

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF HAMBURG HELD ON MARCH 7, 2016 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, Attorney

STATEMENT OF CERTIFICATION:

Clerk will advise:

Adequate notice of this meeting has been provided to the public and the press January 6, 2016 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".

February 1, 2016 Regular Meeting Minutes

Motion by Councilman Law, seconded by Councilman Garrett to approve the February 1, 2016 Regular Meeting Minutes of the Mayor and Council.

Roll Call:

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

February 1, 2016 Executive Session Meeting Minutes

Motion by Councilman Garrett to approve the February 1, 2016 Executive Session Meeting Minutes of the Mayor and Council.

Roll Call:

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

February 17, 2016 Meeting Minutes

Motion by Councilman Law, seconded by Councilman Barr to approve the February 17, 2016 Meeting Minutes of the Mayor and Council.

Roll Call:

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

Absent: None

February 17, 2016 Executive Session Meeting Minutes

Motion by Councilman Law, seconded by Councilman Burd to approve the February 17, 2016 Executive Session Meeting Minutes of the Mayor and Council.

Roll Call:

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

APPROVAL OF BILLS:

Councilman Krasnomowitz added a bill in the amount of \$276.99 from Staples for office supplies. Motion by Councilman Barr, seconded by Councilman Burd to add the bill to the bill list. All in favor.

Motion by Councilman Garrett, seconded by Councilman Barr 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 Krasnomowitz, seconded by Councilman Burd to approve and pay the bills on the bill list with addition.

Roll Call:

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

APPOINTMENT – Police Director – Wayne Yahm

Mayor Marino announced that Police Director Wayne Yahm is up for reappointment. He stated that Mr. Yahm has done a great job as Director of the Police Department, the department is running well, and they all work well together. He also stated that Mr. Yahm has acquired almost \$100,000.00 in grants for the Police Dept. Mayor Marino is recommending that Mr. Yahm be reappointed for the upcoming year.

Motion by Councilman Barr, seconded by Councilman Burd to accept the Mayor’s appointment of Wayne Yahm as Police Director of the Borough of Hamburg.

Roll Call:

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

APPOINTMENT – Oath of Office - Police Sergeant – Jason Tangorra

Borough Clerk Doreen Schott administered the Oath of Office of Police Sergeant to Jason Tangorra who then thanked the Mayor and Council.

INTRODUCTION OF BUDGET

Motion by Councilman Barr, seconded by Councilman Law to open the meeting to Mr. William Schroeder and CFO Amy Maronpot to present the Mayor and Council the 2016 Budget for discussion and introduction. All in favor.

Mr. Schroder stated that with this budget, taxes will go up two tax points, or \$2.50 a month - \$30.00 a year per \$151,700.00 per assessed valuation.

Mayor Marino added that the Borough wanted to buy a fire truck for approximately \$400,000.00 and the new police car would come out of the budget. The Police Dept. would also like to hire a 9th officer, costing \$53,000.00 plus \$20,000.00 in benefits.

Councilman Sena said there has been a significant change in the Police Dept. salaries, changing the budget and he would like to hold off on any new hire at this time. Councilman Barr added that if we have to raise the police budget to cover this, we should. A 9th officer was agreed to be hired a year ago to handle the problems in town and interviews are still going on. Discussion to maybe hire in the last half of the year, and the last quarter of the year, to maybe next year took place due to the budgetary concerns.

Motion by Councilman Barr, seconded by Councilman Burd to hire a 9th police officer as of July 1, 2016. Councilman Sena stated that this will mean raising the budget by at least \$32,500.00.

Roll Call:

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

Motion by Councilman Barr, seconded by Councilman Law to open to Mike Schneider. All in favor. When asked about the town clock after a car hit it, Mr. Schneider said that it is repairable, but will submit the necessary paperwork to insurance as it is covered. Council talks about putting balusters around the base to protect the clock in the future. Mike Schneider also said the Road Dept. was doing a lot of catch basin repair work since the weather has become warmer.

Mayor Marino discussed the booster station, the need to replace the generator and fire pumps, mentioning doing the entire project at once. Projects to be accomplished this year are the clock, court door, apron in front of the fire house, and security cameras.

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

Motion by Councilman Barr, seconded by Councilman Law to approve the budget as discussed.

Roll Call:

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

RESOLUTIONS:

Resolution # 2016-08- Budget Self Examination

Mr. Schroeder stated that Hamburg does not have to have a State review of their budget for the 2016 year. Motion by Councilman Garrett, seconded by Councilman Law to accept Resolution # 2016-08- Budget Self Examination. All in favor.

Motion by Councilman Barr, seconded by Councilman Garrett to close to Mr. Schroeder and Ms. Maronpot. All in favor.

Resolution # 2016-09- Police Director Re-Appointment

Completed under Appointments

Resolution # 2016-10 -2015 Tonnage Grant Application Resolution

Motion by Councilman Burd, seconded by Councilman Barr to accept Resolution # 2016-10, the 2015 Tonnage Grant Application Resolution. All in favor.

ORDINANCES:

ORDINANCE #01-2016 2nd Reading

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 Garrett, seconded by Councilman Law for Attorney Clemack to read the Ordinance by title for second reading and public hearing. All in favor.

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 Law, seconded by Councilman Krasnomowitz 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. All in favor. This ordinance was introduced on first reading at the February 1, 2016 meeting and published as provided by law.

PUBLIC HEARING

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

Motion by Councilman Krasnomowitz, seconded by Councilman Barr to adopt the ordinance as presented.

Roll Call:

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

ATTORNEY HOUR:

ENGINEERING:

1. Improvements to Booster Station – Bank Street

Mayor Marino stated that the Notice to Bid was published, with a bid date of April 12, 2016 at 11:00 am, here at the Borough of Hamburg Municipal Building.

MAYOR'S AGENDA:

Proclamation – National Child Abuse Prevention Month – April 2016

Mayor Marino stated that April is National Child Abuse Prevention Month and recommended to accept the Proclamation.

Motion by Councilman Garrett, seconded by Councilman Law to accept the Proclamation for National Child Abuse Prevention Month -April 2016. All in favor.

Shared Service Agreement – Littell Community Center Agreement 2016

Council is in receipt of the Shared Service Agreement for the Littell Community Center Agreement for 2016, which remains the same cost of \$3200.00 a month.

Motion by Councilman Barr, seconded by Councilman Burd to accept the Shared Service Agreement for the Littell Community Center for the 2016 year. All in favor.

Shared Service Agreement – Zoning / Property Maintenance Agreement 2016

Council is in receipt of the Shared Service Agreement for Zoning / Property Maintenance Agreement for 2016. Mayor Marino stated there is a 2% increase from 2015 to a cost of \$7428.46 for the year.

Motion by Councilman Krasnomowitz, seconded by Councilman Barr to accept the Shared Service Agreement for Zoning / Property Maintenance Agreement 2016 at a cost of \$7428.46 for the 2016 year. All in favor.

Mayor Marino stated that he received a letter from Mr. Bob O'Conner who has placed a few calls to the Property Maintenance Officer about some properties in the Penny Rock section of town, but has not

received a call back. Councilman Krasnomowitz will contact the Zoning Officer for information.

COMMITTEE REPORTS

COUNCILMAN BARR

1. POLICE COMMISSIONER

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

Monthly report February 2016

The February 2016 monthly report for the Police Department showed 1057 calls of service, including 12 arrests, 11 motor vehicle accidents, and 94 motor vehicle summonses issued (ETickets – 94, hard copies – 0).

Director Yahm thanked the Council for their support. He is moving ahead with the purchase of the car, trading in car #4, purchased in 2012, and stated the motor will not make it to the dealer but will have to be towed. This purchase has been accounted for in the budget.

Mr. Yahm said he also addressed the issue of idling of the cars with the officers. Councilman Garrett asked if the officers need CEUs and Mr. Yahm responded that they need the mandated training classes, with a lot of them being available on NJ Learn. But, there is some training that cannot be taken on the computer and the officers do have to go to class, so there will be some overtime involved. Mr. Yahm is also looking for a grant for the cameras.

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

2. HISTORIC COMMISSION / HISTORIC SOCIETY

Councilman Barr said the Commission is almost 100% and thanked Mayor Marino for appointing members John Haig, Charlie McMickle, and Tom Graham. He also thanked them for their participation on becoming members.

3. SUSSEX COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP

COUNCILMAN KRASNOMOWITZ:

1. OFFICE ADMINISTRATION

2. CONSTRUCTION DEPARTMENT

Monthly report for January 2016

The report showed there were 13 permits issued, 0 certificates of occupancy, and 12 certificates of approvals with a total of \$6806.00 collected in fees for the month of January.

Monthly report for February 2016

The report showed there were 18 permits issued, 0 certificates of occupancy, and 15 certificates of approvals with a total of \$6384.00 collected in fees for the month of February.

3. LAND USE BOARD

There is a meeting on Monday, March 14th at 7 pm. Councilman Krasnomowitz stated that there is a 130' cell tower application on Wallkill Ave on the agenda.

4. INSURANCE

5. OPEN SPACE

Councilman Krasnomowitz attended the County Open Space meeting and they discussed where our water comes from and the "Rails to Trails" concept.

COUNCILMAN BURD

1. SOLID WASTE

2. SANITATION AND RECYCLING

#2016-10 (2015 Tonnage Grant Application Resolution)

Motion by Councilman Burd, seconded by Councilman Barr to accept Resolution #2016-10, the 2015 Tonnage Grant Application. All in favor.

3. GRANTS

Cameras

Councilman Burd would like to continue discussion on the security cameras for the court house, municipal building, park, and police station. The committee, consisting of Councilmen Burd and Garrett, and Director Yahm decided on meeting on Wednesday, March 16th for further discussions. Grants for the cameras are still being sought.

4. BOARD OF EDUCATION

On March 19th, the 8th graders will be going to Wallkill Valley High School to see what it will be like as freshmen for the upcoming school year. Board member Matt Christy, who did the presentation on the communications survey, only received 84 returns and the results of the survey were as being "average".

COUNCILMAN LAW

1. COURT

Councilman Law discussed the court house and the need for the front door to be replaced. Currently there is a handle and lock on the door which could be a safety issue. This needs to be replaced with a security bar handle on it. It will also help reduce the amount of police manpower needed on court night. Although no numbers have been received, it will be costly.

2. FIRE COMMISSIONER AND OEM

Fire Report

1 fire; 3 MVA; 3 alarms; 0 smoke condition; 1 smell gas/smoke; 0 traffic cont; 2 assist EMS; 0 stand-by; 0 medi-vac; 5 public service; 0 cancelled en-route. Mutual Aid – into Hardyston – 2; into Sussex – 1. Total calls for the year – 24. Total man hours for the year: 360.58.

EMS Report

2 fire; 6 MVA; 0 alarm; 24 medical; 13 trauma; 2 mental health; 3 stand-by; 0 community service; 0 cancelled en- route. Mutual Aid – into Hardyston –24. Total calls for the year- 98. Total man hours for the year: 360.

#2016-11-Grant Agreement between Borough of Hamburg Fire Department and State of New Jersey By and For the Department of Environmental Protection – Volunteer Fire Assistance Grant - \$3500.00 match in kind.

Motion by Councilman Law, seconded by Councilman Krasnomowitz to accept Resolution #2016-11 as presented.

Borough Clerk Doreen Schott stated that this was an in-kind matching grant and that the Borough would be able to use receipts submitted for qualification.

All in favor.

Councilman Law said that two weeks ago an IC 100 class was held for Fire and EMS and all that attended passed and it was held at no cost to us. He thanked the fire dept. for the food.

3. NEWSLETTER

COUNCILMAN GARRETT

1. BUILDING AND GROUNDS

2016 Street Sweeping Contract with Hardyston Township

Councilman Garrett presented the Interlocal Agreement for 2016 Street Sweeping Contract with Hardyston Township.

Motion by Councilman Garrett, seconded by Councilman Barr to accept the agreement as presented. All in favor.

2016 Landscaping Services

Councilman Garrett stated that he received two quotes and one non-responsive for the landscaping services for this year. Both proposals were similar, covering the three areas: Orchard Street /Rt. 23 / clock tower, turf care for Hamburg Fields, and the Borough Hall building. Councilman Garrett recommended going with A Way to Keep it Green, LLC, who came in at a little under \$1000.00 under the other proposal.

Motion by Councilman Garrett, seconded by Councilman Barr to accept the proposal from A Way to Keep it Green, LLC for Orchard Street, Rt. 23 Parking Lot & Clock Tower for the spring cleanup, bi-weekly weed control, fall cleanup, and cutbacks in the amount of \$4500.00; for the Recreation Field Lawn Maintenance and Aeration in the amount of \$5000.00; and for the 3 season annual change out and maintenance of the Municipal Building in the amount of \$2400.00. All in favor.

2. WATER QUALITY

3. BOARD OF PUBLIC WORKS

The meeting will be held Wednesday, March 9th at 7 pm.

COUNCILMAN SENA

1. FINANCE / TAX DEPARTMENT

The Tax Collector's Report for January 2016 showed a total of \$689,814.65 being collected.

Motion by Councilman Sena, seconded by Councilman Garrett to approve the tax overpayment for Block 24, Lot 1 (C0503) in the amount of \$619.04; and the tax overpayment for Block 17, Lot 18 (C2211) in the amount of \$1,633.47. All in favor.

Motion by Councilman Sena, seconded by Councilman Garrett to redeem third party tax sale certificate #15-020 in the amount of \$44,315.54; to redeem third party tax sale certificate #15-022 in the amount of \$1,346.37; to redeem third party tax sale certificate #15-012 in the amount of \$2,615.87. All in favor.

2. ROAD DEPARTMENT

3. BOARD OF HEALTH

The next meeting will be held on April 12th.

4. RECREATION

A February meeting was not held and the next meeting will be held on March 15th at 7 pm. A Family Swim was held on March 5th at the YMCA and about 35 kids swam and their parents were there and had a great time. An ice skating event will be held at Skylands in Stockholm on March 30th from 5:30 pm – 7 pm. The next meeting will be held on Tuesday, March 15th at 7 pm.

Councilman Sena asked when the park was going to be opened as the weather is nice, we have a new playground for the kids to use and a walking path for people to take advantage of. This will be discussed with the Road Dept. Foreman under the Public Portion.

PUBLIC PORTION:

Motion by Councilman Krasnomowitz, 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 – stated that he usually opens the park on April 1st and the fields are still wet right now, relaying his concern for the fields to get torn up. Councilman Krasnomowitz asked if a sign could be placed on the baseball and soccer fields stating they are closed, but liked the idea that the public could use the playground and walking path. Mr. Schneider said that the park would be open tomorrow morning (Tuesday, March 8th). He also informed the Council that the Police close the gates at sundown.

Jamie McCurry – Fire Chief – relayed that the check from Firehouse Subs would be coming in this week. He also said the department would be taking the rescue truck and chief’s car to their store in Totowa for the presentation but a date has not been set yet. Mayor Marino said that since the check would not be accepted until the April’s meeting, the equipment should not be shipped yet.

Joyce Oehler – EMS Captain – informed the Council that she is able to purchase defibrators at a half price cost and wondered if the Council would be interested. She said they cost between \$3-5000.00 each. After discussion, Council agreed that it would be a good idea to have one in town hall and one in the fire department. Ms. Oehler will look further into it.

Motion by Councilman Barr, seconded by Councilman Burd 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. **Tax Appeals – Plaza 23, LLC v Hamburg Borough**
2. **Historic Hamburg, LLC v Hamburg Borough**
3. **Grey Elephant, LLC v Hamburg Borough**

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

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to enter into Executive Session at 9:08 pm. All in favor.

Discussion regarding Tax Appeals – Plaza 23, LLC v Hamburg Borough, Historic Hamburg, LLC v Hamburg Borough, Grey Elephant, LLC v Hamburg Borough.

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

Motion by Councilman Krasnomowitz, seconded by Councilman Burd to authorize the Mayor to execute the three appraisal agreements by Associated Appraisal Group should Plaza 23, LLC, Historic Hamburg, and

Grey Elephant, LLC go back to court. All in favor.

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

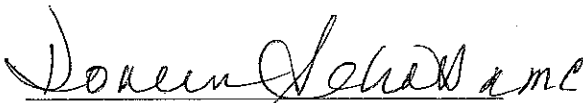
1. Notice of pending foreclosure Block 201 Lot 12.03 (2/3/2016)
2. Notice from Elizabeth Town Gas of filing joint petition for approval of merger (2/8/2016)
3. From NJ Industrial Safety Committee 88th annual safety awards dinner (2/12/2016)
4. From Sussex County notice of Bridge E-04 Franklin Borough Closure (2/16/2016)
5. Sussex County Open Space Meeting Minutes November 2015 (2/19/2016)
6. Notice of No Further Action Block 35, Lot 5 Underground tank (2/22/2016)
7. From County of Sussex – Resolution – notice to lease county real property (2/26/2016)
8. Notice of foreclosure Block 24, Lot 1 (2/26/2016)
9. Notice of foreclosure 98 Burlington Ct. (2/26/2016)
10. Correspondence – Hamburg Borough Complaint for Declaratory Judgement - COAH compliance (3/1/2016)
11. Correspondence – Hamburg Borough Complaint for Declaratory Judgement – COAH (3/1/2016)

ADJOURNMENT

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

Date Approved: 4-4-16

Date Released: 4-4-16


 Doreen Schott, RMC
 Municipal Clerk

Submitted by Kathy Garrett