

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON JANUARY 5, 2015 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: Kathy Garrett
Richard Clemack, Attorney

STATEMENT OF CERTIFICATION:

Deputy Clerk will advise:

Adequate notice of this meeting has been provided to the public and the press January 6, 2013 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".

December 1, 2014 Regular Meeting Minutes

Motion by Councilman Barr, seconded by Councilman Law to approve the December 1, 2014 Regular Meeting Minutes of the Mayor and Council. All in favor.

December 1, 2014 Executive Meeting Minutes

Motion by Councilman Garrett, seconded by Councilman Barr to approve the December 1, 2014 Executive Meeting Minutes of the Mayor and Council. All in favor.

APPROVAL OF BILLS:

As there are no additions or deletions to the bill list, motion by Councilman Barr, seconded by Councilman Law to open the meeting to the public. All in favor.

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

Motion by Councilman Garrett, 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:

Ordinance # 01-2015 - 1ST Reading

AN ORDINANCE AMENDING CHAPTER 209-WATER – OF THE CODE OF THE BOROUGH OF HAMBURG, COUNTY OF SUSSEX, STATE OF NEW JERSEY INCREASING SERVICE CHARGES FOR DELINQUENT WATER BILLS

Motion by Councilman Law, seconded by Councilman Garrett for Attorney Clemack to read the Ordinance

by title for first reading and publication. All in favor.

AN ORDINANCE AMENDING CHAPTER 209-WATER-OF THE CODE OF THE BOROUGH OF HAMBURG, COUNTY OF SUSSEX, STATE OF NEW JERSEY INCREASING SERVICE CHARGES FOR DELINQUENT WATER BILLS.

Attorney Clemack stated that the service charge is to compensate the employees that have to go out to turn the water off and then back on. The second charge of \$200.00 was deleted. This service fee was raised from \$50.00 to \$100.00.

Motion by Councilman Law, seconded by Councilman Law to approve the ordinance on first reading and introduction with said ordinance to be published in full with second reading scheduled for February 2, 2015.

DISCUSSION

Councilman Barr relayed to the Council that he thought the second charge of \$200.00 was not a bad idea as these are repeat offenders and it costs the Borough each time we have to send out an employee to turn off their water because they don't pay.

Attorney Clemack stressed that this is not a penalty ordinance; it is a service fee that is being changed. Councilman Law is in agreement with Councilman Barr.

Councilman Garrett added that once the water is off, it is off, and does not get turned back on until the service fee has been paid.

Councilman Barr replied that he was referring to those that are constantly turned on, off, on, off, etc.

Roll Call:

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

RESOLUTIONS:

Resolution # 2015- 01

Mayor Marino read the resolution by title:

CASH MANAGEMENT PLAN (Read by title only).

**BOROUGH OF HAMBURG
2015 Cash Management Plan
Resolution # 2015 - 01**

WHEREAS it is in the best interest of the Borough of Hamburg to earn additional revenue through the investment and prudent management of its cash receipts; and

WHEREAS P.L. 1983, Chapter 8, approved January 18, 1983 is an act concerning the Local Fiscal Affairs Law and amends N.J.S.A. 40A:5-2 and N.J.S.A. 40A:5-14; and

WHEREAS this requires that each local unit shall adopt a cash management plan.

NOW, THEREFORE, BE IT RESOLVED, that the following shall constitute the Cash Management Plan for the Borough and the Treasurer shall deposit and manage its funds pursuant to this plan:

Definitions

1. Treasurer shall mean the Treasurer of the Borough of Hamburg
2. Fiscal Year shall mean the twelve-month period ending December thirty-one.
3. Cash Management Plan shall mean that plan as approved by resolution.

Designation of Depositories

At least once each fiscal year the governing body shall by resolution designate the depositories for the Borough of Hamburg in accordance with the N.J.S.A. 40A:5-14.

Audit Requirement

1. The Cash Management Plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A:5-4.

Authority to Invest

1. The governing body shall pass a resolution at its first meeting of the fiscal year designating the

Borough official(s) who shall make and be responsible for municipal deposits and investments.

Investment Instruments

1. The Treasurer shall invest at his discretion in any investment instrument as approved by the State of New Jersey in accordance with N.J.S.A. 40A:5-15.1.

Records and Reports

1. The Treasurer shall report all investments in accordance with N.J.S.A. 40A:5-15.2.
2. At a minimum the Treasurer shall:
 - a. Keep a record of all investments.
 - b. Keep a cash portion record which reveals, on a daily basis, the status of the cash in its bank accounts.
 - c. Confirm investments with the governing body at the next regularly scheduled meeting.
 - d. Report monthly to the governing body as to the status of cash balances in bank accounts, revenue collection, interest rates, and interest earned.

Cash Flow

1. The Treasurer shall ensure that the accounting system provides regular information concerning the cash position and investment performance.
2. All moneys, shall be turned over to the Treasurer and deposited in accordance with N.J.S.A. 40A:5-15.
3. The Treasurer is authorized and directed to invest surplus funds of the Borough of Hamburg as the availability of the funds permit. In addition, it shall be the responsibility of the Treasurer to minimize the possibility of idle cash by depositing the monies in interest bearing accounts wherever practical and in the best interest of the Borough of Hamburg.
4. The Treasurer shall ensure that funds are borrowed for Capital Projects in a timely fashion.

I HEREBY CERTIFY the above to be a true copy of a Resolution Adopted by the Council of the Borough of Hamburg at a duly convened Meeting held on January 5, 2015

Doreen Schott
Municipal Clerk

Motion by Councilman Krasnomowitz, seconded by Councilman Law to accept the resolution as offered.

Roll Call:

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

Resolution #2015-02 – Transfer Resolution Engineering O/E to Legal O/E

Motion by Councilman Law, seconded by Councilman Garrett to accept Resolution #2015-02 – Transfer Resolution of \$2300.00 from Engineering O/E to Legal O/E. All in favor.

Resolution # 2015-03 Appointment of Tax Assessor and Municipal Attorney to defend before the Sussex County Tax Court.

Motion by Councilman Garrett, seconded by Councilman Krasnomowitz to accept Resolution #2015-03 Appointment of Tax Assessor and Municipal Attorney to defend before the Sussex County Tax Court. All in favor.

ATTORNEY HOUR:

None

EXECUTIVE SESSION RESOLUTION:

Attorney Clemack will offer 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.
- 2.
- 3.

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.

No Executive Session

ENGINEERING:

Mayor Marino said that the Borough Engineer is working on the generator for the well.

MAYOR'S AGENDA:

Local Emergency Planned Committee (LEPC) membership appointments.

Mayor Marino advised that as part of the County requirements of Office of Emergency Management, he appoints the following persons to the Hamburg Local Emergency Planning Committee (LEPC)- Chairman Keith Sukennikoff, OEM; Kevin Decker, OEM; Paul Marino, Mayor; Councilman Russell Law, OEM Commissioner; Doreen Schott, Municipal Clerk; Mike Schneider, DPW; Bill Oehler, Fire Chief; Joyce Oehler, EMS Captain; Wayne Yahm, Police Director; David McNulty, Police Department; Roger Jinks, Hamburg Board of Ed.; Bill DeBoer Sr., DeBoers Auto, Business owner of Hamburg; Dr. Dennis Fielding, Medical Physician of Hamburg.

The purpose of the committee is to address potential hazardous materials incidents, and has been expanded to include terrorism preparedness and serve as the Citizen Corps Council. They will be meeting approximately four (4) times a year.

Motion by Councilman Law, seconded by Councilman Burd to accept the committee as listed above. All in favor.

PROFESSIONAL SERVICE AGREEMENTS

The following Professional Service Agreements were presented for execution. A spread sheet to Council Members indicated a synopsis for the service performed. The service provided by each is remaining the same as in past years and the following contracts are to be executed:

- Richard J Clemack 2015 contract
- Nelson Consulting Group 2015 contract
- Hatch Mott MacDonald 2015 contract
- Nisivoccia & Company 2015 contract
- John L Kraft 2015 contract
- Dr. Fielding 2015 contract
- James P. Sloan 2015 contract
- Alicia Ferrante 2015 contract
- Weiner Lesniak Glenn Kienz 2015 contract

Motion by Councilman Krasnomowitz, seconded by Councilman Law to accept the Professional Service Agreements for the above.

Roll Call:

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

Absent: None

COMMITTEE REPORTS:

COUNCILMAN BARR

1. POLICE COMMISSIONER

Council is in receipt of a Letter of Resignation from Court Matron Sherri Foley due to a conflict with scheduling her jobs.

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to accept the letter of resignation from Sherri Foley with regrets. All in favor.

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

Monthly report December 2014

The December 2014 monthly report for the Police Department showed 530 calls of service, including 6 arrests, 7 motor vehicle accidents, and 64 motor vehicle summonses issued (ETickets – 60, hard copies – 4). Director Yahm said the department is doing more training and so he is juggling the schedule. There was another NARCON save this morning. He needs to reorder the kit and the price is going up though; it was \$40.00 before and now it is up to about \$60.00. The County paid for the first round. Last night's save needed two doses.

Councilman Barr asked if there were any conversations with surrounding towns regarding the NARCON and mutual aid and using it within their town. He replied no.

Director Yahm said the new vehicle went to the Ford dealer on December 6 as the heads went bad. It seems as though there is a recall on them and there is no time frame for receiving the part. Magarino Ford is trying to help also.

Director Yahm also said he was looking for another supplier for ammunition for handguns only.

Councilman Barr said Hardyston is asking for us to continue to help with EMS and we will get budgetary help in 2015. Councilman Garrett will attend the January 14th Hardyston Council meeting. Their Council is very appreciative and will share some equipment but they will not liquidate any.

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

2. HISTORIC COMMISSION / HISTORIC SOCIETY

Councilman Barr informed the Council that the reorganization meeting will be held on January 21st.

3. SUSSEX COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP

COUNCILMAN KRASNOMOWITZ:

1. OFFICE ADMINISTRATION

2. CONSTRUCTION DEPARTMENT

Construction Report November 2014

Councilmember Krasnomowitz advised that there were 12 permits issued, 1 certificates of occupancy, and 7 certificates of approvals with a total of \$2356.00 collected in fees for the month of November.

3. LAND USE BOARD

Councilman Krasnomowitz stated that Marguerite Nemeth included a 2014 Year End Summary for Land Use Board for Council members. He also said that Land Use reorganization was Monday, January 12th at 7 PM, with the regular meeting following at 7:30 PM. They will be hearing applications for the Mobil gas station and Silconas' Farm.

4. INSURANCE

COUNCILMAN BURD

1. SOLID WASTE

2. SANITATION AND RECYCLING

3. GRANTS

Correspondence from North Jersey Housing and Planning Services LLC
Councilman Burd relayed that correspondence from Pat Fisher of North Jersey Housing and Planning Services was received, saying that she is no longer able to provide services as the Borough's Housing Rehabilitation Program Coordinator.

4. BOARD OF EDUCATION

The Board of Education will be meeting on Tuesday, January 6th at 7:30 PM. Bruce Piper is the new board member.

COUNCILMAN LAW

1. COURT

2. FIRE COMMISSIONER AND OEM

Fire and EMS Monthly Report - December
Fire Total Calls: 9; 44.23 hours. Total calls for the year - 140. Total man hours - 1002.88.
EMS calls total 34: 6 trauma; 20 medical; 2 MVA; 2 mental health; 2 fire; 2 CO alarm; Mutual Aid - into Hardyston - 18; into Sussex - 2
So far in January 2015 there have been 14 call; 9 of them have been into Hardyston.

Councilman Law presented an application for EMS Membership for Bryce Curtis, stating the background check was completed with no issues.
Motion by Councilman Law, seconded by Councilman Barr to accept Bryce Curtis as a driver for EMS. All in favor.

Social Affairs Permit for Venison Dinner at Fire House January 31, 2015 6:00-10:00 pm
Council is in receipt of a Social Affairs Permit for the Fire Dept. to hold a Venison Dinner at the Fire House on January 31st.
Motion by Councilman Law, seconded by Councilman Barr to approve said permit. All in favor.

3. OPEN SPACE

4. NEWSLETTER

COUNCILMAN GARRETT

1. BUILDING AND GROUNDS

Councilman Garrett was notified that a resident on Lime Kiln Road was inquiring about whether the town was going to plant trees to hide the salt sheds. He said that we did the best we could with moving the salt sheds. As far as planting trees, we would not be able to plant the trees far enough away from the transmission lines as advised by JCP&L.

2. WATER QUALITY

3. BOARD OF PUBLIC WORKS

The reorganization meeting is Wednesday, January 14th at 7:30 PM.

COUNCILMAN SENA

1. FINANCE / TAX DEPARTMENT

Motion by Councilman Sena, seconded by Councilman Garrett to redeem third party tax sale certificate #14-048 in the amount of \$1062.32. All in favor.

2. ROAD DEPARTMENT

Councilman Sena said that an order for 150 tons of road salt was just placed. We had 150 tons on hand and we have already used 50 tons. Last year the price was \$59.00 a ton whereas this year it is \$80.00 a ton. Councilman Sena mentioned an employee that had come to work, that had parked in the municipal lot and received a ticket. More will be discussed when open to Mike Schneider. Tree pickup will last until the end of January.

3. BOARD of HEALTH

The Board of Health reorganization meeting will be held on Tuesday, January 13th at 6:30 PM.

4. RECREATION

Recreation reorganization meeting will be held on January 20th at 7 PM. Breakfast with Santa was a huge success. Councilman Sena thanked members of the commission for all they did to make the breakfast successful and fun for all! They worked hard throughout the entire breakfast. Councilman Sena thanked all that helped with the breakfast. Tree lighting was wet but there were about 70 people in attendance.

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.

Mike Schneider – Road Dept. Foreman- informed the Council that a part time employee had parked in the municipal parking lot while he was plowing and then afterwards, someone came and picked him up, leaving his truck in the parking lot. He came to work the next day and found a ticket on his car. At the moment, he is working with Director Yahm to straighten it out.

Bill Oehler – Fire Chief – said that the new applicant Bryce Curtis was also interested in Fire Police.

Joyce Oehler – EMS Captain – informed the Council that she is meeting with EMS personnel to put together secondary crews to pick up a call so a duty crew is not running back to back calls. Councilman Barr asked about having temporary membership for Hamburg.

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

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

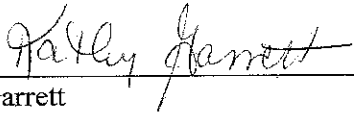
1. SCMUA Adopted 2015 Rate Schedule (12/5/2014)
2. Notice of filing of foreclosure 37 Orchard Street (12/31/2014)
3. General Information Notice Accurate Forming LLC regarding pending sale (12/31/2014)
4. Notice from North Jersey Housing (12/31/2014)
5. Notice from SCMUA regarding estimated charges (12/31/2014)
6. Notice to Property Owners , Hamburg Farms LLC (12/31/2014)

ADJOURNMENT

Motion by Councilman Barr, seconded by Councilman Burd to adjourn the meeting at 8:08 PM. All in favor.

Date Approved: 2/4/15

Date Released: 2/4/15



Kathy Garrett
Kathy Garrett
Deputy Clerk