

**MINUTES OF THE REGULAR (Rescheduled) MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON FEBRUARY 4, 2015 AT THE MUNICIPAL BUILDING, 16 WALLKILL AVE., HAMBURG, NJ**

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**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 Garrett	Councilman Burd
Councilman Sena	Mayor Marino

Absent: Councilman Krasnomowitz

Also Present: Doreen Schott  
Kathy Garrett  
Richard Clemack, Attorney

**STATEMENT OF CERTIFICATION:**

Clerk will advise:

Adequate notice of this meeting has been provided to the public and the press January 9, 2015 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" and Amended Notice of February 4, 2015 sent to the New Jersey Herald on February 2, 2015 and posted at the Municipal Building, also stating that formal action will be taken.

**January 1, 2015 Re Organization Meeting Minutes**

Motion by Councilman Garrett, seconded by Councilman Barr to approve the January 1, 2015 Re-Organization Meeting Minutes of the Mayor and Council. All in favor.

**January 5, 2015 Regular Meeting Minutes**

Motion by Councilman Burd, seconded by Councilman Barr to approve the January 5, 2015 Regular 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 Garrett 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 Barr, seconded by Councilman Garrett to close to the public. All in favor.

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

Roll Call:

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

**ORDINANCES:**

**Ordinance # 01-2015 – 2<sup>nd</sup> 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**

Attorney Clemack will read the Ordinance by title for second reading and publication. A motion is in order to open the meeting to the public for any questions or comments they may have with regards to the ordinance prior to adoption of same. This ordinance was introduced on first reading at the January 5, 2015 meeting and published as provided by law.

\*\*Attorney Clemack stated this will be republished for publication and 2<sup>nd</sup> reading on March 2, 2015. Motion by Councilman Barr, seconded by Councilman Law to accept as stated. All in favor.

**Ordinance #02-2015 – 1<sup>st</sup> Reading**

**CALENDAR YEAR 2015 - ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.40a:4-45.14)**

Motion by Councilman Barr, seconded by Councilman Law for Attorney Clemack to read the ordinance by title for first reading and publication. All in favor.

**CALENDAR YEAR 2015 – ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40a:4-45.14)**

Motion by Councilman Barr, 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 March 2, 2015. All in favor.

**RESOLUTIONS**

# 2015-04 Transfer Resolution Engineering OE/ Finance OE to Legal OE

Motion by Councilman Barr, seconded by Councilman Garrett to accept Resolution #2015-04 Transfer Resolution from Engineering OE (\$2000.00) / Finance OE (\$1400.00) to Legal OE in the amount of \$3400.00. All in favor.

**ATTORNEY HOUR:**

**ENGINEERING:**

**MAYOR’S AGENDA:**

**2014 Holiday Decorating Contest**

Mayor Marino presented the 1<sup>st</sup> Place award and certificate to Walt Gardner and Keri Bosland of 4 Hamilton Street who were in attendance to receive it.

Mayor Marino presented the 2<sup>nd</sup> Place award and certificate to David and Maria Martinez of 230 Route 23 who were in attendance to receive it.

Edward and Helen Jarecki of 12 Woodland Avenue were 3<sup>rd</sup> Place winners and will be mailed their award and certificate.

Best Overall Street – Hamilton Street

**1. Recreation Playground**

Mayor Marino relayed to the Council that by Hamburg Day he would like to have some kind of playground in at the fields. He said that Councilmen Barr and Sena are going to be working on a new plan for the playground as the old one would not be the best for that area.

**2. Fire Department Committee**

Mayor Marino put together a committee for the Fire / EMS Department for issues that may arise. Mayor Marino puts on Council Liaison Law as Chairman, and Councilmen Sena and Barr, with himself as an alternate.

Motion by Councilman Barr, seconded by Councilman Law to accept the committee as offered. All in favor.

**3. Budget discussions**

Council is in receipt of a budget worksheet to be discussed at the March 23<sup>rd</sup> Council meeting.

**COMMITTEE REPORTS**

**COUNCILMAN BARR**

**1. POLICE COMMISSIONER**

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

Monthly Report for January 2015

The January 2015 monthly report for the Police Department showed 647 calls of service, including 10 arrests, 18 motor vehicle accidents, and 155 motor vehicle summonses issued (ETickets – 153, hard copies – 2).

Director Yahm stated that the officers received more training with no overtime used.

The patrol car was back from Ford already and all was in working condition.

All officers are doing well.

The Narcan save that was done last month, the person stopped in to personally say thank you for being there, which meant a lot to the officers and the department. Councilman Law asked if there was any problem getting the Narcan and Mr. Yahm replied no, that when he requests it, he receives it within a day or two. He said the price has gone up, but that was to be expected. The expiration date is 2016 and he hoped he will be able to throw it out.

Officers Barza and Gormley participated in the Special Olympics at Mt. Creek recently and passed out awards. They did this on their own time. Councilman Barr would like a resolution given to them from the Council. Motion by Councilman Law, seconded by Councilman Garrett to give a recognition resolution to Officers Barza and Gormley for their participation in the Special Olympics. All in favor.

The ammunition is coming in; a couple of hundred dollars cheaper than what the department was paying.

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

**2. HISTORIC COMMISSION / HISTORIC SOCIETY**

Councilman Barr stated that at the reorganization meeting, although he was not able to attend, Tom Watts remained chairman.

**3. SUSSEX COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP**

**COUNCILMAN KRASNOMOWITZ:**

**1. OFFICE ADMINISTRATION**

The 2015 Municipal Tax Information report from Jason Laliker, the tax assessor, shows the ratio of taxes has gone up.

**2. CONSTRUCTION DEPARTMENT**

Construction Report December 2014

The report showed there were 10 permits issued, 1 certificates of occupancy, and 11 certificates of approvals with a total of \$6667.00 collected in fees for the month of December.

**3. LAND USE BOARD**

**2014 Zoning Report and suggestions**

Councilman Garrett commented that the Zoning officer submitted a good report and covered a lot of information.

No Land Use Meeting scheduled.

**4. INSURANCE**

**COUNCILMAN BURD**

**1. SOLID WASTE**

Councilman Burd stated that the tonnage report from Solid Waste shows that it is down approximately 3.1 % although Hamburg was reported at 52%, which is terrific.

**2. SANITATION AND RECYCLING**

**3. GRANTS**

**Grant information from Statewide Ins. – 2015 Fund Risk Control Grant Program**

Councilman Burd stated that with this grant, 1% of the total 2015 assessment would give us \$12,973.00 and he would like to look into getting surveillance cameras for the municipal building. There is nothing here to protect the Borough, should someone slip and fall, break in, etc. This grant he believes could cover the system.

**4. BOARD OF EDUCATION**

Pat Harby is Chairwoman of the Board and has been for the past 30 years, with Sheila Frayko as Vice Chairwoman.

**COUNCILMAN LAW**

**1. COURT**

**2. FIRE COMMISSIONER AND OEM**

**Fire and EMS Monthly Report - January**

Fire calls: 11 total; 75 hours: 1 MVA; 4 alarm; 1 smell gas/ smoke; 2 assist EMS; 1 stand-by; 1 public service; 1 cancelled en-route.

EMS calls total 60: 10 trauma; 29 medical; 3 MVA; 7 mental health; 3 fire; 3 alarm; 3 stand-by; 2 cancelled en-route; Mutual Aid – into Hardyston – 27; into Sussex – 1

OEM also submitted a report, stating that there were no incidents were reported during the storm.

**Parade List for the year 2015**

Councilman Law presented a parade list for 2015 as submitted by the Fire Dept. as follows: Saint Patrick’s Day parade in Newton on March 21<sup>st</sup> at 11:30 AM; Memorial Day parade at North Church Cemetery at 9:15 AM and then at Hamburg Monument at 9:45 AM; Warwick Parade on June 20<sup>th</sup> in Warwick, NY at 6 PM; and the County Parade in Hopatcong on October 3<sup>rd</sup> with a rain date of October 4<sup>th</sup> with the parade beginning at 1 PM.

Motion by Councilman Law, seconded by Councilman Barr to accept the Parade List for 2015 as presented with equipment. All in favor.

**The following EMS Applications were presented for approval:**

- Kaydee M Curtis
- William Dietrich
- Collin McConville

All have had the required background checks and no issues were found.

Motion by Councilman Law, seconded by Councilman Barr to approve Kaydee M. Curtis as an EMS driver. All in favor.

Motion by Councilman Law, seconded by Councilman Barr to approve William Dietrich as an EMS driver. All in favor.

Motion by Councilman Law, seconded by Councilman Barr to approve Collin McConville as an EMS driver. All in favor.

**Social Affairs Permit – March 7, 2015 – St. Patrick’s Dinner**

A Social Affairs Permit was submitted for approval by the Fire Dept. for a St. Patrick’s dinner on March 7, 2015 from 4 – 11 PM.

Motion by Councilman Law, seconded by Councilman Barr to approve submitted permit. All in favor.

**Shared Service Agreement – Hardyston – EMS**

This will be discussed in Executive Session.

- 3. OPEN SPACE
- 4. NEWSLETTER

**COUNCILMAN GARRETT**

**1. BUILDING AND GROUNDS**

Councilman Garrett said the generator for the EMS building is being built and when completed, Dan Hayenhjelm Electric will be installing.

**2. WATER QUALITY**

**3. BOARD OF PUBLIC WORKS**

BPW had their re-organization meeting on January 14<sup>th</sup>, with the Vinnie Busted as Chairman and Jerry Truppi as Vice-Chair. Councilman Garrett reported that the town will be receiving a credit from SCMUA as the flow that was sent through SCMUA for the year was below what was allocated for the year. The 5 Year Plan was discussed and the Booster Pumps will be addressed next. The generator at Well #3 is being built.

**COUNCILMAN SENA**

**1. FINANCE / TAX DEPARTMENT**

The Tax Collector’s report for December 2014 showed \$257,436.49 being collected.

Motion by Councilman Sena, seconded by Councilman Garrett to accept the resolution to redeem third party tax sale certificate #14-054 in the amount of \$1797.10; to redeem third party tax sale certificate # 14-073 in the amount of \$ 975.12; to redeem third party tax sale certificate #11-016 in the amount of \$37,454.06; and to redeem third party tax sale certificate #14-052 in the amount of \$16,128.64.

Roll Call:

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

**2. ROAD DEPARTMENT**

Councilman Sena said that at the January meeting he reported that the Road Dept. had 150 ton of salt delivered after that meeting, and it is now gone. An additional 150 ton has been ordered and the dept. is waiting for delivery. He also stated that surrounding towns are out also.

Councilman Sena informed the Council that there was a minor truck accident with the F350 in which he was rear-ended. He was not sure if violations were issued.

**3. BOARD OF HEALTH**

The Board of Health held their re-organization meeting and Linda Adams is Chairwoman with Paula Marino Vice-Chair, Megan Sena is Secretary and Rachael Sweeny is Treasurer. They are now up to a full board.

The next meeting will be held April 14<sup>th</sup> at 6:30 PM.

A dog census will be done April-June and a rabies clinic will be held in December.

**4. RECREATION**

Recreation had their re-organization meeting and Paula Marino is Chairwoman and Lisa Abrahams is Vice-Chair.

The board had budget conversations and also discussed their concerns about a playground at the rec fields. They would also like to put in benches and tables. Councilman Sena advised that the Council was working on this. The next meeting will be held on February 17<sup>th</sup> at 7 PM.

**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.

Hearing no comments from the public, motion by Councilman Barr, seconded by Councilman Garrett 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. Shared Service Agreement – Hardyston - EMS**

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

Motion by Councilman Barr, seconded by Councilman Law to enter into Executive Session at 8:10 PM. All in favor.

Discussion re: Shared Service Agreement – Hardyston – EMS

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

Regarding the shared service agreement between Hardyston and Hamburg EMS: there were several matters discussed that require some clarification.

Motion by Councilman Barr, seconded by Councilman Law to authorize Mayor Marino on behalf of the Governing Body to execute the Shared Service Agreement upon his determination that the issues were resolved. All in favor.

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

1. Notice from Highlands Regional Master Plan for input (1/8/2015)
2. Notice of action for foreclosure Bl. 17, Lot 18 C0113 (1/3/2015)
3. Notice of action for foreclosure Bl. 21, Lot 23
4. From JCPL Public Hearing notice for Basic Generation Service (1/13/2015)
5. Notice of action for foreclosure 20 Prospect Ave
6. From SCMUA – Actual 2014 and Estimated 2015 charges (1/13/2015)
7. From SCMUA adopted FY 2015 rates (1/13/2015)
8. Notice from Sherriff's Department to take a tour of County Communication Center (1/9 2015)

- 8 Notice of restricted use response action outcome for Accurate Forming (1/13/2015)
- 9. Mayors Advisory COAH Update (1/13/2015)
- 10. Foreclosure complaint Elizabeth Bruce
- 11. Notice of 100<sup>th</sup> Anniversary and William Dressel Retirement Banquet (1/13/2015)
- 12. Notice of action for foreclosure Bl. 18, Lot 17 (1/13/2015)
- 13. Notice of action for foreclosure 10 Oak Street (1/13/2015)
- 14. Notice of Special Meeting Highlands Regional Master Plan Review (1/15/2015)
- 15. Assembly No. 3537 Introduced December 6, 2014, requiring owner of foreclosed property to file with Municipality. (1/16/2015)
- 16. From State of NJ, DEP Notice of Open Public Comment Period FFY 2015 Drinking Water Revolving State Fund (1/13/2015)
- 17. Correspondence to add Paker McCay to our distribution list when soliciting proposals for Bond Counsel (1/20/2015)
- 18. NJBIA - New Good Neighbor Award (1/20/2015)
- 19. Copy of Sussex County Planning Board Minutes (1/21/2015)
- 20. Elizabeth Town Gas notice of public hearing
- 21. From DEP Sanitary Survey and Water Allocation Report (1/29/2015)
- 22. Resolution from Tinton Falls, Honoring Law Enforcement (1/29/2015)
- 23. Notice of foreclosure 90 Hillside Drive (1/29/2015)
- 24. NJ Transit Disparity Study 2014
- 25. Notice of foreclosure 12 Oak Point Drive
- 26. Water Quality Minutes – September 2014
- 27. Water Quality Minutes – October 2014

**ADJOURNMENT**

Motion by Councilman Barr, seconded by Councilman Law to adjourn the meeting. All in favor.

Date Approved: 3-2-15

Date Released: *Doreen Schott*  
3-2-15

*Doreen Schott RMC*  
Doreen Schott, RMC  
Municipal Clerk

Submitted by Kathy Garrett