

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL  
OF THE BOROUGH OF OGDENSBURG  
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM  
September 25, 2023**

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

Mayor Hutnick led the Pledge of Allegiance.

**ROLL CALL:** Alvarez, Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg, Mayo 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, 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 September 11, 2023.
2. Accept for filing letter dated September 18, 2023 from George Harper Mayor of Sandyston Township.

**Upon Roll call Vote:**

Yeas: Alvarez, Ciasullo, Cowdrick, DeMeo (abstain #1), Poyer, Ruitenberg

Nays: None Absent: None Abstain None

**INTRODUCTION OF ORDINANCE 13-2023**

Councilman Ciasullo made a motion to introduce an Ordinance 13-2023 entitled “BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF STREETScape IMPROVEMENTS ON PLANT STREET (PHASE II) IN, BY AND FOR THE BOROUGH OF OGDENSBURG, IN THE COUNTY OF SUSSEX, NEW JERSEY, TO APPROPRIATE THE SUM OF \$195,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, 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.”

Seconded by Councilman DeMeo.

**Public hearing will be held October 11, 2023.**

**Upon Roll call Vote:**

Yeas: Alvarez, Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: None Abstain None

**INTRODUCTION OF ORDINANCE 14-2023**

Councilman Ciasullo made a motion to introduce an Ordinance 14-2023 entitled “BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF IMPROVEMENTS TO FIREMEN’S PARK IN, BY AND FOR THE BOROUGH OF OGDENSBURG, IN THE COUNTY OF SUSSEX, NEW JERSEY, TO APPROPRIATE THE SUM OF \$90,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, 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.”

Seconded by Councilman DeMeo.

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**Public hearing will be held October 11, 2023.**

**Upon Roll call Vote:**

Yeas: Alvarez, Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: None Abstain None

**OLD BUSINESS**

Police Contract – Mayor Hutnick commented we need to go into executive for a few minutes.

Heaters Pond – Councilwoman Cowdrick explained the calls she made regarding getting treatment of the pond. Mayor Hutnick suggested calling Hopatcong to see who they use and to call Stockholm.

Borough Properties for possible Auction and draft ordinance – Mayor Hutnick asked if there was any more discussion on the auction of properties.

Mr. McBriar commented just a brief update Robin had reached out to MaxSpan who did the last auction for the Borough. They are recommending with the time constraints and season that we prepare for possibly doing this in the early Spring. By way of preparing ordinances and resolutions that are similar to what we did before and work with that in the respected time frame.

Local Planning Grant – Mayor Hutnick asked if we heard anything. Ms. Hough explained she did email them and they are working on a report to send us soon.

Facility Use Application – Councilwoman Cowdrick explained this was a request by a resident; we tabled this at the last meeting to get a flyer with all the information [for a concert at the pond] which would be up at the lake on October 21; time was adjust from 4:00 to 7:00pm due to lighting. Come out with the family enjoy a night of music, bring a blanket or chair, snack and enjoy. Alcohol is prohibited. Mile 39 band will be performing we just need approval of the \$375 for the band. We will be sending the flyer out via Facebook and website.

Suzann Brush resident who made this request and is helping the Borough organize the event will start sharing the flyer once it is approved.

**Councilman DeMeo made a motion to approve the event and the expenditure of three hundred and seventy-five dollars for the band. Seconded by Councilman Ciasullo.**

**Upon Roll call Vote:**

Yeas: Alvarez, Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: None Abstain None

Plan for lead line replacement report – Councilman Poyer commented he doesn't have anything right now. Councilman Poyer asked Councilman Ciasullo if he had any update.

Councilman Ciasullo commented after the last meeting we put together a subcommittee to try to see if we could get this going and completed. Councilman Poyer, Councilwoman Ruitenberg and Councilman Ciasullo met we each took on a piece of this.

Councilman Ciasullo commented he spoke with Trenton the next day just to make sure we were not in a predicament with being fined or anything for not having all the reports in. They assured him we don't and he assured them we would have the reports in. Since then he has looked at the reports, we are going to have to get all the reports in at least once which are all due; we don't have to get as much done as we thought on the first go around but we will get everything into Trenton and get notifications out to the resident as to what exactly we are doing. That will probably be soon and we will do a separate mailing for that. At that point we will get the reports in once and they are all due yearly; some of them will change as we get more stuff done other ones may not change. Once we get them in the first time he doesn't think it is going to be a lot

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of work to keep the reports going in a timely fashion. There is going to be a lot of work to get the scope of what we may need or not need done. The three of us will work on this and with DPW they will be involved too. Councilwoman Ruitenberg has looked into setting up some kind of survey.

Councilwoman Ruitenberg commented she is working on that right now.

Councilman Ciasullo commented there will probably be a survey going out to residents either paper form or a link on line; other towns have done it so we can follow what they did and explained what the survey would be based on. One thing he didn't realize galvanized pipes are part of this and down the road there could be some funding.

Mass notification system – Councilman Ciasullo commented we talked about this last meeting; it is up and running everything is working. There was a resident that did have trouble getting on there. Ms. Hough explained she was trying to help them.

Councilman Ciasullo commented we haven't used it yet; we did run a couple of tests and it worked. We don't have a lot of people on it yet; you can go on the website it is on the first page you can sign up for it you can choose phone, email or text messages. It was also in the newsletter that just went out.

Basketball courts/park – Mayor Hutnick commented he just got word from the engineer he is supposed to meet with him and the lining company this week. We can get that set up. Also, we started working on the playground area. That area is all pulled apart; DPW has removed all that grass. The issue we ran into is that the company that has been providing us with mulch will not be able to provide us with certified clean playground mulch they only have regular mulch. He did find a local company in town Jimenez Landscaping; he can get us the mulch he sent in a quote today if you want to make a decision. Mayor Hutnick commented for 80 yards of mulch if his team does it they will bring the mulch in, put it out, take care of it they said you need 8 inches of mulch which is required by the State. That quote is \$4,400.00 for them to go get it and take care of the whole thing for us. If we do it they would get the mulch, dump it and we would have to put the mulch in and that was \$1,800.00; but consider we have a shortage of DPW staff.

There was a discussion on having volunteers spread the mulch, the area still needs to be worked on and if there were any funds in the grant to cover it.

Mark Bonaparte, 23 Bettino Drive, leader of the local Scout troop. Mr. Bonaparte commented his son need an Eagle project, if you get the mulch he can do the project and spread the mulch for you. All his son has to do is submit his Eagle Scout project and that can be approved in about two weeks.

Mayor Hutnick asked if any Council members had any comments on which way to go reminding them we our down staff.

Councilwoman Cowdrick asked about the Company spreading the mulch; this is a big job.

Councilman DeMeo commented he thinks 80 yards of mulch is a lot to ask of kids to spread.

There was a discussion on having this be a Eagle Scout project.

**Councilman Ciasullo made a motion to allow up to forty-five hundred dollars to spend on the mulch project for the playground and the option of using the Eagle Scout as a project and volunteers or the company that gave us the proposal to do the whole job to be decided by Councilwoman Cowdrick. Seconded by Councilwoman Cowdrick.**

**Upon Roll call Vote:**

Yeas: Alvarez, Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: None Abstain None

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Grant Writers – Councilman DeMeo explained this is still being worked on.

Hiring of Police Officers – Councilman Ciasullo explained we have this on the agenda until we see where we are at; the Chief is working on this. The ad has been placed for the intergovernmental transfer and the responses go to the Chief.

Draft Ordinance Pond Badges –

Mr. McBriar commented the last couple of meeting there have been some recommendation to update the parks and recreation and fee ordinance. A suggestion was made; in your packet are some proposed changes limited to presenting badges for both swimming activities and fishing. Also, to clarify the enforcement provision for that chapter. If there are any questions let him or Robin know otherwise he can put this in ordinance form for introduction at the next meeting.

School Crossing Guard – Mayor Hutnick commented Marty has retired; the ad went out for a school crossing guard.

DPW Personnel – Mayor Hutnick commented one person has resigned and we now have an opening. One it could be offered as a labor 1 position or finding an assistant supervisor and explained why we need an assistant supervisor.

Ms. Hough explained there was an ad placed for a Labor 1; the assistant supervisor is different she had to check with Civil Service to see if there was an open competitive list and there is not. So, we can do one of two things; we can advertise and if we do that person would be hired provisionally and they have to understand they would have to apply again once it triggers and open competitive announcement and there could be a possibility they don't get job or we can go right to the open competitive announcement. Ms. Hough questioned if we go with open competitive do we have to hire someone.

Councilwoman Ruitenberg commented yes off of the list.

Ms. Hough explained if we run the ad and we don't hire anyone or no one response no one will be added into CAMP's.

Councilwoman Ruitenberg commented if we don't hire anyone correct. You can also have both of them out there; but through Civil Service if you have this vacancy they put it on their website we also can have it posted doesn't mean we have to hire. They can be applying from that list too as extra advertisement.

Ms. Hough commented once we complete the form for open competitive announcement then that will trigger a list, right?

Councilwoman Ruitenberg commented it will trigger a test.

Ms. Hough explained the test isn't necessarily a written test it can be based on experience, qualifications.

Councilwoman Ruitenberg commented correct.

Ms. Hough commented then you have to hire from the list. Councilwoman Ruitenberg commented correct.

Mayor Hutnick commented we have to decide which way we want to go.

Councilwoman Ruitenberg commented if we put it out there for the open competitive list through Civil Service we can do that and we can still promote that advertisement from there. We can't

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except the application here it has to go through Civil Service once we do that. We can't advertise for it again once there is a list created.

Ms. Hough explained that is why first she checked to see if there was a list and there is no list.

Councilwoman Ruitenberg explained once we put that through Civil Service and people apply and there is more than three people make a list if we wanted to hire now or a year from now we would have to go off that list. Councilwoman Ruitenberg commented you can put it out there as just our posting [advertisement] but you have to make sure whoever you are going to look at for that position has all of those Civil Service requirements that they are going to pass the test/exam when it comes up. Or do you wait and have Civil Service do it. Going through Civil Service is not a fast process.

Mayor Hutnick commented let's hire ourselves. Councilwoman Ruitenberg commented the flip side to that is if we do it ourselves and we hire someone when that exam time comes we have to be sure they [can pass].

There was a discussion on which process to proceed with, hiring a labor will be easier to hire and the labor I ad is already out there,

Ms. Hough read the email from the Civil Service representative explaining the process.

Mr. McBriar commented you can memorialize this by way of a motion to authorize the Municipal Clerk to advertise for the position with the understanding that the provisional appointment may or may not be made.

**Councilman DeMeo commented so move. Seconded by Councilman Ciasullo.**

**Ms. Hough commented you want her to advertise for the position provisional appointment of Assistant Supervisor.**

**Upon Roll call Vote:**

Yeas: Alvarez, Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: None Abstain None

Councilwoman Cowdrick explained a quote from Nikke Geene for shirts.

Mayor Hutnick commented a request came in from the guys [at DPW] for winter gear and shirts.

Councilwoman Cowdrick commented she has a 12-piece minimum so she would to with long sleeve shirts, T-shirts, and a sweat shirt. We can get green but we can get bright orange and would say Ogdensburg DPW with their name on the other side. Councilwoman Cowdrick explained the cost which is by size.

Mr. McBriar explained to get an exact cost and put on the next agenda for an action item. We need to see the proposal in writing.

Councilman Ciasullo commented one more thing under old business; the people that were here regarding the house on Glenbrook any update on that.

Mayor Hutnick commented the owner is waiting for a court appearance; he has been issued summons.

Councilwoman Ruitenberg commented she does have something; the basketball courts and the park; can we insure that is roped off. It was brought to her attention on Sunday that is wasn't she went up there and took care of it.

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Mayor Hutnick explained there are barrels up there. Councilwoman Ruitenberg commented there was no ropes around the area. Councilwoman Ruitenberg explain the condition of the railroad ties at the park they have been running the machine over. There are nails in that and asked if that could be addressed too.

**NEW BUSINESS**

Tree issues – Mayor Hutnick explained there are two properties in town where trees are on Borough property and if they come down they would damage the home owner’s property. One is confirmed on the Borough property the other he is working on. Mayor Hutnick explained the quotes he received for the removal of the trees. One property has four trees that need to come down. It would be twenty-four hundred dollars to remove the four trees and all of the wood or two thousand dollars to drop the trees and leave them there. If it is confirmed for the other property it is eight hundred dollars to bring the tree down.

Water Bills – Mayor Hutnick commented the water bills were mailed out and they were lost in the mail. Mayor Hutnick commented he went to the Franklin Post office and spoke to the post master there are other towns where the mail has disappeared. The mail goes to Teterboro to be sorted and then it is sent back up; but the cards and bills are disappearing. They are not being delivered they are labeled not being delivered and being returned to us. There is nothing the Borough can do about this. It is not the staff’s fault.

Storm Drain Cleaning – Mayor Hutnick explained we had storm drains replaced all around town; North Clark seems to be the problem now. The drains that were not part of the repairs are actually clogged. We also have a drain on Washington that is also clogged. Mayor Hutnick commented he has a quote from the engineering company to have them come; they charge forty-eight hundred dollars a day to do as many drains as they can. He did call around to other towns to ask them how they handle it. He was told that is a good price and they outsource theirs as well. One of our neighboring towns has some equipment but it is not designed for the storm drain so they also hire a company to do this.

Mayor Hutnick asked for a motion not to exceed the expenditure of five thousand dollars.

Mr. McBriar asked what is the anticipated schedule for this.

Mayor Hutnick commented as soon as he gives them the go ahead they can put us on their list.

Mr. McBriar asked is this something we can put on the agenda for the next meeting.

Mayor Hutnick commented our next meeting is October 11 which is a Wednesday. Either way these drains need to be cleaned.

Mr. McBriar commented we can have this on the agenda for October 11.

Mayor Hutnick commented they are here for a day and will clean as many as then can but it depends on the condition of North Clark. They can spend all day there an not get to Washington or they can get those two done and get to maybe three or four more. A storm drain cleaning hasn’t been done in a long time.

There was a discussion on the drains.

Scouts Clean Up event – Mayor Hutnick asked Ms. Hough to explain.

Ms. Hough explained one of the requirements for Tier A is to get a total of 12 points and the Borough can get three points to organize a clean up for the Scouts. She emailed Mr. Bonaparte to see if the Scouts would be interested and asked Mr. Bonaparte what day they would be looking at.

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Mr. Bonaparte commented they are looking at Sunday, October 1<sup>st</sup> from 9:00am to noon.

Mayor Hutnick commented you will need garbage bags and gloves.

Mr. McBriar asked if they need a written resolution for this. Ms. Hough explained one of the things the planner said is once the clean up day is done we can recognize them with a resolution. Mayor Hutnick asked Mr. Bonaparte if this counts as the Scouts community service.

Mr. Bonaparte commented yes everyone that comes will get community service.

DPW Assistant Supervisor – This was already discussed.

Willis Ave Parking – Councilwoman Cowdrick commented way back when we had brought up possibly changing the ordinance for Willis Ave by the squad house for parking either on one side or no parking up to a certain point up to Main Street and explained it difficult to pull out onto Main Street with cars parked there. She has asked them to move the cars but they ignore it.

Mr. McBriar commented he would have to pull the ordinance he isn't familiar with what the regulations are.

There was a discussion on the parking on Willis Ave., and start with a no parking sign. If that doesn't work change the ordinance.

**PUBLIC SESSION**

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

Earl Hornyak, 80 Plant Street, Ogdensburg thanked the Mayor and Council for everything they do; it is a lot of time and as a resident of the town he does appreciate all the effort. Mr. Hornyak commented most of you know former Chief Duke passed away recently; he was obviously a staple/legend in the town, he was an important part of this town. Mr. Hornyak read a message he received from a former Ogdensburg resident that lives in another State now; asking with the passing of former Chief Duke how about declaring November 3<sup>rd</sup> as Jim Duke Day in Ogdensburg. That was his birthday. Nothing crazy, for this year naming November 3<sup>rd</sup> former Chief Jim Duke Day in Ogdensburg maybe a proclamation we can present to his children here one day. He was very important in the town.

Mayor Hutnick commented he is fine with it.

Jim Lame 70 Passaic Ave. commented he wanted to see where we are with the easement.

Mr. McBriar asked do you have a survey. Mr. Lame asked they didn't email you one. Mr. McBriar commented no, he didn't get the survey he spoke to your attorney and he gave him a template easement there are two other easements along [there] we are looking at them to make sure they are consistent. We need the survey.

Mr. Lame commented he has the survey he sent it to him today but unfortunately it is incorrect; he had it a Robert Lame. His question is once you have the survey; what is the next step. Does the engineer have to go out there?

Mr. McBriar commented he understands that and for months we've been asking for the survey and metes and bounds description. You provided the metes and bounds description we do not yet have a survey. It is difficult for the Council to appreciate the proposed easement looking at just the metes and bounds. Once we have a survey the engineer will review it and then we will put together a proposed form of easement agreement that will allow ingress and egress similar to what has been to other property owners in that area. Then it will be up to this Council to approve it.

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Mr. Lame asked so if I provide the survey prior to the next meeting will that speed up the process.

Mr. McBriar commented the sooner you get us the survey the faster the process will go. It is a recordable document there is a transfer of property interest which will need to be recorded at the County Clerk's office but the sooner we get the survey which is a requirement the faster this Council can consider it.

Mr. Lame asked do I have the easement emailed to you.

Mr. McBriar commented to either Robin or me. If you get it to Robin at least he can get it from Robin.

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

**EXECUTIVE SESSION**

Mayor Hutnick commented we need to go into executive session for contract negotiations

Mr. McBriar commented we need a motion to go into executive to discuss contract negotiations.

Councilman DeMeo moved, Councilman Ciasullo seconded motion to adopt the following resolution.

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L., 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg, County of Sussex, State of New Jersey, as follows;

Police Contract Negotiations

**Upon Roll call Vote:**

Yeas: Alvarez, Ciasullo, DeMeo, Poyer, Ruitenberg

Nays: None Absent: None Abstain: Cowdrick recused herself

**Councilwoman Cowdrick recused herself in full from the entire executive session and left the meeting.**

At 8:14pm the Mayor and Council went into executive session.

At 8:18pm the Mayor and Council returned from executive session.

**PAYMENT OF VOUCHERS**

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

**Upon Roll call Vote:**

Yeas: Alvarez, Ciasullo, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Cowdrick Abstain: None

**CURRENT**

<b>DATE</b>	<b>CHECK #</b>	<b>PAID TO</b>	<b>AMOUNT</b>
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9/25/202	3	33936	Action Data Services, Inc.	78.69
9/25/202	3	33937	Brightspeed	19.9
9/25/202	3	33938	Brightspeed	54.38
9/25/202	3	33939	BrightSpeed	750.14
9/25/202	3	33940	Brightspeed	384.92
9/25/202	3	33941	Brightspeed	254.32
9/25/202	3	33942	Brightspeed	63.38
9/25/202	3	33943	Brightspeed	59.81
9/25/202	3	33944	Brightspeed	101.63
9/25/202	3	33945	Davis, Stephen	629.03
9/25/202	3	33946	Elizabethtown Gas	37.35
9/25/202	3	33947	Elizabethtown Gas	36.79
9/25/202	3	33948	Elizabethtown Gas	38.35
9/25/202	3	33949	Elizabethtown Gas	192.67
9/25/202	3	33950	Horizon BC/BS of NJ	2,420.10
9/25/202	3	33951	JCP&L	113.61
9/25/202	3	33952	JCP&L	1,454.32
9/25/202	3	33953	JCP&L	186.33
9/25/202	3	33954	JCP&L	667.06
9/25/202	3	33955	JCP&L	39.31
9/25/202	3	33956	JCP&L	2,867.77
9/25/202	3	33957	Lumen Technologies Group	125.62
9/25/202	3	33958	Michel Marceau	84
9/25/202	3	33959	Municipal Capital	119
9/25/202	3	33960	Nielsen Ford, Inc.	72.87
9/25/202	3	33961	NJ League of Municipalities	160
9/25/202	3	33962	Noah's Ark Port-a-Jon	170
9/25/202	3	33963	Petro-Mechanics, Inc	350
9/25/202	3	33964	Robin Hough	155

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9/25/202	3	33965	Staples Business Advantage	16.05
9/25/202	3	33966	Verizon Business	113.7
9/25/202	3	33967	Walkkill Valley Regional H.S.	92,681.50
9/25/202	3	33968	Weldon Asphalt	826.39
				-----
				105,323.99
				=====
				=
				105,323.99

WATER OPERATING

DATE	CHEC K #	PAID TO	AMOUNT
9/25/202	3	5317 Hank Sanders Inc	3,332.00
9/25/202	3	5318 One Call Concepts, Inc.	8.58
			-----
			3,340.58
			=====
			=
			3,340.58

UNEMPLOYMENT TRUST

DATE	CHEC K #	PAID TO	AMOUNT
9/25/202	3	126 State of NJ Division of Employer Accounts	1,083.75
			-----
			1,083.75
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			=
			1,083.75

PAYROLL

DATE	CHEC K #	PAID TO	AMOUNT
9/25/202	3	1261 AFLAC	687.16
			-----
			687.16
			=====
			=
			687.16

GRANT FUND

DATE	CHEC K #	PAID TO	AMOUNT
9/15/202	3	33935 US Postal Service	195

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9/25/202		3	33969	New Jersey Herald	135.42
9/25/202		3	33970	Staples Business Advantage	118.57
					-----
					448.99
					=====
					=
					448.99

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

Meeting adjourned at 8:19p.m.

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Robin Hough, Borough Clerk

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