

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
January 22, 2024**

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, 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 3, 2024.”

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

CONSENT AGENDA

1. Approval of regular meeting minutes from January 8, 2024.
2. Approval of Resolution 18-2024 authorizing the appointment of School Traffic Guard for the Borough of Ogdensburg, Police Department to April Kunz-Oleksy.
3. Accept for filing letter dated January 10, 2024 received January 18, 2024 from NJDEP Re Notice of Non-Compliance – Failure to Submit Service Line documentation

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

Resolution 18-2024

WHEREAS, the Borough of Ogdensburg (“Borough”) has an immediate need to appoint a School Traffic Guard to assist children in crossing the roadway at designated intersections leading to and from the Ogdensburg Elementary School at the start and end of each school day, Monday through Friday during the school year; and

WHEREAS, the position of “School Traffic Guard” is described as Title Code 03125 by the New Jersey Civil Service Commission (“NJCS”) and is considered an unclassified service/position and therefore exempt from merit system status; and

WHEREAS, the appointee for this position shall work under the supervision and direction of the Ogdensburg Chief of Police; and

WHEREAS, after receiving and reviewing applications from interested persons, the Chief of Police recommends that the Borough appoint April Kunz-Oleksy as the Ogdensburg School Traffic Guard; and

WHEREAS, April Kunz-Oleksy shall be paid an hourly rate of \$20.00 per hour for up to three (3) hours of work per day, for a total maximum daily rate of \$60.00 per day; and

WHEREAS, April Kunz – Oleksy shall begin employment on January 23, 2024.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ogdensburg, County of Sussex, and State of New Jersey, that April Kunz-Oleksy is hereby appointed to the position of School Traffic Guard for the Borough of Ogdensburg effective January 23, 2024, at an hourly rate of \$20.00 per hour for up to three (3) hours of work per day, for a total maximum daily rate of \$60.00 per day.

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RESOLUTION 17-2024

Councilman DeMeo made a motion to approve resolution 17-2024 authorizing the award of Fair and Open Contract for Professional Services for Water Treatment Plant Operator. (Resolution 17-2024 was tabled at the January 8, 2024 meeting. Seconded by Councilman Ciasullo.

Mayor Hutnick asked if everyone had a chance to look over it. Councilman Ciasullo asked if there was any change from last meeting to now. Mayor Hutnick commented no.

Councilwoman Ruitenberg commented so he is going up 20%.

Mayor Hutnick explained no on else bid on it [submitted an RFP].

Councilman Ciasullo asked is this the same as the old contract.

Mayor Hutnick commented we are basically at the same spot we were at the last meeting.

Councilman DeMeo commented he had one question; he noticed this week was the submissions of reports; he doesn't see in the contract where the water operator is required to fill them out. He thinks that should be in there; if he is running the system he should be filling out the forms. He wants that added to the contract.

Mr. McBriar commented he thought the solicitation had reference to compliance with reports as required by law; he will review it.

Councilman DeMeo commented his concern is the guy running the system should be filling out those forms that should be part of his responsibilities.

Mr. McBriar commented any amendments you want to incorporate he will be happy to add; an approval can be subject to those amendments. It is a good point the person in charge obviously should be the one for editing the compliance reporting required by law.

Councilman Poyer asked how much time do we have.

Mr. McBriar commented he doesn't know if there are any deadlines.

Mr. McBriar asked is there any other comments on the proposed form of contract.

Councilman DeMeo commented that is the only one he had.

Mr. McBriar commented if the Council so chooses it can adopt the resolution subject to the contract being amended per the recommendation of the Borough attorney; he will add the appropriate language to clarify that. Perhaps it is appropriate to make that broad base that the approval is contingent on the final review and recommended changes by Borough Counsel and he will work with Councilman DeMeo and Robin to get that out.

Councilman Poyer asked if there was any way to do this on a month by month basis?

Mr. McBriar commented for this type of position he doesn't believe that has been done given the nature of the work. There are different Tier reporting requirements having an institutional memory of what is going on in a day to day basis with the water operations.

Councilman DeMeo explained he doesn't have a problem with the contract but does want that reporting requirement part [of the language].

Ms. Hough asked if that included the lead line reports.

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The council discussed tabling the resolution.

Rob Lawler arrived to the meeting at 7:12pm.

Councilman DeMeo explained to Mr. Lawler we were going over your original contract and we have a question about the reports. The forms/reports you have to submit you do some of them already; the lead line reports, you would understand it a lot better than we do. Is that something we can work out?

Mr. Lawler commented the problem would be the lead line because there are multiple aspects of it; the main aspect is the Plan. Mr. Lawler commented he can't fill the plan out that is what you guys have to do. You need to decide how many you are going to do a year; where you are going to get the funding. He can't do that. The basic stuff the lead where they are he can get areas where he thinks they are but he can't determine where they are.

Councilman Ciasullo explained he thinks they are once a year; some of those reports maybe the exact same reports. Councilman Ciasullo commented whatever we need you to do as far as your end to fill them out we just want to make sure. According to this [his proposed contract] it says the Borough will be responsible. Anything that pertains to the system we would want you to do. We will do our end; you file your stuff. Maybe last year we weren't clear on it. We submitted it for last year we just don't want any issues.

Mr. McBriar commented he will add that to the contract and work with Robin to make sure we are in agreement with the final language.

Councilman DeMeo asked if the motion was ok the way it is.

Mr. McBriar commented yes, he thinks the motion was approve subject to the recommended amendments and any other such recommendation by the Borough Counsel.

Councilman DeMeo commented so move. Councilman Ciasullo seconded the motion.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

Resolution 17-2024

WHEREAS, there exists a need for engagement of various professional services for the Borough of Ogdensburg; and

WHEREAS, the borough engaged in a procurement process pursuant to the NJ Local Public Contracts Law, N.J.S.A. 40A:11-1 et, seq. including publication and evaluations of responses to Requests for Proposals as more specifically set forth at N.J.S.A. 40A11-4.4; and

WHEREAS, the anticipated term of the following contracts are set forth below; and

WHEREAS, the following individuals and firms have submitted a proposal indicating they will provide the professional services described below for the stated price said proposal; and

WHEREAS, the Chief Financial Officer of the borough of Ogdensburg certifies that the appropriations specified within this resolution have been provided for within the Municipal Budget and/or proceeding capital ordinances; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Ogdensburg, authorizes the Mayor to enter into a contract with the following individuals and firms as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and Determination of Value for the following individuals and firms be placed on file with this resolution, and

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BE IT FURTHER RESOLVED, that the following individuals and firms are awarded a contract for providing the professional services for the Borough of Ogdensburg, as indicated:

Reliable Restoration Logistics LLC is awarded an appointment as Water Treatment Plant Operator for the Borough of Ogdensburg for the year 2024 dated January 1, 2024 with an annual fee of \$24,000.00 for additional services the labor rate is \$75.00 per hour 7:00am to 5:00pm, Saturday, Sunday and Holiday rate is \$115.00 per hour.

BE IT FURTHER RESOLVED, a notice of the action shall be published at least once in the New Jersey Herald.

CERTIFICATION OF FUNDS: I, Michel Marceau, Chief Financial Officer does hereby certify that the appropriations specified within foregoing resolution have been provided for within the Municipal Budget and/or proceeding capital ordinance.

Michel Marceau, CFO

INTRODUCTION OF ORDINANCE 01-2024

Councilman Ciasullo made a motion to introduce an ordinance 01-2024 entitled “AN ORDINANCE OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES, IDENTIFIED AS BLOCK 28 LOT 4.03; BLOCK 21 LOT 15; BLOCK 21, LOT 16; BLOCK 21, LOT 17, BLOCK 21 LOT 18; BLOCK 21 LOT 19 AND BLOCK 21 LOT 20 OF THE OFFICAL TAX MAPS OF THE BOROUGH. Seconded by Councilman DeMeo.

Public hearing will be held February 12, 2024.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg
Nays: None Absent: Alvarez Abstain None

INTRODUCTION OF ORDINANCE 02-2024

Councilwoman Ruitenberg made a motion to introduce an ordinance 02-2024 entitled “AN ORDINANCE OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING CHAPTER 10 OF THE BOROUGH CODE ENTITLED “PERSONAL POLICES” TO ADD NEW SECTION 10.2 ENTITLED “ANTI-NEPOTISM POLICY”. Seconded by Councilman DeMeo.

Public hearing will be held February 12, 2024.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg
Nays: None Absent: Alvarez Abstain None

INTRODUCTION OF ORDINANCE 03-2024

Councilman DeMeo made a motion to introduce an ordinance 03-2024 entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING CHPATERS 2 AND 6 OF THE CODE OF THE BOROUGH OF OGDENSBURG ENTITLED “ADMINISTRATION AND PARKS AND RECREATION AREAS” RESPECTIVELY. Seconded by Councilman Ciasullo.

Public hearing will be held February 12, 2024.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg
Nays: None Absent: Alvarez Abstain None

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OLD BUSINESS

Plan for lead line replacement report – Councilman Poyer commented as of last week we are no longer in compliance; he will get that paper updated and get that sent out as soon as possible. He believes we have around sixty people that have taken a picture and updated the survey we created.

Councilman Ciasullo asked does that come in email to Robin first? Is it automatically on the calendar of when we have to do the reports.

Ms. Hough explained she does not receive any notification. The notification that was on the consent agenda was mailed to Rob [Lawler] to his personal address which she doesn't understand because it should be coming to the Borough.

Councilman Ciasullo explained he thought there were dates we have to submit the reports. What we are talking about tonight is the one that is due.

Councilman Poyer commented it is his understanding they give you everything up front and then you send in the same forms so we are probably going to have to take the old forms we sent in and write on there no current update and send it back to the State.

Mayor Hutnick commented he thinks what Councilman Ciasullo is saying to write on a calendar when the reports are due so we know in advance.

There was a discussion on the report, dates the reports are due, create the calendar and put on the agenda before they are do, the violations being mailed to Rob Lawler, changing correspondence to the Borough's address, the violation notifications and putting together a calendar with dates the reports are due.

Hiring of Police Officers – Councilman Ciasullo asked if the nepotism policy was the first step [toward an alternate route ordinance].
Mr. McBriar explained it is a prerequisite.

Grant Writers – Councilman DeMeo explained he would like to set up interviews with the office that submitted [their proposals]. He has questions on how they determine rates. If someone else wants to sit on them with me.

Budget – Mr. Marceau explained he gave the Council budget sheets, let him know if there were any department heads you would like to show up [to the budget meetings].

Councilwoman Ruitenberg asked if the departments have put in their request of what they would like.

Mr. Marceau commented the vast majority have.

Councilman Ciasullo asked do we need to meet before the next meeting?

Mr. Marceau commented we have until the end of March beginning of April to introduce. We are missing a lot of information from the State. We can get as much done between now and when we hear from them.

Councilwoman Ruitenberg asked if they could go back to number 2. Hiring of police officers. We need an update of what we want to do and the Chief is not here. It is her understanding we called for another list and we need an update. Ms. Hough gave an update on the responses from the list.

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First Aid Squad Building – Mr. McBriar, Esq. explained he spoke to the title company that was doing the title review. They have approved the form of deed, legal description, the affidavit of consideration, and certification redemption. All those are approved she also indicated based on her review she didn't believe that separate title insurance would be required. At a prior meeting you authorized up to a certain sum. That is a cost saving for the Borough. He anticipates by the next meeting he will have some sort of resolution just to document the acceptance of the property by way of reverter clause in the deed and we will be able to conclude it at that time.

Ms. Hough asked if she should have Alan Arduini representing the First Aid Squad attend the meeting.

Mr. McBriar commented sure you can and we can get signatures.

Heaters Pond Dam and Storms and Pond water level – Councilman Ciasullo commented we talked about the Dam water levels at the last meeting but he would like to elaborate on this a little more. After the last meeting the next day or two we had rain; the water in the Dam went over the spillway. Councilman Ciasullo commented unless somebody else knows the procedure he thinks we need to have our DPW supervisor to show up and talk to us about what he uses to decide how many boards are pulled out of the Dam whether it be winter, summer, snow on the ground; obviously it didn't work out last time. Councilman Ciasullo explained water goes over the spillway at that time we have lost control of the water going over the Dam. We can easily lose a roadway, guardrail, telephone poles we have lost stuff before and it really all depends on the water going over the top of the spillway. Last storm they had three boards out in the winter with a forecast of four or five inches of rain. That is a lot of rain. This can't happen. His opinion more than three board should have been out of the dam and they weren't. The next day or two we get snow and then more rain was coming. Councilman Ciasullo explained he happen to go up there to look at it; DPW showed up to pull more boards out for the upcoming rain; then explained a conversation he had with the DPW. Councilman Ciasullo commented Chris is our supervisor of DPW and probably the only one with that much experience with the dam; he would like him to come up here to tell the public and us what his procedure is. Nobody up here is going to made a decision on boards and hopefully our DPW Supervisor has the ability to make that decision. He would like Chris to come up here to tell us why it happened and why it isn't going to happen again. He wants to make sure he is educating the new guys.

Mayor Hutnick commented with regards to the first storm you addressed; he was there to and has videos of it. After discussing it with the supervisor more rain fell than anticipated they planned for the amount rain with an extra three boards. Historically in the past that has been more than enough. It was an isolated incident the second storm that came up we had seven boards removed; he took your information under consideration and said why don't we go pull extra boards drop it down lower and just make sure. That is why the second time around we were fine. Chris has a plan for this they look at the weather forecast and anticipate what is coming the pull based on that to not drain the pond to much.

Councilman DeMeo commented ultimately isn't it just a judgement call.

Mayor Hutnick commented it is based on the weather. We either drain the whole thing and let it fill back up with rain and everything else or you can anticipate. Mayor Hutnick commented he has been around as long as you [Councilman Ciasullo] with the construction and everything else that happened, it was addressed and it was corrected. The second storm was fine; we have rain coming this week we will be adjusting for it again, we don't have that much rain coming he believes it is just coming over a longer period of time instead of one time.

Councilman DeMeo commented the Mayor addressed it; Councilwoman Cowdrick addressed it; she is the liaisons down there. I'm sure if you have specific questions you can send Chris an email and he will get back to you. Ultimately how many boards to pull out is a judgement call and explained different weather factors play into effect. Councilman DeMeo commented he uses his best guess; the other guys will learn by experience as well.

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Mayor Hutnick commented he agrees it is just a judgement call.

There was a discussion on department head attending meetings. Councilwoman Ruitenberg commented she thinks part of it and from what she has been told that there really is no process. Some people say it is the DPW supervisor position to take care of this and you also hear it is not his job because he was instructed not to make those decisions it isn't his job to do that. We really need to get the process straightened out.

Mayor Hutnick explained [the DPW supervisor] determines the information he is being provided.

Councilwoman Ruitenberg explained we almost had an issue and we almost had a second issue after this last meeting had it not been brought up. We need to come up with a process.

Mayor Hutnick commented we will have a document created.

The discussion continued on the boards, the time we almost lost the roads and notifying the State DEP when we open up the dam and the cap of the dam.

NEW BUSINESS

Municipal Emergency Management Coordinator – Mayor Hutnick commented we need a new coordinator, Rick Keslo has stepped down. We need to start looking around to find a new coordinator.

Local Recreation Improvement Grant 2024 – Mayor Hutnick commented we are applying for another recreation grant. Basically, we are going to apply for everything and see what we get.

PUBLIC SESSION

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

John Mizerak, representing BrightSpeed government affairs director addressed the Council and explained they took over Century link. Mr. Mizerak explained the take over and improvements Brightspeed plan on doing in the Borough. They want to improve customer service and upgrade their infrastructure to bring fiber to the Borough and neighboring towns. Mr. Mizerak explained their proposed time line on this work.

Cindy Predmore, 15 Predmore Road, Ogdensburg explained an issue on their street with water coming across the road and into their driveway; with the cold weather it is a sheet of ice. We can't get it to break up; she doesn't know what can be done. Maybe some type of drain or something can be put in. Mrs. Predmore explained they had a new driveway put in which will be ruined if this keeps up. Something should be done for the water that comes across the road.

Mayor Hutnick asked is this the run off coming down across the mountain and coming across the road. Mrs. Predmore commented yes.

Mayor Hutnick asked what happened in previous years.

Mrs. Predmore commented we haven't had the rain and the snow melt like we have had recently. It is very bad and she doesn't want to have to get a new driveway because it will be ruined with all the ice.

Mayor Hutnick referred to pictures of the situation the Predmore's provided.

Mayor Hutnick explained he can have DPW take a look at this area and why all of a sudden, the water is coming across your property.

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Richard Predmore, 15 Predmore Road explained this is from the building in the surrounding towns and the removal of trees.

Mr. Predmore updated the council on information regarding the Veterans Cemetery; which is mostly volunteers. Recently received a Gold Star to honor all the served in the military and recently we received the first Gold Star memorial in the cemetery. Mr. Predmore gave the history of how the cemetery was started.

Dave Astor, 15 Lincoln Ave., Ogdensburg explained several people through his name out to be the Municipal Alliance Coordinator and he accepted that position. He will work with Councilwoman Cowdrick to start up Team Canteen and Girls on The Run again. Mr. Astor commented he is glad to hear the Borough is moving forward with the first aid squad building being in the Borough name. He had talked to Alan before this transfer and he said we could use that building for the Team Canteen; now that it is over to the municipality we hope we can use it as well. Once the transfer occurs we can work out the details.

Mayor Hutnick asked Mr. Astor to explain Girls on the Run. Mr. Astor explained the program.

There was a brief discussion on the use of the first aid squad building.

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 review payment of vouchers and review departmental finance reports. Seconded by Councilman Ciasullo.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain: None

CURRENT

DATE	CHECK #	PAID TO	AMOUNT
1/10/202	4	34245 United Rotary Brush	818.02
1/22/202	4	34246 145 Media	500
1/22/202	4	34247 Action Data Services, Inc.	215.28
1/22/202	4	34248 All Hands Fire Equipment, LLC	926.35
1/22/202	4	34249 Allied Oil	653.23
1/22/202	4	34250 Amazon	18.98
1/22/202	4	34251 Atlantic Tomorrows Office	246.64
1/22/202	4	34252 Bassani Power Equipment, LLC	197.78
1/22/202	4	34253 ESI Equipment, Inc.	1,404.00

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1/22/202				
4	34254	Fedex		39.13
1/22/202				
4	34255	Jacob Kinney		25.97
1/22/202				
4	34256	JCP&L		2,104.68
1/22/202				
4	34257	JCP&L		140.53
1/22/202				
4	34258	JCP&L		65.64
1/22/202				
4	34259	JCP&L		2,119.01
1/22/202				
4	34260	JCP&L		390.14
1/22/202				
4	34261	Lafayette Auto Parts		628
1/22/202				
4	34262	LINA		229.5
1/22/202				
4	34263	Lumen Technologies Group		125.62
1/22/202				
4	34264	Municipal Capital		119
1/22/202				
4	34265	Napa Auto Parts		781.5
1/22/202				
4	34266	New Jersey Herald		114.63
1/22/202				
4	34267	Ogdensburg Fire Department		525
1/22/202				
4	34268	Sanfilippo, Joseph		854.1
1/22/202				
4	34269	Sussex County Treasurer		4,966.33
1/22/202				
4	34270	Sussex County Treasurer		383.27
1/22/202				
4	34271	Sussex County Treasurer		25
1/22/202				
4	34272	Sussex County Treasurer		288,749.49
1/22/202				
4	34273	Sussex County Treasurer		28,655.51
1/22/202				
4	34274	Sussex County Treasurer		1,245.64
1/22/202				
4	34275	Van Cleef Engineering Assoc. LLC		417
1/22/202				
4	34276	Vernon Township		3,377.50
1/22/202				
4	34277	Walkkill Valley Regional H.S.		92,681.50
1/22/202				
4	34278	Weldon Asphalt		464

				434,207.97
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				434,207.97

GRANT FUND

DATE	CHEC K #	PAID TO	AMOUNT
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1/22/202		4	34279	New Jersey Herald	21.54

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					21.54

PAYROLL

DATE		CHEC K #	PAID TO	AMOUNT	
1/22/202		4	1287	AFLAC	562.96

					562.96
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					562.96

WATER OPERATING

DATE		CHEC K #	PAID TO	AMOUNT	
1/22/202		4	5345	Braen Aggregates, LLC	156.22
1/22/202		4	5346	One Call Concepts, Inc.	5.72

					161.94
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					161.94

GENERAL CAPITAL

DATE		CHEC K #	PAID TO	AMOUNT	
1/22/202		4	1196	Jimenez Landscapes & Designs Inc.	1,800.00
1/22/202		4	1197	Van Cleef Engineering Assoc. LLC	1,294.00

					3,094.00
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					3,094.00

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.

Robin Hough, Borough Clerk

George P. Hutnick, Mayor

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