

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON DECEMBER 7, 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.

**MOMENT OF SILENCE**

Mayor Marino called for a Moment of Silence for the victims of the San Bernadino shooting.

**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 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".

**November 2, 2015 Regular Meeting Minutes**

Motion by Councilman Garrett, seconded by Councilman Law to approve the November 2, 2015 Regular Meeting Minutes of the Mayor and Council. All in favor.

**November 2, 2015 Executive Session Meeting Minutes**

Motion by Councilman Barr, seconded by Councilman Law to approve the November 2, 2015 Executive Session Meeting Minutes of the Mayor and Council. All in favor.

**APPROVAL OF BILLS:**

Councilman Garrett presented a bill for Northeast Water Technology in the amount of \$375.00 for the water main break by Edsall Street and Rt. 23; Councilman Krasnomowitz presented a bill for Hardyston Township Construction Dept. in the amount of \$1263.00.

Motion by Councilman Barr, seconded by Councilman Garrett to add these bills to the bill list. All in favor.

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

Motion by Councilman Garrett, seconded by Councilman Law to approve and pay the bill list with additions.

Roll Call:

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

Nays: None  
Abstain: None  
Absent: None

**RESOLUTIONS:**

**2015-47 – Chapter 159 – DWI**

Motion by Councilman Barr, seconded by Councilman Law to accept Resolution #2015-47 – Chapter 159 – DWI in the amount of \$1797.07. All in favor.

**2015-48 – Chapter 159 EMS Donations 2015-4**

Motion by Councilman Garrett, seconded by Councilman Law to open the meeting to EMS Captain Joyce Oehler. All in favor.

Mayor Marino asked for clarification about the \$100.00 donation and the reason why it was going in as an EMS line item. Ms. Oehler explained that the donation came in saying it specifically had to go to EMS and not Fire.

Motion by Councilman Garrett, seconded by Councilman Law to close to Joyce Oehler. All in favor.

Motion by Councilman Krasnomowitz, seconded by Councilman Law to accept Resolution #2015-48 – Chapter 159 EMS Donations 2015-4 in the amount of \$100.00. All in favor.

**2015-49 -EMS Shared Service Account Balance Cancellation**

Motion by Councilman Law, seconded by Councilman Barr to accept Resolution #2015-49 -EMS Shared Service Account Balance Cancellation in the amount of \$9066.63. All in favor.

**2015-50 –EMS Equipment Account Balance Cancellation**

Motion by Councilman Law, seconded by Councilman Barr to accept Resolution #2015-50 –EMS Equipment Account Balance Cancellation in the amount of \$10,500.00. All in favor.

**2015-51 – First Aid Service Agreement – Hamburg / Hardyston**

Discussed under Councilman Law

**ORDINANCES:**

None

**ATTORNEY HOUR:**

1. Small Cities Grant – 87 Mulberry Street  
Discussed in Executive Session

**ENGINEERING:**

Mayor Marino stated that the engineer is working on the projects for 2016.

**MAYOR'S AGENDA:**

1. New Jersey League of Municipalities Conference

Mayor Marino stated that he attended two seminars while at the conference. He said the ex- governors were critiquing Governor Christie for the tunnel situation. There is also talk of instituting a gas tax to raise money for the DOT.

Mayor Marino also attended a seminar on the heroin epidemic and the different agencies that are taking stances on combating the problem.

Mayor Marino spoke to McNamera, a grant writing company that would get paid only if we obtained the grant. He relayed that at one time the Borough did retain the services of a grant company but did not realize a lot from them. He would like to look further into this company as, again, they get paid only if a grant is obtained.

**2. Radon Proclamation**

Mayor Marino presented a proclamation regarding radon testing and the importance of doing so at all homes. The month of January is Radon Action Month, encouraging all residents who have not yet tested to test their homes for radon and to reduce radon levels if elevated levels are found so as to protect their families from the serious health risk of radon.

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

**COMMITTEE REPORTS**

**COUNCILMAN BARR**

**1. POLICE COMMISSIONER**

**Monthly report November 2015**

The November 2015 monthly report for the Police Department showed 598 calls of service, including 3 arrests, 11 motor vehicle accidents, and 49 motor vehicle summonses issued (ETickets – 49, hard copies – 0).

Councilman Barr said that the Police Committee needs to meet preferably within the next two weeks as there are a lot of applications. They would like to pick two applicants and bring them before the Council in January.

**2. HISTORIC COMMISSION / HISTORIC SOCIETY**

**3. SUSSEX COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP**

**COUNCILMAN KRASNOMOWITZ:**

**1. OFFICE ADMINISTRATION**

**2. CONSTRUCTION DEPARTMENT**

**Monthly report for October 2015**

The report showed there were 24 permits issued, 0 certificates of occupancy, and 21 certificates of approvals with a total of \$3144.00 collected in fees for the month of October.

**Monthly report for November 2015**

The report showed there were 16 permits issued, 1 certificates of occupancy, and 16 certificates of approvals with a total of \$3054.00 collected in fees for the month of November.

**3. LAND USE BOARD**

Councilman Krasnomowitz is unsure if there is a meeting.

**4. INSURANCE**

**Statewide Insurance 2016 Risk Management Consultant's Agreement and Statewide Insurance 2016 Resolution Appointing Risk Management Consultant.**

Motion by Councilman Krasnomowitz, seconded by Councilman Law to accept the agreement of Statewide Insurance for 2016 Risk Management and to accept Statewide Insurance 2016 Resolution naming The Moreville Agency. All in favor.

**Statewide Insurance 2016 Resolution Appointing Fund Commissioner.**

Motion by Councilman Barr, seconded by Councilman Garrett to appoint Councilman Rich Krasnomowitz as Statewide Insurance Fund Commissioner for 2016. All in favor. Councilman Krasnomowitz abstained.

Motion by Councilman Krasnomowitz, seconded by Councilman Law to appoint Borough Clerk Doreen Schott as Statewide Insurance Alternate Fund Commissioner for 2016. All in favor.

Councilman Krasnomowitz stated that the Open Space Committee is meeting next Thursday at 7:30 pm to discuss the findings from collecting data on a Rails to Trails project that has been of interest for many years now. Councilman Barr added that there is many years of research on this already done with the hold-up being here in Hamburg and the crossing of Rt. 23 and how to get around that hurdle. Councilman Krasnomowitz will take that information to the committee and advise them.

**COUNCILMAN BURD**

**1. SOLID WASTE**

The meeting was cancelled again. Councilman Burd stated he hopefully can make them in the new year.

**2. SANITATION AND RECYCLING**

**3. GRANTS**

**4. BOARD OF EDUCATION**

Councilman Burd said the 3 year contract for the school teachers has been settled at 3%. The fire alarm system should be totally finished in December.

**COUNCILMAN LAW**

**1. COURT**

Councilman Law stated that the presiding judge and Hamburg OIC observed Court one night and found no issues.

**2. FIRE COMMISSIONER AND OEM**

**Fire Calls for November:**

0 fire; 4 MVA; 1 alarms; 1 smoke condition; 2 smell gas/smoke; 0 traffic cont; 0 assist EMS; 1 stand-by; 0 medi-vac; 1 public service; 0 cancelled en-route. Mutual Aid – into Hardyston – 3. Total calls for the year – 119. Total man hours for the year: 991.

**EMS monthly report for November:**

EMS calls: 3 fire; 3 MVA; 0 alarm; 24 medical; 6 trauma; 4 mental health; 7 stand-by; 0 community service; 1 cancelled en- route. Mutual Aid – into Hardyston –33; into Franklin- 1. Total calls for the year- 564. Total man hours for the year: 1792.

**Request from Hardyston to extend EMS service to July 31, 2016**

Councilman Law, EMS Captain, Jennifer Brennan, and Hardyston Township Manager Marianne Smith met with regards to the emergency medical services for the Township of Hardyston being provided by our EMS. As a result of that meeting, the following agreement was reached as per Resolution #2015-51.

Motion by Councilman Law, seconded by Councilman Barr to accept Resolution #2015-51.

Councilman Krasnomowitz asked what if they are not ready to take over come the end of the six months. He was answered that the extension provides for additional money for the following 6 months should there be a need to do so. The total amount that will be paid to Hamburg for the year will be \$40,000.00; last year it was \$13,500.00.

Councilman Sena also added that Hardyston definitely wanted their electric stretchers returned when they are running a squad again.

**Roll Call:**

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

**EMS Gear**

Motion by Councilman Law, seconded by Councilman Garrett to open the meeting to EMS Captain Joyce Oehler. All in favor.

Ms. Oehler stated that the uniforms purchased from North Jersey Fire and Rescue Equipment would cost approximately \$687.14 per set. The quote for State Line for jackets and pants would be \$1512.01 as the boots are rubber and not able to be used. The quote for FireFighter One for jackets and pants would be \$1036.80 as their boots are also rubber and not able to be used. Ms. Oehler stated that she would be ordering the turn-out gear from North Jersey Fire and Rescue Equipment as it is \$401.00 cheaper per set. Councilman Barr corrected the amount of State Line to be at \$1052.20 instead of \$1512.01 and Ms. Oehler said that is what she thought to have said.

Councilman Law said he got two quotes that were under State Contract and the Mayor and Council at the last meeting requested that 50% of the gear be purchased in this year and the remaining 50% be purchased next year. He also did not believe that the quotes compared everything totally the same.

Councilman Krasnomowitz asked if she had used this company before, was happy with it, and was \$400.00 cheaper. Ms. Oehler said yes to all.

Councilman Garrett said he was not impressed with the company as the person sent to fit the staff was nonchalant about the fittings, the jacket did not have a liner of which Ms. Oehler said she would order him one, and did not like the gear. Ms. Oehler asked if it were because she was going with the blue color instead of red and Councilman Garrett said no.

Mayor Marino added that he thought the town was going to purchase items under the State Contract, adding that then three quotes would not be needed, saying that he knew the Road Dept. also has problems getting quotes, and then encouraging departments to seek the help of the CFO.

Council members Krasnomowitz and Sena wonder why if the gear is \$400.00 cheaper and has been ordered from the company before and the majority of the members are happy with it, why can it not be ordered from the vendor and why should it be ordered under the State Contract. Councilman Law just wanted all quotes to be apples to apples. Councilman Krasnomowitz does not want to have to spend more money than is necessary. Mayor Marino also agrees. The total amount of the order would come to \$19,081.00, which would include t-shirts, hats, everything. This would be over the bid threshold. But Ms. Oehler stated that she is not going to order everything any longer at this time.

Mayor Marino suggests going out to bid on this, and it will take three – four months to do. We would still use all of the specs requested by Ms. Oehler. Attorney Clemack said you could purchase half now and half later. Ms. Oehler said she had at least ten members that needed gear now. Councilman Sena stated that no large purchases were to be made without Council approval. Council agreed to table this matter upon future discussions.

Mayor Marino has instructed Fire Chief Bill Oehler to not put any more money into the Chief's truck as it has become unsafe to drive long distances; around town it is fine. In January Mayor Marino said a plan will be discussed for a new vehicle. The truck will be part of the auction the Borough will hold in March and right now we are taking an inventory as to what will be placed on the auction.

Motion by Councilman Barr, seconded by Councilman Law to close to Ms. Oehler. All in favor.

**3. OPEN SPACE**

Councilman Law thanked Councilman Krasnomowitz for attending the Open Space meetings as he recently has been having conflicts with his work schedule. Councilman Krasnomowitz stated that he enjoys going.

**4. NEWSLETTER****COUNCILMAN GARRETT****1. BUILDING AND GROUNDS**

Councilman Garrett said he will be getting in touch with Jarod, not Miles of Farmside Landscape to discuss

the upcoming year.

There was no heat or hot water in the Fire Dept. on Sunday and it cost approximately \$350.-400.00 to reset the boilers. The company had to replace valves on our system and then they only can reprogram the system from their laptops.

Motion by Councilman Garrett, seconded by Councilman Law to open the meeting to Mike Schneider. All in favor.

Road Dept. Foreman Mike Schneider reiterated that the only way to reprogram the boilers is to hook it up with the company's laptop. He also said leaf pick-up was completely over.

**2. WATER QUALITY**

**3. BOARD OF PUBLIC WORKS**

The next meeting will be the Re-organization meeting January 13, 2016.

**COUNCILMAN SENA**

**1. FINANCE / TAX DEPARTMENT**

The Tax Collector's report for October 2015 showed a total of \$491,317.17 being collected.

The Tax Collector's report for November 2015 showed a total of \$1,935,147.26 being collected.

Motion by Councilman Sena, seconded by Councilman Garrett to accept the Resolution to redeem third party tax sale certificate #14-047 in the amount of \$3327.25; to accept the Resolution to redeem third party tax sale certificate #15-003 in the amount of \$4321.53. All in favor.

Councilman Sena discusses the employee raises for the coming year, stating the Police will be receiving a 3 % raise and recommending to the Mayor and rest of the Council members that the employees receive the same.

Motion by Councilman Krasnomowitz, seconded by Councilman Barr to give employees of the Borough a 3% raise for the 2016 year.

Roll Call:

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

**2. ROAD DEPARTMENT**

Councilman Sena said the Road Dept. has 225 ton of salt on hand and a large amount of grit. He also said the new utility truck will be used for plowing and all Road Dept. equipment is ready for snow. Mike Schneider added the park is closed and winterized. Councilman Sena brought up the issue with the paint that someone dumped in the dumpster by the Road Dept.; it got on the roadway and on a vehicle. Council discussed how to resolve the illegal dumping as there is no way to put a lock on the dumpster. Councilman Garrett suggested either installing a camera or putting it in a locked area. Councilman Sena will look further into it.

Mike Schneider said that kids are bouncing a basketball off the new garage door on Wallkill Ave, causing numerous dents in it. This also will be looked into.

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

**3. BOARD OF HEALTH**

**2016 Proposal for ACO and Pound Services – Wantage Township**

Councilman Sena presented the 2016 Proposal for ACO and Pound Services with Wantage Township, stating there is a 2% raise in the fees over last year, making the total cost at \$11,520.00.

Motion by Councilman Sena, seconded by Councilman Law to accept the 2016 Proposal for ACO and Pound Services with Wantage Township at a total cost of \$11,520.00. All in favor.

The rabies clinic is scheduled for Thursday, December 10<sup>th</sup> from 4 – 7 pm at the firehouse.

**4. RECREATION**

The following activities are scheduled with the Recreation Commission: Breakfast with Santa on December 12<sup>th</sup> from 9 – 11 am, with set-up on December 11<sup>th</sup> at 7 pm; two (2) more clinics will finish off this year; and there is an ice skating event scheduled at Skylands Ice World on March 30<sup>th</sup>.

**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:**

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. Small Cities Grant – 87 Mulberry Street**

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 Garrett to accept the resolution as offered. All in favor.

Motion by Councilman Burd, seconded by Councilman Garrett to enter into Executive Session at 8:31 pm. All in favor.

Discussion on Small Cities Grant – 87 Mulberry Street.

Motion by Councilman Barr, seconded by Councilman Law to return to the Regular Session at 8:37 pm. All in favor.

A letter will be sent to 87 Mulberry Street stating the Mayor and Council are denying the request.

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

1. Hardyston Township Ordinance amending Zoning (11/4/2015)
2. Sussex County Water Quality Management Advisory Minutes ( 11/4/2015)
3. Correspondence from NJ Bankers (11/4/2015)
4. Correspondence from Bollinger Specialty Group (11/4/2015)
5. Sussex County Agriculture Board Minutes (11/9/2015)
6. Franklin Borough copy of Master Plan Re-Examination Report (11/10/2015)
7. Notice of action for foreclosure Block 24, Lot 1 (11/10/2015)
8. Correspondence from NJ Chapter Community Association Institute
9. Notice of action for foreclosure 30 Vernon Ave. (11/16/2015)
10. Correspondence from Freeholder Director Phillip R Crabb (11/16/2015)
11. Correspondence from Freeholder George F. Graham (11/16/2015)

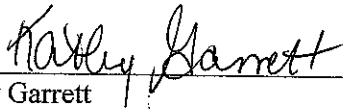
12. Sussex County Open Space Minutes (11/16/2015)
13. Resolution from Union City – Human Trafficking (11/16/2015)
14. Franklin Borough Ordinance amending Land Developing Ordinance (11/17/2015)
15. Final notice of foreclosure Bayview Loan vs E. Bruce, Et. Al. (11/17/2015)
16. Correspondence regarding Declaratory Judgment showing municipal compliance with Mount Laurel Obligation (11/17/2015)
17. Correspondence from Glenn Kienz regarding status of Declaratory Judgment Action
18. .
19. Notice of pending foreclosure 39 Spruce Hills Court
20. Notice of compliance of filing for Airgas, Inc. (12/2/2015)
21. Notice of Hamburg BOE Reorganization Meeting (12/2/2015)
22. Notice of compliance Grey Elephant LLC (12/2/2015)
23. Correspondence from GAO US Government Office regarding survey on technology of utilities. (12/2/2015)
24. SCMUA – Adopted FY2016 Rate Schedule (12/4/15)
25. Notice of pending foreclosure 25 Spruce Hills Court

**ADJOURNMENT**

Motion by Councilman Sena, seconded by Councilman Burd to adjourn the meeting at 8:40 pm. All in favor.

Date Approved: 1-4-16

Date Released: 1-4-16



Kathy Garrett  
Deputy Clerk