

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF HAMBURG HELD ON MAY 7, 2018 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 Krasnomowitz	Councilman Law
Councilman Fitzpatrick	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 5, 2018 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 2, 2018 Regular Meeting Minutes

Motion by Councilman Garrett, seconded by Councilman Burd to approve the April 2, 2018 Regular Meeting Minutes of the Mayor and Council.

Roll call showed all Council members present in favor.

April 2, 2018 Executive Session Meeting Minutes

Motion by Councilman Law, seconded by Councilman Burd to approve the April 2, 2018 Executive Session Meeting Minutes of the Mayor and Council.

Roll call showed all Council members present in favor.

April 16, 2018 Regular Meeting Minutes

Motion by Councilman Law, seconded by Councilman Burd to approve the April 16, 2018 Regular Meeting Minutes of the Mayor and Council.

Roll call:

Ayes:	Krasnomowitz, Fitzpatrick, Burd, Law, Sena
Nays:	None
Abstain:	Garrett
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 Council members present in favor.

Hearing no comments from the public, motion by Councilman Garrett, seconded by Councilman Law to close to the public. All Council members present in favor.

Motion by Councilman Law, seconded by Councilman Burd to approve and pay the bill list as presented. Roll call showed all Council members present in favor.

ORDINANCES:

ORDINANCE #04-2018 – Second Reading

AN ORDINANCE AMENDING CHAPTER 44 – POLICE DEPARTMENT-OF THE CODE OF THE BOROUGH OF HAMBURG TO ESTABLISH THE POSITION OF LIEUTENANT AND TO MODIFY PROMOTIONAL PROVISIONS

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

AN ORDINANCE AMENDING CHAPTER 44 – POLICE DEPARTMENT-OF THE CODE OF THE BOROUGH OF HAMBURG TO ESTABLISH THE POSITION OF LIEUTENANT AND TO MODIFY PROMOTIONAL PROVISIONS

Motion by Councilman Garrett, seconded by Councilman Law to open the meeting to the public for any questions and comments they may have with regards to the ordinance prior to adoption. All Council members present in favor. This ordinance was introduced on first reading at the April 2, 2018 regular meeting and published as provided by law.

PUBLIC HEARING

Mayor Marino stated the ordinance is redefining the Police Department.

Hearing no comments from the public, motion by Councilman Garrett, seconded by Councilman Law to close to the public. All Council members present in favor.

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

OATH OF OFFICE – OIC to Lieutenant Change of title George Gunderman

Borough Clerk Doreen Schott administered the Oath of Office to Lieutenant George Gunderman. He then thanked all members of the Council while the Police Department members looked on.

RESOLUTIONS:

2018-43 – Resolution to Cancel Appropriation Balances in the General Capital Fund.

Motion by Councilman Krasnomowitz, seconded by Councilman Law to accept 2018-43 – Resolution to Cancel Appropriation Balances in the General Capital Fund. All Council members present in favor.

2018-44 – Resolution supporting Click It or Tick It mobilization.

Motion by Councilman Krasnomowitz, seconded by Councilman Law to accept 2018-44 – Resolution supporting Click It or Tick It mobilization. All Council members present in favor.

Councilman Law added the Distracted Driving campaign went very well, there were no drawbacks, and that people now know Hamburg is watching.

2018-45 – Resolution supporting “Campaign to Change Direction” (will be discussed under CR Sena)

Councilman Sena informed the Council he attended the meeting regarding “Campaign to Change Direction” regarding mental health issues, to reduce the stigma changing the culture of mental health, thereby all those in need can receive the help that is needed.. He stated this is a world-wide issue that needs attention. Freeholders and some municipalities have already endorsed the resolution and he would like Hamburg to do so also.

Motion by Councilman Sena, seconded by Councilman Garrett to accept 2018-45 – Resolution supporting “Campaign to Change Direction”. All Council members present in favor.

Councilman Law said he was backing this 100%.

2018-46 – Resolution authorizing the Borough Engineer to develop an Asset Management Plan for the Municipal Water System

Motion by Councilman Garrett, seconded by Councilman Law to accept 2018-46 – Resolution authorizing the Borough Engineer to develop an Asset Management Plan for the Municipal Water System.

Councilman Garrett added the law is coming into effect and Mr. Ruschke would like to apply for grant money.

All Council members present in favor.

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:

Notice of denial – 2018 FY Municipal Aid Grant

Mayor Marino relayed that Hamburg did not receive any municipal aid grant money for the 2018 year, also adding that we will be paving five roads in June from money received last year.

NJCM report

Mayor Marino attended the conference and shared a few of the covered topics:

Legalized marijuana – the pros and cons of doing so. Right now Mayor Marino stated the Borough does not have to make a decision on whether to allow shops / factories in town; we can wait and see the course it is taking. Once the State passes the ruling, then the town would have 18 months to make that decision on whether to implement it.

Guns / school safety- an issue that has to be taken very serious as more issues are arising in the schools all the time. Mayor Marino said that once the officers are trained, then the Police should just stop in at the school to show their presence.

Budget meetings- for next year, Mayor Marino said he would like to change the procedure as follows: have a committee meeting, workshop meeting, discussion at Council, then introduction. This way all will participate before the introduction at a Council meeting.

Public safety committee for Fire / EMS and OEM Depts. – Mayor Marino put together a committee of Council members Garrett (chairperson), Burd and Law to address any issues of those mentioned departments should they come up.

Letter to JCP&L and Embarq – Mayor Marino would like to see a letter go out to these two companies regarding the cutting back of trees so there are no issues for next year.

Railroad Trestle – The Borough received a letter from the Senators showing their support for the repairs to the railroad trestle on Route 23, who also sent a letter to DOT. Robert Field from the Governor’s office is looking into the matter.

COMMITTEE REPORTS

COUNCILMAN KRASNOMOWITZ:

1. POLICE COMMISSIONER

Motion by Councilman Krasnomowitz, seconded by Councilman Law to open the meeting to Lieutenant

Gunderman. All Council members present in favor.

Monthly Report – April 2018

The April 2018 monthly report for the Police Department showed 862 calls of service, including 3 arrests, 7 motor vehicle accidents, and 285 motor vehicle summonses issued.

Lieutenant Gunderman informed the Council that he and the new officers attended a school safety meeting at Sussex Tech that was informative. He also stated as part of their daily duties, the officers make two random walk thrus a day at the Hamburg School. Jr. Police has a start date of September 22nd. Lt.

Gunderman has received calls from a few Hardyston residents that would like to take part of the program and asked how the Council felt about that. The program includes grades 5-8 and he has a lot of volunteers lined up. Council has no objection as long as he has a commitment for help.

Motion by Councilman Sena, seconded by Councilman Garrett to extend the Jr. Police program to include Hardyston grades 5-8. All Council members present in favor.

Lt. Gunderman said random drug testing will be done within the department to monitor the officers.

He also applied for a grant for \$5500.00 for the Click It or Tick It campaign and one for \$3000.00 for bullet proof vests that costs \$850.00 each. The money will go in the fund to cover the costs. The radio is being installed in the new police car so it will be ready any day now. Car #6 had to have a tune-up and a bad coil replaced. Lt. Gunderman is meeting with Chief Richards regarding The CLEAR program and he needed a coach, which will be Lt. Gunderman, who will also be included on the Municipal Drug Alliance for the town.

Councilman Burd asked how the new officers were doing and was answered very well and by the middle of June should be on their own.

Motion by Councilman Sena, seconded by Councilman Burd to close to Lt. Gunderman. All Council members present in favor.

Councilman Krasnomowitz said the Police Committee is working on the Director's position, have a rough draft prepared as they are using the original guidelines and redefining.

3. CONSTRUCTION DEPARTMENT

Monthly report April 2018

The monthly report for March 2018 showed there were 13 permits issued, 1 certificates of occupancy, and 8 certificates of approvals with a total of \$3038.00 collected in fees for the month of March.

4. LAND USE BOARD

Councilman Krasnomowitz said with regards to the Post Office property, Attorney Clemack ordered a title search, adding that if it is ours, then we will fix it.

The Gingerbread Castle is being cleaned up with no other action going on. The buyer backed out.

5. INSURANCE

Harassment training – Councilman Krasnomowitz stated the insurance company would run one two hour class for free, setting it up here at town hall and then others will have to go elsewhere if they are unable to make the scheduled one. Councilman Krasnomowitz will check into holding a nighttime class. Attorney Clemack added that it hops us but also defends up should there be an allegation of some sort.

Councilman Krasnomowitz attended a class on Officer involved Shooting at the Prosecutor's Office, saying it was informative and common sense information and agencies are able to get information for the public.

COUNCILMAN FITZPATRICK

1. SOLID WASTE

The same three applications are pending.

Councilman Fitzpatrick asked about the Plastoids building and if the town could change the height ordinance to attract perspective builders / buyers. Mayor Marino stated the previous person asking about the property was going to acquire the necessary EDUs for the project – 80 – and that was the issue. Hamburg did not have 80 to give. SCMUA advised Councilman Fitzpatrick that some 500,000 EDUs were available and he is looking to create a more positive and enticing atmosphere to draw people here. Mayor Marino and Councilman Garrett both noted the 500,000 EDUs were County wide, not just for Hamburg and we would have to apply for them and able to handle it.

2. RECREATION COMMISSION

Update on clinics- 40 kids attended speed training which ended the clinics for the year. Rec also had a bowling afternoon in which 30 plus had registered but only five showed. Family swim had 60 plus attend. Dates for Upcoming Events: Ice cream social – June 3rd; Hamburg contests-June 10th; Miner's baseball game-July 7th; Evening in the Park – no date; and Hamburg Day-September 9th.

3. HISTORIC COMMISSION / HISTORIC SOCIETY

Discussion on glass and window types. Guy Hardy would like to move from an alternate to a regular member on the board which will be looked into.

With regards to the parsonage / church on Oak Street, any kind of work would have to go before the Historic Commission and then on to Land Use.

4. SUSSEX COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP

Sussex County Day will be held September 6th.

5. League Booth

Councilman Fitzpatrick asked about having a booth at the League and having a vendor showing of the town. In doing some research about this, he figured the cost would be approximately \$3000.00. Mayor Marino stated there was no advantage to this as the Borough is not a vendor and not selling anything.

COUNCILMAN BURD

1. FIRE COMMISSIONER

Councilman Burd said in the monthly Fire Department meeting it was mentioned there is a big issue for EMS coverage during daytime hours – from a delay in responding to no response, meaning a matter of life or death at times. EMS captain Jennifer Brennan is looking into companies to cover Hamburg. It was also mentioned that Sussex and Hardyston already have a paid service as they are having the same problems with coverage. More information will be provided at the next meeting.

Councilman Garrett added the fire that happened at Heritage Lakes was caused by lightening. The SOP for the fire dept. was followed and when neighboring towns came in, these were followed and everything flowed.

Councilman Burd read the Fire and EMS calls for the month of April.

COUNCILMAN LAW

1. COURT

Councilman Law said the walk-thru metal detector is in and did cut down on the time it took to get everyone in the building. The Distracted Driving campaign was very successful and Hamburg issued the most amount of tickets, along with taking in the largest amount of revenue on court night.

2. OEM

OEM acquired the Durango from the Police Dept. and is in the process of getting it on the road.

3. SANITATION AND RECYCLING

The recycling reports are coming in from businesses.

COUNCILMAN GARRETT

1. BUILDING AND GROUNDS

The Road Dept. is installing the benches at the rec fields around the walking path but there is no shade for these benches. Councilman Garrett mentioned planting trees by the benches, having interested parties donate \$100.00 for the tree and then putting a plaque in their name. Council thought it was a great idea. More will be discussed.

3. BOARD OF PUBLIC WORKS

Councilman Garrett discussed the Water Superintendent’s position, stating Jerry Kastner is leaving at the end of May and we do not have a replacement. There were a few people that were thought to have been definite candidates but then turned down the position, with a few others showing interest. Councilman Garrett would now like to advertise for the position.

Motion by Councilman Garrett, seconded by Councilman Krasnomowitz to advertise for the position of Water Superintendent.

Councilman Law asked why the Council was just hearing about this now and Councilman Garrett said it was supposed to have been taken care of with the first person. He reiterated that others had shown interest in the position but then also declined.

All Council members present in favor.

COUNCILMAN SENA

1. FINANCE / TAX DEPARTMENT

The Tax Collector’s report for March showed a total of \$267,136.52 being collected and April 2018 showed a total of \$753,504.11 being collected.

Motion by Councilman Sena, seconded by Councilman Garrett to accept the resolution to redeem third party tax sale certificate #2016-029 in the amount of \$33,831.67. All Council members present in favor.

Motion by Councilman Sena, seconded by Councilman Krasnomowitz to accept the resolution for 40 Village Drive for refund for water / sewer overpayment in the amount of \$367.59. All Council members present in favor.

2. ROAD DEPARTMENT

Councilman Sena informed Council members that a part-time Jacob Thompson was quitting, leaving the department with 5 full time (including the supervisor), 2 part time (work 30 hours), and 1 summer help. Mike Schneider would like to hire a part time person to replace him.

Motion by Councilman Sena, seconded by Councilman Krasnomowitz to hire a part time Road Dept. worker at \$10.00 hour. All Council members present in favor.

The truck bed on one of the trucks rusted out and Mike Schneider would like to order a stainless steel one. The Road Dept. has also taken possession of the new tractor for the rec fields.

3. BOARD of HEALTH

“Campaign to Change Direction” initiative – *discussed under Resolutions*

Dennis Webb from the County Board of Health attended the quarterly meeting. All of the businesses in town were inspected and all were satisfactory. There was one rabies bite in which the animal was quarantined and then released.

Councilman Sena discussed the bear issue on the Hardyston side at the corner of Fairview and Kirkwood in the woods. The bears are dragging garbage and garbage cans to this area and it has become a huge safety

and sanitation issue. Crystal Springs did do a clean-up as it is their property, but the garbage is coming from Penny Rock due to residents putting out their trash the night before. Crystal Springs may notify the homeowner for restitution if their trash is found in the pile. Council discussed ways to get the word out to the public.

Motion by Councilman Sena, seconded by Councilman Krasnomowitz to put a blurb and pictures in the newsletter regarding the health issue of this. All Council members present in favor.

NEW /OLD BUSINESS:

Councilman Fitzpatrick asked how many committee meetings were held for the budget and Mayor Marino answered one. He then asked how many discussions before it came to the Council and stated he would like the entire Council to take part in this. Mayor Marino stated this is what he was talking about before – the committee will meet, then meet with Council for input of budget from boards, workshop meeting, then discuss at the Council meeting and then introduce the budget.

Regarding the marijuana issue, motion by Councilman Fitzpatrick, seconded by Councilman Sena to notify our Representatives that we are not in favor of this and we will not proceed.

DISCUSSION

Mayor Marino wanted to wait and see the facts, saying why make the decision now if it may not happen. Councilman Garrett would like to have more information on it.

Roll Call:

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

Councilman Sena said regarding Drug Alliance, there is a meeting on Wednesday that Nick Loizzo is presenting and they will observe.

PUBLIC PORTION:

Motion by Councilman Garrett, 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 Council members present in favor.

Mike Schneider – Road Dept. – reiterated the part time person for the Road Dept. will start at \$10.00 an hour. He also stated the salt from the last snow storm ate the bed of the truck. The cost will be around \$60,000.00, with Councilman Sena adding this will have to come from the Capital Improvement Fund. Councilman Fitzpatrick asked where the lawnmower was purchased and Mr. Schneider answered Bassani’s. He then asked if anyone in town was asked about it with Mr. Schneider replying yes and that he had three bids.

Jerry Kastner- Water Superintendent – mentioned that in seven days he had to notify DEP of his retirement. He presented the Suiz Operating Company as an option to take his place except they purchase, not run the system. Block Operating Co. is another option and that the proposal is to run the system, do reports, and some miscellaneous items. In conferring with Borough Engineer John Ruschke, he thought it was a good idea and would like to meet them and include Mike Schneider in the meeting. An advertisement for the position will still go out, with Mr. Ruschke advising the Borough Clerk.

Motion by Councilman Krasnomowitz, seconded by Councilman Sena to close to the public. All Council members present in favor.

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


1. Notice of pending foreclosure 296 Falcon Ridge Way (4/6/2018)
2. Littell Center February Monthly Program Report (4/6/2018)
3. Notice of Foreclosure Filing – 36 Bank Street (4/6/2018)
4. Elizabeth Town Gas notice of acquisition (4/6/2018)
5. Correspondence from Mott MacDonald – 13 Ames Blvd. Clearing / grading activity (4/6/2018)
6. Correspondence from Mott MacDonald 12 Main Street. Clearing / grading activity.
7. Correspondence from Mott MacDonald. Sidewalk pavers
8. Project Self Sufficiency Newsletter.
9. Sussex County Solid Waste Meeting Cancellation Notice (4/6/2018)
10. Notice of Foreclosure 92 Heritage Lane (4/13/2018)_
11. Littell Center March Monthly Program Report (4/20/2018)
12. Correspondence from Hardyston Township to NJ Dept of Military & Veterans Affairs regarding Franklin Armory Building.
13. From State of NJ 2018-019 Municipal Percentage Shares for Tax Levies- Regional Schools (4/20/2018)
14. Notice of order of dismissing case – US Bankruptcy Court
- 15.
16. Correspondence from National Association of Letter Carriers. (5/2/2018)
17. Correspondence from NJ Legislature to NJ Dept. Transportation regarding request for support of improvements to the trestle. (5/2/2018)
18. Notice of pending foreclosure 21 Circle Drive (5/2/2018)
19. Correspondence from ISO regarding Public Protection Classification survey done by the Fire Department (5/2/2018)

ADJOURNMENT

Motion by Councilman Law, seconded by Councilman Sena to adjourn the meeting at 8:45 pm. All Council members present in favor.

Date Approved 6-4-18

Date Released 6-4-18



 Doreen Schott, RMC
 Municipal Clerk

Submitted by Kathy Garrett