

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL  
OF THE BOROUGH OF OGDENSBURG  
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM  
October 24, 2022**

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

Mayor Hutnick led the Pledge of Allegiance.

**ROLL CALL:** Cowdrick, DeMeo, Nasisi, Poyer, Mayor Hutnick

Absent: Alvarez

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.”

**PRESENTATION**

Mayor Hutnick explained we are going to open up the meeting with a presentation.

At this time Mr. Joseph Vuich, Engineer from Van Cleef Engineering on behalf of Mike Vreeland, Borough Engineer explained the NJDEP reassignment of the Borough from Tier B to Tier A. Mr. Vuich handed out packets to the Governing Body; a copy of a memo drafted in July on the Tier B reassignment to Tier A, as well as a copy of the notice the Borough received on July 1<sup>st</sup> that triggered all of this, checklist form for our submission of navigation to DEP which we have to satisfy by the end of the year and a timeline table provided by DEP as part of the current Tier A permit program.

Mr. Vuich commented the Tier A program is up for its annual five-year renewal. So, at the same time we are being asked to enter into a reassignment the State is also going to do a program to increase the burden not only on us by joining the group but also on the increase burdens of the next five years of the permit. With the Tier B reassignment, the State had been receiving pressure from EPA for last two permit cycles; we date this back to roughly 1999/2000 the EPA regulations and the development of our Municipal storm water regulating program the MS 4 program. In 2004 the initial permits were sent out and at that time there was Tier A and Tier B; 104 municipalities in the State were Tier B's including Ogdensburg. That generally speaking identified municipalities that don't have a census designated populist at a distinct center of town that is very densely populated in general a more spread out suburban to rural areas. For that reason, we see a high concentration of Tier B in Sussex, Warren and into Hunterton County and as you go down to the bottom of the State in South Jersey.

Mr. Vuich explained over the last ten-year EPA has been pushing for water quality improvements so you can see the trend in the State was increased sampling increased studies to identify exactly where the impairments are in the streams. What they came up with in the end is that at this time of reassignment coincided purposely with the new permits in 2023. They are going to remove the Tier B program they feel it is necessary to permit everybody under Tier A and on top of that change putting the responsibility of the water quality on all of the Municipalities in the State. They are also increasing regulatory compliance particularly in high cost measures like road sweeping, maintenance of basins and structures, inspection of those structures and certain requirements in the renewal Tier A permit to address known areas that need repair immediately or in a specific time table. So, for things that can't be done in house would have to be quickly done under an emergency; finding the funding and addressing them with a contractor under public bid or through solicitations.

Mr. Vuich commented effectively we are taking on two levels of permitting at once; we are increasing our roll into the Tier A program and then this whole other higher level of water quality prioritization from the State. Mr. Vuich explained his memo from July.

Mr. Vuich explained by the end of the year we have to decide to file either for a general permit in Tier A or an individual permit. A general permit using a four-page simple check list; a couple of

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL  
OF THE BOROUGH OF OGDENSBURG  
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM  
October 24, 2022**

quick tasks we have to go through by the end of the year. We make that filing and that is our acknowledgment that we are being absolved from the general Tier B into a general Tier A. The other option was an individual permit; the individual permit is a process that doesn't exist currently in the current MS 4 system. So, it was another avenue that the State gave that is an option that really doesn't have any structure or backbone. He looks at it as something that needs to happen as part of a preapplication meeting.

Mr. Vuich commented his overall recommendation for Tier B municipalities and particularly to us when we look at this today is we reach out to DEP and we ask for a preapplication meeting. We ask for a meeting that should be able to be scheduled just before Thanksgiving knowing the timing of their availability by the end of November they will also be issuing the final permit package for Tier A that had gone through public comment recently and there is indication they made some minor adjustments, definitions and perhaps some of the scheduling of what the requirements will be for both Tier A and what they call the new Tier A. Ultimately the structure of that permit is already pretty much set in stone and that will be effective as of January. The individual permit might be in place if the DEP is so inclined to allow us to negotiate specific concerns for our municipality not like some of the general concession under the minor adjustments to the draft. That would be specifically identifying our budget caps on certain things; what kind of services we have available to use through shared services, public works and overall our total inventory on what we would believe our costs would be that we need more time to be able to lay it out. That can also be given to us as a general permit A with some form of consent agreement between both parties to relax the standards of timing.

Mr. Vuich explained the assemblyman have secured a meeting with DEP at the college in the middle of the day; he will be in attendance anyone is welcome to attend but you will be covered he will be there on behalf of and other municipalities.

Mr. Vuich explained things that the Borough will need to get done. At first ordinances to be adopted, storm water pollution prevention planning to do, creating planning documents to have on record here for State agencies. They will be unavoidable and reasonable cost we can not ignore and neither can the State with terms of the effort we have to put in. So, early on we comply where we see we can, identify our pre-app meeting, what are concerns are and we try to use that as our own framework and explained. The four-page checklist we will have to address by the end of the year. He is looking to schedule our pre-app meeting mid-November. Then as we take action as a Governing Body to close the year we can go on record during our public session on how that meeting went, what our expectations are and are overall game plan on whether to submit a general or individual permit.

There was a discussion on the reassignment, water impairments and coliform. Council members and members of the public asked questions.

Brendan Donegan, 13 Ogden Way, asked questions pertaining to Wallkill River, stream flow, water temperature and it being a C-1 waterway.

Mayor Hutnick asked Mr. Vuich for an update on Predmore and road paving. Mr. Vuich explained Predmore is almost done; there was extra in the storm drain grant to do additional storm drains.

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

**CONSENT AGENDA**

1. Approval of regular meeting minutes from October 12, 2022.
2. Approval of Resolution 59-2022 Authorizing the State of New Jersey Office of Local Planning Services to prepare a Business District vision Plan; approving scope of services; appointing municipal contact; and establishing working committee in support thereof.
3. Approval of Resolution 60-2022 authorizing and approving shared services agreement between the Borough of Ogdensburg and the Township of Vernon for Animal Control Services for the calendar year 2023.

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL  
OF THE BOROUGH OF OGDENSBURG  
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM  
October 24, 2022**

4. Approval of Resolution 61-2022 authorizing a shared services agreement with the Borough of Sussex for Chief Financial Officer Services.
5. Accept for filing letter from Thomas Varro, Executive Director, Sussex County Municipal Utilities Authority Re: FY2023 Proposed Rate Schedule effective December 1, 2022.
6. Accept for filing Township of Green resolution 2022-61.

**Upon Roll call Vote:**

Yeas: Cowdrick, DeMeo (abstain #1), Nasisi, Poyer

Nays: None Absent: Alvarez Abstain None

**ADOPTION OF ORDINANCE 06-2022**

Councilman Nasisi made a motion to adopt ordinance 06-2022 entitled “BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE STORM DRAIN IMPROVEMENT PROJECT AT VARIOUS LOCATION IN, BY AND FOR THE BOROUGH OF OGDENSBURG, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$155,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, 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.”

**Prior to final roll call Mayor Hutnick will open the meeting to the public for any comments regarding Ordinance 06-2022.**

Seconded by Councilman DeMeo.

Mayor Hutnick opened the meeting to the public for any comments, questions or concerns on Ordinance 06-2022.

No one from the public had any comments.

Mayor Hutnick closed the meeting to the public for any comments, questions or concerns on Ordinance 06-2022.

**Upon Roll call Vote:**

Yeas: Cowdrick, DeMeo, Nasisi, Poyer

Nays: None Absent: Alvarez Abstain None

**ADOPTION OF ORDINANCE 07-2022**

Councilman Nasisi made a motion to adopt ordinance 07-2022 entitled “AN ORDINANCE OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX, STATE OF NEW JERSEY AUTHORIZING THE SALE OF A CERTAIN PROPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES, IDENTIFIED AS BLOCK 2, LOT 7; BLOCK 4, LOT 1; BLOCK 26.01, LOT 22; BLOCK 26.01, LOT 23; BLOCK 26.01, LOT 24; AND BLOCK 27, LOT 8 ON THE OFFICIAL TAX MAPS OF THE BOROUGH”.

**Prior to final roll call Mayor Hutnick will open the meeting to the public for any comments regarding Ordinance 07-2022.**

Seconded by Councilman DeMeo.

Mayor Hutnick commented last time the Block and lot had to be corrected is that correct.

Councilman Nasisi explained it was correct on the paper it was [read wrong]. It wasn't written wrong it was just stated wrong.

Mayor Hutnick opened to the public for any comments/questions on ordinance 07-2022.

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL  
OF THE BOROUGH OF OGDENSBURG  
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM  
October 24, 2022**

No one from the public stepped forward.

Mayor Hutnick closed the meeting to the public for any comments on Ordinance 07-2022

**Upon Roll call Vote:**

Yeas: Cowdrick, DeMeo, Nasisi, Poyer

Nays: None Absent: Alvarez Abstain None

**RESOLUTION 57-2022**

Councilman Nasisi made a motion to adopt resolution 57-2022 award of professional service agreement to Max Spann R.E. & Auction Co. as Auctioneer for the sale of certain real property no longer needed for public use. [agreement attached] Seconded by Councilman DeMeo.

**Upon Roll call Vote:**

Yeas: Cowdrick, DeMeo, Nasisi, Poyer

Nays: None Absent: Alvarez Abstain None

**OLD BUSINESS**

State Fire Marshal Notice of Violations – Councilman Nasisi commented as of this Wednesday if our contractor does not show we are going to see if guys [DPW] can do it. He was told [they would be installed] Wednesday.

Downstairs Bathroom – no update.

Borough owned properties sale – Councilman Nasisi commented is moving along with the ordinance and resolution.

DPW/Personnel – Mayor Hutnick commented the town is starting to show itself with what our new DPW is doing. People seem to be very pleased with the staff that is out there. They are out there constantly and they are out there early. Every morning they go out, they split up, check things out they come back and report to their supervisor who is back on staff. We are still actively interviewing for a replacement supervisor. Next year we will try to add one more labor to have a staff of four to be back to where we should be. These guys have fixed everything that is broken so far. Trucks lingering for repairs have been fixed, trees have been cut back there will be notice going out for a list of properties in town where we have to cut the trees back and explained. They have also been working on putting down blacktop.

Senior Citizen of the year – Mayor Hutnick explained still taking suggestions.

Predmore Road – Mayor Hutnick explained this is on the agenda until they say it is all done.

Mayor Hutnick commented going back to one of the ordinances on the catch basins; we came in under budget by a lot for the catch basin project that we did. Therefore, it was deemed that we can continue doing more. We are going out looking for more to repair.

Local Planning Grant – Mayor Hutnick

Ms. Hough explained that was on the consent agenda. Mayor Hutnick has to appoint a working committee.

Councilman Nasisi reminded the Council will need someone for Board of Health and Registrar. He didn't know if we have all the ads in place.

Ms. Hough explained she is working on a draft ad. Ms. Hough explained some of the positions we need for one person to do are competitive and some is not; she has to send an email to civil service.

Mr. McBriar commented it will be a complicated process.

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL  
OF THE BOROUGH OF OGDENSBURG  
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM  
October 24, 2022**

**NEW BUSINESS**

There was no new business.

**PUBLIC SESSION**

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

Brandon Donegan, 13 Ogden Way commented on the impact of water quality as a whole in the urban areas, towns with a water shed and tax ratable and explained.

There being no further business from the public, Councilman Nasisi 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 Nasisi made a motion for payment of voucher and review departmental report. Seconded by Councilman DeMeo.

**Upon Roll call Vote:**

Yeas: Cowdrick, DeMeo, Nasisi, Poyer

Nays: None Absent: Alvarez Abstain None

**CURRENT**

<b>DATE</b>	<b>CHECK #</b>	<b>PAID TO</b>	<b>AMOUNT</b>
10/24/2022	33031	Action Data Services, Inc.	82.58
10/24/2022	33032	BrightSpeed	782.76
10/24/2022	33033	Brightspeed	383.46
10/24/2022	33034	Brightspeed	253.78
10/24/2022	33035	Brightspeed	63.16
10/24/2022	33036	Brightspeed	59.63
10/24/2022	33037	Brightspeed	101.27
10/24/2022	33038	Brightspeed	54.16
10/24/2022	33039	Brightspeed	19.9
10/24/2022	33040	County Welding Supply Co.	219.96
10/24/2022	33041	Cowdrick, David	128
10/24/2022	33042	Davis, Stephen	128
10/24/2022	33043	Elizabethtown Gas	61.18
10/24/2022	33044	Finch Fuel Oil Co., Inc.	900.3
10/24/2022	33045	Geene, Christopher	192
10/24/2022	33046	General Code	2,260.16
10/24/2022	33047	Gordon, Stephen	192
10/24/2022	33048	Horizon BC/BS of NJ	2,144.32
10/24/2022	33049	JCP&L	2,373.35
10/24/2022	33050	LINA	202.5
10/24/2022	33051	Lumen Technologies Group	125.63
10/24/2022	33052	Montague Tool & Supply Co	83.47

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL  
OF THE BOROUGH OF OGDENSBURG  
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM  
October 24, 2022**

10/24/2022	33053	New Jersey Herald	428.97
10/24/2022	33054	NJ Advance Media	319.32
10/24/2022	33055	Richard Luthcke	192
10/24/2022	33056	Rileighs Outdoor Decor	1,731.96
10/24/2022	33057	Sanfilippo, Joseph	431.95
10/24/2022	33058	Staples Business Advantage	309.2
10/24/2022	33059	Wallkill Valley Regional H.S.	86,607.83
10/25/2022	33060	JPMonzo Municipal Consulting, LLC	50

-----  
100,882.80

=====

100,882.80

7/11/2022	32857	JPMonzo Municipal Consulting, LLC	-50.00 ** Voided checks issued in an earlier period
-----------	-------	-----------------------------------	---

=====

100,832.80

**WATER OP**

DATE	CHECK #	PAID TO	AMOUNT
10/24/2022	2	5242 Hank Sanders Inc	2,020.56
10/24/2022	2	5243 One Call Concepts, Inc.	18.59
10/24/2022	2	5244 Reliable Restoration Logistics	1,750.00
			-----
			3,789.15
			=====
			=
			3,789.15

PAYROLL

DATE	CHEC K #	PAID TO	AMOUNT
10/24/2022	2	1180 AFLAC	520.96
			-----
			520.96
			=====
			=
			520.96

Department finance reports were handed in for review.

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

Meeting adjourned at 7:45p.m.

\_\_\_\_\_  
Robin Hough, Borough Clerk

\_\_\_\_\_  
George P. Hutnick, Mayor

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL  
OF THE BOROUGH OF OGDENSBURG  
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM  
October 24, 2022**