

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON OCTOBER 2, 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	Councilman Law
Councilman Krasnomowitz	Councilman Garrett
Councilman Burd	
Mayor Marino	

Absent: Councilman Sena

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".

September 6, 2017 Regular Meeting Minutes

Motion by Councilman Garrett, seconded by Councilman Law to approve the September 6, 2017 Regular Meeting Minutes of the Mayor and Council.

Roll call showed all Council members present in favor.

APPROVAL OF BILLS:

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

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

Roll call showed all Council members present in favor.

ORDINANCES:

ORDINANCE #04-2017 – 2ST Reading

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

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

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

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 September 6, 2017 regular meeting and published as provided by law.

PUBLIC HEARING

Lucas Nooter – college student doing a paper for school- stated that it was a great idea.

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

Motion by Councilman Krasnomowitz, seconded by Councilman Law to adopt the ordinance as presented. Roll call vote showed all Council members present in favor.

RESOLUTIONS:

2017-44 – Chapter 159; S/C Freeholder EMS Fire Department Grant

Mayor Marino relayed the Borough received \$2800.00 from the Sussex County Board of Chosen Freeholders for the EMS Fire Department, adding this will go into a special line item in the budget.

Motion by Councilman Law, seconded by Councilman Krasnomowitz to accept Resolution 2017-44 – Chapter 159; S/C Freeholder EMS Fire Department Grant. All in favor.

2017-45 – Municipal Aid Grant 2018

Mayor Marino stated that Borough Engineer John Ruschke submitted the necessary paperwork to the State for road improvements for next year, continuing with the following streets – Mulberry, Hillside, Sunrise, Longview, Center, and State streets.

Motion by Councilman Burd, seconded by Councilman Garrett to accept Resolution 2017-45 – Municipal Aid Grant 2018. All in favor.

ATTORNEY HOUR:

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.

ENGINEERING:

Mayor Marino stated the booster station at Heritage Lakes is done.

MAYOR'S AGENDA:

1. CY2017 / SFGY2018 – Best Practice Workshop

Mayor Marino relayed there were fewer questions on this worksheet than last year but also stated that we should be fine for now; if the scores fall then we would have to address that.

Motion by Councilman Krasnomowitz, seconded by Councilman Law that the Best Practices Worksheet was reviewed and accepted. All in favor.

2. Letter of resignation: Councilmember Dan Barr

Mayor Marino stated that at the September Council meeting, Councilman Dan Barr verbally resigned and

the Borough has since received a written resignation which he read into the record. Mayor Marino added that Mr. Barr did a great job for the past 12 years of being on the Council, along with the Historical Commission and Society, preserving the town's history. Councilman Barr gave the town a signed historical document from Daniel Haines, then governor of the State of New Jersey, dated November 11, 1950 for all to enjoy.

Motion by Councilman Garrett, seconded by Councilman Barr to accept the resignation with regrets. All in favor.

Councilman Burd added that Mr. Barr is a good friend of his and that he served the town well. He also asked that his seat not be filled at this time. Mayor Marino informed him it would be up to the Republican Committee who would submit 3 names to the Council to take his seat to fulfill the rest of his term. Council would decide and choose and then appoint should they so choose to do so for the remainder of his term.

3. Appointment police commissioner

Mayor Marino appointed Councilman Rich Krasnomowitz to continue on as Police Commissioner.

Motion by Councilman Law, seconded by Councilman Garrett to accept the Mayor's appointment of Councilman Krasnomowitz as Police Commissioner.

Roll Call:

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

Mayor Marino was unsure if the Historical Society / Commission will continue or defer this on to the Land Use Board.

COMMITTEE REPORTS:

1. POLICE COMMISSIONER

Given by Councilman Krasnomowitz

Monthly Report for September

The September 2017 monthly report for the Police Department showed 813 calls of service, including 4 arrests, 8 motor vehicle accidents, and 81 motor vehicle summonses issued (E-Tickets – 80, paper copies – 1).

COUNCILMAN KRASNOMOWITZ:

1. OFFICE ADMINISTRATION

Purchasing Procedures discussion

Councilman Krasnomowitz discussed with Council members the updated purchasing policy as per the recommendation of CFO Christine Licata. He also stated that each department is responsible for their budget. Councilman Krasnomowitz agrees with the recommendation that Ms. Licata is making in that the limit of a purchase requiring a Liaison signature for \$1000.00 be raised to \$2500.00.

Motion by Councilman Krasnomowitz, seconded by Councilman Law to follow the purchasing policy as recommended by the CFO. All in favor.

School Consolidation discussion

Councilman Krasnomowitz brought up the resolution regarding the School Consolidation for discussion, stating he would be in favor of passing it for a study. Mayor Marino asked if the Board of Education should be involved with this with Councilman Krasnomowitz replying yes, but the Council needs to also.

Councilman Garrett said he has spoken to teachers and other residents and they have agreed that it needs to be looked at; students will not be transferred all over the county, but it will cut out administration.

Councilman Krasnomowitz agreed that it is also not about cutting teachers; it is about putting dollars back into the classroom. But it is about cutting out administrations: for example- perhaps 4 sub-districts would

report to one. Mayor Marino, added, with regards to the consolidation, that a lot of money was spent to build the addition on the Hamburg School. Councilman Burd said there were a lot of pros and cons on this but believed it warrants moving forward, saying a lot is going to be State mandated, but he also wants to save the taxpayers money.

Motion by Councilman Burd, seconded by Councilman Law to open to the public on this matter only. All in favor.

Sheila Frayko – School Board Liaison – stated that on December 6th at 6 pm, the Sussex Council School Board will be holding a forum at Sparta High School on the consolidation.

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

Councilman Burd will contact Mr. Jinks at the Hamburg School for a discussion.

Motion by Councilman Krasnomowitz, seconded by Councilman Law to support the resolution and to move forward with it.

Roll call showed all Council members present in favor.

3. LAND USE BOARD

Councilman Krasnomowitz said there was a concept meeting with the property owners of the Gingerbread Castle who expressed their hopes and dreams of what they wanted to do with the property.

Land Use will be meeting on Monday, October 9th at 7 pm and Councilman Krasnomowitz said they will be attending and it should be an interesting meeting.

Councilman Garrett asked what, if anything was happening with the projected project on Route 23 North by Docs. At this time Councilman Krasnomowitz said it was probably not going further as the poverty level in Hamburg is down too much according to the census, which made no sense, as this was going to be affordable housing.

COUNCILMAN BURD:

4. BOARD OF EDUCATION

Councilman Burd did not make the meeting.

COUNCILMAN LAW:

1. COURT

2. FIRE COMMISSIONER AND OEM

Fire Report for September

2 fire; 2 MVA; 3 alarms; 0 smoke condition; 1 smell gas/smoke; 0 traffic cont; 0 assist EMS; 2 stand-by; 0 medi-vac; 0 public service; 0 cancelled en-route. Mutual Aid – into McAfee -1; into Wantage – 1. Total calls for the year – 95. Total man hours for the year: 575.

EMS Report for September

1 fire; 2 MVA; 1 alarm; 15 medical; 3 trauma; 0 mental health; 0 stand-by; 5 community service; 0 cancelled en- route. Mutual Aid – into Hardyston – 4; into Franklin – 2; into Vernon - 1. Total calls for the year- 211. Total man hours for the year: 628.

Fire Department Application – Briana Palmer- background check and medical check complete.

An application for the Fire Dept. was received from Briana Palmer, whose background and medical check has been completed favorable.

Motion by Councilman Law, seconded by Councilman Krasnomowitz to approve said applicant. Councilman Krasnomowitz was asked, regarding insurance, if she lived in town but her line number was held in a different town, if she was still covered. The Ordinance states if you live in town you can be a member of the department, so yes, she would be covered. Councilman Garrett added the line number only matters to the State.

All in favor.

Towing Rates

Councilman Law presented a proposal regarding updated Tow Rates from 2018 – 2022. He explained that this is the rate schedule that Franklin, Ogdensburg, Sparta, and the State Police all use. A yearly application fee would be involved with drivers' licenses also be given for all drivers on a yearly basis. Council members agree with the ordinance update. Councilman Law will work with Attorney Clemack on preparing the Ordinance for 1st reading for the November meeting.

E-Tickets

Councilman Law discusses the E-tickets, saying that it costs about \$7,040.00 per year but the computer takes care of the mistakes should an officer make one. This saves time in the Court, with the Judge and prosecutor not dismissing a ticket due to officer error, etc.

Motion by Councilman Law, seconded by Councilman Burd for CFO Christine Licata to rescind the rescission letter that has already been sent to the company by 10/20/17.

DISCUSSION

Councilman Garrett stated that with writing four (4) tickets a month, the \$7,040.00 doesn't cut it and the officers should take their time in writing the tickets so they don't make mistakes.

Councilman Law replied that we need to resolve the issues in the Police Dept. and then the money will come through, adding that it is our job to make them do their job. He also added that E-tickets correct any mistakes so that tickets will not be thrown out. Councilman Burd asked what the ratio would be with Councilman Law stating that we cannot determine it as such. We have to take the E-tickets, payments, and collections all into consideration. He did say we were much better off than a year ago. Councilman Garrett said that he would consider a one (1) year contract for the E-tickets, but Councilman Law stated we have to cover the equipment so did not know if that would be feasible. Councilman Krasnomowitz added we have the equipment so all the company would have to do is to accept the extension.

Motion by Councilman Law, seconded to Councilman Burd to amend the original motion of CFO Christine Licata to rescind the rescission letter that was already sent to the company by 10/20/17 to add and get an extension for one (1) year on the E-tickets.

Roll call showed all Council members in favor.

COUNCILMAN GARRETT:

3. BOARD OF PUBLIC WORKS

A meeting will be held on Wednesday, October 11th at 7 pm.

COUNCILMAN SENA:

1. FINANCE / TAX DEPARTMENT

Motion by Councilman Garrett, seconded by Councilman Law to accept the Resolution to redeem third party tax sale certificate #15-006 in the amount of \$23,192.10; to accept the Resolution to redeem third party tax sale certificate #15-002 in the amount of \$36,081.12; and to accept the Resolution to redeem third party tax sale certificate #2016-011 in the amount of \$44,890.42. All in favor.

4. RECREATION

Request to purchase benches for recreation field

Councilman Garrett presented a request from the Recreation Commission for the purchase of six (6) benches to be placed around the walking path at the rec fields. A proposal from Kirby Built for the six benches plus

shipping would come to approximately \$3143.10.

Motion by Councilman Garrett, seconded by Councilman Law to purchase the six benches with shipping. All in favor.

PUBLIC PORTION:

Motion by Councilman Law, seconded by Councilman Burd 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 needed authorization to hire a part time person also and get them on payroll. Borough Clerk Doreen Schott stated that he needs to have a background check and Finance needs to have a name for payroll.

Vicki Yahm – Davis Road, Franklin – said there has been a lot printed about her husband Wayne, adding he is a good man, and stating his credentials for holding his present office of Police Director for the Borough. Ms. Yahm stated that her husband has a lot of character and integrity, feels as he is standing alone while doing the right thing. She added that the FOP has caused undue stress for all family members. Mayor Marino advised Ms. Yahm that this Council has always been behind the Police Director.

Joyce Oehler – Hamilton Street – asked about the electronic message sign in front of town hall and if it would be available for the Auxiliary to put their information on it as they have no other way to advertise their functions. Mayor Marino stated that the sign has been for functions for the town. Council members discuss this, wanting to work together. After discussion and input from the Borough Clerk who stated that she will go with whatever they decide, also asked that she receive all requests only by email, with a form that will require specific information including a start and stop date.

Barry Dolan – Fern Ave – thanked the Council for the benches as he loves to walk at the park.

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

Motion by Councilman Law, seconded by Councilman Krasnomowitz to hire Jacob Thompson for part time in the Road Dept. at \$10.00 hour subject to a background check being returned favorable. All in favor.

Applications

Borough Clerk Doreen Schott asks if the applications for the part time office person can be discussed so the Office does not have to wait until after the November meeting to hire someone. Council discusses and sees no problem with it.

Motion by Councilman Garrett, seconded by Councilman Law for Councilman Krasnomowitz and Doreen Schott to hire the part time office person. All in favor.

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

1. From JCP&L public hearing proposed increase (9/7/2017)
2. NJLM Annual Conference Ticketed Functions (9/7/2017)
3. Correspondence from Landmark Dividend – cellular lease (9/7/2017)
4. S/C Solid Waste Advisory Council Agenda (9/15/2017)
5. 201 League Conference Resolutions (9/15/2017)
6. American Red Cross – Hurricane Harvey (9/15/2017)
7. S/C Water Quality Management Advisory Committee (9/15/2017)

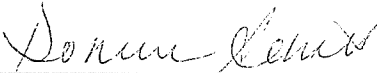
8. Correspondence from NJ office of Attorney General – Elder Abuse (9/15/2017)
9. JCPL public hearing for basic generation service charges (9/15/2017)
10. Office of S/C Prosecutor – October 2, 2017 bias crimes and incidents training invitation (9/13/2017)
11. State of NJ DEP – BPW waiver compliance period (9/15/2017)
12. Resolution – Branchville Township supporting S/C Consolidated School System (9/15/2017)
13. Notice of Sheriff's sale 4 Fern Avenue (9/21/2017)
14. Notice of final judgement Fed. Nation Mortgage v T. Clark (9/22/2017)
15. Resolution – Sussex Borough supporting requirement of disclosure of information by regional schools to municipalities of student addresses. (9/22/2017)
16. Resolution – Lafayette Township supporting S/C Consolidated School System (9/22/2017)
17. Copy of 2017 Abstract of Retables
18. Resolution from Lafayette Township opposing proposed OPRA rules

ADJOURNMENT

Motion by Councilman Law, seconded by Councilman Burd to adjourn the meeting at 8:08 pm. All in favor.

Date Approved 10-6-17

Date Released 10-6-17



Doreen Schott, RMC
Municipal Clerk

Submitted by Kathy Garrett