

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE  
BOROUGH OF HAMBURG HELD ON NOVEMBER 2, 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 Krasnomowitz	Councilman Garrett
Councilman Burd	Councilman Sena
Mayor Marino	

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".

**October 5, 2015 Regular Meeting Minutes**

Motion by Councilman Garrett, seconded by Councilman Law to approve the October 5, 2015 Regular Meeting Minutes of the Mayor and Council.

Roll Call:

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

**APPROVAL OF BILLS:**

As there are no additions or deletions to the bill list, motion by Councilman Barr, 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 Law 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, Krasnomowitz, Law, Sena  
Nays: None  
Abstain: None  
Absent: None

**RESOLUTIONS:**

**2015-42 – Chapter 159 – Body Armor**

Motion by Councilman Barr, seconded by Councilman Law to accept Resolution #2015-42 – Chapter 159 –

**Body Armor.**

Mayor Marino stated that the amount of \$1173.55 will be put into the budget from the State of New, Department of Justice for bulletproof vest and body armor.

All in favor.

**2015-44 – Supporting the establishment of November 4, 2015 as Support our Local Law Enforcement Day within the Borough of Hamburg**

Motion by Councilman Law, seconded by Councilman Burd to accept Resolution #2015-44 – Supporting the establishment of November 4, 2015 as Support our Local Law Enforcement Day within the Borough of Hamburg. All in favor.

**ORDINANCES:**

**ATTORNEY HOUR:**

**1. Hamburg Affordable Housing Planning Proposal from Nelson Consulting Group.**

Attorney Clemack stated that on page two (2), paragraph four (4), sets forth the projected rates for the project. Mr. Clemack contacted Mr. Nelson and they spoke about the cap of the project at \$25,000.00, but this would also include Weiner Lesniak fees. Council would like to monitor the situation and when the fees reach the \$10,000.00 mark, Council will need to be advised and updated on the situation.

Attorney Clemack offered the following resolution to add to the proposal from Mr. Nelson:

**#2015-46**

**WHEREAS**, the proposed contract of Kenneth Nelson for services regarding the Affordable Housing lawsuit; and

**WHEREAS**, which services are outlined in a proposal prepared by Mr. Nelson dated October 9, 2015.

**NOW THEREFORE, BE IT RESOLVED**, that the proposal is accepted subject to the following: the cap for services as set forth in paragraph four (4), page two (2) be set at \$10,000.00 and any amount over that will require prior consent of the Mayor and Council.

Motion by Councilman Barr, seconded by Councilman Burd to accept said resolution.

Roll Call:

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

**ENGINEERING:**

**MAYOR’S AGENDA:**

**1. Finance and encumbrances of funds**

Mayor Marino stated that Finance sent this out regarding large purchases needing approval after November 30.

**COMMITTEE REPORTS**

**COUNCILMAN BARR**

**1. POLICE COMMISSIONER**

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

**Monthly report October 2015**

The October 2015 monthly report for the Police Department showed 554 calls of service, including 3 arrests, 15 motor vehicle accidents, and 18 motor vehicle summonses issued (ETickets – 18, hard copies – 0).

Mr. Yahm reported that the Police Dept. will be back to full staff by Wednesday, November 4<sup>th</sup>. The department is also participating in "No shave November" – a fund raiser for cancer in which members donate \$35.00 and do not shave for the month.

**Matron Hire - Danielle Shane – Background check completed-** Director Yahm stated that Ms. Shane's background check has been completed. She will go for the 4 hour training class or it will be done here in house. She will be paid \$15.40 an hour with a \$40.00 hour call out should it be necessary. She resides locally.

Motion by Councilman Barr, seconded by Councilman Law to hire Danielle Shane as a matron for the Court for the Borough of Hamburg. All in favor.

**Acting Sergeant OIC – Jason Tangorra**

On October 6<sup>th</sup>, Officer Tangorra was made Acting Sergeant OIC and needs to be appointed retroactively until a sergeant comes back to duty. Councilman Barr stated that he has done a tremendous job.

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to appoint Officer Jason Tangorra as Acting Sergeant OIC. All in favor.

**Staffing for Police Department**

Councilman Barr discussed the need to add an officer to the staff – a full time detective. He would like to advertise the position immediately so the committee (consisting of Council members Barr, Krasnomowitz and Mayor Marino), along with Director Yahm, could interview candidates for the December meeting for employment to begin in January 2016. Mayor Marino added that there is a severe drug problem in town and the officer will be investigating those issues. Since there is a budget problem, Mayor Marino also said that is why we would like the new officer to start for the new budget beginning in January.

Motion by Councilman Barr, seconded by Councilman Law to start the process of the hiring of a detective.

Councilman Garrett asked if he would be on the road also as only 18 tickets were written for the month.

Director Yahm stated that this officer will be doing other work also, such as background checks, firearms applications, etc.; freeing up the sergeants so they would be able to be on the road. The hours would be flexible – as needed, entailing shift work.

Roll Call:

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

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

- 2. HISTORIC COMMISSION / HISTORIC SOCIETY
- 3. SUSSEX COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP

**COUNCILMAN KRASNOMOWITZ:**

- 1. OFFICE ADMINISTRATION
- 2. CONSTRUCTION DEPARTMENT

**Construction Report for the month of September 2015**

The report showed there were 12 permits issued, 1 certificates of occupancy, and 13 certificates of approvals with a total of \$1855.00 collected in fees for the month of September.

**3. LAND USE BOARD**

Land Use meeting was cancelled last month and Councilman Krasnomowitz was unsure if a meeting was scheduled for this month.

**4. INSURANCE**

**COUNCILMAN BURD**

- 1. **SOLID WASTE**
- 2. **SANITATION AND RECYCLING**
- 3. **GRANTS**
- 4. **BOARD OF EDUCATION**

Councilman Burd stated that Robert Jones is the new Board of Education president, Sheila Frayko is the Vice-President, and there are two (2) open seats.

**COUNCILMAN LAW**

Councilman Law said he did the 8<sup>th</sup> grade clean-up for recycling with the Hamburg School. They picked up a lot of trash around town and then had a pizza party afterwards.

- 1. **COURT**
- 2. **FIRE COMMISSIONER AND OEM**

Motion by Councilman Law, seconded by Councilman Barr to open the meeting to OEM coordinator Keith Sukennikoff. All in favor.

Mr. Sukennikoff informed the Council that five (5) fire dept. members, one (1) Hardyston fire dept. member, Councilman Law and himself went to NYC to the Fox and Friends Firehouse Subs to do the 30 minute segment. It went so well that they were there for five (5) hours and had 2.9 million viewers. Mr. Sukennikoff presented pins to the Mayor and Council from Firehouse Subs. He also stated that two grants have been submitted. He thanked the Council for their support.

Motion by Councilman Law, seconded by Councilman Barr to close to Keith Sukennikoff. All in favor.

**Fire and EMS Monthly Reports**

**Fire Calls for October:**

1 fire; 2 MVA; 0 alarms; 0 smoke condition; 1 smell gas/smoke; 1 traffic cont; 0 assist EMS; 2 stand-by; 0 medi-vac; 4 public service; 1 cancelled en-route. Mutual Aid – into Hardyston – 1; into Franklin- 1; into McAfee-2. Total calls for the year – 109. Total man hours for the year: 909.

**EMS monthly report for September:**

EMS calls: 6 fire; 5 MVA; 0 alarm; 20 medical; 6 trauma; 1 mental health; 6 stand-by; 3 community service; 2 cancelled en- route. Mutual Aid – into Hardyston –26; into Franklin- 2. Total calls for the year- 516. Total man hours for the year: 1517.

- 3. **OPEN SPACE**
- 4. **NEWSLETTER**

**COUNCILMAN GARRETT**

- 1. **BUILDING AND GROUNDS**

Councilman Garrett will be meeting with Miles of Farmside Landscaping next week to discuss and consolidate the current contracts as there are four different ones and they are getting to be very costly although very beautiful.

**R&J Controls**

Councilman Garrett said there were two bills for R&J Controls totaling approximately \$3000.00 due to electrical issues for the fire suppression pumps at Heritage.

Councilman Garrett also said that he is continuing to work on the security gate in the municipal building. Mayor Marino also suggested looking into moving the county bus stop.

**2. WATER QUALITY**  
**3. BOARD OF PUBLIC WORKS**

A BPW meeting will be held on November 4<sup>th</sup> as disconnects will be discussed.

**COUNCILMAN SENA**

**1. FINANCE / TAX DEPARTMENT**

The Tax Collector's report showed a total of \$192,259.66 being collected.

Motion by Councilman Sena, seconded by Councilman Garrett to accept the resolution to redeem third party tax sale certificate #15-005 in the amount of \$1205.84. All in favor.

**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 said he had 200 ton of salt on hand along with 20 ton of grits. There are seven trucks to be used for snow plowing. The piston in one truck went bad and a new one cost \$4000.00. The transmission in truck 3 started leaking so is now off the road and will not be repaired. This will go on the auction list.

Councilman Krasnomowitz asked about the Hardyston vehicle that was going to be used as a fire chief's car. Councilman Law said that it has electrical issues which cost more than the mechanical issues to correct, so that he is also recommending going on the auction list.

October 1<sup>st</sup> the full time person started. Mr. Schneider is waiting for the Police background check on the part time person he is interested in hiring. When asked by Mayor Marino, Mr. Schneider replied that the part time person is able to plow.

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

**3. BOARD of HEALTH**

A meeting was held on October 13<sup>th</sup> and the report from Wantage Animal Control was discussed regarding the collection of animals. The rabies clinic is scheduled for December 10<sup>th</sup> from 4-7 pm at the firehouse.

**4. RECREATION**

There was no Recreation Meeting in October due to lack of a quorum. The Trunk or Treat was held on October 24<sup>th</sup> and about 125 adults and children attended, with everyone having a great time. Breakfast with Santa is scheduled for December 12<sup>th</sup> at the firehouse.

Motion by Councilman Sena, seconded by Councilman Garrett to accept the resignation of Tammy DeOliveria with regrets, saying she has been on the commission for over a decade and has been a valuable asset. All in favor.

**PUBLIC PORTION:**

Motion by Councilman Law, seconded by Councilman Garrett 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.

Bill Oehler – Fire Chief – requested to do a hose test on November 25<sup>th</sup> at the rec fields since the fire academy was not available. It is a pressure test that will be done during daytime hours using hydrant water and it will be sprayed in the woods. Council members give approval.

Joyce Oehler – Recreation member – informed the Council that she was sick for the rec meeting but was in attendance for the Truck or Treat and it did go very well, there were great costumes and was well attended.

Motion by Councilman Law, seconded by Councilman Krasnomowitz 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. Contract Negotiations with Hardyston EMS Service and evaluation of performance.**

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 Krasnomowitz 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 on Contract Negotiations with Hardyston EMS Service and evaluation of performance.

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

Councilman Law, along with a committee consisting of himself, Councilman Sena, Jennifer Brennan, and Joyce Oehler, will set up a meeting with Hardyston Township to negotiate terms of town coverage: \$25,000.00 for the 1<sup>st</sup> six (6) months; \$10,000.00 uniform split (\$20,000.00 total); and \$15,000.00 for the 2<sup>nd</sup> six (6) months. Council would like to see this finalized by December.

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

1. Notice of foreclosure 116 Heritage Lane (10/7/2015)
2. NJLM Notice of proposed membership dues (10/7/2015)
3. Correspondence from Weiner Lesniak regarding Hamburg Complaint for Declaratory Judgment for compliance with Mount Laurel Obligation. (10/7/2015)
4. Correspondence from Township of Montville regarding the JCPL Montville-Whippany Transmission Project. (10/7/2015)
5. Notice from Hardyston Township amendment to Hardyston Master Plan (10/7/2015)
6. Sussex County Solid Waste Advisory Minutes May 2015 (10/7/2015)
7. DEP News Release Fall Trout Season (10/12/2015)
8. Underground oil tank removal notification (10/14/2015)
9. Notice of Public Notice Grey Elephant Property NJDEP Site Remediation Program (10/14/2015)
10. Notice of Motion filing for extension regarding Hamburg Complaint for Declaratory Judgement for compliance with Mount Laurel Obligation (10/14/2015)
11. Public Notification Information Ames Rubber Corporation Plant #1 (10/21/2015)
12. Sussex County Planning Board Minutes September 2015. (10/21/2015)
13. Ames Rubber Corporation Site remediation program (10/21/2015)
14. Ames Rubber Public Notice Information for Plant #1 (10/21/2015)
15. From Hardyston Township Notice of zoning change (10/21/2015)
16. SCMUA 2016 proposed rate schedule (10/21/2015)
17. From fire official notice of violation and order to correct Hamburg rescue squad. (10/21/2015)
18. Hamburg complaint for declaratory judgement notice of oral argument date seeking extension (10/26/2015)

- 19. Correspondence from Wallkill Valley Regional HS -- Future Business Leaders of America. (10/26/2015)
- 20. Notice of foreclosure 105 Heritage Lane (10/26/2015)
- 21. NJLM Legislative Bulletin (10/26/2015)
- 22. Resolution from Borough of Wanaque -- Re: County Taxes (10/28/2015)

**ADJOURNMENT**

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

Date Approved: 12/7/15

Date Released: 12/7/15

  
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Doreen Schott, RMC  
Municipal Clerk

Submitted by Kathy Garrett