

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON AUGUST 4, 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
Richard Clemack

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".

July 7, 2014 Regular Meeting Minutes

Motion by Councilman Garrett, seconded by Councilman Law to approve the July 7, 2014 Meeting Minutes of the Mayor and Council. All in favor.

July 7, 2014 Executive Meeting Minutes

Motion by Councilman Krasnomowitz, seconded by Councilman Law to approve the July 7, 2014 Executive Session Minutes of the Mayor and Council. All in favor.

PRESENTATION AND SWEARING IN OF NEW POLICE OFFICERS

Mayor Marino stated that the Council interviewed candidates for the open positions and two officers were decided upon: Fred Moses and Lawrence Barcza.

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to hire Lawrence Barcza as Probationary Officer, Step 1 for the Borough of Hamburg.

Roll Call:

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

Borough Clerk Doreen Schott gave the Oath of Allegiance to Lawrence Barcza, who then thanked the Mayor and Council.

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to hire Fred B. Moses as Probationary Officer, Step 1 for the Borough of Hamburg.

Roll Call:

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

Nays: None

Abstain: None

Absent: None

Borough Clerk Doreen Schott gave the Oath of Allegiance to Fred B. Moses, who then thanked the Mayor and Council.

Mayor Marino stated that the Borough hired two good candidates; two experienced officers and now the department is back to eight officers. He was looking forward to the department being full-staffed with experienced officers.

APPROVAL OF BILLS:

Councilman Law asked about the new police car, if we had received it yet, and was answered that it was on the way.

Motion by Councilman Garrett, seconded by Councilman Krasnomowitz 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 Garrett, seconded by Councilman Krasnomowitz to close to the public. All in favor.

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

Roll Call:

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

Nays: None

Abstain: None

Absent: None

ORDINANCES

None

RESOLUTIONS

None

ATTORNEY HOUR

Notice of Claim re: Madison Marchese (6/5/14) –Executive Session

ENGINEERING:

Motion by Councilman Garrett, seconded by Councilman Law to open the meeting to Borough Engineer John Ruschke. All in favor.

Mr. Ruschke informed the Council that he continually speaks to Water Superintendent Jerry Kastner and our water and sewer system is running smoothly, showing that the investment has paid off tremendously. He stated that we have not been successful lately with the DOT grants, as the Mayor

has kept us updated on, but we will keep submitting them as they come along, and also on the Federal level. With respect to roads, Mike Schneider has crack-sealed Gingerbread Castle Road and stated that more roads need to be done this way to alleviate paving totally. He will speak to Mr. Schneider more about this. The generator at Well #2 is being discussed on the BPW level, with the funds coming from the Capital Improvement Fund.

Councilman Garrett discussed his meeting with Planner Ken Nelson and the Road Dept. storage sheds at the Fireman’s Pavilion. Mr. Nelson suggested building up the berm behind the shed and planting 20-30 white pine trees, filling in with Norway spruce and bamboo plants, which grow very quickly. Planting would be done in mid-September. Councilman Garrett is going to contact JCP&L as the electric wires run right above the area. Painting the sheds was also discussed as an option. Councilman Garrett was waiting for a call from the company as to warranty information and whether the painting would void it.

Councilman Garrett asked Mr. Ruschke about paving of Jennings Road when the State paves Rt. 23. He replied that he would get the dimensions from Mike Schneider. Mr. Ruschke also said that Schifano, who is paving Rt. 23, does work through the Morris County Co-op, and roughly, it would be approximately \$7-8,000.00 for the paving of the road.

Motion by Councilman Law, seconded by Councilman Krasnomowitz to close to Mr. Ruschke. All in favor.

MAYOR’S AGENDA

Mayor Marino refers to a memorandum from Tax Assessor Maureen Kaman, giving notice of her retirement effective January 1, 2015. She gave the Council a few recommendations for her replacement. Councilman Krasnomowitz stated that she has done a tremendous job for Hamburg.

Town wide Garage Sales

Mayor Marino discussed the date for the town wide garage sales.

Motion by Councilman Barr, seconded by Councilman Law to hold the garage sales for the town the last weekend of September, Saturday the 26th and Sunday the 27th. All in favor.

COMMITTEE REPORT

COUNCILMAN BARR

1. FIRE DEPARTMENT / OEM

Fire Department Application Richard Padgett

Councilman Barr stated that the Fire Dept. received an application from Richard Padgett. The background check from the Police Dept. has been returned clear.

Motion by Councilman Barr, seconded by Councilman Garrett to approve the Fire Department Application of Richard Padgett, noting he may now go for his physical. All in favor.

Fire Department Application Charles Kazella

Councilman Barr stated that the Fire Dept. received an application from Charles Kazella. The background check from the Police Dept. has been returned clear.

Motion by Councilman Barr, seconded by Councilman Garrett to approve the Fire Department Application of Charles Kazella, noting he may now go for his physical. All in favor.

Fire and EMS Monthly Report

Fire Total Calls 17 with a total of 106.5 man hours

EMS calls total 51: 12 trauma; 28 medical; 5 MVA; 2 mental health; 2 fire; 1 community assist; 17 mutual aid to Hardyston; 1 mutual aid to Vernon; 2 mutual aid to Sussex; 2 mutual aid to Franklin..

2. POLICE COMMISSIONER

Monthly report July 2014

The July 2014 monthly report for the Police Department showed 481 calls of service, including 6 arrests, 20 motor vehicle accidents, and 45 motor vehicle summonses issued.

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to open to Police Director Wayne Yahm. All in favor.

Director Yahm reported that Sgt. Gunderman would be back to active duty on August 18th, being cleared by the dr. from his injury on the 8th but has already scheduled a vacation ending the 17th. The dept. will be at full force on that date. The police care will be here this week and in service by the end of the month.

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to close to Director Yahm. All in favor.

3. HISTORIC COMMISSION / HISTORIC SOCIETY

COUNCILMAN KRASNOMOWITZ:

1. OFFICE ADMINISTRATION

2. CONSTRUCTION DEPARTMENT

Construction Activity Report June 2014

Councilmember Krasnomowitz advised that there were 11 permits issued, 0 certificates of occupancy, and 17 certificates of approvals with a total of \$1282.00 collected in fees for the month of June.

3. LAND USE BOARD

Meeting on Monday may be cancelled as there is no activity.

4. INSURANCE

COUNCILMAN BURD

1. SOLID WASTE

Mayor Marino mentioned to Councilman Burd about the monthly meetings of SWAC, saying that if possible to attend.

2. SANITATION AND RECYCLING

3. GRANTS

4. BOARD OF EDUCATION

Correspondence from WVRHS re: Resolution to Eliminate Sussex Technical School Tuition

Motion by Councilman Burd, seconded by Councilman Krasnomowitz to open the meeting to Robert Walker, interim superintendent at Walkkill Valley Regional High School. All in favor.

Mr. Walker spoke to the Council, presenting a resolution he would like the Council to pass in support to eliminate the tuition costs for Sussex Tech and return it to the County for funding. He

stated that the high school was paying an extremely high amount of the bill for the tuition costs at Tech. Mayor Marino stated that the town does not get involved with school budgets. Councilman Barr discussed that some people are paying taxes for Walkill and the kids go to Tech. He added that the county rate would then go up. Mr. Walker responded that all residents would then be paying a fair share.

Motion by Councilman Burd, seconded by Councilman Barr to close to Mr. Walker. All in favor.
 Motion by Councilman Burd, seconded by Councilman Sena to accept and endorse the resolution as presented.

DISCUSSION

Councilman Sena asked what the percentage of increase was not in relation to what schools are allowed to charge. Mr. Walker answered that if State Aid is coming, it's ok; but if it's not, then that's where the problem is.

Councilman Krasnomowitz agreed with the thoughts of Councilman Sena, that it is a county institution, that they should bear that brunt of an investment.

Councilman Burd also agrees, saying that county dollars should be divided equally between State Aid and County Aid.

Roll Call:

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

COUNCILMAN LAW

1. RECREATION

Councilman Law reminded all about Hamburg Day coming up on August 24th from 12 Noon – 4 PM at the rec fields. There will be amusements, music, a juggler, bubble man, vendors, food, EMS, PD, and the fire dept. will be providing hot dogs. Information on “Hooked on Fishing-Not on Drugs”, a program to involve parents and kids together, will be available at Hamburg Day. The program gives options in which parents and kids can use fishing as an avenue to deter drug use. Poles and equipment is provided by the program. Councilman Law also relayed that Chris Fitzpatrick was putting together the fall schedule for the clinics at the school for the kids, running about 12-15 clinics. He thanked Chris for all the time and hard work he puts in for the kids of Hamburg and for the many years he has done this.

2. COURT

Councilman Law informed the Council that the Assistant Prosecutor will be attended the court session on Tuesday, the 5th.

3. OPEN SPACE

4. NEWSLETTER

COUNCILMAN GARRETT

1. BUILDING AND GROUNDS

Quotes – Hamburg Municipal Building Flooring

Councilman Garrett stated that the carpeting in the municipal building was about 20 years old and

needed to be replaced. Quotes were received from two of three contacted vendors. Council discussed carpet tiles and wall to wall, with a concern about the tiles lifting on the concrete. Councilman Law said that if tiles are installed properly on concrete, they will not lift. Councilman Sena would like to go with wall to wall. After discussion, motion by Councilman Garrett, seconded by Councilman Barr to go with Tony's Flooring LLC with the wall to wall carpet.

Roll Call:

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

Councilman Garrett said that the entrance hallway in the court house needs to be replaced. Since the court clerk will be on vacation August 18-20, the Road Dept. will be doing the work at that time, repairing and putting in new flooring.

2. WATER QUALITY

3. BOARD OF PUBLIC WORKS

There will be a meeting on Wednesday, August 13th.

COUNCILMAN SENA

1. FINANCE / TAX DEPARTMENT

The Tax Collector's Report for June 2014 showed a total of \$202,698.24 being collected.

Motion by Councilman Sena, seconded by Councilman Barr to accept the Resolution to redeem third party tax sale certificate #12-022 in the amount of \$20,927.41; Resolution to redeem third party tax sale certificate #12-029 in the amount of \$17,729.04; Resolution to redeem third party tax sale certificate #12-025 in the amount of \$14,430.59; Resolution to redeem third party tax sale certificate #12-020 in the amount of \$14,605.06; Resolution to redeem third party tax sale certificate #12-018 in the amount of \$22,581.61.

Roll Call:

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

2. ROAD DEPARTMENT

Motion by Councilman Sena, seconded by Councilman Garrett to open the meeting to Road Dept. Foreman Mike Schneider. All in favor.

Mr. Schneider stated that the department is busy patching roads, servicing the trucks, cutting grass, and did a hydrant replacement on Linwood. Councilman Krasnomowitz asked about cutting the weeds at the tennis courts.

Motion by Councilman Sena, seconded by Councilman Garrett to close to Mr. Schneider. All in favor.

3. BOARD OF HEALTH

Councilman Sena stated that there was a full board and had a great meeting. There are 38 foreclosures in Hamburg. All construction details for the 7-11 have been outlined. There were two dog bites, in which the dogs were quarantined, and all was okay. All establishments in town passed satisfactorily.

4. SUSSEX COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP

PUBLIC PORTION:

Motion by Councilman Barr, 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.

Jeff Carroll – 20 Bluffs Court – and was the spokesperson for his neighborhood, voicing their concern about the increase in their taxes. He has seen a few changes since he moved in in December 2011; there are now 23 homes of the 67 that are to be built. He had a petition signed by his neighbors seeking support for a tax abatement until the development as complete, which he also said would help with future sales. Mr. Carroll feels the tax increase will have a negative effect on future sales and the assessments based on fully developed project. He mentioned snow removal also.

Andy Carrano – 9 Bluffs Court - said that he has appealed his taxes. He also said the contractor has pulled some equipment out with no intentions of finishing the other homes. He said he paid \$292,000. and his home is assessed at \$285,000.00 now, also saying there are no comps as these are all new homes.

Heather Carroll – 20 Bluffs Court - reiterated her husband's concerns, along with the \$24.00 increase in municipal taxes, saying that Bluffs Court does not see any services from the town. Mayor Marino replied that Bluffs Court receives recycling, fire services, police and snow plowing of the entrance of the roadway.

Mark Greco- 39 Bluffs Court – also said that residents only own their home, not their property, and to pay that much in taxes is outrageous and hard to live with.

Christopher Dick - 24 Bluffs Court – works with the Denville DPW, stated that the roads in Denville are horrible and this road in the Bluffs is worse than there. Mr. Ruschke agreed with him. Again Mayor Marino stated that until the developer is done and turns the road over to the town, the town cannot do anything to it.

Megan Greco – 39 Bluffs Court – reiterated what her husband said about how high the taxes are for not owning any property.

Patricia Egan – 14 Bluffs Court – questioned the tax sale, referring to the liens. She also asked about the old Plastoids area, stating that it was not a pleasant sight to look at all the time with all the graffiti and buildings in disrepair.

Susan Neus – 41 Bluffs Court – asked about fixing the pillar on the one lane bridge on Gingerbread Castle Road, stating that it is crumbling. Road Dept. Foreman said that would be a county road, so it would be their responsibility to repair. She also asked about a street sign – Bluffs Court / Bluffs Drive- saying one was there, and now it is not. She was advised that when the street is turned over to the town, that is when a sign usually goes in.

Mayor Marino said that he will contact Mr. Mulvihil, the county and the developer in an effort to help the residents.

Keith Sukennikoff – OEM Coordinator – informed the Council that the OEM trailer was received, along with 7 generators. In July there were 2 major rain storms, in which Jackie Espinosa of JCP&L texted him information and with the County and DOT, they all worked together to get things under control. Mr. Sukennikoff also informed the Council that he was asked to sit on a DOT emergency incident team for highway incidences, rewriting guidelines, responses, etc. He is the only one from Sussex County. They will meet every 2 months and as there are no diversion records on file for the past 13 years, the team is going to rewrite them.

Bill Oehler – Fire Chief – stated that Rt. 517 will be open this Friday, August 8th.

Joyce Oehler – EMS Captain – asked about the generator for the EMS building. Mr. Schneider is waiting for prices to come in and also said that the building is ready for it.

Motion by Councilman Garrett, seconded by Councilman Law to close to the public. All in favor.

EXECUTIVE SESSION RESOLUTION:

Attorney Clemack 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. **Notice of Tort Claim: BK Operating Corp./ Hinger**
2. **Notice of Claim re: Madison Marchese**

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 Krasnomowitz, seconded by Councilman Burd to accept the resolution as offered. All in favor.

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to enter into Executive Session at 9:35 PM. All in favor.

Discussion re: Notice of Tort Claim: BK Operating Corp./ Hinger and a Notice of Claim re: Madison Marchese.

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

Council discussed the website and email addresses and the best way to treat. To handle the web site at the moment, the cost is \$200.00. One issue is the underscore in the email; another is taking the email address off when the employee no longer works in that position. Borough Clerk Doreen Schott would be one of two administrators to make changes.

Motion by Councilman Sena, seconded by Councilman Garrett to remove an email address when the employee is no longer in the position and to keep Paul Leech as an overseer of the domain at a cost of \$200.00 a year. All in favor.

Councilman Krasnomowitz questioned the sounding of the siren for emergency calls and whether it is needed at all. Councilman Garrett stated that at night the siren goes off only for a structure fire, a major accident or a major evacuation. During the day, the siren is sounded for all calls for communication reasons – not all of the responders have pagers and rely on the siren for notification. What Councilman Garrett did say may be possible was the amount of times the siren actually does go through the cycle: that may be able to be lessened. As far as the siren tower itself coming down, it would not be advisable as an approval to reconstruct would not be granted again due to the strict regulations.

Councilman Garrett brought up the amount of mutual aid calls into Hardyston that the town has been responding to. He brought up different instances where Hardyston did not respond to a “non-life threatening call but then minutes later responded to a motor vehicle accident. During the day, Sparta is a paid service that responds to Hardyston. Councilman Barr suggested having a conversation with them, asking them what’s going on, then possibly a shared service with them and charging for it. A lot of their residents live around Hamburg: Crystal Springs, Carlton Village, etc., so even though Hamburg could respond, we should be compensated for it. (Half of the EMS budget is for mutual aid calls). Councilman Krasnomowitz asked about regionalizing –with Franklin, Sparta, Ogdensburg and Hardyston, but they are all still volunteers and don’t have to respond. Councilman Garrett also said that Hamburg doesn’t really want to be paid, because then the State oversees and everything is regulated. Mayor Marino said that it is only August and the EMS budget is already low - half of the EMS budget is for mutual aid calls.

Mayor Marino said that he and Doreen Schott are looking into a new podium, one with a built-in mike.

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

1. From Hardyston Township notice of Planning Board approval of 2014 Master Plan Reexamination Report. (7/8/2014)
2. From Wireless Capital Partners, LLC – offer to purchase cell tower (7/8/2014)
3. County of Sussex 2014 Open Space Application (7/1/2014)
4. NJLM Legislative Bulletin June 2014 (7/11/2014)
5. From Sussex County resolution opposing expansion of federal control under clean water act. (7/11/2014)
6. Correspondence from Sussex County Chiefs of Police regarding training fees (7/15/2014)

7. From State of NJ Drinking Water State Revolving Fund Program (7/15/2014)
8. SCMUA Sewage Flows for April, May, June 2014 (7/18/2014)
9. From Borough of Franklin Ordinance #7-2014 (7/18/2014)
10. Correspondence from Houser Engineering regarding one mile notification of work being done in Wantage Twp. (7/18/2014)
11. Notice of Ordinance, Hardyston Township amending Land Use. (7/18/2014)
12. Notice of Ordinance, Hardyston Township amending CR Village Center (7/18/2014)
13. Notice from law firm advising of pending foreclosure Block 17, Lot 3 (7/25/2014)
14. NJLM Annual Audit Statement (7/25/2014)
15. EcolSciences notice of remedial action permit for Accurate Forming (7/25/2014)
16. National Casualty Company re: Steven Super (7/30/14)
17. From Vernon resolution opposing expansion of federal control under clean water act. (7/31/14)

ADJOURNMENT

Motion by Councilman Barr, seconded by Councilman Law to adjourn the meeting around 10:00 PM. All in favor.

Date Approved: 9/3/14

Date Released: 9/3/14



Doreen Schott, RMC
Municipal Clerk

Submitted by Kathy Garrett