

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
February 14, 2022**

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

Mayor Hutnick led the Pledge of Allegiance.

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

Absent: 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, NJS10:4-6 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 4, 2022.”

Councilman DeMeo moved, Councilwoman Cowdrick seconded motion for approval of items on the consent agenda.

CONSENT AGENDA

1. Approval of regular meeting minutes from January 24, 2022.
2. Approval of Resolution 19-2022 authorizing the execution of a shared service agreement with Sussex County Municipal Utilities Authority for provisions of certified recycling professional service to certify and submit the Borough of Ogdensburg 2021 recycling tonnage report to the New Jersey Department of Environmental Protection.
3. Approval of Resolution 20-2022 authorizing the subordination of a Mortgage Lien held by the Borough of Ogdensburg with respect to property located at 15 Lesko Terrace, Ogdensburg, NJ.
4. Approval of Resolution 21-2022 payment for temporary additional hours by the Deputy Borough Clerk.
5. Accept for filing 2021 Abstract of Ratables Sussex County.
6. Accept for filing Amended Table of Equalized Valuations for 2021 as amended by Tax Court Appeals.
7. Accept for filing memo dated January 21, 2022 from Sussex County Division of Planning and Economic Development Re: Diamond Stone & Gravel – Wastewater Plan Amendment Sparta Twp.

Upon Roll call Vote:

Yeas: Alvarez, Cowdrick, DeMeo, Nardini, Poyer

Nays: None Absent: Nasisi Abstain None

ORDINANCE 01-2022

Councilwoman Cowdrick made a motion to introduce an ordinance 01-2022 entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7 OF THE CODE OF THE BOROUGH OF OGDENSBURG ENTITLED “TRAFFIC” TO REGULATE VEHICULAR TRAFFIC ENTERING AND EXITING THE OGDENSBURG ELEMENTARY SCHOOL’S MAIN STREET HORSESHOE DRIVEWAY DURING SCHOOL ARRIVAL AND DEPARTURE TIMES”. Seconded by Councilman Nardini.

Public hearing will be held on February 28, 2022.

Mr. McBriar commented it is open for discussion.

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Dave Astor, Superintendent Ogdensburg Elementary School commented he is just here to answer any questions.

Mr. McBriar commented he did review this with the prosecutor and it was recommended to but a penalty provision. The copy that was in the packet was correct.

Mayor Hutnick asked how we are going to enforce this. Mr. Astor commented he can provide videos.

Mayor Hutnick commented he can't expect the traffic officer to stop what he is doing and go over to the horseshoe.

There was a brief discussion on the enforcement.

Upon Roll call Vote:

Yeas: Alvarez, Cowdrick, DeMeo, Nardini, Poyer

Nays: None Absent: Nasisi Abstain None

Mayor Hutnick commented we were going over snow plowing and salting; we are looking to tie up everything to make sure we have agreements and insurance coverage for everything we are doing. Mayor Hutnick asked Mr. Astor what is the agreement between the town and the school.

Mr. Astor asked as far as areas? Mayor Hutnick asked where do we plow, why do we plow and what are the arrangements.

Mr. Astor commented all parking lots north and south, horseshoe; the school takes care of the back and sidewalks. If the boys need any salt or things like that they come by and pick up salt from us; anything they really need as far as any of the supplies we have. Chris has always called up our facilities manager and he shared whatever we could.

Mayor Hutnick asked we are kind of doing an internal shared service thing. Mr. Astor commented we can formalize everything.

Mr. McBriar commented it doesn't have to be complicated we just need to recognize the agreement in writing.

Mr. Astor explained an agreement he tried when he was on Council regarding supplies. Councilman Nardini commented he knows the church is a handshake deal to because he went in and asked them about the snow plowing.

Mayor Hutnick commented we are burning through supplies and overtime.

Facility Use Forms

Mayor Hutnick explained these applications are the first round under our new rules and regulations. The first one is Kaboom softball/Fielders Choice they have been renting our baseball/softball fields for the last five, six seven year or more. They are a for profit organization; historically they always paid one thousand dollars which was used to purchase clay.

Mayor Hutnick commented Wallkill Valley Girls Rec. Softball is a softball/recreational league out of Franklin but it is made up of the sending districts; they have been using our field for the last three or four years because there are no fields to play on and explained.

Councilman DeMeo asked on the Wallkill Valley application it doesn't list dates. It says Saturday and Sunday 8 to 6 and Monday – Friday 5 to 9. Ms. Hough explained an email that clarified the dates.

Councilman DeMeo commented based on those two applications no other program including anyone in town will have access to those field until at least August.

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Mayor Hutnick commented correct.

Councilman DeMeo asked what is the appropriate fee for that kind of usage. The questions he has for Mike is what do we incur as far as maintenance based on the issue.

Mr. Marceau commented obviously we have our time in and seed.

Mayor Hutnick commented generally the maintenance on the field is supplied by the organization that is using it. They rake the fields they line the fields, they provide their bases and they clean up the fields. Mowing the lawn falls under the town.

Mayor Hutnick commented they are little kids, he doesn't know if they are going to bring up their 14 [year old teams].

Chief Steve Gordon commented on 14-year youth that play on that field, they kept it to the young kids the older kids play at the Franklin field. Due to the plays going by the neighboring houses;

we are going to have issued if we have 14-year-old play on that field.

Mayor Hutnick commented if we decide to let them use the field we can limit that age due to foul balls going over to the adjoining properties.

There was a discussion on age groups, if Kaboom was softball or baseball, his application states softball, there is a softball and baseball when you look at Kaboom's website, the borough has never put an age limit on the use of the field and houses by the ballfield.

Mayor Hutnick commented then we will table Kaboom's application until we find out the exact usage.

Mr. McBriar commented let's formalize that; is there any further discussion it sounds like there is additional information needed.

MUNICIPAL FACILITIES AND RECREATION AREA APPLICATION

Councilman DeMeo made a motion to table the facility use application from Chris Stelma, Kaboom Softball Owner aka Fielder's Choice for use of the Municipal Park baseball field. Seconded by Councilwoman Cowdrick. All were in favor.

Mr. McBriar commented this will be listed on the next agenda.

MUNICIPAL FACILITIES AND RECREATION AREA APPLICATION

Mayor Hutnick commented on to application number two Wallkill Valley Girls Softball team

Councilman DeMeo commented this application we would amend to Saturday, Sunday, Monday and Friday.

There was a discussion on Kaboom or Fielder Choice, the application from Wallkill Valley the different age groups, let them play and setting age groups.

Now the fee; Mr. McBriar commented in the ordinance this would be considered under the seasonal use fee if you use three or more per season it's from \$250.00 to \$2,000.00. The lowest end would be \$250.00 but the discretion of the Governing Body up to \$2,000.00.

There was a discussion on this application, fee, liability issues if the field is approved for one organization and the other used it and the applicants sign a hold harmless agreement.

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Mayor Hutnick commented you need to decide on Wallkill Valley and you need to decide on the swim team. They are both basically the same applications.

Councilman DeMeo suggested to do the swim team; this is an in-town program.

Councilman Cowdrick commented it is not.

Councilman Nardini commented it is ninety percent of people in town.

Councilman DeMeo commented swim team has nothing to do with softball.

Councilwoman Cowdrick commented [she was comparing] the actually usage of all the days between softball and swim team; never said a dollar amount.

Mayor Hutnick read a motion is in order to approve the facility use application from Joshua Conklin, Field Coordinator, Wallkill Valley Girls Rec. Softball what are we charging; we know what days they are getting, what is their fee. Decide.

Councilman Nardini commented he thinks they should be \$250 and explained why.

Councilman Poyer commented for the young kids in the school and ORA he thinks it would be fair to keep it around seven hundred to seven fifty and for Kaboom fifteen to sixteen hundred and explained.

Councilman Alvarez agreed with Councilman Poyer suggestion.

Mr. McBriar commented Kaboom was tabled to the next meeting we are on Wallkill Softball.

Councilman Poyer suggested Wallkill and the Swim league \$750.00.

Councilman Nardini commented everyone recalls a meeting when the ORA President [was present and we all talked to him; he specifically asked about swim team fee and the majority said \$250.00. These organization can't pay these fees.

Mayor Hutnick commented he has to agree with Councilman Nardini on that.

Councilman Nardini commented they were told this live on record.

Councilman DeMeo asked why are we liking ORA with softball. ORA is Ogdensburg Recreation Association. It is a town-based program whether or not there are kids from another town or not; the impact on the facility of the kids jumping in and out of the pond is minimal. We don't pay extra for lifeguards for the facility. If there is a night event and they need a lifeguard they would have to pay that out of pocket. The field every week they are using the field we have impact and explained. A town that is not a town-based program why would we lump them in the same group. Councilman DeMeo commented he has no problem with doing the minimal fee for ORA because it is a town program but the softball program he looked up their fees it is one hundred and fifty dollars per kid for Wallkill Valley and they have all kinds of sponsorships for the program. Councilman DeMeo commented he thinks Councilman Poyer's suggestion of seven hundred and fifty for softball is reasonable and he thinks the private program that is billing two thousand dollars per kid can pay the max fee.

Councilman Poyer asked what really goes into the use of the pond, what do we really have to take care of with the pond.

Mayor Hutnick commented pond is taken care of as is.

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Councilman Poyer commented then charging them two hundred and fifty dollars isn't really going to hurt anything because we don't have to do anything special for them.

Councilwoman Cowdrick commented everybody has to pay to use our facilities.

Councilman Poyer commented he doesn't have an issue with the two hundred and fifty fee for the swim.

Mayor Hutnick commented keep in mind this is the first time Ogdensburg has charged for facilities. We have never charged in the history of Ogdensburg.

Councilwoman Cowdrick commented we do put out the lake treatment every year.

Councilman DeMeo made a motion to charge Wallkill Valley seven hundred and fifty dollars on the application. Seconded by Councilman Poyer.

Upon Roll call Vote:

Yeas: Alvarez, Cowdrick, DeMeo, Poyer

Nays: Nardini Absent: Nasisi Abstain None

Councilman DeMeo made a motion to charge two hundred and fifty dollars for the swim team [ORA]. Seconded by Councilman Nardini.

Upon Roll call Vote:

Yeas: Alvarez, Cowdrick, DeMeo, Nardini, Poyer

Nays: None Absent: Nasisi Abstain None

MUNICIPAL FACILITIES AND RECREATION AREA APPLICATION

Mayor Hutnick commented the Fire Department didn't get their application in on time due to a communications error; you can charge them the twenty-five dollars application fee.

Mr. McBriar commented to clarify the reason it is on the agenda is because our ordinance provides for an application fee, our ordinance also reserves the right to waive that use fee for a department, organization or borough organization such as the fire department. It is on the agenda to formulize a waiver of that fee for the fire departments use for their bon fire. Mr. McBriar commented we should amend the application for everyone to file an application and explained if a Borough organization would waive the application fee.

Councilman DeMeo made a motion to waive the application fee of twenty-five dollars for the Ogdensburg Fire Department use of Heater Pond area on January 29, 2022. Seconded by Councilman Nardini.

Mr. McBriar commented within that motion to amend our application to recognize this.

Upon Roll call Vote:

Yeas: Alvarez, Cowdrick, DeMeo, Nardini, Poyer

Nays: None Absent: Nasisi Abstain None

OLD BUSINESS

Extra Duty Solutions- Councilman Alvarez commented he would like to table this.

Water Billing Dates – Mayor Hutnick commented we are still pushing that out so this is tabled.

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Grants – No update

State Fire Marshal Notice of Violations – Mayor Hutnick commented this is a work in progress.

Municipal Budget – M. Marceau, CFO explained if you recall at the last meeting he has to speak to Mr. Maggolini and basically, we don't have any answers or will have one anytime soon. Mr. Marceau commented we have to move forward; he took any old cap bank we had, he received the borough's new assessed value, our added assessed values maxed out what we could raise taxes and basically have to take the difference out of fund balance. That is the only thing you can do.

Councilman Nardini asked how much was coming out of fund balance.

Mr. Marceau commented around two hundred and eighty something thousand. Mr. Marceau commented it will come out to about one hundred and twenty dollars a year on the average household. An increase of 4.2 percent. That is where we are today, he will work with the auditor until introduction time; we can have at our next meeting discuss budget cuts but that is where we are.

Councilman DeMeo commented does that increase follow our deficit; is this something we can do as a special assessment.

Mr. Marceau commented that is just to maintain current staffing, starting in 2023 you will probably have to go another fifty dollars on top of that and that will probably be for eleven years.

There was a discussion on fund balance, no cap on what we take out of fund balance, fund balance we use to pay bills until tax payments are due, credit rating, capitol improvement fund and notes.

The next budget discussion will be at the regular meeting on February 28, 2022.

NEW BUSINESS

DPW, GPS tracker – Councilman DeMeo commented we received three quotes for a GPS tracker, Verizon will be five units that stay in the trucks, one that can be moved, it is one hundred dollars a month. It should help plan for plowing, overtime; this will give us a way to monitor more effectively.

Councilman Demeo explained the tracker, management software, the need to more effectively manage down there and we have to do more with less, this will protect the department too for when people complain they haven't plowed down their street.

There was a discussion on IT, service at DPW and camera system.

Parks and recreation – Councilman Cowdrick commented there is nothing on this yet.

Sale of lot on Main Street – Councilman DeMeo commented he requested a list of properties we have, the obvious ones to sell are the ones on Main Street. We should be looking at auctioning off those properties.

Mr. McBriar commented if it is an undersized lot [you are permitted to offer to the adjoining owner] to make it conforming.

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Mr. Marceau commented the Local Planning Services is doing a redevelopment study. His personal opinion is you are going to want a redevelopment study before you sell these properties and explained how it would make the properties more valuable to an investor/contractor. Mr. Marceau explain PILOTS for the town.

Mayor Hutnick explained the Land Use Board is extremely interested in redeveloping this town and finding all the properties we don't need and sell them. The town and Land Use will have to work together; Land Use is all about redeveloping Main Street.

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

There was no executive session.

PAYMENT OF VOUCHERS

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

Upon Roll call Vote:

Yeas: Alvarez, Cowdrick, DeMeo, Nardini, Poyer

Nays: None Absent: Nasisi Abstain None

Current

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
2/1/2022	32496	Horizon BC/BS of NJ	549.80
2/1/2022	32497	Horizon BC/BS of NJ	2,144.32
2/1/2022	32498	LINA	216.00
2/1/2022	32499	Randolph Township	1,100.00
2/15/2022	32500	Action Data Services, Inc.	235.11
2/15/2022	32501	Amazon	1,375.79
2/15/2022	32502	American Rock Salt Company, LLC	25,327.37
2/15/2022	32503	Atlantic Communications	184.80
2/15/2022	32504	Atlantic Tomorrows Office	218.74
2/15/2022	32505	Bluebeam, Inc.	349.00
2/15/2022	32506	CenturyLink	1,117.83
2/15/2022	32507	CenturyLink	830.35
2/15/2022	32508	Complete Security Systems, Inc.	48.40
2/15/2022	32509	Dave's Towne Service	418.90
2/15/2022	32510	Davis, Stephen	393.55
2/15/2022	32511	Davis, Stephen	555.27
2/15/2022	32512	Division of Consumer Affairs	80.00
2/15/2022	32513	Dover Brake & Clutch Co., Inc	124.87
2/15/2022	32514	Elizabethtown Gas	5,192.49
2/15/2022	32515	Finch Fuel Oil Co., Inc.	969.83

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2/15/2022	32516	Fred Yarosz Janitorial Services LLC	403.00
2/15/2022	32517	Home Depot	4.98
2/15/2022	32518	JCP&L	8,979.71
2/15/2022	32519	Kimberly Cucci	409.45
2/15/2022	32520	Lame, James	751.55
2/15/2022	32521	Lumen Technologies Group	125.63
2/15/2022	32522	Michel Marceau	31.96
2/15/2022	32523	Municipal Capital	119.00
		My Corporate Hosting Solutions,	
2/15/2022	32524	LLC	232.50
2/15/2022	32525	New Jersey Herald	705.00
2/15/2022	32526	New Jersey Herald	46.20
2/15/2022	32527	New Jersey Herald	270.40
2/15/2022	32528	NJ League of Municipalities	363.00
2/15/2022	32529	NJ League of Municipalities	75.00
2/15/2022	32530	NJCM	295.00
2/15/2022	32531	North Church Gravel, Inc.	1,839.04
2/15/2022	32532	Ogdensburg Board of Education	221,243.00
2/15/2022	32533	Quandient Leasing USA, Inc.	411.30
2/15/2022	32534	ReadyRefresh	61.65
2/15/2022	32535	Richard Luthcke	417.15
2/15/2022	32536	Rogut McCarthy LLC	291.75
2/15/2022	32537	Schenck Price Smith & King LLP	11,379.87
2/15/2022	32538	Skoda Contracting Company	1,835.64
2/15/2022	32539	Sonia Barria	70.00
2/15/2022	32540	Staples Business Advantage	101.12
2/15/2022	32541	Statewide Insurance Fund	29,756.25
2/15/2022	32542	Statewide Insurance Fund	10,044.75
2/15/2022	32543	Struble, Jim	910.00
2/15/2022	32544	Sussex County Treasurer	277,377.21
2/15/2022	32545	Sussex County Treasurer	1,563.70
2/15/2022	32546	Sussex County Treasurer	19,772.91
2/15/2022	32547	Sussex County Treasurer	112.14
2/15/2022	32548	Sussex County Treasurer	1,124.43
2/15/2022	32549	Sussex County Treasurer	8.20
2/15/2022	32550	Tire King	1,800.00
2/15/2022	32551	Treasurer, State of NJ	60.00
2/15/2022	32552	US Postal Service	1.98
2/15/2022	32553	US Postal Service	88.34
2/15/2022	32554	V.E. Ralph & Son, Inc.	75.36
2/15/2022	32555	Van Cleef Engineering Assoc. LLC	442.50
2/15/2022	32556	Verizon Business	301.33
2/15/2022	32557	Verizon Wireless	120.85
2/15/2022	32558	W.B. Mason Co., Inc.	18.24
2/15/2022	32559	Wallkill Valley Regional H.S.	87,005.00
2/15/2022	32560	Weldon Asphalt	478.00
			=====
			722,956.51

Dog Fund

DATE	CHECK #	PAID TO	AMOUNT
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2/15/2022	277	Atlantic Tomorrows Office	56.58
2/15/2022	278	NJ Dept of Health& Senior Service	154.20
2/15/2022	279	US Postal Service	88.33
			=====
			299.11

Payroll

DATE	CHECK #	PAID TO	AMOUNT
2/15/2022	1128	AFLAC	627.28
			=====
			627.28

General Capital

DATE	CHECK #	PAID	AMOUNT
2/15/2022	1156	Rogut McCarthy LLC	1,458.73
2/15/2022	1157	Van Cleef Engineering Assoc.LLC	130.00
			=====
			1,588.73

Grant Fund

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
2/15/2022	2 32562	Van Cleef Engineering Assoc. LLC	10,046.50
			=====
			=
			10,046.50

Water Op

DATE	CHECK #	PAID TO	AMOUNT
2/15/2022	2 5184	Agra Environmental Services	1,534.00
2/15/2022	2 5185	Macko, Bill	250
2/15/2022	2 5186	One Call Concepts, Inc.	7.15
2/15/2022	2 5187	Reliable Restoration Logistics	5,225.00
2/15/2022	2 5188	Staples Business Advantage	5.09
2/15/2022	2 5189	State of New Jersey-PWT	102.47

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2/15/202			
2	5190	Tire King	1,200.00
2/15/202			
2	5191	Treasurer, State of New Jersey	4,140.00
2/15/202			
2	5192	US Postal Service	88.33
2/15/202			
2	5193	W.B. Mason Co., Inc.	18.25
			=====
			=
			12,570.29

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

Meeting adjourned at 8:17p.m.

Robin Hough, Borough Clerk

George P. Hutnick, Mayor