

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

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

Mayor Hutnick led the Pledge of Allegiance.

**ROLL CALL:** Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg, 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, 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 25, 2023.
2. Approval of Resolution 68-2023 to redeem a third-party tax sale certificate #2022-014, to Pro Cap 8 Firsttrust Bank, P.O. Box 774, Fort Washington, PA 19034 for 38 Bridge Street, Block 24 Lot 15 in the amount of \$19,096.07.
3. Approval of Resolution 69-2023 to redeem a third-party tax sale certificate #2022-016 to Pro Cap 8 FBO Firsttrust Bank, P.O. Box 774, Fort Washington, PA 19034 in the amount of \$17,785.90.
4. Approval of Resolution 70-2023 approving the Chief of Police recommendation for a curfew on October 28, 29, 30 and 31, 2023.
5. Accept for filing letter dated September 14, 2023 from Christina Marks, Clerk/Confidential Aide to Sussex County Board of County Commissioners Ordinance Re: Ordinance amending the previously established regulations governing road opening and access permits issued by the division of engineering for work within the Sussex County Rights of Way and work impacting transportation infrastructure owned or maintained by the County.
6. Accept for filing Hardyston Township Ordinance 2023-13.
7. Accept for filing letter dated September 21, 2023 from George P. Harper, Jr. Mayor of Sandyston Township.
8. Accept for filing letter dated September 27, 2023 from Sussex County Municipal Utilities Authority Re: FY2024 Proposed Rate Schedule Effective December 1, 2023.
9. Accept for filing letter dated September 29, 2023 to George P. Hutnick, Mayor Re: Equalized valuation determination.
10. Accept for filing letter dated September 29, 2023 from Michael Cerra, Executive Director of NJ State League of Municipalities Re: Notice of Proposed Membership Dues.
11. Accept for filing letter dated September 29, 2023 from Diane Gutierrez-Scaccetti, Commissioner of NJ Department of Transportation Re: NJDOT Fiscal Year 2024 Local Freight Impact Fund.

**Upon Roll call Vote:**

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

**EXECUTIVE SESSION MINUTES**

Councilman DeMeo made a motion to adopt executive session minutes from September 25, 2023. Seconded by Councilman Ciasullo.

**Upon Roll call Vote:**

Yeas: Ciasullo, DeMeo, Poyer, Ruitenberg

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Nays: None Absent: Alvarez Abstain: Cowdrick

**APPROVAL OF RESOLUTION 67-2023**

Councilman DeMeo made a motion to adopt resolution 67-2023 approving the contract with Ogdensburg Unit – Patrolmen’s Benevolent Association Local #404 for 2023 to 2026. Seconded by Councilman Ciasullo.

**Upon Roll call Vote:**

Yeas: Ciasullo, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain: Cowdrick

**ADOPTION OF ORDINANCE 13-2023**

Councilman DeMeo made a motion to adopt 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 Poyer.

**Prior to final roll call, Mayor Hutnick opened the meeting for any comments regarding ordinance 13-2023.**

There were no comments from the public.

**Prior to final roll call, Mayor Hutnick closed the meeting for any comments regarding ordinance 13-2023.**

**Upon Roll call Vote:**

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

**ADOPTION OF ORDINANCE 14-2023**

Councilman DeMeo made a motion to adopt 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 Councilwoman Cowdrick.

**Prior to final roll call, Mayor Hutnick opened the meeting for any comments regarding ordinance 14-2023.**

There were no comments from the public.

**Prior to final roll call, Mayor Hutnick closed the meeting for any comments regarding ordinance 14-2023.**

**Upon Roll call Vote:**

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

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Mayor Hutnick explained we are going to change the order [of the agenda]. We are going to switch the order of public session.

**PUBLIC SESSION**

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

Ralph Bonard, representing Sterling Hill Haunted Mine, requested the presence of police, fire and DPW for October 20 and 21 of this year. Also, the light tower.

Councilwoman Cowdrick commented the ambulance is on board already.

Mayor Hutnick asked what are the hours. Mr. Bonard commented 5:00pm to probably 10:15pm or so.

Mr. McBriar commented it would be appropriate for formulize that by way of resolution; for two days October 20 and 21, 2023 from the hours of 5:00pm to 10:15pm.

Mayor Hutnick explained the resolution is for allowing assistance from police and fire to help with Ogdensburg School fund raiser at the Haunted Mink.

Councilman DeMeo made the motion. Seconded by Councilman Ciasullo.

**Upon Roll call Vote:**

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

Mayor Hutnick commented the Scouts have done a lot of work in town for two big projects one was a clean up project of town property the fireman field.

Mark Bonaparte troop leader stepped forward with one of the Scout members whom explained they cleaned up the park and the road leading up to the school.

Mayor Hutnick read the proclamation and presented it to the Scout Troop 1150 representatives present.

Mayor Hutnick explained a scout project that was complete regarding spreading the mulch of the playground area.

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.

**OLD BUSINESS**

Police Contract – Mayor Hutnick commented this can be removed.

Heaters Pond – Councilwoman Cowdrick commented she still doesn't have any updates [regarding the pond cleaning]. This can be removed and added back on at a later date.

Borough Properties for possible Auction and draft ordinance – Mayor Hutnick commented are there any updates from this. We are holding off until spring.

Local Planning Grant – Ms. Hough explained Bob Tessier is working with Joe Vuich, Land Use Board Planner on a memo regarding redevelopment and Mr. Tessier is working on the report [for Main Street].

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Mayor Hutnick asked should we leave this on here or wait until we get something. Ms. Hough suggested to wait until we get something that is up to you. Mayor Hutnick commented take this off the agenda.

Facility Use Application – Councilman Cowdrick commented we don't need this on the agenda anymore.

Plan for lead line replacement report – Councilman Poyer explained he has been going through filling out the paper work the best he can; it is almost [complete] he is going to reach out to a couple more people to see if we can get some of the questions answered. We are definitely making headway with that. Councilman Poyer explained Councilwoman Ruitenberg has been working on the survey that should be up and running within the next few weeks.

Councilwoman Ruitenberg commented we have to coordinate with the letter we are going to send out and the survey can have a QR code that we can put in the letter; people can actually do their survey from their phones and also take the picture they are going to required to do. This should be helpful for about maybe seventy-five percent of the town. We need to figure out how to [help] the other twenty-five percent that don't have a google email account and explained possible options.

Councilman Ciasullo commented the survey isn't mandatory but it will be helpful and explained other options to obtain this information.

Mass notification system – Councilman Ciasullo commented this can be removed from the agenda.

Basketball courts/park – Mayor Hutnick commented he met with the engineer and the line painting company we still haven't received a quote which he has asked for. More importantly he met with a local resident that lives in town who is an expert on pickleball; she came out and looked at the courts. Originally, we were going to do one basketball court, one tennis court and one pickleball court; pickleball is smaller then tennis you can put a pickleball court inside a tennis court. So, his suggestion is we put up one basketball court, two tennis courts and put the pickleball courts inside the tennis courts. His understanding is that once word gets out more people will want pickleball. That's the plan if everyone agrees with it.

Councilwoman Ruitenberg commented it is a good idea.

Councilman DeMeo asked wasn't the lining included in the bid spec? When we awarded the contract, it included the lining. So, why are we waiting for a quote from the lining company. Councilman DeMeo asked Mr. McBriar to check the contract to see if there was a delivery date.

Mayor Hutnick commented remember the asphalt was done early.

Grant Writers – Councilman DeMeo explained he is working with Mr. McBriar on the specs to get quotes.

Hiring of Police Officers – Councilman Ciasullo asked if there were any updates.

Mayor Hutnick commented it is his understanding the Chief received a few applications for intergovernmental transfers; he is reviewing them now.

Councilman Ciasullo asked are we looking at doing something sooner or later.

Mayor Hutnick explained we are trying to get this done to get some people on this year.

Councilman Ciasullo commented you might want to talk to the Chief again on what his thought process is we need to know what we are waiting for.

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There was a discussion on intergovernmental transfer, the list, the certified list has to be coded and sent back to civil service on October 27, 2023.

Ms. Hough explained by the next meeting the Council has to make a decision because she has to send the coded certified list signed by the appointing authority to Civil Service by October 27. We might have to give a reason why we didn't hire from this certified list. On October 16 is the last date to take applications for the intergovernmental transfer.

Councilman DeMeo commented we don't have to hire. We can just say we didn't hire because we decided not to hire.

Ms. Hough explained you can also say we decided to go with an intergovernmental transfer because that puts them on the road right away.

Councilman Ciasullo asked with the intergovernmental transfer the last day for applications is when.

Ms. Hough commented October 16.

Councilman Ciasullo asked Mr. McBriar do we have to wait until the end.

Mr. McBriar commented the point is on October 23 a clear decision as to whether to hire from the intergovernmental transfer or to not do that but go with the other list that has to be coded on October 27.

Councilman Ciasullo asked are you going to have the Chief here on October 23?

Mayor Hutnick commented he would like to get this done.

There was a discussion on what has to be done after the intergovernmental transfer.

Patrolman Dave Cowdrick explained what would most likely have to get done; they are already PTC certified and coming from a civil service agency.

Ms. Hough explained a intergovernmental process of paper work that would have to get done between the two towns.

Draft Ordinance Pond Badges –

Councilman Ciasullo referred to the ordinance 6-1.8 questioning hunting and trapping prohibited on Borough properties. That has been changed. His question is when was that changed.

Councilman DeMeo commented it wasn't changed the last time [this chapter was redone].

There was a discussion on hunting on borough property, to look through old ordinances to see if we can find out if it was always in there. The ordinance for parks and recreations was redone in 2021.

School Crossing Guard - no update

DPW Personnel – Mayor Hutnick commented leave this on the agenda but remove the DPW Assistant supervisor leave it all under DPW personnel.

Tree issues –

Mr. McBriar commented today he prepared a release that will allow Borough access across private property to conduct a tree removal. If there is anymore information he needs to know him know otherwise he will provide the documents in the morning.

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Water Bills – Mayor Hutnick commented we can take this off the agenda. Mayor Hutnick explained residents are still receiving their bills in the mail or they are calling for the amount they owe.

There was a brief discussion on the late fees and the issue is with the post office.

Storm Drain Cleaning – Mayor Hutnick explained a quote for the storm drain cleaning. The area for cleaning is Washington and North Clark Street. Being short DPW employees [its tough] they are doing the best they can.

There was a discussion on Wilson area in need of storm drain cleaning and the storm drain grant funds we received. Mike Marceau explained the engineer would have to amend the grant if you are changing the storm drains that we listed in the grant.

Scouts Clean Up event – Mayor Hutnick commented this can come off the agenda.

DPW Assistant Supervisor – This item can be removed

Willis Ave Parking – Mayor Hutnick explained we have signs for no parking say from here to curb. It doesn't require an ordinance; what we need to get from the police is what is the appropriate distance to measure from 517 down. There was a discussion on the distance being 50 feet. We can send notices out to the property owner.

Mr. McBriar commented his quick research [on his phone] indicates that the permissible distance a person can park from a stop sign is 25 feet except when the intersection is located in a school zone which in that case the appropriate feet is 50 feet. Mr. McBriar commented he will look into this in greater detail.

**NEW BUSINESS**

Property Maintenance draft ordinance from Land Use Board – Mayor Hutnick commented we have had this before us a few times and haven't done anything with it. The Land Use Board is asking if we are going to look into this. This is part of what they are doing with the zoning ordinances; that are out dated.

Mr. McBriar commented it isn't on the agenda for formal action or introduction our next meeting is October 23 and explained. Mr. McBriar commented if anyone has any comments or recommendations to email Robin.

**EXECUTIVE SESSION**

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

**Upon Roll call Vote:**

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain: None

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

Matters falling within the attorney-client privilege; easement request.

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

At 7:57pm the Mayor and Council went into executive session.

At 8:44pm the Mayor and Council returned from executive session.

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Councilman Poyer asked if we could go back to new business; he explained he met at the Historical Society Building they need a new hot water heater it will be around four hundred dollars and explained getting the water heater installed. Mayor Hutnick commented we need a licensed plumber.

There was a brief discussion on repairs at the Historical Society Building.

**PAYMENT OF VOUCHERS**

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

**Upon Roll call Vote:**

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenber

Nays: None Absent: Alvarez Abstain: None

**CURRENT**

<b>DATE</b>	<b>CHECK #</b>	<b>PAID TO</b>	<b>AMOUNT</b>
10/11/202	3	33971 145 Media	500
10/11/202	3	33972 Action Data Services, Inc.	81.57
10/11/202	3	33973 Allied Oil	2,133.14
10/11/202	3	33974 Blue Diamond Disposal, Inc.	21,000.00
10/11/202	3	33975 Brightspeed	50.67
10/11/202	3	33976 Brightspeed	56.38
10/11/202	3	33977 Bullseye Calibration of NJ	145
10/11/202	3	33978 Complete Security Systems, Inc.	29.2
10/11/202	3	33979 Draeger, Inc.	224.65
10/11/202	3	33980 Fred Yarosz Janitorial Services LLC	570
10/11/202	3	33981 Genserve, LLC	225
10/11/202	3	33982 Gordon, Stephen	504
10/11/202	3	33983 JCP&L	1,828.99
10/11/202	3	33984 JCP&L	4,191.85
10/11/202	3	33985 JCP&L	2,592.36
10/11/202	3	33986 LINA	202.5
10/11/202	3	33987 Lumen Technologies Group	125.62
10/11/202	3	33988 Magloclen	400
10/11/202	3	33989 Michel Marceau	181.3

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10/11/202	3	33990	Municipal Capital	119
10/11/202	3	33991	New Jersey Herald	44.16
10/11/202	3	33992	NJ League of Municipalities	210
10/11/202	3	33993	Noah's Ark Port-a-Jon	170
10/11/202	3	33994	Ogdensburg Board of Education	228,970.67
10/11/202	3	33995	Redshaw's Flower Shop	137
10/11/202	3	33996	Redshaw's Flower Shop	137
10/11/202	3	33997	Sanfilippo, Joseph	178.95
10/11/202	3	33998	Schenck Price Smith & King LLP	3,946.15
10/11/202	3	33999	Treasurer, State of NJ	125
10/11/202	3	34000	UNITED ROTARY BRUSH	818.02
10/11/202	3	34001	Van Cleef Engineering Assoc. LLC	347.5
10/11/202	3	34002	Verizon Business	220.98
10/11/202	3	34003	Verizon Wireless	121.83
				-----
				270,588.49
				=====
				270,588.49

ADMIN TRUST

DATE	CHEC K #	PAID TO	AMOUNT
10/11/202	3	2199 Pro Cap 8 FBO FirstTrust Bank	17,785.90
10/11/202	3	2200 Pro Cap 8 FBO FirstTrust Bank	19,096.07
			-----
			36,881.97
			=====
			=
			36,881.97

GENERAL CAPITAL

DATE	CHEC K #	PAID TO	AMOUNT
10/11/202	3	1190 Van Cleef Engineering Assoc. LLC	5,658.50
			-----
			5,658.50
			=====
			=
			5,658.50



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GRANT FUND

DATE	CHEC K #	PAID TO	AMOUNT
10/11/202			
3	34004	Agra Environmental Services	500
10/11/202			
3	34005	Van Cleef Engineering Assoc. LLC	2,163.50
			-----
			2,663.50
			=====
			=
			2,663.50

DOG FUND

DATE	CHEC K #	PAID TO	AMOUNT
10/11/202			
3	305	FRA Technologies, Inc.	675
10/11/202			
3	306	NJ Dept of Health & Senior Service	6
10/11/202			
3	307	Veterinary Center of Hardyston	510
			-----
			1,191.00
			=====
			=
			1,191.00

WATER OPERATING

DATE	CHEC K #	PAID TO	AMOUNT
10/11/202			
3	5319	Agra Environmental Services	75
10/11/202			
3	5320	One Call Concepts, Inc.	10.01
10/11/202			
3	5321	State of New Jersey-PWT	213.1
			-----
			298.11
			=====
			=
			298.11

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

Meeting adjourned at 8:46p.m.

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

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

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