

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE  
BOROUGH OF HAMBURG HELD ON MAY 1, 2017 AT THE MUNICIPAL BUILDING, 16  
WALLKILL AVE., HAMBURG, NJ**

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**CALL TO ORDER:**

Mayor Marino called the meeting to order at 7:00 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 10, 2017 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".

**April 3, 2017 Regular Meeting Minutes**

Motion by Councilman Garrett, seconded by Councilman Law to approve the April 3, 2017 Regular Meeting Minutes of the Mayor and Council.

Roll Call:

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

**April 3, 2017 Executive Session Minutes**

Motion by Councilman Law, seconded by Councilman Krasnomowitz to approve the April 3, 2017 Executive Session Meeting Minutes of the Mayor and Council.

Roll Call:

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

**APPROVAL OF BILLS:**

As there are no additions or deletions to the bill list, motion by Councilman Law, seconded by Councilman Garrett 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 Krasnomowitz to approve and pay the bill list as presented. Roll call showed all Council members present in favor.

**ORDINANCES:**

None

**CORRECTIVE ACTION PLAN and Resolution #2017-27; accepting Corrective Action Plan**

Motion by Councilman Barr, seconded by Councilman Burd to accept the Corrective Action Plan along with Resolution #2017-28, accepting Corrective Action Plan.

Roll call showed all Council members present in favor.

**RESOLUTIONS:**

2017-26 – Reserve Storm Recovery Trust

Motion by Councilman Law, seconded by Councilman Burd to accept Resolution #2017-26 as offered.

All in favor.

**ATTORNEY HOUR:**

1.

**ENGINEERING:**

None

**MAYOR'S AGENDA:**

**1. Budget discussion / 2. Shared Services Meeting – Hardyston**

Mayor Marino stated that last month the budget for the Borough was adopted, with a 2% raise. He relayed that while this is painful at times, the town cannot always use its reserves, as that would be depleted quickly. Mayor Marino said there were 104 foreclosures in town and various tax appeals going on, all which affect the budget. The water and sewer revenues go down as a result of this also. A new fire truck is needed as the current one is 20 years old. Roads and sewers need to be accounted for and maintained constantly. Mayor Marino also relayed that the town is continuing to look at shared services to help with all of these services and they had just met with Hardyston for a discussion. 8% of housing here is vacant which affects everyone. He reminded everyone they are fighting for the taxpayer.

**\*\*Mayor Marino stated that the Fire Department was giving a presentation on LOSAP, and since this would affect Council members Garrett and Law and himself, they would be stepping down from their place at the dais and last years' Council President Councilman Barr would take control.**

**LOSAP Presentation from Hamburg Fire Department**

Motion by Councilman Barr, seconded by Councilman Burd to open to Charlie Kazella of the Hamburg Fire Department. He also advised this would not be open to other members of the public. All in favor.

Mr. Charlie Kazella, 2<sup>nd</sup> Lieutenant in the Fire Department and a member running first aid calls, (member in Hamburg since 2014) gave a brief statement about the LOSAP program, a tax deferred program. This is a points based dollar reward program for services performed throughout the department: attending drills, calls, duty nights, meetings, maintenance, etc. Mr. Kazella stated that membership is on the decline and more and more is expected of the current members. Providing LOSAP would give people more incentive to volunteer. It gives the members a monetary reward for each year they are active and have met the criteria to get that reward as members would have criteria to be eligible to receive this dollar amount each year. Mr. Kazella relayed that surrounding departments have LOSAP and he also feels his department's members should be rewarded for their services. He said the volunteers have provided these services to our residents. He questioned the Council members why the leaders of this community have not offered it to the volunteers and instead the volunteers have to plead their case to see if they would allow this to go to referendum. They believe the members of the community would support the department and give them LOSAP and are now asking for Council support and let this go to referendum for November for the voters to decide.

Motion by Councilman Krasnomowitz, seconded by Councilman Burd to close to Mr. Kazella. All in favor.

Councilman Barr stated that he appreciated the members of the fire department and EMS, responding at all hours of the day and night when no one else does, and added, all volunteers, including members of boards, etc., were appreciated. He advised that since this is a Borough form of government, any referendum done in the Borough is a non-binding referendum, and would end with the Council. Councilman Barr said that Mayor Marino just gave a budget report, stating there were 8% in home foreclosures, that the Fire Dept. is given a budget of \$40,000.00 a year, was also given money for air packs, a cascade system, and now the Council is looking to purchase a fire truck for them. Councilman Barr believed the taxpayers have been burdened enough and does not think they should be asked to do more.

Councilman Sena stated that property values continue to drop and we have to take that into consideration, along with the many tax appeals that are on-going. He also agreed with all that was relayed by Councilman Barr.

Councilman Krasnomowitz also said that it was near impossible to ask the taxpayers to go further and appreciates all the Fire and EMS do, adding that without them, it would be impossible to do any of what we do. He said it is tough for people to volunteer but believed the taxpayers were burdened enough.

Councilman Burd agreed with all that was already stated. He thanked everyone for their services and appreciates everything they do.

Motion by Councilman Barr, seconded by Councilman Burd to decline the motion of the LOSAP program.

Roll Call:

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

**\*\*Minutes show Mayor Marino, Council members Garrett and Law returning to their places on the dais.**

**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 April

The April 2017 monthly report for the Police Department showed 864 calls of service, including 3 arrests, 8 motor vehicle accidents, and 52 motor vehicle summonses issued (ETickets – 52, hard copies – 0).

Director Yahm stated the Council may see a spike in overtime coming up due to mandated training the officers will need to take.

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

**COUNCILMAN KRASNOMOWITZ:**

**1. OFFICE ADMINISTRATION**

**Email from Becky Westra regarding use of gazebo and rest rooms at field.**

Councilman Krasnomowitz discussed the email received from the Littell Center coordinator Becky Westra regarding the use of the gazebo and the rest rooms at the rec fields. He voiced his concerns about a food handlers' license and policing the facility in respect to the clean-up and not having the manpower to do so.

Councilman Barr stated that he had no problem with the use of the kitchen are but there is a port-a-john on site so it would not be necessary to open the bathrooms. Mike Schneider should be asked where the best place is to put a box for baseball.

Councilman Barr also mentioned Little League selling sponsorship banners as a fundraiser to hang on the fence. Mayor Marino stated this should be given to recreation to manage.

**2. CONSTRUCTION DEPARTMENT**

Monthly report March 2017

The monthly report for March 2017 showed there were 18 permits issued, 0 certificates of occupancy, and 11 certificates of approvals with a total of \$3806.00 collected in fees for the month of March.

**3. LAND USE BOARD**

Land Use meeting will be held on Monday, May 8<sup>th</sup> at 7 pm. Mobil Mini Mart is presenting a conceptual review of an expansion for their present store.

**COUNCILMAN BURD**

**4. BOARD OF EDUCATION**

Christine Licata was hired as treasurer for the Board of Education starting in July. The school has agreed to allow functions to be placed on their message sign and the Borough will place specific announcements from the school on the message sign in front of town hall. Those notices will be communicated via email to the clerk with a 2 day window to post.

Councilman Burd also said the school board has a proposed budget of \$6,901,793.00. He also said the budget fund balance is at 11%, the surplus dollars that can be carried over, which is at \$740,000.00 which they also rely on. The school board budget does fall within the 3% cap plus \$26,000.00 which is allowed.

**COUNCILMAN LAW**

**2. FIRE COMMISSIONER AND OEM**

**EMS Report for April**

4 fire; 2 MVA; 0 alarm; 10 medical; 1 trauma; 3 mental health; 0 stand-by; 1 community service; 2 cancelled en- route. Mutual Aid – into Hardyston –2; into Franklin – 1; into Vernon – 1; into Wantage - 1. Total calls for the year- 91. Total man hours for the year: 218.

**Fire Report for April**

6 fire; 1 MVA; 2 alarms; 0 smoke condition; 0 smell gas/smoke; 0 traffic cont; 0 assist EMS; 0 stand-by; 0 medi-vac; 0 public service; 0 cancelled en-route. Mutual Aid – into Hardyston – 3; into Franklin – 1; into McAfee -1; into Wantage – 1. Total calls for the year – 42. Total man hours for the year: 266.

Councilman Law added that these were 6 active fires that took place within the county. He also added that while at the Vernon structure fire, our fire truck was hit by Vernon’s truck, causing damage to the driver’s side. It is still drivable and in service but will need to be repaired.

**Memo from Hamburg Fire Department regarding 2020 Annual Fireman’s Inspection Day and Parade.**

Mayor Marino stated that last month a resolution of support was done, adding money to the 2018, 2019, and 2020 budgets, but since it was not a full Council, he would like to do a resolution this month also with all Council members present.

Motion by Councilman Law, seconded by Councilman Barr to accept the following resolution:

**RESOLUTION  
#2017-29**

Sussex County Fireman’s Association Annual Inspection Day Parade

**WHEREAS**, the Hamburg Fire Department will be hosting the annual Sussex County Fireman’s Inspection Day Parade in October 2020; and

**WHEREAS**, on this special occasion, the Hamburg Fire Department will be hosting the 100<sup>th</sup> parade year of the Sussex County Fireman’s Inspection Day and Parade, the First year of the parade also being held in Hamburg; and

**WHEREAS**, Mayor Marino and Council members have voted to put money in the 2018, 2019, and

2020 budget years to support the function.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hamburg that the Governing Body recognizes the importance to the community and the Fire Department for such a celebration and enthusiastically endorses the Hamburg Fire Department’s desire to host the 100<sup>th</sup> Sussex County Fireman’s Inspection Day Parade in the Borough of Hamburg.

**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 May 1, 2017 Regular Meeting.

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Doreen Schott, RMC  
Municipal Clerk

Roll call vote showed all Council members present in favor.

**Application – Highway Occupancy – May 20<sup>th</sup>, July 29<sup>th</sup>, October 14<sup>th</sup>, 0800-1700 hrs.**

An application for a Highway Occupancy Permit was submitted by the Fire / EMS Dept. for a fund drive for May 20<sup>th</sup>, July 29<sup>th</sup>, and October 14<sup>th</sup>, with rain dates of May 21<sup>st</sup>, July 30<sup>th</sup>, and October 15<sup>th</sup>. The hours will be from 8 am – 5 pm.

Motion by Councilman Law, seconded by Councilman Barr to approve the application for a highway occupancy permit for the Fire / EMS Dept. on above said dates. All in favor.

**COUNCILMAN GARRETT**

**1. BUILDING AND GROUNDS**

Councilman Garrett mentioned putting in a basketball court at the rec fields but instead he is looking into putting in exercise stations around the walking path or a beach volleyball court.

The Road Dept. placed mulch around some of the town areas instead of having Farmside do it, thereby saving approximately \$2000.00.

**3. BOARD OF PUBLIC WORKS**

A meeting will be held on May 10<sup>th</sup> at 7 pm.

**COUNCILMAN SENA**

**FINANCE / TAX DEPARTMENT**

The Tax Collector’s report for March 2017 showed a total of \$257,327.57 being collected.

Motion by Councilman Sena, seconded by Councilman Garrett to accept the resolution to refund for Block 31, Lot 21 in the amount of \$2663.42. All in favor.

**2. ROAD DEPARTMENT**

Street sweeping will begin within the next coming weeks. On the corner of 19 Fern and 7 Kirkwood there is water continually coming into the street, causing severe cracking of the roadway. The Road Dept. will be digging this section of road up and revert the water into the retention basin across the street.

**3. BOARD of HEALTH**

The rabies clinic will be held December 6<sup>th</sup> and mosquito control was discussed at the meeting.

**4. RECREATION**

The clinics at the school have finished for the year. Ice skating was held at Skylands Ice World on April 19<sup>th</sup>. The following events are coming up - the Miners Baseball game will be held July 1<sup>st</sup> at \$9.00 a ticket;

Miss Hamburg contests are on June 4<sup>th</sup> at 1 pm at the school; Hamburg Day is August 20<sup>th</sup> and vendors are being encouraged; July 15<sup>th</sup> is an Evening in the Park from 6 -8 pm. The Hamburg School and town hall will post events on the message sign pertaining to each other (via email to the clerk).

**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.

Sheila Frayko – Board of Education Liaison – informed the Council that graduation is June 20<sup>th</sup> at 7 pm.

Joyce Oehler – Recreation Commission chairwoman – stated that if one was grilling food, she did not believe a Serv-Safe license was needed.

Motion by Councilman Garrett, seconded by Councilman Sena 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. Plaza 23, LLC v Hamburg Borough
2. Inter-local Agreement
3. Police litigation
4. Personnel

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 Barr, seconded by Councilman Law to enter into Executive Session at 7:42 pm. All in favor.

Discussion on Plaza 23, LLC v Hamburg Borough; Inter-local Agreement; Police litigation.

Motion by Councilman Barr, seconded by Councilman Burd to return to the Regular Meeting at 9:00 pm. All in favor.

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

1. Notice of pending foreclosure 68 Heritage Lane (4/3/2017)
2. From State DEP – SDW Water Utilization Reports (4/3/2017)
3. Request from Camden County – Model Pet Shop Ordinance (4/6/2017)
4. Notice of petition of appeal – 18 Burlington Court (4/6/2017)
5. Sample ordinance for pet shops (4/6/2017)
6. Notice of pending foreclosure 38 Village Drive (4/6/2017)
7. Notice of pending foreclosure 110 Mulberry Street (4/7/2017)
8. NJLM Legislative Alert (4/11/2017)

- 9. Notice of pending foreclosure 29 Quarry Road (4/11/2017)
- 10. Notice of petition of appeal – 100 Rt 23 South (4/11/2017)
- 11. Correspondence from Selective Service System. (4/18/2017)
- 12. Public Notice Letter from Antea Group– Former Getty Gas. (4/18/2017)
- 13. Notice of administrative completeness from DEP for Physical Connection PI 1283 (4/21/2017)
- 14. From Sussex County Taxation notice of resolution passed by Commissioners of the SC Board of Taxation. (4/21/2017)
- 15. Notice of Underground Tank removal and clean up 89 Vernon Avenue (4/21/2017)
- 16. From State of NJ 2017-2018 Municipal Percentage Shreds of Tax Levies (4/21/2017)
- 17. Sussex County Library Celebrating 75 year Invitation (4/21/2017)
- 18. Final Equalization Table ((4/27/17)

**ADJOURNMENT**

Motion by Councilman Krasnomowitz, seconded by Councilman Garrett to adjourn the meeting at 9:00 pm. All in favor.

Date Approved 6-5-17

Date Released 10-5-17

Doreen Schott RMC

Doreen Schott, RMC  
Municipal Clerk

Submitted by Kathy Garrett