

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL  
OF THE BOROUGH OF OGDENSBURG  
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM  
July 24, 2023**

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

Mayor Hutnick led the Pledge of Allegiance.

**ROLL CALL:** DeMeo, Poyer, Ruitenberg, Mayor Hutnick

Absent: Alvarez, Ciasullo, Cowdrick

Also, in attendance was Joseph Maddaloni, Esq. 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, 2023.”

Councilman Demeo moved Councilman Poyer seconded motion for approval of items on the consent agenda.

**CONSENT AGENDA**

1. Approval of regular meeting minutes from July 10, 2023.
2. Approval of special joint meeting minutes between Mayor and Council and the Land Use Board held July 17, 2023.
3. Accept for filing memo from Regina Flammer, Tax Collector to the Mayor and Council re: Extending the grace period for third quarter tax bill.
4. Accept for filing a statement dated July 14, 2023 from the New Jersey Department of Agriculture re: Municipal Regulation of Beekeeping activities is prohibited.
5. Accept for filing letter dated July 17, 2023 from George Ziton, Mayor of Montague Township Re: Delaware Water Gap National Area.
6. Accept for filing Governor Phil Murphy immediate release “Governor Murphy Signs Legislation Designating Franklinite as State Mineral”

**Upon Roll call Vote:**

Yeas: DeMeo (abstained #1 and #2), Poyer (abstained #2), Ruitenberg

Nays: None Absent: Alvarez, Ciasullo, Cowdrick Abstain None

**EXECUTIVE SESSION MINUTES**

Councilman DeMeo made a motion to approve the executive session minutes from July 10, 2023. Seconded by Councilman Poyer.

**Upon Roll call Vote:**

Yeas: Poyer, Ruitenberg

Nays: None Absent: Alvarez, Ciasullo, Cowdrick Abstain: DeMeo

**ADOPTION OF ORDINANCE 09-2023**

Councilman DeMeo made a motion A motion is in order to adopt Ordinance 09-2023 “AN ORDINANCE OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING CHAPTER 18 OF THE BOROUGH CODE ENTITLED “MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4), TIER A COMMUNITY-WIDE ORDINANCES” TO ADD NEW SECTION 18-7 ENTITLED “ILLICIT CONNECTION” Seconded by Councilman Poyer.

**Prior to final roll call, Mayor Hutnick opened the meeting to the public for any comments regarding ordinance 09-2023.**

Ken Fahrenfeld, 5 Thomas Place asked what the ordinance was about. Mr. Fahrenfeld asked what exactly was Illicit Outlet.

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Councilman Demeo read the definition from the ordinance.

Mayor Hutnick explained the new mandates from New Jersey DEP.

Steven Goff, 3 Marianne Terr. asked with all the rain recently if he was to have a sub pump in his basement and that discharges on his own property, his property goes downward and there are no drains there and it continues around the corner; [would that be allowed]

Mayor Hutnick explained not to get into this legally but in that situation, you are not purposely discharging your basement into a drain. You are pumping from your basement into your yard to get it out of your house.

**Prior to final roll call, Mayor Hutnick closed the meeting to the public for any comments regarding ordinance 09-2023.**

**Upon Roll call Vote:**

Yeas: DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez, Ciasullo, Cowdrick Abstain None

**ADOPTION OF ORDINANCE 10-2023**

Councilman DeMeo made a motion to adopt Ordinance 10-2023 “AN ORDINANCE OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AMENDING THE BOROUGH CODE TO ADD NEW SECTION 11-9 ENTITLED, “LEAD-BASED PAINT INSPECTIONS” REQUIRING INSPECTION OF CERTAIN RENTAL DWELLING FOR LEAD-BASED PAINT HAZARDS AS MANDATED BY P.L. 2021, C.182.

Seconded by Councilman Poyer.

**Prior to final roll call, Mayor Hutnick opened the meeting to the public for any comments regarding ordinance 10-2023.**

Mayor Hutnick explained ordinance 10-2023. This is mandated by the State and for the record, they don't know what they are doing; the reason he is saying this on the record is because he is one of the people that is supposed to do home inspection and he doesn't have a set of rules to follow.

There was a discussion back and forth with the Mayor and Ken Fahreneld in the public.

**Prior to final roll call, Mayor Hutnick closed the meeting to the public for any comments regarding ordinance 10-2023.**

**Upon Roll call Vote:**

Yeas: DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez, Ciasullo, Cowdrick Abstain None

**OLD BUSINESS**

Police Contract – Mayor Hutnick explained he believes it is being modified.

Mr. Marceau explained it is all set waiting for you and Councilman Alvarez blessing.

First Aid Squad – no update

Local Recreation Grant – Mayor Hutnick commented we signed off on the contract.

Mr. Marceau commented we are just waiting for scheduling.

Heaters Pond – no update

Peddler Permits – no update

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Borough Properties for possible Auction – Mayor Hutnick explained we need to go over the items and to make this a line item.

Ms. Hough asked do you want us to start the process like we did for the last auction.

Mayor Hutnick commented it can't hurt; we are done with the last round. It can't hurt to go through the list. We did very well with are last auction and now that money will get reallocated toward things we have to do in the town.

Local Planning Grant Presentation – Mayor Hutnick explained on July 17 we had a meeting at the school which was well attended by town representation meaning the Council, Land Use Board and a few members of the public. We spoke with Bob Tessier in regards to the work. We discussed what we have already accomplished in town, how to move forward with making improvements and finding ways to bring people to Ogdensburg.

Ken Fahrenfeld spoke and asked about the parking on Main Street; this has always been an issue.

Mayor Hutnick explained the issues with trying to make the two lots on Main Street a parking lot.

There was discussion back and for the between Mayor Hutnick and Mr. Fahrenfeld on having a parking lot and what would be required to get this down.

**NEW BUSINESS**

Park area on Main Street – Mayor Hutnick explained this was part of the discussion and the planning grant presentation.

Councilman Demeo commented he doesn't think we need another park.

There was a brief discussion on whether or not to make the two lots the Borough owns on Main Street a park or parking lot.

Facility Use Application – Mayor Hutnick explained there was a resident at the last meeting requesting to organize town events. Mayor Hutnick will be meeting with them on July 31 to discuss this matter.

**PUBLIC SESSION**

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

Steven Goff, 3 Marianne Terr. explained there has been no change with the property 20 Glen Brook.

Mayor Hutnick explained the zoning officer is looking into this and other properties in town with maintenance issues.

Ken Fahrenfeld, 5 Thomas Place explained a situation when his wife was walking in the neighborhood and asked the owner about the house and holes in the house.

Daniel Sotto, 37 Richardsville Road commented he is concerned with all this rain; his house his neighbors house they never clean easement properties. He doesn't know if it is the town.

Mayor Hutnick asked are you talking about the drainage area that is on the end of Willis Drive. The new housing development.

Mr. Sotto commented it is behind the gas station and there are a lot of mosquitos too.

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Mr. Faherenfeld explained what he understood about the area and the drainage problem; he doesn't know whether what he heard is true.

Mayor Hutnick explained this was looked into last year and the easement belongs to the property owners.

Councilman DeMeo commented it is not the towns property because we had somebody complained last year about that same drainage area and it turns out it is the property owners.

Mayor Hutnick commented the property does not belong to the Borough.

There was a discussion on the drainage for that area.

Mayor Hutnick commented he will look into this one more time but if we [the borough] doesn't own it there is nothing we can do about it. We can send notification to the property owners and say there is an easement and drainage there it is your responsibility.

Councilman DeMeo commented the easement should be on the deeds.

Mr. Maggioni explained if it isn't being maintained in a matter and is backing up the stormwater you might have the ability to take some action. Generally, if the property is privately owned you don't have any ability however if it is back up the stormwater of the surrounding properties we may have some leverage with the property owners to take some action.

James Lane 70 Passaic Ave. commented as you know I purchased the property on Edison Ave; to keep everyone up to speed he contacted his surveyor in order for them to get the meets and bounds description from the borough property to my property. The Borough property has to be surveyed it's going to cost about thirty-five thousand dollars. He isn't asking the borough to pay this but he isn't paying it either and explained how much he has put into this already. Mr. Lane also explained a survey found for the water tower and hopefully that will help with the meets and bounds description. Mr. Lane will keep the Council updates as to what the surveyors say.

There being no further business from the public, Councilman DeMeo moved, Councilman Poyer 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 made a motion to approve payment of voucher and review of departmental reports. Seconded by Councilman Poyer.

**Upon Roll call Vote:**

Yeas: DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez, Ciasullo, Cowdrick Abstain None

**CURRENT**

DATE	CHECK #	PAID TO	AMOUNT
7/24/202	3	33742 Action Data Services, Inc.	85.03
7/24/202	3	33743 Atlantic Communications	1,464.39
7/24/202	3	33744 Atlantic Tomorrows Office	205.59

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7/24/202	3	33745	BIS Digital, Inc.	1,045.00
7/24/202	3	33746	Blue Diamond Disposal, Inc.	21,000.00
7/24/202	3	33747	Brightspeed	19.9
7/24/202	3	33748	Brightspeed	54.38
7/24/202	3	33749	BrightSpeed	750.79
7/24/202	3	33750	Brightspeed	383.81
7/24/202	3	33751	Brightspeed	254.47
7/24/202	3	33752	Brightspeed	63.38
7/24/202	3	33753	Brightspeed	59.86
7/24/202	3	33754	Brightspeed	101.73
7/24/202	3	33755	Bullseye Calibration of NJ	100
7/24/202	3	33756	Davis, Stephen	345.97
7/24/202	3	33757	Horizon BC/BS of NJ	2,420.10
7/24/202	3	33758	JCP&L	1,799.00
7/24/202	3	33759	JCP&L	6.58
7/24/202	3	33760	JCP&L	466.84
7/24/202	3	33761	JIM DUKE	1,020.60
7/24/202	3	33762	Kuiken Brothers	89.63
7/24/202	3	33763	Michel Marceau	84
7/24/202	3	33764	MPH Industries, Inc.	2,099.00
7/24/202	3	33765	Municipal Capital	119
7/24/202	3	33766	Napa Auto Parts	90.39
7/24/202	3	33767	NJLM	115
7/24/202	3	33768	Noah's Ark Port-a-Jon	340
7/24/202	3	33769	Police & Firemen's Retirement Sys.	46.22
7/24/202	3	33770	Sussex County Board of Elections	314.81
7/24/202	3	33771	Sussex County Treasurer	1,086.80
7/24/202	3	33772	Sussex County Treasurer	274,127.92
7/24/202	3	33773	Sussex County Treasurer	19,890.07
7/24/202	3	33774	Wallkill Valley Regional H.S.	92,681.50

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7/24/202	3	33775	Weldon Asphalt	319.58
7/24/202	3	33776	Witmer Public Safety Group, Inc.	365.51
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				423,416.85
				=====
				423,416.85

WATER OP

DATE	CHEC K #	PAID TO	AMOUNT
7/24/202	3	5307	One Call Concepts, Inc.
			8.58
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			8.58
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			=
			8.58

PAYROLL

DATE	CHEC K #	PAID TO	AMOUNT
7/24/202	3	1240	AFLAC
			687.16
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			687.16
			=====
			=
			687.16

GRANT FUND

DATE	CHEC K #	PAID TO	AMOUNT
7/24/202	3	33777	New Jersey Herald
			423
			-----
			423
			=====
			=
			423

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

Meeting adjourned at 7:48p.m.

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Robin Hough, Borough Clerk

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George P. Hutnick, Mayor

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