

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
February 28, 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, Nasisi, Poyer, Mayor Hutnick

Absent: None

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.”

Mr. McBriar had several comments on the consent agenda. Mr. McBriar commented items five and six each respective resolution authorizing certain license agreement with respect to asset management job costing computer software; the second has to do with vehicle tracking and data subscription services. Item five he thought you should be aware; it is a one-year contract it automatically renews unless cancelled upon thirty days prior written notice. Item six is also a one-year agreement; after the one-year initial term it will continue on a month to month basis. He highlights that because one for the negotiating items he usually requires is that we have an early termination without cause thirty or sixty days. We did recommend the vendor put that in the contract; they were not agreeable to that but in light of the fact it is only a one-year agreement and thereafter it goes month to month he just wanted the council to be aware of that. If it is cancelled in the first year there are termination fees that apply but again the term of the initial agreement is only twelve months.

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

CONSENT AGENDA

1. Approval of Resolution 22-2022 approving street sweeping agreement with the Township of Hardyston.
2. Approval of Resolution 23-2022 authorizing a discharge of mortgage for Howard Reeves, 37N. Clark Street, Ogdensburg, Block 12 Lot 3.01 in the amount of \$20,000.
3. Approval of Resolution 24-2022 approving a refund for tax overpayment in the amount of \$2,103.16 to Cynthia M. Sauvan, 335 Main Street, Ogdensburg Block 3.07 Lot 1.
4. Approval of Resolution 25-2022 fixing the salaries of certain officers and employees of the Borough.
5. Approval of Resolution 26-2022 authorizing subscription license agreement between the Borough and Tracker Software Corporation, Inc. D/B/A Pubworks for asset management/job costing core computer software.
6. Approval of Resolution 27-2022 authorizing the purchase and license agreement with Verizon Connect NWF, Inc. for Vehicle Tracking and Data Subscription Services.

Upon Roll call Vote:

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

Nays: None Absent: None Abstain None

ORDINANCE 01-2022

Councilwoman Cowdrick made a motion to adopt Ordinance 01-2022 “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7 OF THE CODE OF THE BOROUGH OF OGDENSBURG ENTITLED “TRAFFIC” TO REGULATE VEHICULAR TRAFFIC

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ENTERING AND EXITING THE OGDENSBURG ELEMENTARY SCHOOLS ARRIVAL AND DEPARTURE TIME". Seconded by Councilman Alvarez

Prior to final roll call, Mayor Hutnick opened the meeting to the public for any comments regarding ordinance 01-2022.

Mayor Hutnick asked Dave Astor, Superintendent of Ogdensburg elementary school, is this just for the horseshoe or everything.

Mr. Astor commented just the horseshoe.

Mr. McBriar commented being no other comment from the public the mayor can close the meeting to the public.

Prior to final roll call, Mayor Hutnick closed the meeting to the public for any comments regarding ordinance 01-2022.

Upon Roll call Vote:

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

Nays: None Absent: None Abstain None

ORDINANCE 02-2022

Councilman Nasisi made a motion to introduce an ordinance 02-2022 entitled "ORDINANCE OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 30 OF THE BOROUGH CODE ENTITLED "LAND DEVELOPMENT" AMENDING CHAPTER 30 SECTION 508." Seconded by Councilman Nardini.

Public hearing will be held on March 28, 2022

Upon Roll call Vote:

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

Nays: None Absent: None Abstain None

MUNICIPAL FACILITIES AND RECREATION AREA APPLICATION

Councilman Nasisi read a motion to approve the facility use application from Chris Stelma, Kaboom Softball Owner aka Fielder's Choice for use of the Municipal Park baseball field and to determine the seasonal fee.

Mayor Hutnick asked if he [Mr. Stelma] completed the paper work correctly.

Councilwoman Cowdrick commented he has not, he resubmitted but the insurance doesn't match.

Councilman Nasisi asked do you think we should table this motion.

Councilman Cowdrick commented yes.

Mr. McBriar commented if it is the desire of the Council to table it; it should be done by formal motion there should be a first and a second.

Councilman Demeo made a motion to table the application. Seconded by Councilman Nasisi. All were in favor.

Mr. McBriar commented that item will be listed on the next agenda.

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Councilman DeMeo asked if we need to keep listing it until it is complete. We shouldn't be looking at these in public session until they are complete.

Mr. McBriar commented the Governing Body just approved a motion to table it. Maybe that is something we can consider at the next meeting.

OLD BUSINESS

Water Billing Dates – no update.

State Fire Marshal Notice of Violations – Councilman Nasisi commented this is moving along and explained. Mr. McBriar reminded everyone the due date for compliance is March 23.

Municipal Budget – M. Marceau, CFO, explained there is no update for now, the auditors are reviewing the financial statement which is due by the 10th so by the next meeting we should have an update.

Mayor Hutnick asked do we have a need for any other type of budget meetings.

Mr. Marceau commented no we can do March 14th with an update; if we think we need a budget meeting we can schedule one. Unless you want to schedule one now; we will probably introduce the first meeting in April.

Mayor Hutnick commented he wants to add two things; one is a lab top for OEM and explained.

Mayor Hutnick asked Mr. McBriar if we were doing executive session. Mr. McBriar commented no executive session for tonight.

Mayor Hutnick commented we should meet and go over all the lines items again [in the budget].

Mr. Marceau commented Wednesday he can email you everything to everyone so we can discuss on the 14th.

Mayor Hutnick commented since we are all going to be here already [on March 14th], get the email out so everyone can look at the budget. If there are questions or changes we can do it on the 14th.

DPW – Councilman DeMeo commented we ran into an issue on Friday; we don't want to run into it again with regards to the plowing. Councilman DeMeo asked Mr. McBriar we found out last week we are plowing certain private facilities; we can no longer plow churches is that correct.

Mr. McBriar commented to reiterate the comments he had at the last meeting; DPW is not authorized to be plowing private property the Borough is not a commercial plowing company they are authorized to plow and salt public roads, municipal property and the fire department for public health and safety. Moreover, he doesn't know if this Council ever authorized that; not only that our risk manager would have something to say about that as well.

Councilman DeMeo referenced the last storm on Friday commenting he isn't aware of telling DPW not to do it; he did have a conversation with the Mayor last week because of the short time line we didn't cancel anything.

Mr. McBriar commented a memo should be sent from either the Mayor or the borough clearly outlining what they can and cannot do.

Councilman Nasisi commented so legally we really should not be [plowing them].

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Mr. McBriar commented no, not at all period.

Councilman DeMeo commented we should probably put the churches on notice that we will not be plowing them anymore.

Mr. McBriar commented as a courtesy let them know but the important notification has to go from here to DPW.

Mayor Hutnick commented Friday with the storm coming he had kept everything as is.

Councilman DeMeo commented he doesn't want to be in this spot again.

Mr. McBriar commented the Mayor can sign a memo it can be just two sentences.

Councilman DeMeo commented with regards to the school we are going to do a shared service agreement.

Mr. McBriar commented yes. He will work with the school's attorney.

Mayor Hutnick explained the cost of plowing based on information he received from Mike, CFO.

There was a discussion on the cost of plowing and Friday's storm, Mayor Hutnick didn't cancel anything for that storm but the church and school had found out about it, only the Mayor can tell DPW not to plow a church and he never told them not to plow, there is no need to do anything regarding the fire department, first aid building the borough has an interest in and a major concern is the Borough plowing private property.

Mayor Hutnick asked Mr. Astor if he had anything to say.

Mr. Astor commented whatever shared service agreement we need to do and explained his budget timeline and cost from a quote he received.

Mayor Hutnick explained they are trying to clean up legal and risk management issues.

Parks and recreation – Councilwoman Cowdrick commented on the facility use applications she received to date. They are all being tabled except for Wallkill because they provided everything. We have to wait on Kaboom and ORA.

Ms. Hough commented Wallkill we approved at the last meeting with a fee of \$750.00, that is what was approved.

Mr. McBriar asked was that application the only one we approved at the last meeting.

Ms. Hough explained at the last meeting we approved Wallkill at \$750.00 and ORA at \$250.00; and they approved both applications and Kaboom was tabled at that meeting.

Mr. McBriar commented then tonight Kaboom was further tabled because the application was not [complete]. The action of the Council was to approve those two applications; the only one that was tabled is Kaboom.

Councilwoman Cowdrick commented ORA is an incomplete application as well, no insurance provided.

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Mr. McBriar commented then the Council will have to do a motion to rescind its prior action to further review it.

Councilman DeMeo made a motion to rescind the prior action on the ORA application. Seconded by Councilwoman Cowdrick.

Mr. McBriar asked what are the incomplete items.

Councilman DeMeo commented it doesn't have the insurance certificate and there is an issue with the language in the application.

There was a discussion on the language in the applications, Councilman Nardini questioned what language needs to be clarified,

Mr. McBriar suggested for the Mayor to create a subcommittee to review these applications for completeness and then make recommendations to the council.

Mayor Hutnick explained how the council worked and approved a process for these applications and the Council is still not in agreement with it.

There was a discussion on the process.

Mr. McBriar commented we have a pending motion and we have to be clear what the reasons are; it sounds like the insurance requirement and language needs tightening up. Again, this wasn't an agenda item it was approved by this council the only way to adjust that since no fees were actually charged and accepted. We rescind this formally, pending completion and acceptance of the additional information and put it on the next agenda with Kaboom. There needs to be a roll call vote on that right now. There was a motion, there was a second and there was ample discussion. It is clear what additional things have to happen.

Upon Roll call Vote:

Yeas: Alvarez, Cowdrick, DeMeo, Nasisi, Poyer

Nays: Nardini Absent: None Abstain None

Mr. McBriar commented this item will be listed on the next agenda, in the mean time he encourages a none majority [of the Council] to consult and confirm to make sure whatever issues exists are addressed.

Mayor Hutnick questioned the fees that we are charging.

There was a discussion on the fees, fees charge for Wallkill and cost to maintain the fields.

GPS tracker for DPW trucks – Councilman DeMeo commented we can take this off.

Sale of lot on Main Street – Mayor Hutnick explained the Land Use is interested in this as well. The next Land Use meeting is March 22 if anyone would like to attend. There was a discussion on number of Council members that can attend to prevent a quorum.

NEW BUSINESS

Mass notification system – Councilman Nardini explained the agreement they are working on for mass notifications and the costs for multiple years is cheaper. Councilman Nardini questioned is the Council ok to be committed for the 5 years.

Mr. McBriar commented it was approved to his final review; he did have comments he was pleased with their response except for the one issue he recommended a provision to allow for early termination without cause. The reason he did ask for that is because Councilman Nasisi

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had a comment specific to that point. It is a five-year contract he asked Councilman Nardini to put this on as an agenda item so you can be aware of it and get some additional direction. There is a substantial savings over a five-year period.

Councilman Nasisi commented this is pretty cut and dry.

There was a discussion on the cost and doing the five-year period which is the most cost effective and the different municipalities that use this company.

Mr. McBriar commented this is already approved. Councilman Nardini can sign the agreement.

DPW Cameras – Councilman DeMeo commented there is no contract for the cameras.

There was a discussion on an IP address and the DPW location.

PUBLIC SESSION

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

No one from the public had any commented.

There being no further business from the public, Councilman Nasisi moved, Councilman Nardini seconded motion to close the public session of the meeting. All were in favor.

EXECUTIVE SESSION

There was not executive session

PAYMENT OF VOUCHERS

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

Upon Roll call Vote:

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

Current

<u>DATE</u>	<u>CHEC K #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
3/1/2022	32563	Action Data Services, Inc.	80.94
3/1/2022	32564	Blue Diamond Disposal, Inc.	35,550.00
3/1/2022	32565	CenturyLink	1,116.66
3/1/2022	32566	CenturyLink	831.45
3/1/2022	32567	Horizon BC/BS of NJ	549.80
3/1/2022	32568	Horizon BC/BS of NJ	2,144.32
3/1/2022	32569	JCP&L	2,062.15
3/1/2022	32570	LINA	216.00

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3/1/2022 32571 Lumen Technologies Group 251.38

3/1/2022 32572 New Jersey Herald 513.30

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43,316.00

Payroll

<u>DATE</u>	<u>CHEC</u> <u>K #</u>	<u>PAID</u> <u>TO</u>	<u>AMOUNT</u>
3/1/2022			
2	1129	AFLAC	627.28
			=====
			=
			627.28

Councilman Nasisi commented there were no minutes on the consent agenda. Ms. Hough commented they are done but there was no one in the finance to send her the bills to copy and paste in the minutes.

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

Meeting adjourned at 7:55p.m.

Robin Hough, Borough Clerk

George P. Hutnick, Mayor