

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
September 11, 2023**

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

Mayor Hutnick led the Pledge of Allegiance.

Mayor Hutnick asked everyone to remain standing for a moment of silence in remembrance of September 11.

ROLL CALL: Ciasullo, Cowdrick, Poyer, Ruitenberg, Mayor Hutnick

Absent: Alvarez, DeMeo

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, 2023.”

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

CONSENT AGENDA

1. Approval of regular meeting minutes from August 28, 2023.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, Poyer, Ruitenberg

Nays: None Absent: Alvarez, DeMeo Abstain None

EXECUTIVE SESSION MINUTES

Councilman Ciasullo made a motion to approve the executive session minutes from August 28, 2023. Seconded by Councilwoman Ruitenberg.

Upon Roll call Vote:

Yeas: Ciasullo, Poyer, Ruitenberg

Nays: None Absent: Alvarez, DeMeo Abstain Cowdrick

ADOPTION OF ORDINANCE 12-2023

Councilman Ciasullo made a motion to adopt Ordinance 12-2023 “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 18-9 ENTITLED “REFUSE CONTAINERS/DUMPSTERS”. Seconded by Councilman Poyer.

Prior to final roll call Mayor Hutnick opened the meeting to the public for any comments regarding Ordinance 12-2023.

No one from the public had any comments.

Mayor Hutnick closed the meeting to the public for any comments regarding Ordinance 12-2023.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, Poyer, Ruitenberg

Nays: None Absent: Alvarez, DeMeo Abstain None

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OLD BUSINESS

Police Contract – Mayor Hutnick commented he is happy to report it is settled he is waiting to receive a final copy they signed off on then it will come back to us for our final approval and signatures.

Local Recreation Grant – no update

Heaters Pond – Councilwoman Cowdrick explained she is working on getting quotes for treatment of the pond.

Peddler Permits – Councilman Ciasullo commented we can take this off the agenda.

Borough Properties for possible Auction and draft ordinance – Mayor Hutnick asked if there were anymore thoughts on this from last meeting.

Mr. McBriar commented he has one comment; the draft ordinance includes a number of parcels; a question was raised regarding several of those parcels due to discrepancies with the tax map, property record card and the actual deed recorded in the Sussex County Clerk's office. Those pertain to lots 25, 24, 23 and 22. Mr. McBriar commented he did contact the title company that we have been using for the auction properties and they advised they can do a title search to confirm or reconcile some of those discrepancies. The charge for each of those searches would be about four or five hundred dollars per property. It is his understanding from the prior meeting the Council might remove those from the draft ordinance and proceed with the remaining properties if that is the intent. The alternative is if you want to include these additional properties it may take a little bit more time. This is still in draft form; those were the only comments he had at this point.

Ms. Hough explained one additional property the Council removed at the last meeting which was by Interstate for possible redevelopment.

Mr. Marceau commented at this point you might want to talk to Maxspann about doing auctions in November; you might want to do the title searches and wait until spring.

Mayor Hutnick commented reach out to MaxSpann see what their opinion is.

There was a discussion on possibly getting all the information together and see if we should wait until spring.

Mr. McBriar explained we should get the title searches done on those properties soon rather than later so we know where we stand with them.

Mayor Hutnick commented to move forward with the title searches.

Local Planning Grant – no update

Facility Use Application – Councilwoman Cowdrick explained we are waiting on the decision regarding an event requested.

Mayor Hutnick commented let's bring it up for discussion right now.

Councilwoman Cowdrick explained we had a resident come to us, met with us to see [what the procedure would be to hold a town event]. She wants to have a concert in the park, the park is being used by the fire department so she requested the pond.

Councilman Ciasullo asked are they raising money at this event.

Mayor Hutnick explained the way it was approached she didn't know the process; she asked if the town would donate money to pay for a band. Mayor Hutnick explain if this is a town event it

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would be covered under our insurance; there is a possibility the funds could be covered through municipal alliance. The individual wants to help create town events.

There was a discussion on having a concert at the pond, where the funds would come from, and the possibly of funds coming out of the Ogdensburg Day line item.

Mr. McBriar asked if there is anything in writing.

Mayor Hutnick commented the only thing was he said the event would be presented to Council and explained they would be volunteers and organize the event.

Mr. McBriar commented he thinks the Council has approved a concept plan for similar types of things; it may be appropriate at another meeting depending on when the date is to approve at least a concept plan on having a public event up there and contributing somewhere between three hundred and fifty towards the event.

Councilman Ciasullo suggested getting a layout of the day; see if we need to get the police involved. Get all the details on paper.

Mayor Hutnick asked should we do a motion now or after.

Mr. McBriar commented to obtain additional information and we will reconsider it formally next meeting with additional information. Those details would include a time, time the band plays and the anticipated number of people.

Mr. Marceau explained to check with the Chief regarding traffic and the possibility of police overtime.

Plan for lead line replacement report – Councilman Poyer explained what he does know for the lead line replacement is it is up to the home owner to pay for service from the box to the house. What we have to do is go through and identify where these lead lines are that is up to the town. He hasn't figured out how to do this and is looking into it.

Mayor Hutnick asked Councilman Poyer do you need assistance on this.

Councilman Poyer commented probably yes.

Mayor Hutnick asked if there were any volunteers to work with Councilman Poyer on the lead line project.

Mr. McBriar commented it is important because there are deadlines; he would probably recommend that a meeting be held with the water operator, maybe someone from DPW, Councilman Poyer as water liaison; he knows that other municipalities have dealt with this they have gone through the inventory phase. The Borough needs to as soon as possible create a plan, file a plan with DEP and provide updated inventory. Part of the inventory practice we have seen is questioners, on line survey to assist the municipality, all things things need to be reviewed and delegate who is doing what.

Ms. Hough explained what other towns have done; what Hamburg has done with a survey.

Mr. McBriar commented he will forward a facts and question sheet from the DEP that does a really good job of outlining what the responsibilities are the time frames are and answers questions pertaining to that. There has to be a meeting to identify what the action items are; who is going to be doing what and explained action items that should be addressed.

There was a discussion on a survey, has the borough done anything on this, doing a mailing on this, a survey and possible funding.

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Mass notification system – Councilman Ciasullo explained we are at a point where we are going to use it; the problem is we have to build a data base; options are to get notification from the town via text, voice mail or email. All three will be working soon; right now, two of them are working. There are approximately 100 residents on there. We put it in the newsletter in bold letters; now is the time to opt in. Councilman Ciasullo commented to keep this on the agenda for the next meeting for an update.

Basketball courts/park – Mayor Hutnick commented he has not received an update on the lining yet and explained.

Grant Writers – No update

Hiring of Police Officers – Councilman Ciasullo commented we have this on there until we hire someone we are working on the process.

Ms. Hough commented at the last meeting after executive session we took a vote to advertise for a police officer and explained the form for an intergovernmental transfer for police officer. This form has to be filed with civil service but an ad in the newspaper isn't necessary.

Councilwoman Ruitenberg asked your question is does the Council want to do just this [the form].

Mr. McBriar commented it would be appropriate to authorize the clerk to submit to civil service the appointing authority position vacancy request as subject to any comments appropriated by the Chief of Police.

Councilwoman Ruitenberg made that motion. Seconded by Councilman Ciasullo.

Upon Roll call Vote:

Yeas: Ciasullo, Poyer, Ruitenberg

Nays: None Absent: Alvarez, DeMeo Abstain: Cowdrick

Draft Ordinance Pond Badges –

Mr. McBriar commented it is his understanding this was presented for discussion at the last meeting. There was a recommendation from the police department to perhaps clarify a requirement that swimmers utilizing Heaters Pond have and display a badge that is required to swim there. We looked at the appropriate sections; drafted a proposal but as with any amendment to an ordinance we see if it effects other provisions or if it is just an opportunity to update other provisions. So, the swimming regulation area when we look at that we usually also look at the fee ordinance which is in the administrative section. In there it indicates there is a badge required for swimming, fishing and picnicking; we thought it may be appropriate to consider that language. Again, this was just a draft, a recommendation to Robin therefore it is now before the Council.

Councilman Ciasullo commented absolutely swimming and use of the water, kayaking and fishing. His opinion not for the park, walking or having a sandwich [up there]. He fully understands swimming.

There was a discussion on the draft ordinance, what is in the existing ordinance, leave out picnicking in chapter two, badges would apply to swimming and fishing not the occasional lunch break having a sandwich, and the issue was to add the need to show their badge when asked but a lifeguard or police officer.

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Mr. McBriar explained the proposed ordinance is a current and valid badge issued by the Borough is required during the summer season and shall be worn and visible while swimming in the swimming area.

Mayor Hutnick asked what about now [not swim season] for fishing.

Mr. McBriar commented you are now going in a direction including additional language for fishing; if you want there to be proposed specific language for fishing we can add that this was specific for swimming and the swimming area.

Mayor Hutnick asked can we change the language to boating, kayaking, fishing, swimming.

Mr. McBriar commented there is language that is used throughout; swimming area is a defined term there are other things that are defined. Understanding what he thinks the desire is to regulate or clarify the badge requirement for both swimming and fishing. He can see where it is appropriate to include perhaps a sentence in there regarding fishing. We can continue to work on this; so, you can see what is currently proposed and what currently exists.

Councilman Ciasullo asked is there any concern that the badge they have isn't there's.

Mr. McBriar commented to that point he put in that section badges are non-transferable.

Councilwoman Ruitenberg commented how would you know; if they are not number or anything how would you even know.

There was a discussion on numbering badges.

Councilman Ciasullo asked Mr. McBriar we will continue to work on this?

Mr. McBriar commented yes, this isn't on for intro there is no ordinance committee so this is the proper time to discuss proposed legislation.

NEW BUSINESS

School Crossing Guard – Mayor Hutnick commented he is sad to report that Marty has retired. The ad will be going out. The ad was discussed; the sentence position will be open to filled will be add to the ad.

Newsletter – Mayor Hutnick asked if there were any comments on the newsletter in their packets.

DPW Personnel – Mayor Hutnick explained we have a resignation so we will be looking for a replacement. We will begin the process for a replacement; a suggestion was brought up to put an ad for an assistant supervisor. We will repost the same thing we have done. If anyone wishes to see Civil Service material regarding the different positions he has a copy.

There was a discussion on the hiring a labor 1, assistant supervisor, requirements, a possible shared service and placing an ad for two different positions,

Mr. McBriar commented it would be appropriate to authorize the Municipal Clerk to advertise for the position Assistant Supervisor which is title code 06651 with civil Service anything else you want to ad.

Councilman Ciasullo commented he would make the motion for what Mr. McBriar just said.

Ms. Hough explained the civil service process for assistant supervisor.

Councilwoman Ruitenberg suggested do we advertise two different salaries.

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Mr. McBriar commented there is a salary range in the salary ordinance.

Ms. Hough asked we have a labor 1 leaving and your motion is to advertise for an assistant supervisor.

Mr. McBriar commented we will check with our contact with civil service there are a couple of layers here. It sounds like a possible consensus for doing an ad for both he would just like to follow up on that and maintain flexibility.

Mr. McBriar commented there wasn't a second motion.

Mr. McBriar commented maybe the motion should be amended to authorize the Clerk to advertise for a labor 1 and/or assistant supervisor as appropriate pending confirmation from civil service on the requirements.

Councilman Poyer asked how will this effect our payroll and budget?

Mr. Marceau commented it isn't going to be good.

Mayor Hutnick explained what has been happening since the supervisor is out. We do need a supervisor down there.

Councilman Ciasullo explained he thought it would be good to go out for both [positions] and see what we get and hopefully we get applications for both and we can make a decision.

There was a discussion on DPW and how many employees there are now.

Mayor Hutnick commented we are not looking at hiring two positions what we are doing is looking to see what is out there if we don't get a [response] on a supervisor we would have to start the process all over again. If we put out both at the same time we may have a list and opportunity for both. We are trying to save time.

Motion was seconded by Councilman Poyer.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, Poyer, Ruitenberg

Nays: None Absent: Alvarez, DeMeo Abstain None

Mayor Hutnick commented the dump truck is out from repairs.

Mayor Hutnick commented currently we have several drains that were recently repaired it turns out the pipes are clogged; they must have been the whole time but we didn't know because the drains were falling apart. Today he went to North Clark Street, the two new drains that were put in when the paving was put in around the drain it is causing a drainage issue; Mayor Hutnick explained the issue with the drainage on North Clark Street and on Washington Ave. He heard a neighboring town might have the equipment to clean out the drains; he will check on that to see if we can borough the equipment. If not, we will have to go back to the contractor to see if they have the equipment.

PUBLIC SESSION

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

James Lane, 70 Passaic Ave. commented he is here to present the metes and bounds description for the easement on Edison Road.

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Mayor Hutnick explained he received call from the resident Sean Eve he said he met you; Sean Eve had a question regarding the pins that were put in the ground.

Mr. Lame commented first he [Sean Eve] doesn't have a survey; he asked him if he had one because it would have made the metes and bounds much easier [for his surveyor]. Unfortunately, he didn't have anything, so the survey company did their due diligence and explained what the survey company did. There are no pins being laid out in his property at all.

Mayor Hutnick commented that was his concern those pins were being marked for your property were actually his property.

Mr. Lame commented his survey company is very good; they came back on Friday and they made sure they weren't encroaching on his property what so ever.

Mayor Hutnick commented this isn't a town issue.

Mr. McBriar commented this is the metes and bounds that describes the property.

Mr. Lame commented it describes the easement.

Mr. McBriar asked did they plot this on a survey.

Mr. Lame commented yes, they are in the process of getting the actual survey.

Mr. McBriar asked Mr. Lame if they could send him the survey or a copy through you. Send me the survey and we can have the Borough Engineer review it so it doesn't impact the water tower area up there and we will see where we can go from there.

Mr. Lame asked what would the next step be after the engineer approves it. Mr. McBriar commented it would be up to the Council to approve.

Mr. McBriar commented send me the survey and we will figure the next steps from there.

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

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, Poyer, Ruitenberg

Nays: None Absent: Alvarez, DeMeo Abstain None

CURRENT

DATE	CHECK #	PAID TO	AMOUNT
9/11/202	3	33910 Action Data Services, Inc.	82.34

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9/11/202	3	33911	Bassani Power Equipment, LLC	215.09
9/11/202	3	33912	Blue Diamond Disposal, Inc.	21,000.00
9/11/202	3	33913	Bullseye Calibration of NJ	145
9/11/202	3	33914	Complete Security Systems, Inc.	29.2
9/11/202	3	33915	Dave's Towne Service	1,057.00
9/11/202	3	33916	Fire Fighter One LLC	1,306.52
9/11/202	3	33917	Fred Yarosz Janitorial Services LLC	463
9/11/202	3	33918	Home Depot	96.86
9/11/202	3	33919	Jacob Brush	45.73
9/11/202	3	33920	JCP&L	1,960.55
9/11/202	3	33921	LINA	216
9/11/202	3	33922	Michel Marceau	17.05
9/11/202	3	33923	Napa Auto Parts	96.48
9/11/202	3	33924	Noah's Ark Port-a-Jon	170
9/11/202	3	33925	Ogdensburg Board of Education	228,970.67
9/11/202	3	33926	Quadient Leasing USA, Inc.	411.3
9/11/202	3	33927	SmartSafety Software, Inc.	254
9/11/202	3	33928	Smith Tractor & Equipment, Inc.	5,988.18
9/11/202	3	33929	Smith, Ken	822.61
9/11/202	3	33930	Staples Business Advantage	66.59
9/11/202	3	33931	Van Cleef Engineering Assoc. LLC	732.75
9/11/202	3	33932	Varcadipane Jr, William J.	1,930.50
9/11/202	3	33933	Verizon Wireless	128.56

				266,205.98
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				266,205.98

GENERAL CAPITAL

DATE	CHEC K #	PAID TO	AMOUNT	
9/11/202	3	1189	Van Cleef Engineering Assoc. LLC	2,076.50

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2,076.50
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2,076.50

WATER OPERATING

DATE	CHEC K #	PAID TO	AMOUNT
9/11/202			
3	5316	Reliable Restoration Logistics	1,684.00

			1,684.00
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			1,684.00

GRANT FUND

DATE	CHEC K	PAID TO	AMOUNT
9/11/202			
3	33934	Van Cleef engineering Assoc. LLC	69.5

			69.5
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			69.5

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

Meeting adjourned at 8:22p.m.

Robin Hough, Borough Clerk

George P. Hutnick, Mayor