

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF HAMBURG HELD ON SEPTEMBER 6, 2017 AT THE MUNICIPAL
BUILDING, 16 WALLKILL AVE., HAMBURG, NJ**

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".

August 7, 2017 Regular Meeting Minutes

Motion by Councilman Garrett, seconded by Councilman Sena to approve the August 7, 2017 Regular Meeting Minutes of the Mayor and Council.

Roll Call vote showed all Council members present in favor.

August 7, 2017 Executive Session Minutes

Motion by Councilman Sena, seconded by Councilman Law to approve the August 7, 2017 Executive Session Meeting Minutes of the Mayor and Council.

Roll Call vote showed all Council members present in favor.

APPROVAL OF BILLS:

As there are no additions or deletions to the bill list, 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 Law, seconded by Councilman Sena to close to the public. All in favor.

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

Roll Call vote showed all Council members present in favor.

ORDINANCES:

ORDINANCE #03-2017 – 2nd Reading

CAPITAL ORDINANCE PROVIDING FOR PAVING AND IMPROVEMENTS TO OAK STREET, MULBERRY STREET, AND VARIOUS OTHER ROADS AS NEEDED IN THE BOROUGH BY THE BOROUGH OF HAMBURG, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$55,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH AND \$72,000 FROM THE DOT GRANT FOR A TOTAL APPROPRIATION OF \$127,000 TO PAY FOR THE COST THEREOF.

Motion by Councilman Garrett, seconded by Councilman Krasnomowitz for Attorney Clemack to read the

Ordinance by title for second reading and publication. All in favor.

CAPITAL ORDINANCE PROVIDING FOR PAVING AND IMPROVEMENTS TO OAK STREET, MULBERRY STREET, AND VARIOUS OTHER ROADS AS NEEDED IN THE BOROUGH BY THE BOROUGH OF HAMBURG, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$55,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH AND \$72,000 FROM THE DOT GRANT FOR A TOTAL APPROPRIATION OF \$127,000 TO PAY FOR THE COST THEREOF.

Motion by Councilman Law, seconded by Councilman Sena to open the meeting to the public for any questions or comments they may have with regards to the ordinance prior to adoption. All in favor. This ordinance was introduced on first reading at the August 7, 2017 regular meeting and published as provided by law.

PUBLIC HEARING

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

Motion by Councilman Sena, seconded by Councilman Law to adopt the ordinance as presented.

Roll Call:

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

After the Public Portion, it was realized that, due to a conflict of interest, at the August meeting, two Council members abstained from the vote on the 1st Reading of this Ordinance.

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

CAPITAL ORDINANCE PROVIDING FOR PAVING AND IMPROVEMENTS TO OAK STREET, MULBERRY STREET, AND VARIOUS OTHER ROADS AS NEEDED IN THE BOROUGH BY THE BOROUGH OF HAMBURG, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$55,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH AND \$72,000 FROM THE DOT GRANT FOR A TOTAL APPROPRIATION OF \$127,000 TO PAY FOR THE COST THEREOF.

Motion by Councilman Garrett, seconded by Councilman Law to open the meeting to the public for any questions or comments they may have with regards to the ordinance prior to adoption. All in favor. This ordinance was introduced on first reading at the August 7, 2017 regular meeting and published as provided by law.

PUBLIC HEARING

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 Garrett, seconded by Councilman Law to adopt the ordinance as presented.

Roll Call:

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

**ORDINANCE #04-2017 – 1ST Reading
AN ORDINANCE AMENDING CHAPTER 98-CONSTRUCTION CODES, UNIFORM- OF THE BOROUGH OF HAMBURG TO WAIVE FEES FOR IMPROVEMENT UNDERTAKEN SOLELY**

TO PROMOTE ACCESSIBILITY BY DISABLED PERSONS.

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

AN ORDINANCE AMENDING CHAPTER 98-CONSTRUCTION CODES, UNIFORM- OF THE BOROUGH OF HAMBURG TO WAIVE FEES FOR IMPROVEMENT UNDERTAKEN SOLELY TO PROMOTE ACCESSIBILITY BY DISABLED PERSONS.

Motion by Councilman Law, seconded by Councilman Krasnomowitz to approve the ordinance on first reading and introduction with said ordinance to be published in full with second reading scheduled for October 2, 2017.

Roll Call vote showed all Council members present in favor.

RESOLUTIONS:

#2017-42 – School Consolidation (discussion)

Councilman Krasnomowitz stated this will be a discussion only, that a resolution will not be done. He said Mayor Levante from Newton asked for a Council discussion regarding a school consolidation from the administration side of it, proposing to have a study done to see if it is even feasible to have a consolidation done here in Sussex County. Councilman Krasnomowitz asked Council members to take the month to think about it, come up with questions and if so desired, Mayor Levante stated that he would also be happy to come here to talk about it also.

Councilman Burd said the State will have to take a big part in this, as if any part of the sending districts would say no to it, it would be a dead issue.

Councilman Barr said that consolidation of any public entity deserves a discussion no matter what. He continued on to say that line items needed to be controlled, with taxpayers not being able to afford up to a 2 million dollar line item, with controlling spending, controlling what the taxes are, and if consolidation is the answer to keeping this place being affordable to live in and without serious discussions continuing, he wants no part of it. With that being said, Councilman Barr resigned.

#2017-43 – Capital Budget Amendment

Mayor Marino stated this was the appropriation needed to do the improvements on the roads.

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

Roll Call showed all Council members present in favor.

ATTORNEY HOUR:

- 1.

EXECUTIVE SESSION RESOLUTION:

Attorney Clemack will offer 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.

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.

No Executive Session.

MAYOR’S AGENDA:

1. **Gingerbread Castle Meeting**

Mayor Marino stated that the owner of the Felix the Cat Properties purchased the Gingerbread Castle and is in the process of cleaning and restoring the property.

2. Police

Mayor Marino stated the Borough is always looking into Shared Services and in the past has met with Hardyston with all different entities and their representatives. At the moment, the Borough is in preliminary discussion with Hardyston. He also stated that he would like to keep the Police Dept. and wants to work with them. Six officers were hired in the past 3-4 years and he would like to move forward to make the department better. Mayor Marino said he agreed with part of what Councilman Barr said about sky high taxes, etc., but our PD does a great job. It comes down to public safety. Sergeant Gunderman’s services last week at an incident assisted by other towns with a suspect that was armed are just another reason to keep the PD and move forward with working with them.

COMMITTEE REPORTS

COUNCILMAN BARR

Report given by Councilman Krasnomowitz

1. POLICE COMMISSIONER

Monthly report August

The August 2017 monthly report for the Police Department showed 725 calls of service, including 2 arrests, 10 motor vehicle accidents, and 7 motor vehicle summonses issued (ETickets – 7, paper copies – 0).

Councilman Burd agreed that we need to support the PD but also since we are a small town, we need to continue discussions and to gather facts. He also said he was thinking of the taxpayers and this was all preliminary. He wants to continue discussions.

Mayor Marino, reiterating that he does not have a vote or cannot make a motion, said he was trying to guide the town and keep the lines of communication open. He also said from his experience we are better off staying the path that we have; that this town wants the PD.

Councilman Law said that we have committees that bring recommendations to the Council and that is where it went away; the Committee discussed it and felt it was not worth bringing it to the Council.

Councilman Burd disagreed saying all should be brought to Council for discussion. Councilman Garrett, agreeing with Councilman Burd and noting there is nothing written in stone, would like to continue discussions to see what is out there. He supports the PD, running with EMS and Fire, and he likes having them there, a service that a lot of towns do not have. Councilman Garrett stated he was elected by the taxpayers to keep the taxes down and provide services. He also would like to continue with the discussions and follow thru, see what is available and see where they go, if anywhere.

COUNCILMAN KRASNOMOWITZ:

1. OFFICE ADMINISTRATION

Letter of Resignation – Megan Sena

Motion by Councilman Krasnomowitz, seconded by Councilman Law to accept with regrets the Letter of Resignation from Megan Sena effective September 15, 2017. All in favor.

When asked if she would be replaced, Councilman Krasnomowitz stated yes.

2. CONSTRUCTION DEPARTMENT

Monthly report September 2017

The monthly report for September 2017 showed there were 12 permits issued, 0 certificates of occupancy, and 20 certificates of approvals with a total of \$3887.00 collected in fees for the month of September.

3. LAND USE BOARD

Councilman Krasnomowitz stated that on Holly and Kirkwood, there are trees in the Right of Way that are low and blocking the view of driving. In the fall, he is requesting the Road Dept. remove the lower branches

to take care of the situation. Council had no issues with it.

COUNCILMAN BURD

4. BOARD OF EDUCATION

Councilman Burd relayed the school is getting ready for the first day which is tomorrow, Thursday, September 7th. He also said that it would be a tough road ahead for the consolidation issue for the County Wide School System; a lot of factors are involved along with the State.

COUNCILMAN LAW

1. COURT

Letter of Resignation from Honorable Judge Mulhern
Motion by Councilman Law, seconded by Councilman Garrett to accept with regrets the Letter of Resignation from Judge Mulhern effective December 31, 2017. All in favor.

When asked what the procedure for hiring another judge is, Councilman Law said we will receive letters of interest, and since it is municipal, it will be a Council decision. There could be conflicts with judges, prosecutors, schedules, etc.; all things that will need to be discussed and worked out.

2. FIRE COMMISSIONER AND OEM

Fire Report unavailable

EMS Calls for August

0 fire; 5 MVA; 0 alarm; 13 medical; 3 trauma; 1 mental health; 1 stand-by; 1 community service; 3 cancelled en- route. Mutual Aid – into Wantage – 4. Total calls for the year- 184. Total man hours for the year: 522.

Councilman Law will handle the letter from the EMS member addressed to the President of the Fire Dept. with the department as the Fire Commissioner.

OEM

Councilman Law and Keith Sukennikoff attended a meeting with Congressman Josh Gottheimer regarding grant writing, which was very informative and will proceed in a positive manner.

Daily reports about the upcoming weather are coming in. On the Fire Dept. website are instructions on how to make donations for the people in Texas. OEM is monitoring the upcoming storm and will keep everyone updated.

Councilman Law thanked the NJ DOT once again for the use of their signs for the Drive Sober /Get Pulled Over signs.

COUNCILMAN GARRETT

1. BUILDING AND GROUNDS

Councilman Garrett said the pole has been fixed by the Post Office and thanked JCP&L for doing so. He did not receive a call back from John Ruschke about the curb by the Post Office so he is unsure if contact has been made yet.

Councilman Garrett brought up the amount of money that is spent on street lighting within the Borough - \$36,000.00- and commented that Fairlawn has solar panels on their poles. He will check to see if that is a possibility for Hamburg.

3. BOARD OF PUBLIC WORKS

The September 13th meeting has been cancelled.

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 #15-004 in the amount of \$32287.36; to accept the Resolution to redeem third party tax sale certificate # 2016-23 in the amount of \$2759.45. All in favor.

2. ROAD DEPARTMENT

Will discuss in the Public Portion

3. BOARD of HEALTH

The next quarterly meeting will be held October 10th at 6:30 pm.

4. RECREATION

Councilman Sena said the Hamburg Day was held on August 20th and was a great day and thanked all the many volunteers that helped with the day. Trunk or Treat is the next event taking place on October 29th at 1 pm at the rec fields. The next Recreation meeting will be held September 19th at 7 pm.

PUBLIC PORTION:

Motion by Councilman Law, seconded by Councilman Krasnomowitz 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.

John Conklin – Michael Court – expressed losing the Police Dept. would be catastrophic. He stated that Hardyston has two officers on and he has kids and it would be a safety issue; he moved here because it was a small community and would like to keep the PD here, for safety issues.

Nevin Mattessich – FOP – voiced his concern on disbanding the PD. He stated many issues: the increased population, accidents, noise, traffic, and lost revenue. He asked that the disbanding of the PD not be due to the fault of the Director. Mr. Mattessich asked that the Council work toward a solution and not disband the PD, keeping the community safe and at a high level of security.

Jim Ford – Boudinot Ave, Burlington – NJ State FOP – thanked the Mayor for his support of the police department and comments that he appreciates anyone member wanting to continue any discussion but asks that if it is done that members of the PD be included in any discussions. He further discusses the benefits of your own police department such as the police knowing the residents in their town, the residents are the ones that get the personal service. He stated that some Shared Services do not work, according to a study titled “Size May Not Matter” – Rutgers which was presented and he encouraged the support of the PD.

Joyce Oehler – Hamilton Street – said that saving money is important but so are lives and the Director is not saving us any money. She believes that if the Council promoted an officer to Chief or lieutenant, we are still saving money and still having fluency. On an EMS call, Hardyston shows up 10-15 minutes after she arrives, sometimes because they do not know the streets of the town. Hamburg officers are usually first on the scene, knowing the town and she relies on them. Again, Ms. Oehler reiterated that we need our PD.

Mayor Marino commented that there is no proposal as of yet; there is a risk factor here and we would lose control.

Bob Bosch – President FOP – stated that consolidation does not always work; coming from Camden County. There are many areas of Camden County, but only one has a director.

Jill Pergola – Hamilton Street – believes there is a big disconnect between the Council and the Police Dept.

She was involved in the PD for 8 years with the Jr. Police program. She said the Council needs to get back in control, saying also the situation with the director did not work, the PD still doesn't wave or drive by resident's homes. There seems to be no communication at all. On another note, Ms. Pergola thanked Councilman Krasnomowitz for supporting the consolidation for the county school system. She added that a lot of our tax dollars go for the school and is hoping they will listen to the people as so many people are moving as they cannot afford to live here any longer. She also encouraged all members to please listen to the people.

Barry Dolan – Fern Ave – said he has lived here 43 years and he would like the Council to get rid of the Director and support the PD.

Rob Vanderploeg –Crystal Road, Jefferson – Executive Board member Lodge 57 and former member of the Hamburg PD said that this is where he was first trained in the numerous tasks of a Police Officer and tasks of the community. The residents here were always grateful of the police presence here and he had great pride in doing so. He said that at one time criminality stayed away from here knowing they would be actively pursued; once the public knows there is no police presence, there will be a negative impact within the Borough. He encouraged the Council to reconsider the decision.

Brian Dolan – Fern Ave – said that without the Police Dept, he would not be here as he had a seizure and they saved his life. He asked they be kept around.

Mike Schneider – Road Dept. Foreman – said the trailer that was purchased for the Road and BPW Depts. is all set to go and is filled with generators, pumps, torches, tools – equipment that would be needed for water main breaks, crack sealing, and repairs on the road.

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

Councilman Law thanked Borough Engineer John Ruschke for the work he did on getting the grant for the roads.

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


1. Notice of pending foreclosure 50 Center Street (8/8/2017)
2. Fire News Publication (8/8/2017)
3. Non -compliance report, community water system (8/8/2017)
4. Notice of pending foreclosure 24 Spruce Hill Court (8/8/2017)
5. NJ Senate thanking for support of Assembly bill 4532 (8/15/2017)
6. Blank
7. NJ DEP “Know the facts about Bears” flyer (8/17/2017)
8. Notice of pending foreclosure 14 Governor Haines Street (8/17/2017)
9. Legislative Bulletin – June 2017 (8/17/2017)
10. Sussex County Open Space Minutes June 2017 (8/17/2017)
11. State of NJ no further action required , underground storage tank (8/22/2017)
12. Notice of class action JWD Automotive, INC d/b/a NAPA (8/24/2017)
13. August 2017 Little Community Center monthly report (9/1/2017)

ADJOURNMENT

Motion by Councilman Law, seconded by Councilman Krasnomowitz to adjourn the meeting at 8:01 pm.

Date Approved 10/2/17

Date Released 10/2/17


Doreen Schott, RMC
Doreen Schott, RMC
Municipal Clerk

Submitted by Kathy Garrett