wants to sponsor. If this happens it will go off in the same location as last year. He doesn't know what would be required with the social distancing. Mayor Hutnick commented he will reach out to the fireworks company to see if they are still running; as for Ogdensburg Day unfortunately is cancelled for this year.

Ordinance discussion requiring permits for rally's or protests- Mayor Hutnick explained the reason this has come up that with everything going on in the Country and in Newton and with individual rally's and protests they have their first amendment rights. The Borough currently has no ordinance regarding rally's or protests. We do for circus, amusements and everything else. So, his proposal is to create an ordinance requiring a permit, submit a plan, tell us the details so we can have the appropriate measures in place.

Mr. McBriar commented there are a number of considerations; whether it be a public assembly, a race, fair and gathering event, street closure, bock party, demonstration whether it is on public property, private property, public street where we may have an interest in traffic control and safety. We want to explore options the certainly don't infringe anyone's first amendment right but try and find a health balance to accommodate and keep everyone safe.

There was a brief discussion on creating this ordinance.

Recycling center attendants – already addressed.

PUBLIC SESSION

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

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Michelle Nardini, 5 Ridge Court, Ogdensburg. Mrs. Nardini commented she wanted to speak on behalf of the Ogdensburg Swim Team, she is the team manager. She read and explained some thoughts she had regarding Ogdensburg Swim Team and Ogdensburg Recreation, the number of residents and nonresidents on the swim team, lane lines and letting family of swim team member use the pond.

Mayor Hutnick asked Mrs. Nardini to submit all her comments in writing so the Council can review them.

Mayor Hutnick asked if there was anyone from the public that had any other comments.

There being no further business from the public, Councilwoman O'Dell moved, Councilwoman Slater seconded motion to close the public session of the meeting. All were in favor.

EXECUTIVE SESSION

There was no executive session.

PAYMENT OF VOUCHERS

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

Upon Roll call Vote:

Yeas: Alvarez, Nardini, O'Dell, Slater

Nays: None Absent: Cruz, Nasisi Abstain None

Current

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
7/15/2020	31438	Public Employee's Retirement System	136.59
7/28/2020	31439	Airgas USA	184.55
7/28/2020	31440	Brenda O'Dell	17.81
7/28/2020	31441	CenturyLink	1,252.57
7/28/2020	31442	CenturyLink	545.58
7/28/2020	31443	Complete Security Systems, Inc.	24.20
7/28/2020	31444	Horizon BC/BS of NJ	1,068.90
7/28/2020	31445	Horizon BC/BS of NJ	361.50
7/28/2020	31446	Horizon BC/BS of NJ	1,796.07
7/28/2020	31447	JCP&L	3,718.99
7/28/2020	31448	Kuiken Brothers	31.72
7/28/2020	31449	Lakeland Auto Parts	551.77
7/28/2020	31450	Leppert Group, LLC	255.64
7/28/2020	31451	LINA	229.50
7/28/2020	31452	MGL Printing Solutions	315.00
7/28/2020	31453	Montague Tool & Supply Co	54.82
7/28/2020	31454	Municipal Capital	119.00
7/28/2020	31455	New Jersey Herald	13.80
7/28/2020	31456	Noah's Ark Prot-a-Jon	308.00
7/28/2020	31457	Petro-Mechanics, Inc	92.74
7/28/2020	31458	ReadyRefresh	29.13
7/28/2020	31459	Schenck Price Smith & King LLP	3,799.58
7/28/2020	31460	Staples Business Advantage	23.99

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7/28/2020	31461	Sussex County Clerk	8.00
7/28/2020	31462	Sussex County Treasurer	270,168.44
7/28/2020	31463	Sussex County Treasurer	20,172.86
7/28/2020	31464	Sussex County Treasurer	1,086.01
7/28/2020	31465	Verizon Business	102.17
7/28/2020	31466	W.B. Mason Co., Inc.	29.26
7/28/2020	31467	Witmer Public Safety Group, Inc.	957.10
			=====
			307,455.29

General Capital

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
7/28/2020	1129	All American Environmental, LLC	1,525.00
			=====
			1,525.00

Grant Fund

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
7/28/2020	31468	Agra Environmental Services	300.00
7/28/2020	31469	Amazon	95.92
			=====
			395.92

Payroll

<u>DATE</u>	<u>CHECK #</u>	<u>PAID</u>	<u>AMOUNT</u>
7/28/2020	1050	AFLAC	940.92
			=====
			940.92

Water Op

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
7/28/2020	5025	Agra Environmental Services	60.00
7/28/2020	5026	Amazon	96.50
7/28/2020	5027	JCP&L	884.55
7/28/2020	5028	Rio Supply, Inc.	100.00

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		Treasurer, State of New Jersey	720.00
7/28/2020	5029		
7/28/2020	5030	W.B. Mason Co., Inc.	3.75
			=====
			1,864.80

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

Meeting adjourned at 8:05 p.m.

Robin Hough, Borough Clerk

George P. Hutnick, Mayor