

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
August 12, 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 Joseph Maddaloni, Esq.

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

CONSENT AGENDA

1. Approval of regular meeting minutes from July 22, 2024.
2. Accept for filing letter from Collen Little, Franklin Deputy Municipal Clerk Re: Ordinance 14-2024 Amending Chapter 161, 520 Route 23 Inclusionary Zone.
3. Letter received August 8, 2024 from Kunal Patel, NJ State NFIP Coordinator to Mayor Hutnick Re; May 21st Community Assistance Visit.
4. Letter received August 8, 2024 from Wielkotz & Company LLC. Certified Public Accountants Re:2023 Audit.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

LAND USE BOARD APPOINTMENTS

Mayor Hutnick read a motion is in order to approve the following Mayoral appointments to the Land Use Board:

Mayor Hutnick explained the Land Use Board is short people and we don't have enough for upcoming voting for projects going on. So, two residents in town Joseph Cahill and Bill Andrews have volunteered to come in as alternates which will allow them to vote.

Councilman DeMeo made that motion. Seconded by Councilman Ciasullo.

Councilman Ciasullo asked are all the permanent seats filled.

Ms. Hough explained it is a nine-member board, we have seven members and no alternates. The Board has three applications before the Board one is a “D” Variance which is for a use variance that is not permitted in the zoning. Because of that the Mayor and Councilman on the board can't vote on that application so now that gives us five members and in order to approve a “D” variance you have five members. The Chairman and I talked with the Board Attorney he said to try and get at least two alternates to fill in why these applications are before the Board.

Councilman Ciasullo asked so we are still two short.

Ms. Hough we are quite a few members short.

Councilwoman Cowdrick commented no other council can help.

Councilman Ciasullo asked would it be wise for Council to talk it up and see if we can get member.

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There was a discussion on finding residents that would volunteer to be on the Land Use Board.

Alternate 1	Joseph Cahill	Two-year term expires 12-31-2025
Alternate 2	Bill Andrews	Two-year term expires 12/31/2024

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

RESOLUTION 59-2024 MUNICIBID

Councilman DeMeo made a motion to adopt resolution 59-2024 authorizing use of surplus property owned by the Borough of Ogdensburg no longer needed for public use through Municibid.com pursuant to State approved contract. Seconded by Councilwoman Cowdrick.

Councilman Ciasullo asked what is Municibid; he never heard of them.

Ms. Hough explained last time we used govdeals but they are no longer on State contract; Municibid is on State contract.

Councilman Ciasullo asked if we have to give them minimums?

Ms. Hough explained a conversation she and Mike had with a representative from Municibid. They get seven percent but the buyer pays that and if you sell over one hundred thousand I believe it is nine percent.

Ms. Hough commented she doesn't know who would set a minimum price?

Councilman Ciasullo commented it is Borough property; he isn't sure how it works.

Ms. Hough explained this is just the beginning; we still have to notice in the paper. So, if the Council would like to set prices then maybe at the next meeting you can set prices.

Councilman Ciasullo commented yes and maybe use the Chief to get an idea. Councilman Ciasullo asked about the two ambulances.

Ms. Hough explained one day Jake [Kinney, Assistant DPW Supervisor] was in her office and he was asked to put a list together of equipment at DPW and when we get done doing the police department we will do DPW. Jake mentioned something about the ambulances.

There was a discussion on the two ambulances and having auctions by department.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

OLD BUSINESS

Borough Hall Revitalization – No update

Heater's Pond – Councilwoman Cowdrick commented everything is still going great. The guards are doing well; she has three full sheets of usage that they sent her. We are closing on August 21.

Lead Line Replacement Plan – Councilman Ciasullo explained the last report got sent in; the only other thing he thought required was this letter. Councilman Ciasullo referenced a letter he had that was sent out by Sparta. It is the letter we are going to have to send out to the Ogdensburg residents explaining everything. This letter is more of an issue; he thought it would be more of a sample that we have to send out.

There was a discussion on the letter the Borough is required to send to the residents and if the letter needs to go out certified mail or regular mail.

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Mayor Hutnick commented items four [Capital Discussion] and six [Purchasing policy changes] we are tabling.

Councilman Ciasullo asked the Mayor if you would like me to reach out to the fire department regarding the stuff he is requesting; he will and explained what he would do. Councilman Ciasullo commented if Nelson can't do this he would do it.

Mayor Hutnick commented he will check on that tonight.

Employee Handbook Revisions – Tabled until the next meeting.

NEW BUSINESS

Lead paint inspections

Mayor Hutnick explained lead paint inspections for rental properties; there was information sent out in your packets. Mayor Hutnick explained LEW a company that does this process for municipalities; currently they have Sparta, Franklin, Fredon, Montague, Wantage, Hardyston and Sussex. What they are doing is handling at no charge to the municipalities; except for the mailing cost. All the lead paint inspections, they would work with us, get copies of our tax information, create a data base that is on line and set up so they can contact the land lords and property owners with regards to requirement of lead paint inspections. The fees are assigned to the property owners they are not assigned to the town. The fee of twenty dollars the State requires to be collected that is collected by them and paid to the State. There will be an on-line portal that will show us when they do the inspections, how much money they have collected, where the money has gone and who owes what.

Mayor Hutnick commented we don't have the resources to do this, most municipalities don't have the resources to do this. He can have a meeting with them. Mayor Hutnick explained what was in the packet provided to the Council.

Chief Gordon commented that is only for rental properties.

Mayor Hutnick commented yes.

There was a discussion on this company and what the Borough is required to do regarding lead base inspections.

Ogdensburg Mass communications system – Councilman Ciasullo explained he reached out to Mike Nardini who started this and asked him who his contacts were. Councilman Ciasullo commented he gave me the way to contact people; he tried it and you can't get them. However, they have his name now, so now the bills and emails are going to him. You can't talk to anyone, nobody calls you back. We haven't used this system since we got it. Mike said he would sit down with him; he claims it is usable and he can get it to work. Now that they sold the company he can't contact anybody and explained what he has done.

There was a discussion on the contract and whether or not to continue with this contract or look into another company, this company has zero customer service and Groupcast is now PowerSchool.

Mayor Hutnick commented he had a resident request; the request is to donate a park bench to the pond, they want to put a donation [plaque] on it. He has no problem with that.

Councilman Ciasullo commented what we have done before is ask them to submit a letter that says what they would like to do and where.

Mayor Hutnick commented he did ask them and they don't care.

Mr. Maddaloni commented you should memorialize it.

Mayor Hutnick commented he will tell them yes, just send us a letter.

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Councilwoman Cowdrick ask who the resident was? Mayor Hutnick commented Luthke's.

Mayor Hutnick commented we need to order a dedication sign for the pickleball courts for John Kibildis. He doesn't have a quote yet.

Councilman Ciasullo asked will it be a permanent sign.

Mayor Hutnick commented yes, it will say dedicated too.

Mayor Hutnick explained Mike Vreeland, Borough Engineer reached out to him; they finally found a fence to finish the tennis courts and explained.

Mayor Hutnick explained Rob Lawler is suggesting with all the on-going leaks that are going on throughout the town that we look into hiring a leak detection company that will go around the entire town and check for leaks.

Councilman DeMeo asked if he [Rob Lawler] had a quote on it.

Mayor Hutnick commented he [Rob Lawler] said it was five or six thousand dollars.

Councilman DeMeo asked if that would get paid out of water.

Mayor Hutnick commented yes, he isn't looking for approval now, but in time.

Mayor Hutnick commented we are still working on the water main break that was down on Brooks Flat.

Mr. Maddaloni asked Mayor Hutnick if he wanted to briefly talk about the traffic.

Mayor Hutnick commented yes, we will discuss that with the Chief.

Mr. Maddaloni commented last time you asked me to look into the fees. Mr. Maddaloni explained in the general section fees are not to exceeding \$2,000.00 for a general violation. Also, there is a section that allows you to set a minimum penalty not to exceed \$100.00. So, you have a minimum and a maximum in your ordinance under the general section. Mr. Maddaloni explained in the traffic section there are several penalty sections and read those sections regarding penalties. Mr. Maddaloni explained title 39 on closed streets. Mr. Maddaloni explained you also have a section [reads] no more than \$50.00 that has an old code ordinance of 1976 so that could probably be taken out. There is a section that says new and read that section; the fine is no less that one hundred dollars, nor more than five hundred dollars and imprisonment in the County Jail for 90 days. A second offense is a fine not less then \$250.00 and/or imprisonment in the County Jail for 90 days. This looks like it was an effort to increase fines and penalties.

Councilman DeMeo suggested to make the ordinance not less than five hundred and not more than twenty-five hundred.

Mayor Hutnick suggested to go to one thousand dollars as a minimum because five hundred isn't going to make a difference.

There was a discussion on the fines for traffic violations, what the penalties should be, if we change the ordinance to make sure we have the proper signage with the ordinance number, assign the new penalties to the ordinance, signage, minimum one thousand and anything after that two thousand and wanting the ordinance to include a court appearance.

PUBLIC SESSION

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

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Judy Perentin, on behalf of the Historical Society the dedication of the Ogdensburg court is August 24th at noon.

Mayor Hutnick commented Franklin High School is having an all class reunion on that day.

Ms. Perentin explained we are capitalizing on that weekend to have former students and residents to come home for the weekend. There will be a dedication of the Courts at noon, the diner is at three or four, they will be selling t-shirts at the courts and explained the events of that day. September 14 will be the Historical Society picnic at the Sterling Hill Mine this year it is thirty dollars per person. Ms. Perentin explained an award Mr. Kibilidis was awarded at the fair. Ms. Perentin explained Jane met with DPW to discuss some projects that need to be done at the Historical Society building. These would be good winter project for the DPW. Ms. Perentin suggested having an art class at the pond and they would have to come up with a date. Ms. Perentin asked if the borough had any plans regarding the 250 years celebration for New Jersey in 2026.

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

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;

Personnel

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain: None

At 8:00pm the Mayor and Council went into executive session.

At 8:36pm 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 Poyer

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain: None

CURRENT

DATE	CHECK #	PAID TO	AMOUNT
8/12/202	4	34788 Anthony Giordano	201.94
8/12/202	4	34789 Batty, Matthew	250

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8/12/202	4	34790	Fred Yarosz Janitorial Services LLC	463
8/12/202	4	34791	Horizon BC/BS of NJ	2,666.51
8/12/202	4	34792	JCP&L	1,917.89
8/12/202	4	34793	JCP&L	123.57
8/12/202	4	34794	JCP&L	5,268.26
8/12/202	4	34795	JCP&L	2,549.77
8/12/202	4	34796	JCP&L	3,050.99
8/12/202	4	34797	Joseph Simone	201.94
8/12/202	4	34798	Lumen Technologies Group	125.62
8/12/202	4	34799	LumenForce LED LLC	22
8/12/202	4	34800	Verizon Business	117.32
8/12/202	4	34801	Verizon Business	113.7
8/12/202	4	34802	Verizon Wireless	121.56

				17,194.07
				=====
				17,194.07

DOG FUND

DATE	CHEC K #	PAID TO	AMOUNT	
8/12/202	4	318	NJ Dept of Health & Senior Service	14.4

				14.4
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				14.4

WATER OPERATING

DATE	CHEC K #	PAID TO	AMOUNT	
8/12/202	4	5385	Core & Main	468.9
8/12/202	4	5386	Main Pool & Chemical Co., Inc.	1,644.00
8/12/202	4	5387	Rogut McCarthy LLC	419.87
8/12/202	4	5388	Treasurer, State of New Jersey	720
8/12/202	4	5389	USA Blue Book	1,400.63

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4,653.40

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

Meeting adjourned at 8:37p.m.

Robin Hough, Borough Clerk

George P. Hutnick, Mayor