

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
August 10, 2020**

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

Mayor Hutnick led the Pledge of Allegiance.

ROLL CALL: Cruz (via zoom), Nardini, Nasisi (via zoom), Slater, Mayor Hutnick

Absent: Alvarez, O'Dell

Also, in attendance was Robert McBriar, Borough Attorney, Mike Marceau, CFO

Meeting was held via zoom/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 27, 2020.
2. Approval of Resolution 67-2020 Authorizing the Borough Clerk to Renew Liquor License 1916-31-005-001 Ogdensburg Fire Department Inc. for the 2020-2021 licensing year.
3. Accept for filing letter dated July 31, 2020 from NJDOT Re Transportation Alternatives Set-Aside Program. Request for applications.

Upon Roll call Vote:

Yeas: Cruz (Abstain#1), Nardini, Nasisi (Abstain #1), Slater

Nays: None Absent: Alvarez, O'Dell Abstain None

REVIEW OF 2019 AUDIT

Mike Marceau, CFO referred to the last page of the audit recommendations. Mr. Marceau explained we have one recommendation which is the same one as last year adequate segregation of duties which we will never get ride because we are too small. Basically, that is the system of checks and balances; the same office doing cash and deposits etc. But then again with the amount of staff that we have you are always going to have that. Other than that, everything came out well. The Mayor was able to attend the audit exit conference we are right on schedule fund balance has gone down a little but we saw that coming, cash is stable, so far this year collections are doing well. We have a clean bill of health except for segregation of duties.

RESOLUTION 66-2020

Councilman Nardini made a motion to adopt resolution 66-2020 certifying the Borough of Ogdensburg Governing Body has reviewed the 2019 Audit comments and recommendations as required by N.J.A.C. 5:30-6.5. Seconded by Councilwoman Slater.

Upon Roll call Vote:

Yeas: Cruz, Nardini, Nasisi, Slater

Nays: None Absent: Alvarez, O'Dell Abstain None

Resolution 66-2020

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

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WHEREAS, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the *Municipal Clerk* pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the *Mayor and Council* of the *Borough of Ogdensburg*, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON *August 10, 2020*.

INTRODUCTION BOND ORDINANCE 06-2020

Councilwoman Slater made a motion to introduce a Bond Ordinance 06-2020 entitled "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, AND A NEW AUTOMOTIVE VEHICLE AND A NEW FIRE ENGINE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF OGDENSBURG, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$715,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS." Seconded by Councilman Nardini

Public hearing will be held August 24, 2020.

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Upon Roll call Vote:

Yeas: Cruz, Nardini, Nasisi, Slater

Nays: None Absent: Alvarez, O'Dell Abstain None

Mr. Marceau explained the ordinance; this is the ordinance to cover the fire apparatus, police SUV, the body vehicle camera for the police department and the various improvements around the municipal complex. A total of \$715,000 we are making a 5% down payment for \$35,750. So, we will take out notes in the amount of \$679,250. With interest that is roughly seventy thousand a year so you are looking at maybe two and a half tax points twenty-five dollars. Mr. Marceau explained there are various levels of prepayments and discounts offered. The ordinance will not take effect until around September 21; it will probably be 300 days before the fire department gets the new truck.

Eric Slater, Chief of the Fire department explained the truck and how they designed it. The price tag is very fair, it was easy to design for our truck bays. Mr. Slater commented we have a bigger pump on this truck and that is no charge at all because we already designed it for fifteen hundred and a two thousand galloon a minute came with no charge. There are a lot of options; the sales representative wanted the final number because he has to redraw the contract. We have two options. We have to know for the future.

Mayor Hutnick commented future in the next couple weeks.

Councilwoman Slater commented that has to be on the agenda for the next meeting.

Mr. Marceau commented when we get the contract and have the purchase order.

Mayor Hutnick commented you talked about two options.

Mr. Slater commented we are talking about the apparatus. There were two options, one with a generator and one without the generator. There is a \$31,000 difference. Without the generator you save \$31,000.

Mayor Hutnick commented for those listening what are the pros and cons of having a generator or not having a generator.

Mr. Slater commented in today's world everything is done by battery. So, a generator is not necessary. Mr. Slater commented they have a small generator to use.

There was a discussion on having a generator and not having one.

Bill Allen, Captain of the Fire Department was also present. Mr. Allen was on the committee for the fire truck and equipment.

Mayor Hutnick commented we all agree this is a one-time deal in our lifetime and that this should be done properly and we get one shot at it.

Mr. Slater commented if you look at the history of the town there has only been seven pumpers that have been purchased in over one hundred years; so, this is historic.

Mayor Hutnick commented which means it also needs to be done with the right personal making decisions with regards to equipment; he doesn't involve himself with equipment telling what you can and can't have regards to this stuff, he doesn't put on a pack you do.

Mr. Slater commented we thank you for your trust; he has 24 years here; Mr. Allen has 15 years. We are confident on the number we gave you and those are the numbers that will protect this town.

Mayor Hutnick commented you need to tell us what option you want.

Mr. Slater commented without the generator.

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There was a discussion regarding the generator.

OLD BUSINESS

Salt Shed Roof – Councilman Nasisi commented [this should start] within a few weeks that last report was within a month so he will touch back with them.

Building/Grounds Differentiations – Councilman Nasisi commented we can remove this for now. This is going to be a long process.

2013 Chevrolet Tahoe SSV – Councilwoman Slater commented we can take this one off for now and we will leave it for next year.

Bodycam – Mr. Marceau, CFO commented the bodycam money as well as the car cam money is in that (bond) ordinance and explained.

Body Art Procedure Ordinance –

Mr. McBriar commented at the last meeting he provided a draft ordinance regarding amending the code to include the licensing of tattoo and body piercing art establishments. Largely this is regulated by State Statue and the intent of the ordinance is to incorporate and adopt those as part of the code as well as provide for an application process, issuance of a license, inspections and fees. There are some questions that we need answered in order to finalize this and put it on the agenda for the next meeting. The first would be concerning the fees; other municipalities charge say between \$250.00 and \$500.00 for the initial establishment license. Some municipalities charge a reinstatement fee if there is a suspension or revocation and finally we have a fee to be imposed for renewal or not. If there is any guidance as to the fees he can incorporate them into the ordinance and again include that for your consideration at the next meeting.

Mayor Hutnick commented he thinks a reasonable application fee \$250.00.

There was a discussion on the fees.

Mr. McBriar commented so the initial application license will be \$250.00 and then the requirement would be it would have to be renewed annually correct.

Mayor Hutnick commented correct in order to be renewed they would have to be inspected.

Mr. McBriar commented and the renewal fee would be \$150.00 and the renewal is triggered either 365 day from which they obtain their first license or do we trigger it at January 1.

Councilman Nardini commented fiscal year or calendar year.

Ms. Hough commented so if you get the license in March the renewal is in March.

Councilwoman Slater commented correct. It would be their anniversary.

Mr. McBriar commented for some reason the license is suspended or revoked will there be a reinstatement fee perhaps the same amount as the renewal fee. We will introduce this as Ordinance 07-2020 with those changes for the next meeting.

Pond and electric info – Mayor Hutnick commented we can take this off because it involves JCP&L.

Predmore Road – Mayor Hutnick commented he started the process with Mike Vreeland, Engineer, he is working on his side to set up the surveyors and whatever stuff he needs to start drawing up the plans. The process has begun.

Councilman Nardini commented then it goes out to bid.

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Mayor Hutnick commented he has updated the two primary residents that are involved.

Mayor Hutnick commented on a side note when Chris comes back we will have a conference call on the other roads.

Councilman Nardini commented he has to talk to Chris regarding the storm drain repairs and grants.

There was a brief discussion on road repairs.

Budget VS actual Year to date – Councilman Nardini commented like he said last meeting DPW is going to be tight. Councilman Nardini commented his only question is the parks and play grounds for salary and wage for the lake we only had a balance of two hundred dollars left of the budget. He wanted to see what the plan was for that item.

Mr. Marceau commented we do have the rec trust which the badge sales go there so we can take some of that money we got a little tripped up with the dollar amounts and extra hours but we will do better next year. We have that money if choose instead we have a lot of budgets that have only used 80% of their budget, we will have some money to transfer into the Covid 19-line item but other than that we can always move some money around come November.

Councilman Nardini commented we can take off this item as well.

Ordinance discussion requiring permits for rally's or protests-

Mr. McBriar commented he thinks we can continue this for discussion with the feasibility for public events he is reviewing some laws pertaining to that. Mr. McBriar asked Ms. Hough to remove this item until he has something concrete to report.

Mayor Hutnick commented he would like to know what other areas are charging for their fees.

NEW BUSINESS

Tank Inspection – Councilman Nardini commented the second inspection is being done on Thursday, George Morville is talking to the company we are renting the lift from.

Ms. Hough commented the insurance certificate came back today.

Councilman Nardini commented this is somebody Rob knows.

Ms. Hough commented we are renting this from Lafayette from Bill Macco what was sent to George Morville today was the agreement we had done with Lafayette when Rachel was Mayor.

Councilman Nardini commented we are paying them \$250.00 for a half day.

Mayor Hutnick asked about renting the equipment to paint the flags poles.

Lifeguard Shack Exterior – Councilman Nardini commented he told them to hold off until September for this.

Water Operator Retirement/replacement – Councilman Nardini explained somethings he is working on. Ms. Hough asked about Civil Service and the position. There was a discussion on a replacement. Mr. McBriar commented we will follow up with civil service with replacing a civil service position with an outside contractor. The discussion continued on different options.

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Councilwoman Slater asked with regards to insurance are there age limits for driving a fire engine. This will be checked with the insurance company.

PUBLIC SESSION

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

No one from the public addressed the Council.

There being no further business from the public, Councilwoman Slater moved, Councilman Nardini 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 departmental reports. Seconded by Councilman Nardini.

Upon Roll call Vote:

Yeas: Cruz, Nardini, Nasisi, Slater

Nays: None Absent: Alvarez, O'Dell Abstain None

Current

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
7/31/2020	31470	NJMVC	60.00
8/11/2020	31471	Allied Oil	440.07
8/11/2020	31472	Bassani Power Equipment, LLC	12.95
8/11/2020	31473	CenturyLink	40.06
8/11/2020	31474	Elizabethtown Gas	214.88
8/11/2020	31475	Garden State Highway Products, Inc	436.45
8/11/2020	31476	JCP&L	1,311.49
8/11/2020	31477	Michel Marceau	15.98
8/11/2020	31478	Noah's Ark Prot-a-Jon	154.00
8/11/2020	31479	Ogdensburg Board of Education	212,734.00
8/11/2020	31480	Signs Etc LLC	38.50
8/11/2020	31481	Staples Business Advantage	26.30
8/11/2020	31482	Verizon Wireless	120.95
8/11/2020	31483	W.B. Mason Co., Inc.	49.99
8/11/2020	31484	Wallkill Valley Regional H.S.	96,663.92
8/11/2020	31485	Weldon Asphalt	555.98
			=====
			312,875.52

Water Op

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
8/11/2020	5031	JCP&L	2,151.47

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8/11/2020	5032	One Call Concepts, Inc.	30.03
8/11/2020	5033	W.B. Mason Co., Inc.	50.00
			=====
			2,231.50

Grant Fund

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
8/11/2020	31486	Agra Environmental Services	75.00
			=====
			75.00

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

Meeting adjourned at 7:50p.m.

Robin Hough, Borough Clerk

George P. Hutnick, Mayor