

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF HAMBURG HELD ON JULY 7, 2014 AT THE MUNICIPAL BUILDING, 16
WALLKILL AVE., HAMBURG, NJ**

CALL TO ORDER:

Mayor Marino called the meeting to order at 7:30 p.m. and opened with a flag salute.

ROLL CALL:

Mayor Marino requested a roll call:

Councilman Barr	Councilman Law
Councilman Krasnomowitz	Councilman Garrett
Councilman Burd	Councilman Sena
Mayor Marino	

Also Present: Doreen Schott
Kathy Garrett

STATEMENT OF CERTIFICATION:

Clerk will advise:

Adequate notice of this meeting has been provided to the public and the press on January 6, 2014 by delivering to the New Jersey Herald and the Sunday Herald and posting at the Municipal Building a copy of the "Annual Notice of Meetings" pursuant the provisions of the "Open Public Meetings Act".

May 19, 2014, 2014 Regular Meeting Minutes

Motion by Councilman Barr, seconded by Councilman Garrett to approve the May 19, 2014 Meeting Minutes of the Mayor and Council. All in favor.

May 19, 2014 Executive Meeting Minutes

Motion by Councilman Barr, seconded by Councilman Burd to approve the May 19, 2014 Executive Meeting Minutes of the Mayor and Council. All in favor.

June 2, 2014 Regular Meeting Minutes

Motion by Councilman Barr, seconded by Councilman Garrett to approve the June 2, 2014 Meeting Minutes of the Mayor and Council. All in favor.

June 2, 2014 Executive Meeting Minutes

Motion by Councilman Barr, seconded by Councilman Law to approve the June 2, 2014 Executive Meeting Minutes of the Mayor and Council. All in favor.

APPROVAL OF BILLS:

Councilman Law presented refund checks to add to the bill list for Summer Recreation as listed. Motion by Councilman Law, seconded by Councilman Garrett to accept and add to the bill list. All in favor.

Motion by Councilman Law to open the meeting to the public with regards to the bill list only. All in favor.

Hearing no comments from the public, motion by Councilman Law, seconded by Councilman Garrett to close to the public. All in favor.

Motion by Councilman Law, seconded by Councilman Burd to approve and pay the bill list as presented with addition.

Roll Call:

Ayes: Barr, Burd, Garrett, Krasnomowitz, Law, Sena
Nays: None
Abstain: None
Absent: None

PRESENTATION

Mayor Marino presented Mrs. Pat Harby with a plaque in honor of her service to the Hamburg Board of Education, stating that she served 30 years on the Board, 24 of them as president. He commended her for the time she served the school and town. Ms. Harby thanked the Council, stating that the Mayor was always at graduation, showing support for the school. She also said that she could always rely on the town for their backing concerning school activities and was very appreciative.

Mayor Marino presented certificates of recognition to members of Hamburg Cadet Girl Scout Troop #793- Jessica Haig, Ashley McLean, Gianna Rimli, and Samantha Milfort for planting flowers at the rec fields and around the tree. It was much appreciated.

Mayor Marino presented Charlie McMickle with the 2014 Senior Citizen Award, giving a brief synopsis of Mr. McMickle's life here in Hamburg. As a lifelong resident, he attended the Hamburg School and watched his own 2 daughters and 3 grandchildren attend there as well. He has been married to his wife Betty for 51 years and taught Physical Education in the Montague School for 32 years. Mr. McMickle has been a member of the Fire Department for 48 years, serving as chief twice, also holding the position of Secretary for over 20 years. Mr. McMickle thanked the Council for the plaque and honor.

ORDINANCES

RESOLUTIONS

2014-19 Chapter 159 – Body Armor

Motion by Councilman Barr, seconded by Councilman Law to accept Resolution #2014-19 Chapter 159 – Body Armor in the amount of \$1299.16. All in favor.

2014-20 Chapter 159 – Clean Communities

Motion by Councilman Law, seconded by Councilman Garrett to accept Resolution #2014-20 Chapter 159 – Clean Communities in the amount of \$956.42. All in favor.

2014-21 Chapter 159 - EMS Donation 2014

Motion by Councilman Barr, seconded by Councilman Burd to accept Resolution #2014-21 Chapter 159 - EMS Donation 2014 in the amount of \$200.00. All in favor.

ATTORNEY HOUR

EXECUTIVE SESSION RESOLUTION:

Mayor Marino offered the following resolution to enter into executive session later this evening.

WHEREAS, the Mayor and Council of the Borough of Hamburg find it necessary to enter into executive session for the reasons hereafter cited:

1. Contractual matters with Hardyston Township

WHEREAS, N.J.S.A. 10:14012(b) of the Open Public Meetings Act provided for matters of this nature to be discussed in closed session; and

WHEREAS, the minutes of the closed session be taken and made available to the Public upon conclusion of the matter;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council advises the public that formal action may be taken later this evening on the matters discussed in closed session or on other matter.

Motion by Councilman Sena, seconded by Councilman Law to accept the resolution as offered. All in favor.

ENGINEERING:

None

MAYOR'S AGENDA

Mayor Marino conveyed to the Council that there has been a lot of information in the newspaper lately, dealing with Police issues, and that the public needs to sometimes read between the lines. He stated that Police Officers leave for different reasons and that we need to support the officers that are here. He wishes everyone well, that the decisions that were made were best for their careers and families. He added that the Officers that are in the department are committed to the residents and the town.

**COMMITTEE REPORT
COUNCILMAN BARR**

1. FIRE DEPARTMENT / OEM

Fire and EMS Monthly Report

Fire Total Calls 9

EMS calls are: 10 trauma; 10 medical; 1 MVA; 2 mental health; 2 fire; 1 drill; 1 Goochies Garlic Run; 4 mutual aid to Hardyston; 2 mutual aid to Vernon; 1 mutual aid to Sussex.

2. POLICE COMMISSIONER

Letter of Resignation Chris Nichols

Motion by Councilman Barr, seconded by Councilman Law to accept Sergeant Chris Nichols' letter of resignation with regrets.

Roll Call:

Ayes: Barr, Burd, Garrett, Krasnomowitz, Law, Sena

Nays: None

Abstain: None

Absent: None

Sgt. Promotion – George Gunderman

Motion by Councilman Barr, seconded by Councilman Law to promote George Gunderman to Sergeant. All in favor.

Borough Clerk Doreen Schott gave the Oath of Allegiance to Sergeant Gunderman, who then thanked

the Council.

Motion by Councilman Barr, seconded by Councilman Garrett to open the meeting to Director Yahm. All in favor.

Monthly report June 2014

The June 2014 monthly report for the Police Department showed 497 calls of service, including 6 arrests, 8 motor vehicle accidents, and 31 motor vehicle summonses issued.

Crossing Guard Application – Richard Field

Council is in receipt of a Crossing Guard application for Richard Field. A background check has been returned favorable.

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to approve said application. All in favor.

2001 Jeep Cherokee Sports Utility – Request to auction.

Council was advised that the car was stripped and ready to go to auction within the week.

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to put the 2001 Jeep Cherokee Sports Utility car out to auction. All in favor

Director Yahm relayed his best wishes to Chris Nichols in his new town and to Sergeant Gunderman in his new position. He also stated that the new car would be ready next week and the eTicket by next month. The prisoner bench in the basement of the building was replaced and he thanked the DPW for their help with the installation of it. Director Yahm said that the week of August 21st he will begin the interview process to possibly hire a new officer by the August meeting. At the moment he has three applicants, all with 25 years' experience. Officer McNulty should be back to work by July 14th and at this time, the Detective position will not be replaced.

COUNCILMAN KRASNOMOWITZ:

2. CONSTRUCTION DEPARTMENT

Construction Activity Report May 2011

Councilmember Krasnomowitz advised that there were 22 permits issued, 0 certificates of occupancy, and 13 certificates of approvals with a total of \$5420.00 collected in fees for the month of May.

3. LAND USE BOARD

The July meeting was cancelled.

COUNCILMAN BURD

4. BOARD OF EDUCATION

Hamburg resident Ginny Jones was appointed to the Wallkill Valley High School Board of Education when Lynette Apolito stepped down.

COUNCILMAN LAW

1. RECREATION

Councilman Law informed the Council that the Summer Recreation program had to be cancelled due to health issues of the director and the money was refunded to all who signed up. Miss Hamburg is

Delany Timchak and Ericka McNulty was the runner-up. The contest went smoothly and the rec commission did a terrific job.

COUNCILMAN GARRETT

1. BUILDING AND GROUNDS

Councilman Garrett mentioned that although the meeting room was finished, there were concerns that it might echo, but it seems that it will be alright. He also stated that he will be meeting with Ken Nelson on Wednesday (July 9th) about the issue with the sheds at the Fireman’s pavilion and using trees to block the view for the residents behind the pavilion. Councilman Garrett spoke to John Ruschke about paving some roads when the State paves Rt. 23, and Mr. Ruschke will get back to him about it.

3. BOARD OF PUBLIC WORKS

EDU Request – Block 29, Lot 5.01; 19 Mountain View Rd.

Said property owner would like to market the property with 4 available EDUs for the next owner to pursue should he care to since it is a large piece of property. There would be no burden on the town and the approval would expire within one year if no action has taken place.

Motion by Councilman Garrett, seconded by Councilman Barr to approve the recommendation of the Board of Public Works to give Block 29, Lot 5.01, 19 Mountain View Road three (3) EDUs, making a total of four (4) for the property, for the intention to market the property to sell. All in favor.

Councilman Garrett also informed the Council that the starter on the generator at Michael Court went bad and has to be replaced. Also, approved septic at DeBoer’s has not been started yet as there is an issue there that needs to be dealt with first.

COUNCILMAN SENA

1. FINANCE / TAX DEPARTMENT

Tax Collector Report for May 2014

The tax collector’s report for May 2014 showed a total of \$1,817,983.05 being collected.

Motion by Councilman Sena, seconded by Councilman Garrett to accept the Resolution to refund the tax overpayment for Block 7, Lot 27 in the amount of \$81.64. All in favor.

2. ROAD DEPARTMENT

Review of Truck conditions.

Road Dept. Foreman Mike Schneider submitted a list of the truck conditions but Councilman Sena would like to wait to review until he is present.

Mr. Schneider asked Councilman Sena to look at Jennings Road for paving and he agreed that it is in bad shape.

Also, Councilman Sena added, on behalf of the Council, he attended the ceremony honoring George Alakpa, a veteran, and the entire night went very well, and was quite an eye-opening experience.

3. BOARD Of HEALTH

Meeting will be held on July 8th.

PUBLIC PORTION:

Motion by Councilman Garrett, seconded by Councilman Law to open the meeting to the public for any questions or comments they might have with regard to the good and welfare with the Borough. All in favor.

Hearing no comments from the public, motion by Councilman Garrett, seconded by Councilman Law to close to the public. All in favor.

EXECUTIVE SESSION RESOLUTION:

Mayor Marino offered the following resolution to enter into executive session later this evening. WHEREAS, the Mayor and Council of the Borough of Hamburg find it necessary to enter into executive session for the reasons hereafter cited:

1. Contractual matters with Hardyston Township

WHEREAS, N.J.S.A. 10:14012(b) of the Open Public Meetings Act provided for matters of this nature to be discussed in closed session; and

WHEREAS, the minutes of the closed session be taken and made available to the Public upon conclusion of the matter;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council advises the public that formal action may be taken later this evening on the matters discussed in closed session or on other matter. Motion by Councilman Sena, seconded by Councilman Law to accept the resolution as offered. All in favor.

Motion by Councilman Barr, seconded by Councilman Law to enter into Executive Session at 8:05 PM. All in favor.

Discussion re: Contractual matters with Hardyston Township

Motion by Councilman Barr, seconded by Councilman Sena to return to the Regular Meeting. All in favor.

CORRESPONDENCE (Parenthesis indicate correspondence already copied and the date it was copied to Council)

1. Notice from Premier Health Associates. (6/3/2014)
2. From NJLM regarding annual conference. (6/3/2014)
3. Notice of foreclosure Block 17, Lot 18 (C0411) (6/3/2014)
4. Copy of Sussex County Solid Waste Advisory Council Minutes (6/3/2014)
5. Correspondence from Rd. Dept. Supervisor regarding Construction Contracts (6/9/2014)
6. Notice of filing of summons and complaint in foreclosure (6/10/2014).
7. NJLM – Education Foundation Seminar (6/10/2014)
8. From Sussex County – Upcoming 2014 Sussex County Resurfacing Program (6/17/2014)
9. Copy of Ordinance from Hardyston amending CR Village Center District.
10. From Tax Assessor – 2014 County Tax Board Appeals and outcome. (6/10/2014)
11. Sussex County Planning Board Minutes (6/19/2014)
12. Notice of Intent to foreclose 12 Linwood Avenue (6/26/2014)
13. Notice from Hamburg Medical Associates regarding new regulations for CDL Physicals. (6/25/2014)

14. Save The Date – Annual Fall Substance Abuse Conference (6/26/2014).
15. NJ Conference of Mayors Information Bulletin (6/26/2014)
16. NJ League of Municipalities Mayors Advisory (6/26/2014)
17. NJ League of Municipalities Mayors Advisory Important Decision on Police Search of Cell Phones. (6/26/2014)
18. Township of Woodbridge hosts New Jersey Senior Olympic games (7/1/2014)
19. NJ League of Municipalities 17th Annual Elected Officials Hall of Fame. (7/1/2014)
20. From State of NJ underground storage tank removal 102 Mulberry Street. (7/1/2014)
21. Mayors Advisory – State Pension Payment updates. (7/1/2014)

ADJOURNMENT

Motion by Councilman Krasnomowitz, seconded by Councilman Law to adjourn the meeting at 8:15

PM. All in favor.

Date Approved: 8/4/14

Date Released: 8/4/14



Doreen Schott, RMC
Municipal Clerk

Submitted by Kathy Garrett