

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF HAMBURG HELD ON JANUARY 4, 2017 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 salute to the flag.

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, 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".

December 5, 2016 Regular Meeting Minutes

Motion by Councilman Law, seconded by Councilman Garrett to approve the December 5, 2016 Regular Meeting Minutes of the Mayor and Council.

Roll Call:

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

December 5, 2016 Executive Session Meeting Minutes

Motion by Councilman Krasnomowitz, seconded by Councilman Law to approve the December 5, 2016 Executive Session Meeting Minutes of the Mayor and Council.

Roll Call:

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

APPROVAL OF BILLS:

Councilman Law added a bill from Country Classics Auto in the amount of \$4130.50 for repairs to the fire truck, with a \$1000.00 deductible, saying the insurance will pay all but the \$1000.00 deductible.

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

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

Roll Call:

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

SPECIAL SERVICE AWARD PRESENTATION

Mayor Marino presented a special service award presentation to Kathy Garrett, thanking her for 20 years of dedication to the residents of the Borough. Ms. Garrett thanked all members of the Council for the plaque and for the privilege of serving.

RESOLUTIONS:

Resolution # 2017-11 – Cash Management Plan.

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

**Borough of Hamburg Borough
2017 Cash Management Plan
Resolution # 2017-11**

WHEREAS it is in the best interest of the Borough of Hamburg to earn additional revenue through the Investment and prudent management of its cash receipts; and

WHEREAS P.L. 1983, Chapter 8, approved January 18, 1983 is an act concerning the Local Fiscal Affairs Law and amends N.J.S.A. 40A:5-2 and N.J.S.A. 40A:5-14; and

WHEREAS this requires that each local unit shall adopt a cash management plan.

NOW, THEREFORE, BE IT RESOLVED, that the following shall constitute the Cash Management Plan for the Borough and the Treasurer shall deposit and manage its funds pursuant to this plan:

Definitions

1. Treasurer shall mean the Treasurer of the Borough of Hamburg
2. Fiscal Year shall mean the twelve-month period ending December thirty-one.
3. Cash Management Plan shall mean that plan as approved by resolution.

Designation of Depositories

At least once each fiscal year the governing body shall by resolution designate the depositories for the Borough of Hamburg in accordance with the N.J.S.A. 40A:5-14.

Audit Requirement

1. The Cash Management Plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A:5-4.

Authority to Invest

1. The governing body shall pass a resolution at its first meeting of the fiscal year designating the Borough official(s) who shall make and be responsible for municipal deposits and investments.

Investment Instruments

1. The Treasurer shall invest at his discretion in any investment instrument as approved by the State of New Jersey in accordance with N.J.S.A. 40A:5-15.1.

Records and Reports

1. The Treasurer shall report all investments in accordance with N.J.S.A. 40A:5-15.2.
2. At a minimum the Treasurer shall:
 - a. Keep a record of all investments.
 - b. Keep a cash portion record which reveals, on a daily basis, the status of the cash in its bank

accounts.

- c. Confirm investments with the governing body at the next regularly scheduled meeting.
- d. Report monthly to the governing body as to the status of cash balances in bank accounts, revenue collection, interest rates, and interest earned.

Cash Flow

- 1. The Treasurer shall ensure that the accounting system provides regular information concerning the cash position and investment performance.
- 2. All moneys, shall be turned over to the Treasurer and deposited in accordance with N.J.S.A. 40A:5-15.
- 3. The Treasurer is authorized and directed to invest surplus funds of the Borough of Hamburg as the availability of the funds permit. In addition, it shall be the responsibility of the Treasurer to minimize the possibility of idle cash by depositing the monies in interest bearing accounts wherever practical and in the best interest of the Borough of Hamburg.
- 4. The Treasurer shall ensure that funds are borrowed for Capital Projects in a timely fashion.

I HEREBY CERTIFY the above to be a true copy of a Resolution Adopted by the Council of the Borough of Hamburg at a duly convened Meeting held on January 4, 2017 Regular Meeting

Doreen Schott
Municipal Clerk

Resolution #2017-12 – 2017 LEPC Committee.

Local Emergency Planned Committee (LEPC) membership appointments

Mayor Marino advised that as part of the County requirements of Office of Emergency Management, he appoints the following persons to the Hamburg Local Emergency Planning Committee (LEPC)- OEM Coordinator Keith Sukennikoff; OEM Deputy Coordinator Kevin Decker; OEM Deputy Coordinator John Haig; Mayor Paul Marino; Councilman Rich Krasnomowitz; Councilman Russell Law; Municipal Clerk Doreen Schott; Hamburg DPW Mike Schneider; Hamburg Fire Chief Jamie McCurry; Hamburg Fire Official Bill Walsh; Hamburg EMS Gary Kays; Hamburg Police Director Wayne Yahm; Hamburg Police OIC Jason Tangorra; Hamburg School Roger Jinks; Bill DeBoer; and Tom Graham.

The purpose of the committee is to address potential hazardous materials incidents, and has been expanded to include terrorism preparedness and serve as the Citizen Corps Council. They will be meeting approximately four (4) times a year.

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

Resolution #2017-13 – Authority to Sign for expenses

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

Resolution #2017-14 – Authority to invest

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

Resolution #2017-15 – Borough of Hamburg School Choice Week

Motion by Councilman Garrett, seconded by Councilman Sena to accept the resolution as offered. All in favor.

ORDINANCES:

ORDINANCE #01-2017 First Reading

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

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

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to approve the ordinance on first reading and introduction with said ordinance to be published in full with second reading schedule for February 6, 2017.

Attorney Clemack mentioned that the Borough is not exceeding the budget cap; this is giving the authority that should something come up in the future, the town has room to address it.

All in favor.

ATTORNEY HOUR:

1. Discharge of Mortgage – 10 Prince Street

Attorney Clemack presented paperwork regarding a Discharge of Mortgage for 10 Prince Street, James and Sandra Hendershot. This is a 1992 rehabilitation Small Cities Grant, which, after 10 years if the owner resides at the property, it is forgiven and this is now due for discharge having been satisfied.

Motion by Councilman Sena, seconded by Councilman Krasnomowitz to accept the Discharge of Mortgage for 10 Prince Street, Hamburg, NJ as offered. All in favor.

MAYOR'S AGENDA:

Local Emergency Planned Committee (LEPC) membership appointments (Resolution done under Resolutions)

PROFESSIONAL SERVICE AGREEMENTS 2017- Copy of individual contracts with clerk.

Mayor Marino presented the following Professional Service Agreements for 2017:

- Richard Clemack Contract (Attorney Services)
- Nelson Consulting Group Contract (Planning Services)
- Mott MacDonald Contract (Engineering Services)
- Nisivoccia & Company Contract (Auditing Services)
- John L Kraft of Waters, McPherson, McNeill Contract (Bond Counsel)
- Dr. Fielding Contract (Medical Service)
- James P Sloan Contract (Public Defender)
- Alicia Ferrante Contract (Municipal Prosecutor)
- Weiner Lesniak – Glenn Kienz Contract (LUB Attorney)
- Arthur J Gallagher and Company, George Morville (Insurance)
- McCabe & McCabe LLC (Historic Planner)

Motion by Councilman Law, seconded by Councilman Krasnomowitz to accept the Professional Service Agreements as presented. All in favor.

Oak Street Light

Mayor Marino discussed installing a traffic light at Oak Street and Rt. 23 due to a letter initiated by Director Yahm. A letter was received from the State stating that, if we would authorize the study, the most that would be required on Hamburg's part would be \$50,000.00 to put a light there should the study show that a light would be warranted there. Mayor Marino also mentioned that much of the traffic coming out of Oak Street is from the developments of the Hardyston area – Crystal Springs – and that perhaps Hardyston should be contacted to pay half of the associated fees. Also, should a developer go in on that said corner, they maybe should also pay 25 % of the associated costs. Mayor Marino was also concerned about the safety issues on that corner. Borough Clerk Doreen Schott added that Debbie Hirt of the State read from the letter that the Borough must commit to 25% of the costs of the associated costs with electrical construction costs and her estimate was up to \$50,000.00, if they approve it. Councilmembers inquired what exactly

those costs included and how high those costs would go. Councilmembers were in favor of the concept but would also like clarification of the specifics. The State would do the study.

Motion by Councilman Barr, seconded by Councilman Law to agree to a concept plan of a light going in at the corner of Oak Street and Rt. 23 with more clarification of the costs associated with the project. All in favor.

Regarding the 2017 MA Grant that the borough engineer discussed at last meeting the borough will submit the grant application for 2017 Municipal Aid.

Motion by Councilman Sena, seconded by Councilman Garrett to submit the 2017 Municipal Aid Grant Application. All in favor.

Fire / EMS Response in Vehicles

Mayor Marino talked about Fire and EMS members responding to calls in their personal vehicles. He explained that the member is covered by their own policy 1st, and then the Borough 2nd should there be any deductibles. Mayor Marino also stated that according to the State Statute, the Borough is not liable for volunteers. Councilman Krasnomowitz added that the volunteer's personal liability insurance would cover the volunteer. The Borough insurance would protect the Borough but not the volunteer.

Budget

Mayor Marino informed the Council that although last year the Borough did a self-examination of the budget, this year it has to be State approved.

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 for December

The December 2016 monthly report for the Police Department showed 841 calls of service, including 0 arrests, 11 motor vehicle accidents, and 46 motor vehicle summonses issued (ETickets – 46, hard copies – 0).

Director Yahm relayed the new scheduling system is in place. Dispatch, the Court clerk and the officers (on their phones) all can view the schedule.

There are now four (4) crossing guards in place and Mr. Yahm is looking for subs.

An ID system was purchased, not only for use for the officers but for all Borough employees.

In the evidence room, a bar code system has been put into place which will cut down the paperwork with the State Police, etc.

In the coming year, Mr. Yahm is hoping to do upgrade to the building.

Director Yahm stated the officers are doing an outstanding job.

Councilman Law, when he inquired about the bail reform, Director Yahm replied that it was up to speed and ready to go.

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

Crossing Guard appointment – Philippe Bowles

Councilman Barr stated that the paperwork for Ms. Bowles has been returned completed and favorable.

Motion by Councilman Barr, seconded by Councilman Law to approve Philippe Bowles for appointment as a Crossing Guard, noting that all paperwork has been returned favorable. All in favor.

Crossing Guard – appointing Stacy Reardon as Captain of Guards

Councilman Barr recommended Stacy Reardon to take the place of Dot Kays as Captain of the Crossing

Guards.

Motion by Councilman Barr, seconded by Councilman Burd to appoint Stacy Reardon as Captain of the Crossing Guards. All in favor.

2. HISTORIC COMMISSION / HISTORIC SOCIETY

Councilman Barr mentioned the Historic Commission will meet at the end of January.

COUNCILMAN KRASNOMOWITZ:

2. CONSTRUCTION DEPARTMENT

Monthly report November 2016

The report showed there were 20 permits issued, 1 certificates of occupancy, and 11 certificates of approvals with a total of \$6304.00 collected in fees for the month of November.

3. LAND USE BOARD

Re-organization meeting is scheduled for Monday, January 9th at 7 pm.

4. INSURANCE

2017 Fund Year Coverage and Assessments

Councilman Krasnomowitz stated that there is a change in carriers but no reductions in coverage. The letter received also outlines some terms and conditions.

COUNCILMAN BURD

4. BOARD OF EDUCATION

Councilman Burd relayed that Bill Sabo at the Hamburg School spoke about paving the path that leads from the back of the school to the sports field below. He requested that whenever the town is paving that this also be included.

COUNCILMAN LAW

2. FIRE COMMISSIONER AND OEM

EMS Monthly Report for December

1 fire; 4 MVA; 1 alarms; 18 medical; 2 trama; 2 mental health; 0 stand-by; 1 community service; 1 cancelled en-route. Mutual Aid – into Hardyston – 1; into Wantage – 1. Total calls for the year- 513. Total man hours for the year: 1678.

Councilman Law relayed that the Fire Chief purchased an upgrade for their computer so hopefully it will be up and running shortly.

Councilman Law also said that St. Clare's was doing a good job with EMS coverage for Hardyston. There was a Council phone vote to keep the stretchers in lieu of payment but there nothing received from Hardyston. Councilman Law will contact them and also heard that two stretchers sold for \$8000.00 each.

COUNCILMAN GARRETT

1. BUILDING AND GROUNDS

Councilman Garrett said he was looking into cleaning services and was meeting with a company within the week. Our last contract was updated in 2012.

Councilman Garrett was also in the process of getting three quotes for a generator for the Court house. In speaking to John Ruschke, he was advised that a household size generator would be sufficient, which would keep the price under the bid threshold. Three quotes will be obtained for the 9K generator.

Motion by Councilman Garrett, seconded by Councilman Law to pursue a generator for the Court house, obtaining three quotes.

Councilman Krasnomowitz questioned if one was necessary and Councilman Law said that he believed it

was as just the other day power went out when court was in session. Mayor Marino added this was discussed in the budget discussions.

All in favor.

3. BOARD OF PUBLIC WORKS

The re-organization meeting will be held on January 11th at 7:00 pm.

COUNCILMAN SENA

1. FINANCE / TAX DEPARTMENT

Motion by Councilman Sena, seconded by Councilman Garrett to accept the resolution to redeem third party tax sale certificate #2016-003 in the amount \$2512.79; to accept the resolution to redeem third party tax sale certificate #2016-030 in the amount \$1689.22; to accept the resolution to redeem third party tax sale certificate #2016-031 in the amount \$3839.78. All in favor.

Councilman Sena said a preliminary budget meeting was held in December and the Council is working on the new budget. He also asked Council members to submit any ideas or suggestions they may have or want to add to the discussions.

2. ROAD DEPARTMENT

Road Dept. Foreman Mike Schneider did an inventory of the vehicles. He is ready to go for the winter months.

3. BOARD of HEALTH

The re-organization meeting will be held on January 10th at 6:30 pm. Animal licensing is ongoing this month and the rabies clinic will be held this year in December.

4. RECREATION

Recreation held their Breakfast with Santa and had approximately 140 people in attendance with many volunteers. There was plenty of food, Santa was there, and everyone had a good time.

The re-organization meeting will be held on January 17th at 7 pm.

PUBLIC PORTION:

Motion by Councilman Sena, 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.

Hearing no comments from the public, motion by Councilman Garrett, 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. **Personnel – volunteers – privacy matter**
2. **Hinger 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 Law, seconded by Councilman Barr to accept the resolution as offered. All in favor.

Motion by Councilman Krasnomowitz, seconded by Councilman Barr to enter into Executive Session at 8:20 pm. All in favor.

Discussion on Personnel – volunteers – privacy matter; Hinger v Hamburg.

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

No action taken.

Councilman Sena discussed the cutting of trees in the right of way on Holly Drive. Attorney Clemack will request the subdivision plans from the Land Use secretary to look at and advise the Council.

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

1. ANJEC Membership notification (12/06/2016)
2. Copy of Adopted FY2017 Rate Schedule from SCMUA (12/6/2016)
3. Littell Center Monthly report (12/6/2016)
4. State of NJ No further action required 66 Vernon Avenue Underground tank (12/6/2016)
5. Correspondence regarding Oak Street Traffic Light request (12/13/2016)
6. Estimated SCMUA Annual Charge (12/14/2016)
7. Notice of pending foreclosure 23 Bank Street (12/14/2016)
8. Notice of pending foreclosure 19 Winding Brook Way (Block 31, Lot 8) (c0204) (12/16/2016)
9. Notice of pending foreclosure 76 Heritage Lane (12/16/2016)
10. Correspondence from NJ Business and Industry Association (12/20/2016)
11. Notice of pending foreclosure 119 State Rt. 23 (12/20/2016)

ADJOURNMENT

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

Date Approved 2/6/17

Date Released 2/6/17



Doreen Schott, RMC
Municipal Clerk

Submitted by Kathy Garrett