

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
August 22, 2022**

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

Mayor Hutnick led the Pledge of Allegiance.

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

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, NJSA10:4-6 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 August 8, 2022.
2. Approval of Resolution 52-2022 appointing Joseph Marino to the full-time position of Laborer 1 in the Department of Public Works.
3. Accept for filing Letter from the Center for Prevention and Counseling Re: International Overdose Awareness Day 2022.
4. Accept for filing Montague Township Resolution 2022-090.

Upon Roll call Vote:

Yeas: Alvarez, Cowdrick, DeMeo, Nasisi, Poyer

Nays: None Absent: None Abstain None

Resolution 52-2022

WHEREAS, the Borough of Ogdensburg has an immediate need to hire an individual to work full-time in the Department of Public Works as a Laborer 1 under the supervision of the Department of Public Works Supervisor; and

WHEREAS, the job duties correspond with the Civil Service job description and title code of “Laborer 1”; and

WHEREAS, the annual salary for this position shall be \$41,600; and

WHEREAS, the CFO has certified that funds are available for this full-time position; and

WHEREAS, after receiving and reviewing applications from prospective candidates, the Borough now desires to appoint Joseph Marino to this position effective August 29, 2022, subject to receipt of a negative criminal history background check and fingerprinting within one (1) month of the effective date of hire.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ogdensburg, County of Sussex, and State of New Jersey that Joseph Marino is hereby appointed to the full-time position of Laborer 1 in the Department of Public Works at an annual salary of \$41,600.00 effective Monday, August 29, 2022.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the appointment set forth herein shall be contingent and conditional upon Mr. Marino providing the Borough with proof of a negative criminal history background check and fingerprinting within one (1) month of the effective date of hire.

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ORDINANCE 04-2022

Councilman Poyer made a motion to adopt Ordinance 04-2022 “AN ORDINANCE AMENDING THE RATE OF SALARIES AND COMPENSATION OF THE OFFICES AND EMPLOYEES OF THE BOROUGH OF OGDENSBURG.” Seconded by Councilwoman Cowdrick

Prior to final roll call, Mayor Hutnick opened the meeting to the public for any comments regarding ordinance 04-2022.

No one from the public had any comments.

Prior to final roll call, Mayor Hutnick closed the meeting to the public for any comments regarding ordinance 04-2022.

Upon Roll call Vote:

Yeas: Alvarez, Cowdrick, DeMeo, Nasisi, Poyer

Nays: None Absent: None Abstain None

OLD BUSINESS

State Fire Marshal Notice of Violations – Councilman Nasisi commented the doors are in; they are ready to be picked up we have to get the final payment over to them. He was told a balance was due which he wasn’t aware of. Councilman Nasisi ask Mike, CFO to check into where Kim had left off with this. He spoke to the installer; hopefully we don’t have to ask for another extension.

Downstairs bathroom – Councilman Nasisi commented there was a contractor that was supposed to come in; he spoke to Donna to let her know he was supposed to come in. If anyone has anyone to recommend let him know.

Borough owned properties sale – Councilman Nasisi explained he spoke to Councilman DeMeo after the last meeting [then] he spoke to Robin. We are going to get together just to make sure the Council has all the information he has so if he isn’t here for another term this could proceed without back peddling any work he has done.

Mayor Hutnick commented some of this is old stuff that probably could be removed. Mayor Hutnick asked if anyone had anything else for old business. If not, he will go to new business.

Councilwoman Cowdrick commented in light of the paving days for Edison and being told the road is probably going to be closed she has two guards ready to work she would like to still pay them for the day. The two days they are scheduled.

Mayor Hutnick commented they are scheduled to work so it’s not their fault. Councilwoman Cowdrick asked if we are good. Mayor Hutnick commented yes.

Councilman Poyer asked is the Glenbrook Fire Hydrant resolved.

Mayor Hutnick commented no.

Councilman Poyer explained regarding the Glen Brook fire hydrant he did talk to the Chief, the Chief talked to DPW; they came up and said they really don’t need it. What he would like to do is move it anyway and cap it that way if any Council wants to open it up in the future all they have to do is put a hydrant on there.

Mayor Hutnick commented you mean remove it and cap it.

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Ms. Hough asked when you say Chief do you mean Chief Slater.

Councilman Poyer commented yes Chief Slater.

Mayor Hutnick commented there are four hydrants in that area.

Jim Struble, DPW employee commented right around that gas station there are three hydrants and explained.

Parks and recreation – no update

DPW- B. Cowdrick – no update

Mass notification system – no update

Auction Borough Owned Properties – no update

Selling of vehicles (2) First Aid Squad and (1) Fire Department – no update

NEW BUSINESS

Senior Citizen of the year – Mayor Hutnick commented we need to start taking ideas and suggestions for Senior Citizen or Senior Citizen's of the year. Whether it is a single individual or a husband and wife team. Keep that in mind over the next couple of weeks.

Historical Society changes – Mayor Hutnick commented the Historical Society is transferring to new leadership. The said new leadership is making changes to the layout and design of the Historical Society building trying to make it new and innovated to attract people coming in. So, they want to change up the displays and the information they have in there. Mayor Hutnick explained the display that was taken back up to the mine and they have assigned a section per area of town, Ogdensburg, police, fire department, school so basically [each department] puts a display in there.

First Aid Squad Building – Mayor Hutnick commented he was speaking with Alan; they finished up the bathrooms they are all ADA compliant. There was also a water main leak going into or out of the building.

Mr. Struble commented going into the building. Mayor Hutnick commented Jim took care of that with Century Link; he had to reach out to them figure out the mark outs that were right next to the water line that was totally not identifiable. Mr. Struble got that all fixed up.

Road Conditions – Mayor Hutnick commented he is getting slammed and taking a lot of flack for paving Passaic and Edison even though know matter how many times he tells people it is through a Grant and the Grant requirement is a connector road to another town that we can't take the money and redirect it to another street. He understands our road infrastructure is crumbling; he understands we haven't put much effort into it other than trying to fix the pot holes and to repair these roads. Mayor Hutnick explained he is actively looking for the help of others for maintenance grants, road grants, or something to help out in town. The town doesn't have money to start paving all the street. We barely had enough money to do what paving we could. The only source of income this money has is our tax money so we have to start looking for outside sources. If anyone has contacts suggestions or ideas on where we can get grants and or State help. If anyone would like to look at the budget and figure out where we are going wrong with the money. We are not ignoring the road or the repairs we just have limited resources to work with.

DPW Worker Discussion – Mayor Hutnick asked Mr. McBriar how he would like to proceed with this.

Mr. McBriar commented first giving the staffing shortages perhaps it might be appropriate to first address those staffing shortages and what the Borough's intentions are to address that. Mr. McBriar commented he was made aware that our supervisor is out for an undetermined amount

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of time as a result of a non-work-related injury. We have one Repairer Mr. Struble who is here and been with the Borough for quit sometime and we have a new higher Laborer 1. So, Mayor you might want to elaborate the need to address those staffing issues.

Mayor Hutnick commented when we had our supervisor on staff we had two individuals and a third that hasn't started yet. Now with the unfortunate injuries to our supervisor and truly an unknown nature of when we are returning due to the severity of his injuries we are down to one individual and that is Mr. Struble. He is extremely limited to what work he can and cannot do, due to the fact he is a single individual. Clearly, he isn't doing anything that requires a safety crew, multiple people, he is not paving pot holes or anything of that nature because it is against OSHA regulations it is a safety issue. Even when the new person starts he will be at a disadvantage because the new person has to be trained, brought up to speed and shown the ropes per say. We do not have an assistant DPW supervisor assigned. That leaves Mr. Struble but he is not assigned that title within Civil Service Ranks; therefore, he is not an assistant supervisor and he is not responsible for maintaining, training, helping or any other work you want to put in there for any new higher that comes on board. He is not required to do any training.

Mayor Hutnick commented we need to figure out tonight how we are going to fix that; how are we are going to address our staffing issues for the DPW. Winter is coming fast. We need plow drivers, we need DPW staff; we are not going to be able to clear this town with one single person or two people. We know it takes a minimum for three plows on the road to salt, sand, plow and maintenance. If one of the trucks goes down that takes Jim off the road because he has to get the truck repaired.

Mayor Hutnick commented we are up for discussion on how to handle that; with that he opens it up to whomever wants to take over from here. You all have opinions start voicing them. We are either going to look to promote the individual to assistant supervisor tonight or not. You guys have to make that decision he can't. He doesn't have a vote [only to break a tie] and there is only five of us. Five of you. Are we all sitting in silence? Does anyone want to make a motion? So, we are all silent no one is talking.

Councilman Nasisi commented he would like thank Mr. Struble because he has accumulated so much knowledge working in the town. Sometimes we don't know what to do. But he has never seen Jim sit still, to his knowledge he doesn't believe Jim has ever been written up for doing anything out of his scope of work; he jumps right in just like our supervisor outside of their scope of work. Councilman Nasisi commented he doesn't think there are any other decision to make for years he has written on his white board in his office Jim should be made DPW assistant and it has been there at least four or five years. Everything comes in its own time and this is that time. Jim is willing to stand up and take care of situations and things we need to get done and taken care of in town. He appreciates it and hopes everybody else does. If we bring someone new in we have no one to train them because it would be outside of Civil Service for Jim to train someone. We really can't take on a new hirer without anyone to train them. We need to take action for the town, for financial interest and for our future. This would be a benefit for our town.

Ms. Hough commented she agrees with Councilman Nasisi there is a lot to say about knowledge when you know where everything is [in town]. There have been a lot of changes here; right now, the best thing for the town would be make Jim the Assistant Supervisor. He has always answered my calls and when I ask him to do something he has always done it for me. As a resident and an employee, I think that would be the best thing for the town.

Councilman Alvarez asked if we could table this to the next meeting.

Mr. McBriar commented there is no motion on the floor but the Council should be aware that currently there are no supervisory employees in that department. He hasn't heard any other options other then promoting within. Robin checked with civil service it is permitted; they confirmed we can promote someone from within temporarily for up to six months for that

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position. It is unknown when the Borough will have any supervisory employees. If additional information is needed the diloge of discussion can continue.

Mayor Hutnick commented what do we do with the new higher we have coming in that start August 29.

Mr. McBriar commented in the absence of a supervisor Mayor he thinks you can subscribe duties in the interim. We have the winter approaching and we have a lot of day to day activities that need to be satisfied that can't with the current make up.

Mayor Hutnick commented you guys need to make a decision; you guys need to fix this problem; give me solutions, not thoughts give me something that is concrete something he can work with.

Telling me we can hire somebody or find somebody doesn't fix the problem we have been working for months. We have been looking for months, we have maybe four applications.

Councilman DeMeo commented hire a supervisor position. Mayor Hutnick commented hire a supervisor now.

Councilman DeMeo commented we have been searching for months. We are talking about supervisors.

Mr. McBriar commented the Borough has its salary ordinance which has the position of assistant supervisor for DPW it is currently not occupied but it has been in the past.

Mayor Hutnick commented if that is the case we are in search for a supervisor that fine; but he still has a new hire starting Monday.

Mr. McBriar commented the job description for an assistant supervisor have both supervisory as well as work related obligations.

Councilman DeMeo explained he asked for a written opinion that he hasn't received and isn't prepared to discuss it.

Mr. McBriar asked a written opinion on what?

Councilman DeMeo commented in regard to interim.

Mr. McBriar explained he just said civil service confirmed that we could promote someone temporarily for up to six months provisionally to that title.

Councilman DeMeo commented I'm not going into detail but we had a discussion about legalities of that.

Mr. McBriar commented following that we reached out to civil service and whatever opinion it is you want he will provide it to the Council but following that discussion we reached out to civil service and received that feedback. It is permitted a six-month temporary appointment. After that the individual get a provisional appointment to that title or they return to their permimant title. This is a Civil Service Municipality it's bound to follow the procedures from civil service. Those communications were initiated following that discussion. If there is addition information that the Council would like to see Robin and I can communicate with Civil Service to obtain that and share it with you.

Chief Gordon asked if he could speak as a department head. Chief Gordon commented as the Chief of Police he isn't here to endorse or deny whatever you decide to do with Jim Struble or DPW. He is here speaking as a department head for a department he has upstairs which runs with himself, two sergeants and four patrolmen. There is me we have Sgt. Davis, and Sgt. Sanfilippo. Should he go out tomorrow for any reason he has two people that could step into my

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place and we have continuity of command. Should he never come back for whatever reason we have people that are in a civil service position that could train new hires, that could sign paper work do anything basically that he could do up unto the point that they are either made a Chief or Sergeant in command or officer in charge. That basically goes for anything; again, he can't speak for DPW he is the police department under civil service rules. However, his concern now is we have one DPW worker, the supervisor that's out [we don't know] when he is coming back. It's August 22 the earliest snowfall is as early as November 12th. We have a 21-year-old Tahoe that we use to get around in the snow. It is basically rotting apart in pieces; the Borough doesn't have any money to replace it he understands it. Now we are left with three patrol vehicles that basically have regular tires that you're not allowed to put snow tires on because it reduces the pursuit aspect of the vehicle. That becomes a liability for any officer that is in that vehicle that has to be in a pursuit. That is why we use an SUV with four-wheel drive that is designated a non-pursuit non-patrol vehicle. The problem is now we have the roads, we have no plows they are not plowed and now we have to get up Ogden Hills. Chief Gordon explained how he went through this before and they always had to call DPW to plow the road to get use up to where we had to go. If our Tahoe goes down and he is sitting in the school parking lot we are stuck we are not getting anywhere.

Chief Gordon commented we need to do something; I don't care what you do but something has to be done. Because when somebody dies because we can't get there in the winter time he isn't putting that on his head. We don't have plows on our cars. We will try and get there, we will do our best but if we can't in a timely fashion because the roads aren't clear or we don't have supervisors or workers in place he is not accepting that responsibility and he will put that in writing and in the newspaper if he has to. I don't know what you can do but please figure it out. His door is always open if you need to come upstairs and talk to him he will try to help, he doesn't know how he can help but he will try and help. You have to do something. If you want Jim great if you don't great he is here he is neutral but we have to do something.

Councilman Nasisi commented Chief I like that continuity of command.

Councilman Nasisi commented he would like to make a motion to offer Jim the assistant DPW supervisor position [couldn't make out the amount of salary stated to much noise in the background].

Mayor Hutnick commented we haven't gotten that far yet; we aren't on salary yet.

Councilman Nasisi commented that is his opinion for the record. Jim is hands on in the town as far as he can go he will go five steps further for us. He has always been there to do that.

Mayor Hutnick commented somebody here has to have some sort of opinion.

Councilman Alvarez commented he would like to table it to have time to digest it and think about it; that is his opinion.

Mr. McBriar commented that can be done there are additional questions and enquires of his own and he will be happy to provide them to everyone. If that is the consensus.

Mayor Hutnick commented we still don't have a resolution right now for Monday. Although you said I can delegate his workload he isn't a DPW worker. If that is the case and we are tabling it the next meeting is September 12th. That is three weeks away. He is going to have an employee sitting here for three weeks doing nothing. As long as you are all aware of that. That's council's opinion then. On the 12th you all will have answers.

PUBLIC SESSION

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

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Brendan Donegan, 13 Ogden Way commented so we are looking at a situation where you are tabling the position of assistant supervisor; it was just pointed out to you early the earliest snow fall has been November 12th government is still sitting on whether virtual snow days occur. At this rate if you don't have a solution you are within 60 days of your first snow fall. What is the condition of plowing the streets so we can operate the school district. You have an employee who hasn't even been trained yet sitting around for three weeks. You just explained to us how you can't afford stuff and you are going to pay someone to show up for three weeks and not operate because you don't have as a town council the ability to make a decision even in an interim position which legal Counsel says you can do. That is embarrassing as a Council. That is an embarrassing situation as a Council that you will sit up there say you will not make a decision which you have been given under civil service 6-month ability to temporarily appoint someone provisionally if that doesn't happen and the school closes whose fault is it because the parents are going to call the school district to complain; but it really starts up here. I'll be back September 12th.

Mayor Hutnick commented the only option would be to push off the start date which is unfair to him.

Mr. Donegan commented your paying the lifeguards for two days work for the situation with the road but you are telling this guy listen we hired you but we can't pay you for three weeks because you can't do anything we can't train you because we couldn't make a decision tonight.

Mayor Hutnick commented he doesn't have an answer for you.

Mr. Donegan commented clearly the silence up here says the same there are no answers.

Mike Nardini 5 Ridge Court Ogdensburg commented when he noticed the agenda item he assumed this issue was coming back for those of you that don't know I was on Council four and a half years and commissioner of DPW for a year and a half. He believes it was last September he brought this up as an agenda item knowing that we had a firm date on a supervisor retiring. Mr. Struble right here knows the town inside and out; when you call they know the town well enough beyond how to repair a hydrant and explained. We had something on the table for him to be assistant supervisor he had done it for years he was told by a few people on the bench we could find somebody better and here you are eight months later into the new year knowing we have four months left of the supervisor retiring and not one thing was done to improve his situation of status and no hires. In an emergency case because the other guy quit out of frustration now your stuck with one guy and a new hire that can't do anything. It is embarrassing. He quit council because of this situation I knew there would be other issues and this is not part of my legacy to see this department go. If he is the only guy here and you have someone sitting in the office doing nothing that's money out of my pocket and that gets him mad. Mr. Nardini commented he wished more people would come to these meetings to hear this situation right now. Brendon is going to get a call from the board of Ed Astor is going to get a call down at the school. It's all going to come out why this is happening. For those of you that don't know that is why he stepped down.

Mayor Hutnick asked Jim Struble if he would like to speak.

Mr. Struble commented he doesn't think so, he doesn't understand it himself. He already acted as an assistant supervisor not through civil service but on his own good will when Chris was always off vacation or sick or whatever it maybe he took on that responsibility no matter what. He took over the responsibilities of emergency's in the past when our supervisor wasn't even here.

Mr. Nardini commented and you answered them quickly.

Mr. Struble commented I took care of the situation properly I guess that was never good enough in the past and not good enough now. I already did this job even though he didn't have the title he knows the town was hurting for money and still hurting for money he still did his job.

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Mr. Nardini commented he appreciated everything you did, you did a great job when there were issues you answered questions.

Councilman Nasisi commented he doesn't think you need to defend it he thinks your actions have spoken for themselves and thank you.

There being no further business from the public, Councilman DeMeo moved, Councilwoman Cowdrick 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 Demeo moved to review payment of voucher and departmental reports. Seconded by Councilman Alvarez.

Upon Roll call Vote:

Yeas: Alvarez, Cowdrick, DeMeo, Nasisi, Poyer

Nays: None Absent: None Abstain None

CURRENT

DATE	CHECK #	PAID TO	AMOUNT
8/22/202	2	32910 Action Data Services, Inc.	81.01
8/22/202	2	32911 Allied Oil	4,088.47
8/22/202	2	32912 Bassani Power Equipment, LLC	452.37
8/22/202	2	32913 Bullseye Calibration of NJ	270
8/22/202	2	32914 Campbell Supply Company of Sussex	500
8/22/202	2	32915 Candace Sutton	44.13
8/22/202	2	32916 Certified Speedometer Service, Inc.	176
8/22/202	2	32917 Complete Security Systems, Inc.	48.4
8/22/202	2	32918 Elizabethtown Gas	163.44
8/22/202	2	32919 Fred Yarosz Janitorial Services LLC	463
8/22/202	2	32920 Home Depot	27.96
8/22/202	2	32921 JCP&L	7,339.06
8/22/202	2	32922 Lakeland Auto Parts	173.47
8/22/202	2	32923 LINA	189
8/22/202	2	32924 Morris County Public Safety	500

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8/22/202	2	32925	My Corporate Hosting Solutions, LLC	232.5
8/22/202	2	32926	New Jersey Herald	13.35
8/22/202	2	32927	New Jersey Herald	13.35
8/22/202	2	32928	Ogdensburg Fire Department	600
8/22/202	2	32929	Robin Hough	130
8/22/202	2	32930	Schenck Price Smith & King LLP	14,900.24
8/22/202	2	32931	Verizon Wireless	121.91
8/22/202	2	32932	Wallkill Valley Regional H.S.	86,607.83
8/22/202	2	32933	Weldon Asphalt	9,164.30
8/22/202	2	32934	Witmer Public Safety Group, Inc.	1,169.59

				127,469.38
				=====
				127,469.38

WATER OP

DATE	CHEC K #	PAID TO	AMOUNT	
8/22/202	2	5225	AccentPDIR	642
8/22/202	2	5226	Agra Environmental Services	294
8/22/202	2	5227	Hank Sanders Inc	3,292.00
8/22/202	2	5228	Reliable Restoration Logistics	1,600.00
8/22/202	2	5229	Treasurer, State of New Jersey	720

				6,548.00
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				6,548.00

GENERAL CAPITAL

DATE	CHEC K #	PAID TO	AMOUNT	
8/22/202	2	1165	Van Cleef Engineering Assoc. LLC	384.5

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				384.5

PAYROLL

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DATE	CHEC K #	PAID TO	AMOUNT
8/22/202			
2	1160	AFLAC	540.64

			540.64
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			540.64

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

Meeting adjourned at 7:52p.m.

Robin Hough, Borough Clerk

George P. Hutnick, Mayor