

**MINUTES FOR THE MAYOR AND COUNCIL REORGANIZATIONAL
MEETING
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE, OGDENSBURG AT 7:00pm
January 3, 2022**

CALL TO ORDER:

PLEDGE OF ALLEGIANCE: Mayor Hutnick

STATEMENT BY MAYOR: “Notice requirements of P.L. 1975, Open Public Meeting Act, N.J.S.A. 10:4-6 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 December 3, 2021.”

STATEMENT OF DETERMINATION was read by the Borough Clerk for Nelson R. Alvarez, Common Council and Kenneth Poyer, Common Council.

OATH OF OFFICE TO COUNCILMAN NELSON R. ALVAREZ by the Borough Clerk.

OATH OF OFFICE TO COUNCILMAN KENNETH POYER by the Borough clerk.

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

Absent: None

Also present: Robert McBriar, Borough Attorney (via phone)

MAYOR HUTNICK'S

Mayor Hutnick commented we have come off another resilient year, we battled two years of COVID; our town is still functioning we are still doing what we are supposed to be doing, projects are getting done. Mayor Hutnick commented 2022 is going to be a difficult year for us for budgeting there is a lot going on and we will figure it out. He has faith in the Council and what we do. We have several projects lined up for this year and we will discuss them as the year goes on. We have some position changes and explained.

Councilman Nardini made a motion to approve the consent agenda. Seconded by Councilman DeMeo.

Upon Roll call Vote:

Yeas: Alvarez, Cowdrick, DeMeo, Nardini, Nasisi, Poyer

Nays: None Absent: None Abstain None

CONSENT AGENDA

- **Resolution 01-2022** re 8% and 18% interest on delinquent taxes.
- **Resolution 02-2022** to name **NEW JERSEY HERALD** and **NEW JERSEY SUNDAY HERALD** as official newspapers for the calendar year 2022.
- **Resolution 03-2022** authorizing a fee to be charged for individual meeting notices upon request.
- **Resolution 04-2022** to adopt a Cash Management Fund as official depositories for Borough funds.
- **Resolution 05-2022** Petty Cash Fund
- **Resolution 06-2022** Professional Services
- **Resolution 07-2022** authorizing Tax Assessor and Borough Attorney to defend contested tax appeals.
- **Resolution 08-2022** appointing Safety and Loss Prevention Reps
- **Resolution 09-2022** appointing Borough Clerk as P.A.C.O.
- **Resolution 10-2022** to establish a Current Fund Surplus Policy

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- **Resolution 11-2022** to establish a Water Operating Fund Surplus Policy
- **Resolution 13-2022** to accept the 2022 Temporary Budget.
- **Resolution 14-2022** authorizing change funds

Resolution 01-2022

WHEREAS, N.J.S.A. 54:4-67 authorizes the governing body of each municipality to fix the rate of interest to be charged for non-payment of taxes, utility and other municipal assessments subject to any abatement or discount for late payment as provided by law; and

WHEREAS, N.J.S.A. 54:4-67 permits the fixing of said rate of eight percent (8%) per annum on the first \$1,500 of the delinquency and eighteen percent (18%) per annum on any amount in excess of \$1,500; and

WHEREAS, N.J.S.A. 54:4-67 further permits an additional penalty of six percent (6%) to be charged to a taxpayer with a delinquency in excess of \$10,000 who fails to pay that delinquency prior to the end of the calendar year.

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

1. The rate of interest to be charged for non-payment of taxes and Water Utility on or before the date that they would become delinquent shall be set at the rate of eight percent (8%) per annum on the first \$1,500 of the delinquency, and eighteen percent (18%) per annum on any amount in excess of \$1,500.
2. In accordance with the provisions of N.J.S.A. 54:4-67, a six percent (6%) penalty shall be charged to a taxpayer with a delinquency in excess of \$10,000 who fails to pay that delinquency prior to the end of the calendar year. Delinquency in this instance shall mean the sum of all taxes and municipal charges due on a specific parcel of property covering any number of quarters or tax years.
3. Effective January 1, 2022 there shall be a ten (10) day grace period of quarterly tax payments made by cash, check or money order.
4. Any payments not made in accordance with paragraph 2 of this resolution shall be charged interest from the due date as set forth in paragraph 1 of this resolution.
5. This resolution shall be published in its entirety once in an official newspaper of the Borough of Ogdensburg.
6. A certified copy of this resolution shall be provided by the Borough Clerk to the Tax Collector, Borough Attorney and Borough Auditor for the Borough of Ogdensburg.

Resolution 02-2022

WHEREAS, Section 3d of the Open Public Meetings Act, Chapter 231, P.L. 1975 requires that certain notices of meetings be submitted to two (2) newspapers, one of which shall be the official newspaper; and

WHEREAS, the second newspaper designated by this body must be one, which has the greatest likelihood of informing the public with the jurisdictional boundaries of this body of such meeting.

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WHEREAS, the following individuals and firms have submitted proposals indicating that they will provide the professional services described below for the prices stated their proposal; and

WHEREAS, the following individuals and firms have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Ogdensburg in the previous year, and that the contract will prohibit the following individuals and firms from making any reportable contributions through the terms of the contract; and

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Ogdensburg, authorizes the Mayor to enter into a contract with the following individuals and firms as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Determination of Value for the following individuals and firms be placed on file with this resolution; and

BE IF FURTHER RESOLVED that the following individuals and firms are hereby awarded a contract for providing professional services for the Borough of Ogdensburg, as indicated below:

Van Cleef Engineering Associates, is awarded a contract for providing engineering and planning services for the Borough of Ogdensburg for the year 2022 dated January 1, 2022 in the amount of \$130.00 per hour with Michael G. Vreeland, PE, PP, CME as principal engineer and planner.

Schenck, Price, Smith & King, LLP is awarded a contract for providing legal services for the Borough of Ogdensburg for the year 2022 dated January 1, 2022 with Robert B. McBriar, as the principal attorney, in the amount of \$3,000 monthly retainer to include attending all meetings, drafting and reviewing resolutions and ordinances, legal research regarding non-litigation legal matters, drafting legal opinion and memos regarding the same, reviewing contracts, agreements and other business documents to which the Borough is a party, reviewing OPRA requests and assisting the clerk with responses, drafting and reviewing bid documents in connection with requests for Proposals/Information and communications with the Mayor, Council and staff. All matters outside the retainer will be charged at the rate of \$165.00 per hour; the rate for paralegals will be \$95.00 per hour.

Wielkottz & Company LLC, is awarded a contract for providing services in the capacity of Municipal Auditor for the year 2021 dated January 1, 2022 for the annual fee of \$28,600.00.

James D. Opfer, Jr., Esq. is awarded a contract for providing the services of Municipal Public Defender for the Borough of Ogdensburg for the year 2022 in the amount of \$150.00 per case.

Jonathan E. McMeen, Esq. Laddey, Clark & Ryan LLP is awarded a contract for providing the services of Municipal Prosecutor for the Borough of Ogdensburg for the year 2022 in the amount of \$125.00 per hour.

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Community Action Services, Steven J. Weinberg is awarded an appointment as Borough Grantsman for the Borough of Ogdensburg Housing Rehabilitation program for the year 2022 at the amount of \$2,900.00 for each completed unit.

Arthur J. Gallagher Risk Management Services Inc. is awarded an appointment as the Borough of Ogdensburg Risk Management Consultant for the year 2022.

Rogut McCarthy LLC. is awarded a contract for providing general Bond Counsel legal services to the Borough of Ogdensburg for the year 2022 dated January 1, 2022 in the amount of \$150.00 per hour for partners and \$100.00 per hour for associates.

Reliable Restoration Logistics LLC. is awarded an appointment as Water Treatment Plant Operator for the Borough of Ogdensburg for the year 2022 dated January 1, 2022 with an annual fee of \$19,200.00 for additional services the labor rate is \$75.00 per hour 7:00am to 5:00pm, Saturday, Sunday and Holiday rate is \$115.00 per hour.

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

Resolution 07-2022

BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg that the Municipal Assessor and Municipal Attorney be, and they are hereby, authorized to defend before the Sussex County Board of Taxation and Tax Court of the State of New Jersey all contested appeals and to initiate municipal appeals to correct the Borough of Ogdensburg tax list including, but not limited to, rollback complaints, added and omitted assessment complaints, and such other appeals as are necessary to correct the assessments for the Borough of Ogdensburg; and

BE IT FURTHER RESOLVED that the Municipal Assessor and Municipal Attorney be and are hereby designated as the agents of the Borough of Ogdensburg for the purpose of signing settlements of the foregoing matters by stipulation.

Resolution 08-2022

BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Ogdensburg to appoint Chief of Police, Stephen Gordon and Department of Public Work Supervisor, Christopher Ross as the Safety and Loss Prevention Representatives for Statewide Insurance Fund for the year 2022.

Resolution 09-2022

WHEREAS, in accordance with N.J.A.C. 17:27-3.5, designation of Public Agency Compliance Official (P.A.C.O.).

BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Ogdensburg that the Borough Clerk be designated as the Public Agency Compliance Official.

Resolution 10-2022

WHEREAS, in 2011 the State of New Jersey instituted a best practices checklist in an effort to “make government operate more efficiently, strengthen its accountability, and better manage scarce taxpayers’ resources”; and; and

WHEREAS, since the inception of the best practices checklist, the Borough of Ogdensburg has made every effort to comply with the standards established by the State resulting in high ratings each year for compliance; and

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WHEREAS, the best practices checklist recommends the adoption of a surplus policy to serve as a basis for decisions regarding future solvency; and

WHEREAS, the Borough Auditor and Chief Financial Officer have evaluated the historic budget and financial records and recommended a surplus policy to the Governing Body; and

WHEREAS, said surplus policy shall establish a goal in the annual budgeting process whereby the Governing Body shall strive to consistently maintain a \$550,000.00 surplus on hand annually to retain a consistent year-end surplus.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Ogdensburg that the Borough Council does hereby concur with the surplus policy recommended by the Borough Auditor and Chief Financial Officer; and

BE IT FURTHER RESOLVED that the Borough Council shall strive to achieve that goal annually during the budget process.

Resolution 11-2022

WHEREAS, in 2011 the State of New Jersey instituted a best practices checklist in an effort to “make government operate more efficiently, strengthen its accountability and better manage scarce taxpayers’ resources”; and

WHEREAS, since the inception of the best practices checklist, the Borough of Ogdensburg has made every effort to comply with the standards established by the State resulting in high ratings each year for compliance; and

WHEREAS, the best practices checklist recommends the adoption of a surplus policy to serve as a basis for decisions regarding future solvency; and

WHEREAS, the Borough Auditor and Chief Financial Officer have evaluated the historic budget and financial records and recommended a surplus policy to the Governing body; and

WHEREAS, said surplus policy shall establish a goal in the annual budgeting process whereby the governing Body shall strive to consistently maintain a \$250,000 surplus on hand annually to retain a consistent year-end surplus.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Ogdensburg does hereby concur with the surplus policy recommended by the Borough Auditor and Chief financial Officer; and

BE IT FURTHER RESOLVED that the Borough Council shall strive to achieve that goal annually during the budget process.

Resolution 13-2022

See Attached

Resolution 14-2022

WHEREAS, it is necessary from time to time to allow the availability of a change fund for day to day operations in the following departments:

- | | |
|--------------------------------|----------|
| 1. Municipal Court Change Fund | \$100.00 |
| 2. Board of Health Change Fund | \$100.00 |
| 3. Tax/Water Change Fund | \$25.00 |

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NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ogdensburg, that a reimbursable aforementioned impress funds aggregate of \$225.00 be re-established for 2022; and

BE IT FURTHER RESOLVED that said amounts for petty cash are to be returned to the Borough's General Fund no later than December 31st each year.

MOTIONS

Councilman DeMeo made a motion for appointment of Council President to Brenda Cowdrick. Seconded by Councilman Alvarez.

Upon Roll call Vote:

Yeas: Alvarez, Cowdrick, DeMeo, Nardini, Nasisi, Poyer
Nays: None Absent: None Abstain None

Councilman DeMeo made a motion to confirm Borough Appointments for 2022. Seconded by Councilman Nardini.

Upon Roll call Vote:

Yeas: Alvarez, Cowdrick, DeMeo, Nardini, Nasisi, Poyer
Nays: None Absent: None Abstain None

Councilman DeMeo made a motion to accept List of Officers, Members and Drivers of Ogdensburg Fire Department for 2022. Seconded by Councilman Nardini.

Upon Roll call Vote:

Yeas: Alvarez, Cowdrick DeMeo, Nardini, Nasisi, Poyer
Nays: None Absent: None Abstain None

RESOLUTION 12-2022

Councilman DeMeo made a motion to approve Resolution 12-2022 to hold regular monthly council meetings on the second and four Monday of each month at 7:00 P.M. with the following exception: Wednesday, October 12, 2022 at 7:00 P.M. at the Borough Hall, 14 Highland Avenue, Ogdensburg. Seconded by Councilwoman Cowdrick.

Upon Roll call Vote:

Yeas: Alvarez, Cowdrick, DeMeo, Nardini, Nasisi, Poyer
Nays: None Absent: None Abstain None

WHEREAS, all of the meetings listed below will be held at the Ogdensburg Municipal Building, 14 Highland Avenue, Ogdensburg, New Jersey, at 7:00 P.M. prevailing time; and

WHEREAS, in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., and in consideration of Executive Order No. 103 issued by Governor Murphy on March 9, 2020 declaring a State of Emergency in the State of New Jersey, as a result of the COVID-19 pandemic, which remains in effect the Borough of Ogdensburg hereby notifies the public that to protect the health, safety and welfare of our citizens while ensuring the continued functioning of government, meetings of the Mayor and Council of the Borough of Ogdensburg scheduled for 2022 may be held remotely via Zoom video and audio conferencing only. When meetings are conducted remotely, members of the public who wish to access, and participate in the public meeting may do so by joining the Zoom web-based meeting. Members of the public can also join the Zoom meeting via teleconferencing/audio conferencing using a traditional phone by calling 1-646-876-9923 and entering meeting ID number followed by the # sign. Individual calling this number

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will be able to fully participate in the meeting, including providing public comment at the appropriate time. Public comments may also be submitted in writing to the Borough Clerk no later than four (4) hours prior to the published start time of the remote meeting. Written public comments must be e-mailed to the Borough Clerk at oburgclerk@embarqmail.com or mailed to the attention of the Borough Clerk at 14 Highland Avenue, Ogdensburg, New Jersey 07439. During the open public session, anyone that wishes to address the governing body must first state their name and address for the record before providing any comments. The meeting agenda and zoom information can be viewed on the Borough's website at <http://www.ogdensburgnj.org/>.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Ogdensburg will hold their 2022 regularly scheduled meetings on the second and fourth Mondays of the month with the exception of Wednesday, October 12, 2022, as follows:

2022 Regular Meeting Dates

January 10 and 24
February 14 and 28
March 14 and 28
April 11 and 25
May 9 and 23
June 13 and 27
July 11 and 25
August 8 and 22
September 12 and 26
October 12 (Wednesday) and October 24
November 14 and November 28
December 12

The following agenda will be adhered to by the Council at these meetings:

1. Roll Call
2. Statement by Mayor or other presiding officer as to compliance with the Provision of P.L. 1975, Open Public Meeting Act, N.J.S.A. 10:4-6 et seq.
3. Consent Agenda
4. Action on Minutes of previous meetings
5. Opening of bids (if any)
6. Ordinances (if any)
7. Bond Ordinances (if any)
8. Preparation/Action on Budget (if necessary)
9. Public Session
10. Old or Unfinished Business
11. New Business
12. Discussion
13. Reading of correspondence
14. Action on bills and vouchers
15. Adjournment

BE IT FURTHER RESOLVED that a copy of this resolution shall be posted on the Borough of Ogdensburg Municipal Bulletin Board and copies of this resolution shall be forwarded to the Official Newspapers, namely the New Jersey Herald and the New Jersey Sunday Herald located in Newton, NJ; Copies shall also be kept on file in the office of the Municipal Clerk of the Borough of Ogdensburg. This resolution shall take effect immediately.

PUBLIC SESSION

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Councilman DeMeo made a motion to open the meeting to the public. Seconded by Councilwoman Cowdrick. All were in favor.

No one from the public had any comments.

Councilman DeMeo made a motion to close the meeting to the public. Seconded by Councilwoman Cowdrick. All were in favor.

ADJOURNMENT

Councilwoman Cowdrick made a motion to adjourn. Seconded by Councilman DeMeo. All were in favor.

Meeting adjourned at 7:15p.m.

Robin Hough, Borough Clerk

George P. Hutnick, Mayor