

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF HAMBURG HELD ON SEPTEMBER 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".

August 1, 2016 Regular Meeting Minutes

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

Roll Call:

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

August 1, 2016 Executive Session Meeting Minutes

Motion by Councilman Sena, seconded by Councilman Krasnomowitz to approve the August 1, 2016 Executive Session Meeting Minutes of the Mayor and Council.

Roll Call:

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

APPROVAL OF BILLS:

Councilman Krasnomowitz added a bill in the amount of \$12,237.04 payable to Statewide Insurance to cover three deductibles; Councilman Garrett added a bill in the amount of \$15,697.00 for Nextronics for the security cameras; a bill in the amount of \$6260.00 payable to Fredon Weldon for the Police Dept. railing; Councilman Law put a hold on a payment in the amount of \$7029.23 payable to First Priority for lights for the Fire Chief's car.

Motion by Councilman Garrett, seconded by Councilman Law to accept these additions and deletions. All in

favor.

Motion by Councilman Law, seconded by Councilman Garrett to open the meeting to the public with regards to the bill list only.

Jamie McCurry, Fire Chief asked why there was a hold on the payment for the lights. Councilman Law replied that the paperwork request was written out for something different than the bill list – a State Contract – and he will speak with him about it later.

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

Motion by Councilman Sena, seconded by Councilman Garrett to approve and pay the bill list as presented with changes.

Roll Call:

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

ENGINEERING:

1. Micro-surfacing Proposal – State Contract Asphalt Paving Systems

Mayor Marino spoke to Borough Engineer John Ruschke regarding the asphalt paving on some of the roads within the Borough. The money will be coming out of the Bond Ordinance and include the following streets: Fairview Avenue, Kirkwood Avenue, Holly Drive, Woodland Avenue, Lawrence Street, and Hamilton Street. The Road Dept. will be helping however they can, in an effort to minimize costs.

The following resolution was offered:

**Asphalt Paving Systems
 #2016-42**

WHEREAS, the Borough has found it necessary to do road surfacing improvements; and

WHEREAS, the roads included will be: Fairview Avenue, Kirkwood Avenue, Holly Drive, Woodland Avenue, Lawrence Street, and Hamilton Street; and

WHEREAS, the Borough of Hamburg Road Department will do sealing of cracks and joints to help deflect the cost of the total amount of the paving.

NOW THEREFORE BE IT RESOLVED that Asphalt Paving Systems, New Jersey State Contract #81757, is awarded the contract at the maximum price not to exceed \$57,433.96.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Mayor and Council of the Borough of Hamburg at the September 7, 2016 Regular Meeting.

Doreen Schott, RMC
 Municipal Clerk

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

Roll Call:

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

MAYOR’S AGENDA:

1. Letter of Resignation – BPW – Gerald Truppi

Mayor and Council are in receipt of the letter of resignation from BPW Board member Gerald Truppi due to personal reasons.

Motion by Councilman Sena, seconded by Councilman Law to accept with regrets. All in favor.

2. DOC's - Extension of Licensed Premises – Fundraiser- September 25, 2016 8:00 AM - 2:00 AM

Mayor and Council are in receipt of an Extension of Licensed Premises for DOC's for a fundraiser for September 25, 2016 from 8:00 am - 2:00 am. The Police Dept. approved the permit as per the Officer in Charge Jason Tangorra.

Motion by Councilman Garrett, seconded by Councilman Law to approve the extension of Licensed Premise for Doc's for a fundraiser on September 25, 2016 between the hours of 8:00 am – 2:00 am.

All in favor.

3. Hamburg Day

Mayor Marino mentioned that Hamburg Day was held on August 21st, saying that it was a successful day thanks to all the volunteers that helped to run the day, the Recreation Commission, Fire Dept., Police Dept., all the vendors, and the amusement company. He also mentioned that each year Hamburg Day gets better and better.

4. Fire Dept. trip on 9/11

Mayor Marino mentioned about the International fire truck and chief's car going to the 9/11 pictures on Sunday, September 11th, but more will be discussed in the public portion.

5. Finance Dept.

Mayor Marino welcomed our new Treasurer Christine Licata.

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 August

The August 2016 monthly report for the Police Department showed 869 calls of service, including 9 arrests, 9 motor vehicle accidents, and 42 motor vehicle summonses issued (ETickets – 42, hard copies – 0).

Director Yahm stated the officers did not do much training in the summer months.

School started and he put an extra officer on up at the school due to the continuing construction to help alleviate any traffic problems on the first day. There were no issues and Mr. Jinks was appreciative. Crossing guards are needed and next month the town will be minus one more.

The new police vehicle is in and marked with one issue being resolved and fixed shortly. The railing in front of the police station is in and looks great – the entire project came out tremendous.

SEC-TV will be in next week for the court house and computer to survey for installation at a later date and they will estimate it at that time. Councilman Garrett asked what the switch box for the court house on the bill list was for if nothing is hooked up yet. Mr. Yahm replied that it was needed for the video conferencing and there is a big mess over there. Law Soft will work with JoAnn Coan to set things up and when that part is completed, SEC-TV will come in to put in the new switch so everything works.

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

2. HISTORIC COMMISSION / HISTORIC SOCIETY

The meeting was changed from August to November.

COUNCILMAN KRASNOMOWITZ:

2. CONSTRUCTION DEPARTMENT

Monthly report for July 2016

The report showed there were 17 permits issued, 0 certificates of occupancy, and 23 certificates of approvals with a total of \$5257.00 collected in fees for the month of July.

3. LAND USE BOARD

There will be a Land Use meeting on September 12th at 7 pm basically to pay bills. The ordinance regarding chickens may be discussed also. Councilman Krasnomowitz said the cell tower application was postponed until October.

COUNCILMAN BURD

4. BOARD OF EDUCATION

The Hamburg School has a new Vice Principal – Ms. Kimberly Sigman. Councilman Burd inquired about the school recycling pick up. The school has been paying for a private contractor to pick up the recycling and it has been quite an expense on them. He wondered what the process was here. After a brief discussion, Doreen Schott will check into the contract and will contact Hardyston also for information. Councilman Burd stated that Mr. Jinks was appreciative of the Police Dept. being there on the first day of school to help with the traffic flow due to the construction issues. There were drainage issues by the stairs and hopefully within the next two weeks will be completed.

COUNCILMAN LAW

1. COURT

Councilman Law informed the Council that the video conferencing – TV and computer, purchasing them through Staples and using Law Soft to install will cost approximately \$2500.00 total and that the County wanted this completed very soon. He added that there would not be enough money in the court budget left to cover all of this and a transfer may be necessary, but this work had to be done.

2. FIRE COMMISSIONER AND OEM

Fire and EMS Report

Fire Report - August

0 fire; 2 MVA; 5 alarms; 1 smoke condition; 0 smell gas/smoke; 1 traffic cont; 0 assist EMS; 2 stand-by; 1 medi-vac; 0 public service; 0 cancelled en-route. Mutual Aid – into Hardyston – 1; Total calls for the year- 93. Total man hours for the year: 861.

EMS Report - August

1 fire; 3 MVA; 2 alarm; 9 medical; 3 trauma; 3 mental health; 0 stand-by; 1 community service; 1 cancelled en- route. Mutual Aid – into Hardyston –2. Total calls for the year- 399. Total man hours for the year: 1273.

Fire Department – EMS Application Anita Horn – Background and physical received.

Council is in receipt of an EMS Application for Anita Horn. The background check was completed and physical was received.

Motion by Councilman Law, seconded by Councilman Garrett to accept the EMS application of Anita Horn upon her showing a CPR card. All in favor.

Councilman Law said that there was a LOSAP meeting and the clothing allowance that was presented by the LOSAP committee was not acceptable to the Council committee so therefore the LOSAP committee pulled it off the table.

COUNCILMAN GARRETT

1. BUILDING AND GROUNDS

Councilman Garrett stated the ramp at the Police Station is completed. A rod iron railing was installed instead of galvanized due to cost.

Fire Department paving

Four proposals for the paving in front of the fire department were submitted: R&G Paving - \$13,500; John's Lawn Service - \$13,800.00; Hank Sanders Inc. - \$13,240.00; and C&V Inc. - \$13,700.00. All proposals were

submitted with the same specs.

Motion by Councilman Garrett, seconded by Councilman Sena to go with Hank Sanders Inc. with a low proposal of \$13,240.00 for the paving in front of the fire department.

Councilman Sena asked if this money was coming out of the bond ordinance and Mayor Marino responded yes, that there was approximately \$20,000.00 left in the ordinance.

All in favor.

The Bluffs

Councilman Garrett clarified that the correspondence referring to the issues at The Bluffs are not our problem but are Lorterdans' as they are not paying the State permit requirements or filing the proper paperwork with the State.

Town Clock

Councilman Garrett updated the Council that the DOT said that nothing can be in the State right-of-way that is not breakaway; therefore the bollards around the clock would not be allowed. The Council discusses whether to put back the clock or not. They decided the incident with the clock being hit was an isolated incident and since there is no other location in which to relocate the clock, the decision is to put the clock back in the intersection. All Council members were in agreement.

2. BOARD OF PUBLIC WORKS

Generator Contract – Recommendation for R & J Controls.

Councilman Garrett presented a recommendation from the BPW for the generator contract for R&J Controls Inc. for the 13 generators for the town. He also stated that there was an additional fee of approximately \$3000.00 because of adding three generators.

Motion by Councilman Garrett, seconded by Councilman Law to approve the contract for R&J Controls, Inc. at an annual cost of \$8970.00. All in favor.

The BPW meeting scheduled for September 14th has been cancelled.

COUNCILMAN SENA

1. FINANCE / TAX DEPARTMENT

Motion by Councilman Sena, seconded by Councilman Garrett to accept the Certificate of Sale – Unpaid Municipal Liens in the amount of \$198.82. All in favor.

The Tax Collector's report for June 2016 showed an amount of \$217,125.91 being collected.

The Tax Collector's report for July 2016 showed an amount of \$833,110.91 being collected.

Motion by Councilman Sena, seconded by Councilman Garrett to accept the resolutions to redeem third party tax sale certificate's: #2016-004 - \$ 2,523.53; #2016-010 - \$473.01; #2016-015 - \$198.82; #2016-016 - \$25,078.58; #2016-024 - \$29,020.37; #15-023- \$ 1,605.93; #15-018- \$2,630.36; #14-077 - \$47,464.94.

Roll Call:

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

2. ROAD DEPARTMENT

Councilman Sena informed the Council that unfortunately the Road Dept. were unable to rent a striper to re-do the lines on the roads for school crossings, so they had to manually stripe the lines.

Bear proof garbage Cans

Bear proof garbage cans are offered at Hardyston Town Hall for Hamburg residents at a cost of \$50.00 each.

Councilman Sena stated there were complaints about garbage pickup very early in the area around 5 am – 5:30 am, and bears getting in the garbage as residents were putting it out the night before because of this time.

Councilman Krasnomowitz added that the Zoning Officer spoke to a few of the haulers about what time they are to come into town, but they were for the businesses mostly and not the residential.

3. BOARD of HEALTH

The next meeting will be held October 11th at 6:30 pm.

4. RECREATION

Councilman Sena thanked everyone for the great job they did in holding Hamburg Day on August 21st. He acknowledged the members of the rec committee for all the hard work that went into holding the event and all the volunteers that helped to make it the success it was. The Recreation Commission will hold the Trunk or Treat on October 29th at 1:00 pm at the rec fields. The next meeting will be held on September 20th at 7 pm.

Littell Community Center – Mid Year Report and July Monthly Report

Councilman Sena said the report was favorable as it showed that Hamburg residents do utilize the Littell Center.

PUBLIC PORTION:

Motion by Councilman Sena, 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.

Jerry Kastner – Water Superintendent – expounded on the report from the DEP concerning the lead and copper results of the 62 samples that were taken from the Hamburg School. There was one sink that was bad, now repaired and resampled and in compliance. Mr. Kastner also said being proactive with the school was good. He also stated he will be taking extra training regarding monitoring plans and regulations.

Sheila Frayko – School Board Liaison – was in touch with Superintendent Roger Jinks who said the recycling is in a dumpster, not cans.

Jamie McCurry – Fire Chief – asked about taking the rescue truck for the 9/11 pictures and not the International as planned as that truck does not have air conditioning. Mayor Marino stated he did not like taking equipment off one truck for another for a picture. Councilman Garrett added that other pumper has air also and that perhaps they could take that one.

Motion by Councilman Law, seconded by Councilman Sena for the fire department to take the Suphten fire truck to the 9/11 pictures. All in favor.

Motion by Councilman Law, seconded by Councilman Barr 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. Super v. Hamburg

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

Motion by Councilman Krasnomowitz, seconded by Councilman Law to enter into Executive Session at 8:22 pm. All in favor.

Discussion regarding Super v. Hamburg

Motion by Councilman Law, seconded by Councilman Krasnomowitz to return to the Regular Meeting at 8:26 pm. All in favor.

No action taken.

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

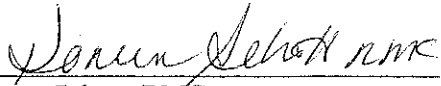
1. Notice of pending foreclosure 14-16 Wishing Well Road (8/3/2016)
2. Copy of Franklin Borough Ordinance amending chapter 161 (8/3/2016)
3. From JCPL – Notice of public filing and hearing (8/3/2016)
4. Notice of name change Mott MacDonald (8/3/2016)
5. Notice of pending foreclosure 54 Summit Road (8/5/2016)
6. Elizabeth Town Gas notice of public hearing
7. From NJ League of Municipalities Annual Statement FY (8/8/2016)
8. From State of NJ DOT notice of 2016 Transportation Alternatives Program (TAP) (8/8/2016)
9. From NJ Manufacturers Insurance expansion to municipal employees (8/8/2016)
10. From JCPL notice of disconnection notices sent.
11. Correspondence from Landmark Dividend purchasers of cellular leases. (8/16/2016)
12. From State of NJ – No further action 77 Mulberry Street, underground oil tank.
13. From DEP to Lorterdan Development re: physical connection permit. (8/16/2016)
14. Copy of remedial action permit – Grey Elephant. (8/12/2016)
15. Correspondence from Landmark Dividend – purchaser of cellular leases.
16. Grey Elephant – soil remedial action permit
17. Notice of pending foreclosure 345 Falcon Ridge Way (8/24/2016)
18. From State of NJ – Lead and Copper rule updates (8/24/2016)
19. Wantage Resolution – opposing proposed increase of gas tax (8/24/2016)
20. Notice – Super v Borough of Hamburg (8/29/2016)
21. Montague resolution opposing assembly bill 1780 (8/29/016)
22. JCPL notice of public hearing
23. Notice of pending foreclosure 37 Spruce Hills Court (8/29/2016)
24. Notice of pending foreclosure 104 Falcon Ridge Way (8/29/2016)
25. Correspondence from Rehabco, Inc.
26. From Sussex County notice of upcoming merger Sussex County Health and Human Services Departments. (8/30/2016)
27. Sussex County Economic Development – 12th Annual Awards Luncheon. (8/30/2016)

ADJOURNMENT

Motion by Councilman Barr, seconded by Councilman Law to adjourn the meeting at 8:26 pm. All in favor.

Date Approved: 10-3-16

Date Released: 10-3-16



Doreen Schott, RMC
Municipal Clerk

Submitted by Kathy Garrett