

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
March 25, 2024**

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

Mayor Hutnick led the Pledge of Allegiance.

ROLL CALL: Ciasullo, Cowdrick (via phone until approximately 7:30pm then in person), DeMeo, Poyer, Ruitenberg, Mayor Hutnick

Absent: Alvarez

Also, in attendance was Joseph Maddaloni, Esq., 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 3, 2024.”

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

CONSENT AGENDA

1. Approval of regular meeting minutes from March 11, 2024.
2. Approval of Resolution 33-2024 to endorse the Memorial Day Parade to be held on May 27, 2024.
3. Approval of Resolution 34-2024 authorizing the execution of a mutual aid and assistance agreement with the county of Sussex for 2024 through 2028.
4. Approval of Resolution 35-2024 approving the mechanic’s stipend for Jacob Kinney, Assistant Supervisor of the Department of Public Works.
5. Accept for filing Franklin Borough Ordinance 05-2024.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

Resolution 33-2024

WHEREAS, the Borough of Ogdensburg is aware of the Memorial Day Parade to be held on May 27, 2024 from 7:30am to 9:00am; and

WHEREAS, a permit from the County of Sussex is required for the closing of Sussex County Route 517 from the Ogdensburg Fire Department to Kennedy Ave on May 27, 2024 from 7:30am to 9:00am.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Ogdensburg do hereby endorse this activity, and respectfully request that the County of Sussex hereby issue the permit.

Resolution 34-2024

WHEREAS, the Borough of Ogdensburg (“Borough”) works cooperatively with the County of Sussex in matters of public emergency; and

WHEREAS, on February 14, 2024, the Sussex County Board of County Commissioners adopted a written resolution authorizing a form of Mutual Aid and Assistance Agreement (“Agreement”) with the Borough and other municipalities in Sussex County beginning in 2024 and ending on December 31, 2028; and

WHEREAS, the Agreement was prepared in accordance with the requirement that municipalities and counties in the State of New Jersey adopt mutual aid plans under the Fire Service Resource Emergency Deployment Rules, N.J.A.C. 5:75A-1.1 et seq. and pursuant to the

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New Jersey Civilian Defense and Disaster Control Act, N.J.S.A. App. A9-33 et seq. and Homeland Security Directive HSPD-5 (February 28, 2003), which encourage local governments to work together to prevent, prepare for, respond to, and recover from domestic incidents; and

WHEREAS, it is in the best interest of public safety, health, and welfare for the Borough to enter into a new mutual aid and assistance agreement (“Agreement”) with the County of Sussex for 2024 through 2028; and

WHEREAS, a copy of said Agreement is attached hereto and incorporated by reference as if fully set forth herein; and

WHEREAS, this Agreement shall commence upon signing and shall continue in full force and effect through December 31, 2028.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg, County of Sussex, and State of New Jersey that the Mutual Aid and Assistance Agreement with the County of Sussex for 2024 through December 31, 2028, is hereby approved in the form attached hereto.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute the aforesaid Agreement and take such further actions as may be necessary for its implementation.

Resolution 35-2024

WHEREAS, Jacob Kinney has been an employee of the Borough of Ogdensburg since December 27, 2023, and works under the Civil Service job title “Assistant Supervisor Public Works” within the Department of Public Works (“DPW”); and

WHEREAS, Mr. Kinney has been instrumental in maintaining and repairing DPW equipment for the benefit of the DPW and Borough since he began his employment with the Borough; and

WHEREAS, the Borough is pleased with Mr. Kinney’s performance and believes that, based on his mechanical skills and performance, he is deserving of a Mechanic’s Stipend; and

WHEREAS, the Borough desires to award Mr. Kinney a Mechanic’s Stipend in the amount of three thousand dollars (\$3,000); and

WHEREAS, said stipend shall be retroactive to January 1, 2024, and shall be divided equally and paid over the course of the Borough’s 26-week pay schedule; and

WHEREAS, said stipend shall be awarded annually during continued employment unless otherwise directed by the Governing Body; and

WHEREAS, said stipend shall be in addition to Mr. Kinney’s annual salary (not be included in base salary), and shall not be cumulative from year to year.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Ogdensburg, County of Sussex, and State of New Jersey hereby approve giving an annual, non-cumulative, Mechanic’s Stipend to Jacob Kinney in the amount of three thousand dollars (\$3,000), as described further herein, for maintaining and repairing DPW equipment.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that said stipend shall be retroactive to January 1, 2024, and shall be divided equally and paid over the course of the Borough’s 26-week pay schedule.

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EXECUTIVE SESSION MINUTES

Councilman DeMeo made a motion to approve the executive session minutes from March 11, 2024. Seconded by Councilman Ciasullo.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

OLD BUSINESS

Hiring of Police Officers –

Chief Gordon explained we received the three applications back; we are doing background checks now. Chief Gordon explained the current background check process.

Grant Writers –

Councilman DeMeo explained we had meeting with two out of the three grant writers that submitted proposals. The third one did want to come up they wanted to do the interview by zoom.

Councilman DeMeo commented the consensus of the committee was to enter into an agreement with Bruno Associates and the reason for that if we don't have them do anything we don't pay. There is no minimum monthly whereas Millennium had a monthly minimum and their hourly wage was higher.

Councilwoman Ruitenberg explained Millennium also had a flat fee for signing up.

Councilman DeMeo commented if we don't see the results we want we will stop using them.

Ms. Hough explained we need a resolution for that.

Councilman DeMeo asked about having that in the budget if we use them.

Ms. Hough asked it was in the agreement that they are not going charge us unless we get a grant.

Councilman DeMeo explained only if we use them they can't guarantee us that we get a grant. If we decide to use them we pay \$125.00 per hour for whatever they are doing. We will go over it a little more in depth with you.

Ms. Hough explained we had them before. Councilman DeMeo explained a new program they are doing for smaller towns.

Councilman Ciasullo explained the interviews he did with Councilman DeMeo and Councilwoman Ruitenberg; we spent a lot of time with them and covered our bases and he agree one hundred percent.

Budget – Mayor Hutnick explained this will be done at the end of the meeting.

Municipal Emergency Management Coordinator – Mayor Hutnick commented he believes we have one person interested and we have to provide information to him [to consider].

CDL Classes – Mayor Hutnick commented we can take this off.

Councilwoman Ruitenberg commented should we move forward with this anyway. Maybe we can put this with more handbook adjustments that we would like to do. It should be somewhere we just won't be in a hurry for it.

Borough Hall Revitalization –

Councilman DeMeo commented we met [him, Councilman Poyer and Councilwoman Ruitenberg] we walked premises we walked the building, we took a lot of pictures, we have a list

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we are putting together for hopefully next meeting we should have a report for you guys. If there is anything you want to address. Some of the items are easy and some will take more planning. We want to get the list together so we can get that to DPW. Councilman DeMeo commented he talked to Chief Gordon earlier to see if he wants to add anything for the police department.

Senior of the Year – Mayor Hutnick commented we can remove this; John and Diane Kibildis are Senior of the Year; the official letter has gone out and we are going to try to set up something we will have the sign put up and covered for now.

First Aid Squad Building Discussion –

Mayor Hutnick explained Anthony Nasisi volunteered to look around down there; his septic business has some new cameras and underground equipment that he was scoping out everything. So far what he has reported back was some of the pipes have tree roots in them. They are all solid it doesn't look like there are any major issues; he next request is perhaps have DPW go down with him and excavate along the piping so he gets a better feel for everything because what he is doing now isn't showing any major concerns or any issues. He wants to make sure.

Councilman Ciasullo asked if he was charging the Borough for anything.

Mayor Hutnick commented no, he asked him to speak to Mike to get on our vendor list. As of now he is volunteering his time.

There was a brief of discussion on doing a resolution.

Heater's Pond – Councilwoman Cowdrick explained we are trying to get this going.

Mayor Hutnick we approved this at the last meeting. Mr. Maddaloni commented he will follow up with Mr. McBriar.

Drug Alliance – No update.

NEW BUSINESS

Tree Ordinance requirement of Tier A permit – Mayor Hutnick commented in your packets you will see a copy of a tree ordinance; DEP is now looking to put this into place. It isn't an option. All the towns have to come up with an ordinance to put into place for people to remove trees from their properties. Mayor Hutnick explained the reason DEP is requiring this ordinance.

Ms. Hough explained this ordinance is part of the Tier A process.

Councilman Ciasullo asked if DEP gave us any guidance on this.

Mr. Marceau explained he will talk to the clerk in Sussex they went through this and brought it down to the minimum standards they would except. It will tell you exactly what tree you can replace a tree with.

Ms. Hough explained it has to be adopted by May 1.

There was a discussion on trees, the tree ordinance and who determines a hazard tree.

Underground Storage Tanks – Mayor Hutnick explained an email from Bullseye who does our tank management they want to make us aware that all sites have to have EDR equipment by the end of December, 2024. All spill buckets etc. are required to be compliant.

Councilman DeMeo asked what is EDR?

There was a discussion on the tanks, the size, replacing the tanks and locations of the tanks.

Mayor Hutnick commented he would like to table this tonight and get all the answers to this email.

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Mayor Hutnick explained it came to his attention today there might be an adjustment in staff of DPW; one individual is in the process of a job application for another position. It would be a good opportunity. We should be notified this week.

Councilwoman Ruitenber commented we should do a motion to advertise.

Mayor Hutnick commented upon a formal resignation.

Mayor Hutnick commented a motion is created by Councilman Ruitenber and seconded by Councilman DeMeo. The motion is to post the notice upon the formal resignation.

Ms. Hough clarified after the formal resignation you want the ad posted on the League.

Mayor Hutnick commented yes.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenber

Nays: None Absent: Alvarez Abstain None

Councilman Ciasullo commented someone reached out to him regarding the time that garbage is supposed to be picked up. We used to have a time in the contract is it still 7:00am.

Mayor Hutnick commented it is supposed to be but they have been coming in when they come in.

There was a brief discussion regarding the pick-up time of garbage and the bear problem with garbage.

Councilman Ciasullo asked if there was any update regarding the sign. He was referring to the sign on 517 by Max Spann the Auctioneer.

Mayor Hutnick explained it is down; or at least it should be down. He had DPW take it down and he has a call into Max Spann. Mayor Hutnick explained this issue to members of the public.

PUBLIC SESSION

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

Jeanie Ortiz, 26 Willow Court, Ogdensburg asked what properties are really for sale.

Mayor Hutnick explained the location of the properties.

Ms. Ortiz asked about a resolution that was approved in February regarding a tax lien.

Mr. Marceau explained a tax lien is between the property owner and the lien holder.

Vicki Schroder, 12 Willis Drive, Ogdensburg asked about the grant writers. We don't pay them anything until we use them. Are they watching out for grants that we are interested in?

Councilman DeMeo commented they are going to provide us with a monthly letter for grants coming up; the grant deadlines and ones coming up. We go through them and find out what grants we want to pursue.

Councilwoman Ruitenber explained we can pursue them on our own or if they are a little more complex and we want them to handle it that is when our paying them will come into play.

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.

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EXECUTIVE SESSION

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;

Legal Personal Advice of Counsel

Upon Roll call Vote:

Yeas: Ciasullo, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain: Cowdrick

Councilwoman Cowdrick recused herself and did not attend executive session.

At 7:39pm the Mayor and Council went into executive session.

At 8:02pm the Mayor and Council returned from executive session.

Councilwoman Cowdrick returned to the meeting after 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
3/25/202	4	34422 Action Data Services, Inc.	105.9
3/25/202	4	34423 Bassani Power Equipment, LLC	760.05
3/25/202	4	34424 Brightspeed	54.6
3/25/202	4	34425 Brightspeed	63.6
3/25/202	4	34426 Brightspeed	60.88
3/25/202	4	34427 Brightspeed	103.77
3/25/202	4	34428 Brightspeed	257.53
3/25/202	4	34429 Brightspeed	390.74
3/25/202	4	34430 BrightSpeed	764.54
3/25/202	4	34431 Brightspeed	19.9

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3/25/202	4	34432	Danziger & Markhoff, LLP	2,072.00
3/25/202	4	34433	Elizabethtown Gas	305.65
3/25/202	4	34434	Elizabethtown Gas	322.56
3/25/202	4	34435	Elizabethtown Gas	268.53
3/25/202	4	34436	Elizabethtown Gas	1,174.33
3/25/202	4	34437	Gordon, Stephen	36.37
3/25/202	4	34438	JCP&L	1,846.12
3/25/202	4	34439	JCP&L	113.63
3/25/202	4	34440	JCP&L	79.58
3/25/202	4	34441	JCP&L	41.3
3/25/202	4	34442	JCP&L	1,974.31
3/25/202	4	34443	JCP&L	319.6
3/25/202	4	34444	Lumen Technologies Group	125.62
3/25/202	4	34445	MGL Printing Solutions	450
3/25/202	4	34446	Michel Marceau	62.81
3/25/202	4	34447	Montague Tool & Supply Co	543.26
3/25/202	4	34448	Municipal Capital	119
3/25/202	4	34449	New Jersey Herald	215.64
3/25/202	4	34450	North Jersey Garage Doors, LLC	250
3/25/202	4	34451	Schenck Price Smith & King LLP	5,366.50
3/25/202	4	34452	Staples Business Advantage	246.88
3/25/202	4	34453	Sussex County Municipal Utility	10
3/25/202	4	34454	Tire King	379
3/25/202	4	34455	Tri State Paper and Janitorial Supply	291.77
3/25/202	4	34456	Van Cleef Engineering Assoc. LLC	700.5
3/25/202	4	34457	Wallkill Valley Regional H.S.	92,681.50
3/25/202	4	34458	Weldon Asphalt	1,146.00

				113,723.97
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				113,723.97

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DATE	CHE CK #	PAID TO	WATER OP AMOUNT
3/25/2024	5358	Agra Environm ental Services	81
3/25/2024	5359	Hamburg Plumbing Supply Co Hank Sanders	247.35
3/25/2024	5360	Inc Reliable Restoratio	3,559.50
3/25/2024	5361	n Logistics RER Supply,	2,000.00
3/25/2024	5362	LLC	250

			6,137.85
			=====
			=====
			6,137.85

GENERAL CAPITAL

DATE	CHECK #	PAID TO	AM
3/25/2024	1198	Van Cleef engineering Assoc. LLC	
			==

73.5

GRANT FUND

DATE	CHECK #	PAID TO	AMOUNT
3/11/2024	34420	The Illusion Maker	1,250.00
3/22/2024	34421	US Postal Service	199.66
3/25/2024	34459	Staples Business Advantage Van Cleef Engineering	99.3
3/25/2024	34460	Assoc. LLC	147

			1,695.96
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			1,695.96
PAYROLL			
DATE	CHEC K #	PAID TO	AMOUNT
3/25/2024	1307	AFLAC	562.96

			562.96
			=====
			==
			562.96

2024 BUDGET DISCUSSION Mr. Marceau explained as of today the budget is \$1,658.00 more than 2023; an increase of .06 percent \$1.89 per household. It sounds like you guys need some discussion as far as adding funds for the possible grant writer and DPW request for additional funds for asphalt. Mr. Marceau explained every \$26,000 added it is 1% up; \$26,000 down is 1% down. Mr. Marceau explained we can change what we take out of fund balance based on what the Council decides today. We could bring the fund balance increase down which would increase the levy. Mr. Marceau was requested to provide the Council with an analysis of fund balance from 2004 to 2023. Mr. Marceau gave the analysis to the Council and explained.

There was a discussion on fund balance throughout that time frame.

The Council went through the Budget asking questions and discussing the line items.

The cost of health insurance on page 7 increase was discussed; the DPW staff is 25% charged to water and 75% charged to streets and roads. We have three employees that have waived insurance which explained the increase in benefit waiver. The debt for uncollected taxes is about 98%. The Fire Department request for turnout gear would be under the capital budget. AR training for the police department was discussed, the phone system would be under the capital budget unless we go with Planet Networks and Edmonds will honor MSI cost for this year.

The line item for electricity which was \$60,000 was questioned, this cost includes street lighting and buildings. There was a discussion on reserve for body armor fund, the cost of a new vest is now approximately \$1,700.00.

There was a lengthy discussion on equipment for DPW to start doing more work in house; items included a mini excavator, roller, hot box, locator and jumping jack. Most of the items would come out of the water budget and the Borough is buying everything from COOP's.

It was suggested to add \$3,500 dollars for Council OE to for any council member that would like to attend the NJ League of Municipality the funds would be available for them.

The fire department line items were discussed to increase some of the line items. To add their total budget by \$3,000 and to split that amount up between several different line items.

It was discussed that the concrete pad at the fire department is in need of repair and it being a safety issue.

In the police line items there was a discussion on the cost of Maintenance agreements going up every year and a discussion on the weapon line item. It was decided to increase the maintenance agreement from \$16,700.00 to \$17,700.00 and weapons from \$1,000.00 to \$5,000.00.

There was a brief discussion on the request from the tax assessor education and training line item; \$2,000.00 was requested the proposed is \$500.00 it was discussed to leave at \$500.00.

Group Cast agreement was discussed; how long the agreement was for, the cost and if the Borough can cancel the agreement.

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There was a discussion on the salaries that were approved last meeting, there is a shared service agreement for CFO with Sussex which was explained along with the raise the CFO received and how everything was divided in the agreement.

Councilwoman Ruitenbergh explained she declined the raises during that meeting because she didn't feel enough research was done, now she has done some research and the clarification from the CFO she doesn't feel the Council is doing justice by our staffing by giving them a 2% raise when other municipalities are giving 4%, 3%, 3.75% in comparable municipalities. So being we are all here would everybody agree we need to increase our salaries to be a little bit more appropriate for our hard-working staff members since we are talking about the budget now would be the time to put that money in.

Mayor Hutnick commented he would agree without even questioning it and explained.

Councilman DeMeo asked Mike to give the council a breakdown of what that would cost in the budget.

Mr. Marceau commented can't give you exact but he can come close; salary raises are roughly 1.39 another 2% would still be under budget.

There was a discussion on salaries for employees, wanting to see a breakdown before deciding, the date to start the increase, to start after we approve the budget, when the budget would be introduced and adopted.

The following were recommended changes in the 2024 proposed draft budget.

Mayor and Council O/E Proposed \$7,000.00 changed to \$10,500.00.

Police Department O/E Maintenance Agreement proposed \$16,700.00 changed to \$17,700.00

Police Department O/E Weapons proposed \$1,000.00 changed to \$5,000.00

Emergency Management S & W proposed \$5,000.00 changed to \$2,000.00

Fire Department total proposed \$27,500.00 changed to \$30,500.00 to be split between individual line items for the fire department.

Streets and Road Repairs line item proposed \$12,000.00 changed to \$25,000.00

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

Meeting adjourned at 9:32p.m.

Robin Hough, Borough Clerk

George P. Hutnick, Mayor