

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
April 8, 2024**

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

Mayor Hutnick led the Pledge of Allegiance.

ROLL CALL: Ciasullo (via phone), 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 3, 2024.”

PRESENTATION

Mayor Hutnick explained at this time we were going to have a presentation to honor John and Dianne Kibildis as senior of the year. They were unable to attend. Mayor Hutnick read a statement from Mr. and Mrs. Kibildis expressing their gratitude for this recognition. Mayor Hutnick also read a statement prepared by the Ogdensburg Historical Society with the accomplishments of the Kibildis’s.

CONSENT AGENDA

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

Mr. McBriar commented items 2 and 3 are resolutions approving certain proposals that were received by the borough for certain services; the first being grant writing services, the second being lake management maintenance and monitoring services. Mr. McBriar commented he did forward what he recommends as a rider to the proposal for grant writing services and that in conjunction with the proposal with the Lake Management Science proposal he would recommend the Borough include its indemnification and hold harmless provision and move forward from there.

1. Approval of regular meeting minutes from March 25, 2024.
2. Approval of Resolution 36-2024 for the award of fair and open contract for professional grant writing services to Bruno Associates, Inc.
3. Approval of Resolution 37-2024 authorizing the agreement between the Borough and Lake Management Sciences for seasonal maintenance and monitoring of Heaters Pond.
4. Accept for filing letter of resignation from Jacob Brush.
5. Accept for filing letter dated April 1, 2024 from NJ Office of the Attorney General to Mayor Hutnick re: Expiration of Ogdensburg Municipal Emergency Operations Plan.
6. Accept for filing letter dated March 27, 2024 from Jeff Parrott, Sussex County Clerk, to Mayor Hutnick and Council Members re: concern regarding the potential of squatters targeting Sussex County.
7. Preliminary Equalization Table for the County of Sussex for the year 2024.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

Resolution 36-2024

WHEREAS, the Borough of Ogdensburg (“Borough”) is aware of the availability of competitive grants and other funding opportunities which are provided through County, State, Federal, and private non-profit projects and funding sources; and

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WHEREAS, the Borough Council believes that it is in the best interests of the residents of the Borough to use the services of a professional grant writing entity to prepare and submit grant proposals to such funding sources to pursue funding for various municipal projects; and

WHEREAS, the Borough engaged in a procurement process pursuant to New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et. seq. including publication and evaluation of responses to Requests for Proposals (“RFP”) as more specifically set forth at N.J.S.A. 40A:11-4.4; and

WHEREAS, the Borough received proposals from the following three respondents: (1) Bruno Associates, Inc., 1373 Broad Street, Suite 203B, Clifton, New Jersey 07013; (2) The Aubrey Group, LLC, 648 Westfield Avenue #301, Elizabeth, NJ 07208; and (3) Millennium Strategies, LLC, 60 Columbia Road, Bldg. B, Ste. 230, Morristown, NJ 07960; and

WHEREAS, the Borough has determined that the proposal from Bruno Associates, Inc. is the most advantageous, all relevant factors considered; and

WHEREAS, Bruno Associates, Inc. proposes to provide grant writing services at an hourly rate of One Hundred Twenty-Five Dollars (\$125.00) per hour for the calendar year 2024, including consulting with the Borough’s officials and employees, research in the area of available funding, identifying grant opportunities, and preparing and submitting such grants as may receive the authorization of the Borough for submission; and

WHEREAS, the Borough is desirous of obtaining the services of Bruno Associates, Inc., to perform all those services contemplated in the Borough’s solicitation of a proposal submitted by Bruno Associates, Inc., for grant writing services.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Ogdensburg, County of Sussex, and State of New Jersey that the Borough Council hereby awards a contract to Bruno Associates, Inc., to provide grant writing services to the Borough for the period of January 1, 2024 through December 31, 2024, for an hourly rate of One Hundred Twenty Five Dollars (\$125.00) per hour, not to exceed Fifteen Thousand Dollars (\$15,000.00) for the calendar year 2024, subject to finalizing a contract approved by Borough Counsel.

BE IT FURTHER RESOLVED that the Borough Council hereby authorizes the Mayor and the Borough Clerk to sign and/or execute a contract and all other necessary documents to engage the services of Bruno Associates, Inc. for the grant writing services so authorized; and

BE IT FURTHER RESOLVED that the award of this contract shall be subject to the certification of the Borough’s Chief Financial Officer as to the availability of funds for payment for same; and

BE IT FURTHER RESOLVED that the contract and its performance shall comply with all local, state, and federal laws, rules, and regulations; the Borough’s published legal notice of RFP; terms and conditions set forth in the RFP; the proposal submitted by Bruno Associates, Inc.; and the terms and conditions of any grant award.

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 do 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

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Resolution 37-2024

WHEREAS, there is a need for the Borough of Ogdensburg to maintain Heaters Pond on a seasonal basis to ensure proper vegetation control and effective lake management; and

WHEREAS, to meet this need, the Borough solicited quotes from three (3) prospective vendors experienced in providing lake management services in accordance with N.J.S.A. 40A:11-6.1; and

WHEREAS, after reviewing responsive quotes, the Borough determined that the proposal provided by Lake Management Sciences, Inc., having an address at P.O. Box 2395, Branchville, New Jersey 07826, dated February 23, 2024, incorporated herein by reference, is most advantageous, price and other factors considered; and

WHEREAS, the term of the contract shall commence on March 1, 2024, and continue through October 31, 2024; and

WHEREAS, the total cost of the contract shall not exceed \$6,599.00 for the contract term; and

WHEREAS, the Borough Chief Financial Officer has certified that sufficient funds are available for these services; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Ogdensburg, County of Sussex, and State of New Jersey hereby authorizes an agreement with Lake Management Sciences, Inc. for the maintenance and monitoring of Heaters Pond from March 1, 2024 through October 31, 2024 in the amount of \$6,599.00 in accordance with the terms and conditions set forth in its proposal dated February 23, 2024 and such other additional terms and conditions recommended by the Municipal Attorney.

BE IT FURTHER RESOLVED that the Mayor, Borough Clerk, and Chief Financial Officer are hereby authorized and directed to take such ministerial actions as are necessary to enter and effectuate this agreement.

EXECUTIVE SESSION MINUTES

Councilman DeMeo made a motion to approve the executive session minutes from March 25, 2024. Seconded by Councilwoman Ruitenberg.

Upon Roll call Vote:

Yeas: DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain: Ciasullo, Cowdrick

INTRODUCTION OF ORDINANCE 06-2024

Councilman DeMeo made a motion to introduce an ordinance 06-2024 entitled “AN ORDINANCE OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 30 OF THE BOROUGH CODE ENTITLED “LAND DEVELOPMENT” RELATING TO THE BOROUGH’S BC, BOROUGH CENTER DISTRICT ZONE”. Seconded by Councilwoman Cowdrick.

Public hearing will be held May 13, 2024.

Mayor Hutnick explained the Land Use Board is going through all the Borough’s zones and updating them where needed. Mayor Hutnick explained the changes in ordinance 06-2024 which are recommendations from the Land Use Board.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

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Nays: None Absent: Alvarez Abstain None

INTRODUCTION OF ORDINANCE 07-2024

Councilman DeMeo made a motion to introduce an ordinance 07-2024 entitled “AN ORDINANCE OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING CHAPTER 18 OF THE BOROUGH CODE ENTITLED “MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4), TIER A COMMUNITY-WIDE ORDINANCES” TO ADD NEW SECTION 18-10 ENTITLED “TREE REMOVAL AND REPLACEMENT”. Seconded by Councilwoman Cowdrick

Public hearing will be held April 22, 2024.

Mr. McBriar commented the NJDEP assigned all municipalities to TIER A requiring that they among other things adopt ordinances all but one have been adopted by the Borough last year. The final one is the tree removal ordinance. There are a couple of discretionary items in the model ordinance. The first requires any activities regulated under the ordinance trigger an application to the Mayor and Council as of now there is no application fee but the language there would just say that an individual would have to file an application with Mayor and Council together with the applicable fee whatever the Mayor and Council decide in the future. What wasn't included in the model but was recommended was the prohibited tree species that would not be permitted to be planted as a replacement tree. The two items deal with fees and penalties. There is one section if the borough determines that a replacement tree is required but due to the typography or other conditions on the property and it can't be done it requires a tree be planted in a separate area approved by the Borough. An alternative in the ordinance contemplates a fee to be paid in lieu of that and, in the ordinance, before you it is a five-hundred-dollar fee. Let me know if that is acceptable if so we can include or amend it as we discuss it this evening. The violations and penalties are a flexible penalty a fine not exceeding one thousand dollars; that gives the prosecutor the discretion. This was also vetted by Joe Vuich, Engineer/Planner from Van Cleef.

Ms. Hough explained in order to be in compliant with the TIER A permitting this ordinance has to be adopted by May 1.

Mr. McBriar commented he [Mr. Vuich] did review the ordinance before you and didn't have any additional comments.

The Council discussed the ordinance, the draft ordinance that was in the council's previous meeting packet, purpose of the ordinance, number of trees that can be removed on a property, exemptions, being compliant with the TIER A permit, some towns have a shade commission, DEP isn't giving the municipalities any choice on this and large-scale clearing and development.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

OLD BUSINESS

Hiring of Police Officers –

Mayor Hutnick commented Chief isn't here but his isn't done with the application process yet.

Municipal Emergency Management Coordinator – Mayor Hutnick commented we still don't have anybody.

Councilman DeMeo suggested to put it on the website.

Councilwoman Ruitenberg asked Mr. Keslo gave us a resignation letter but is he still going to help out; is he completely off the table.

Mayor Hutnick commented he is only for reference points.

Councilwoman Ruitenberg asked are we paying him or not paying him.

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Mayor Hutnick commented we are not paying him.

Mayor Hutnick asked Mr. McBriar we are a tiny town and there are people that can take on multiple roles to help the town out. Is there anyway a council member can assist or hold two positions temporarily.

Mr. McBriar commented this is a challenge with small municipalities; maybe reach out through the website, Facebook and reminders mailed to the municipalities.

Councilman Ciasullo suggested for the Mayor to speak to an individual that previously showed interest in this position.

Borough Hall Revitalization – A list of improvements will hopefully be completed by the next meeting.

First Aid Squad Building Discussion – No update

Heater's Pond – No update.

Drug Alliance – No update.

Underground Storage Tanks – Mayor Hutnick commented there is nothing new on this.

NEW BUSINESS

Financial Disclosure Statements – Mayor Hutnick reminded everyone that their financial disclosure statements have to be filed by April 30.

Basketball Courts – Mayor Hutnick commented this was supposed to be done last week but it rained and snowed. Mayor Hutnick explained he is waiting for a new date; he did talk to the engineer per council's request for everything we are doing one basketball court, two tennis courts and two pickleball inside the tennis courts. They will do all the lining for everything and once that is complete then we could go back in and see what type of paint is good for black top and paint the pickleball courts a different color so they are easily identified. This is something we would do.

Mayor Hutnick explained he was just made aware of two water main breaks before the meeting; one is on Predmore and one on Jefferson nothing can be done tonight about it the engineer will be out 7:30 am to supervise the DPW in their excavating project.

Councilman Ciasullo asked if these were related to the earthquake. Mayor Hutnick didn't have an answer for that.

Budget – M. Marceau, CFO commented after the last meeting he sent an email out with updates for the Council to review; he summarized all the changes that were made at the previous meeting. Mr. Marceau explained the changes. He was also asked to run some various scenarios regarding salaries so he sent a spreadsheet for that. We had discussed the final tax impact at 1.5 percent. He will adjust fund balance accordingly and we will introduce the budget at the next meeting.

Councilman DeMeo asked does it make sense regarding the salaries to make effective June 1 post the budget. There were three different scenarios April 1, June 1 and July 1.

Mr. Marceau commented it doesn't matter all the other ones were effective January 1 and we had no budget. Mr. Marceau explained the retro date and filing the reports with the State; which are filed quarterly.

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Councilwoman Ruitenberg commented we had a discussion about an increase but there was no definite.

Councilman DeMeo commented it was one or two percent we discussed.

Councilwoman Ruitenberg commented the 2024 are what it is after the resolution. The spreadsheet here is in addition to what was previously approved.

Mr. Marceau commented correct; you other option would be go ahead and fill in the budget just say with the two percent and if you so choose not to implement that at another date then that lapses and goes back to fund balance.

Mayor Hutnick commented essentially what we decide is to give three percent or four percent; and he thought the Council was leaning to four percent.

Councilman DeMeo commented if April 1 doesn't cause you any issues; his concern was causing any accounting issues. If that is not an issue does anyone object to April 1?

Councilman DeMeo asked do we want one percent or two percent.

Councilman Ciasullo asked you guys are saying one or two percent on top of what they already have?

Councilman DeMeo commented right; the budget contained a two percent increase last meeting Councilwoman Ruitenberg said we should through some more on there and that is when we had Mr. Marceau run the numbers. So, we are deciding should it be an aggravate of three percent or four percent.

Councilwoman Ruitenberg asked Mr. Marceau do we have to make those decisions right now can we put numbers in and go back.

Mr. Marceau explained he could put in the two it would be in the budget until you eventually decide.

Councilwoman Ruitenberg commented she isn't comfortable right now; she would suggest to put the numbers in so we can cover what we decide.

Mayor Hutnick asked what more information is needed to help with the decision process just so Mike has it.

Councilwoman Ruitenberg commented she would prefer to level out the percentage rather than average out percentages if that makes sense. The percentages were not consistent before and explained the different percentages. She thinks the people that were getting two should be a little more compensated.

Mayor Hutnick explained there was only one five and he isn't on the list which is separate; is the five still the hang-up.

Councilman DeMeo commented Mike, build the budget at two percent and we will see how it goes after the budget.

PUBLIC SESSION

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

No one from the public had any comments.

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There being no further business from the public, Councilman DeMeo moved, Councilwoman Cowdrick 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 Councilwoman Cowdrick.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain: None

CURRENT

DATE	CHECK #	PAID TO	AMOUNT
4/8/202	4	34461 Action Data Services, Inc.	204.64
4/8/202	4	34462 Allied Oil	1,895.42
4/8/202	4	34463 Brightspeed	56.6
4/8/202	4	34464 Brightspeed	50.9
4/8/202	4	34465 Bullseye Calibration of NJ	295
4/8/202	4	34466 Complete Security Systems, Inc.	29.2
4/8/202	4	34467 County of Sussex	49.01
4/8/202	4	34468 Fred Yarosz Janitorial Services LLC	570
4/8/202	4	34469 Horizon BC/BS of NJ	2,667.51
4/8/202	4	34470 JCP&L	7,093.53
4/8/202	4	34471 Jersey Central Power & Light	1,127.00
4/8/202	4	34472 Kuiken Brothers	337.12
4/8/202	4	34473 Lafayette Auto Parts	61.53
4/8/202	4	34474 LINA	229.5
4/8/202	4	34475 Lumen Technologies Group	125.62
4/8/202	4	34476 Michel Marceau	67.45
4/8/202	4	34477 Napa Auto Parts	12.49
4/8/202	4	34478 Ogdensburg Board of Education	220,164.00
4/8/202	4	34479 Robin Hough	138.6

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4/8/202	4	34480	Staples Business Advantage	389.53
4/8/202	4	34481	Sussex County Clerk	8
4/8/202	4	34482	Van Cleef Engineering Assoc. LLC	1,013.50
4/8/202	4	34483	Verizon Business	118.43
4/8/202	4	34484	Verizon Wireless	121.44
4/8/202	4	34485	Vernon Township	3,377.50

				240,203.52
				=====
				240,203.52

RCA VERNON

DATE	CHEC K #	PAID TO	AMOUNT	
4/8/202	4	158	Sussex County Clerk	8

				8
				=====
				=
				8

GRANT FUND

DATE	CHEC K #	PAID TO	AMOUNT	
4/8/202	4	34486	Girls on the Run New Jersey North	500
4/8/202	4	34487	Staples Business Advantage	19.27

				519.27
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				=
				519.27

DOG FUND

DATE	CHEC K #	PAID TO	AMOUNT	
4/8/202	4	313	NJ Dept. of Health & Senior Services	104.4

				104.4
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				=
				104.4

WATER OP

DATE	CHEC K #	PAID TO	AMOUNT
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4/8/2024

4	5363	State of New Jersey-PWT	95.48

			95.48
			=====
			=
			95.48

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

Meeting adjourned at 7:57p.m.

Robin Hough, Borough Clerk

George P. Hutnick, Mayor