

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON JUNE 4, 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".

May 7, 2018 Regular Meeting Minutes

Motion by Councilman Garrett, seconded by Councilman Law to approve the May 7, 2018 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 Fitzpatrick, 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 Fitzpatrick, 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 28- LAND USE PROCEDURES-OF THE CODE OF THE BOROUGH OF HAMBURG TO PROVIDE FOR AN INITIAL DEPOSIT FOR PROFESSIONAL REVIEW FEES.

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

AN ORDINANCE AMENDING CHAPTER 28- LAND USE PROCEDURES-OF THE CODE OF THE BOROUGH OF HAMBURG TO PROVIDE FOR AN INITIAL DEPOSIT FOR PROFESSIONAL REVIEW FEES.

Motion by Councilman Krasnomowitz, seconded by Councilman Garrett to open the meeting to the public

for any questions and comments they may have with regards to the ordinance prior to adoption. This ordinance was introduced on first reading at the April 16, 2018 regular meeting and published as provided by law.

PUBLIC HEARING

Mayor Marino stated this was for bookkeeping purposes with Attorney Clemack adding it is also subject to increase.

Motion by Councilman Krasnomowitz, seconded by Councilman Garrett to open the meeting to the public. All Council members present in favor.

Hearing no further 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 Sena, seconded by Councilman Krasnomowitz to adopt the ordinance as presented. Roll call showed all Council members present in favor.

RESOLUTIONS:

2018-48 – Cancel Appropriation Balances in the Water Capital Fund

Motion by Councilman Sena, seconded by Councilman Law to accept Resolution 2018-48 – Cancel Appropriation Balances in the Water Capital Fund.

Mayor Marino stated this is a bookkeeping matter as the project has been completed.

All Council members present in favor.

2018-49 – Chapter 159, Click It or Tick It Grant

Motion by Councilman Law, seconded by Councilman Krasnomowitz to accept Resolution 2018-49 – Chapter 159, Click It or Tick It Grant.

Mayor Marino said this was a \$5500.00 grant that was acquired by Lt. Gunderman for the program.

All Council members present in favor.

2018-50 – Resolution to rehire Jacob Thompson, Road Department, Part time.

Motion by Councilman Sena, seconded by Councilman Law to accept Resolution 2018-50 – Resolution to rehire Jacob Thompson, Road Department, Part time.

All Council members present in favor.

2018-51 - Resolution authorizing salary increase of \$4,000.00 annually - Mike Schneider for Water/ Chlorine daily monitoring

Motion by Councilman Garrett, seconded by Councilman Law to accept Resolution 2018-51 - Resolution authorizing salary increase of \$4,000.00 annually - Mike Schneider for

Water/ Chlorine daily monitoring.

Mayor Marino relayed that Mr. Schneider will be in charge of the daily monitoring of the chlorine for our water system. This additional salary covers the monitoring of the job as this is a seven (7) days a week job.

Mayor Marino added that another person was doing this position part time but decided to not return.

All Council members present in favor.

2018-52 – Resolution to hire Mr. John Perry, Water Sewer Operator.

Motion by Councilman Garrett, seconded by Councilman Law to accept Resolution 2018-52 – Resolution to hire Mr. John Perry, Water Sewer Operator.

Councilman Garrett stated that Mr. Perry, recommended by John Ruschke, is the full time operator at Montville and has worked part time at various other towns. He has the freedom to come to Hamburg if he is needed, is very knowledgeable and holds a Tier 4 license which is the highest available. Councilman Garrett relayed Mr. Perry would be paid a flat yearly rate and a call out rate, but saving approximately \$4000.00 yearly from the previous employee. He thanked Jerry Kastner for the great job he did for the town as Water Superintendent for over 25 years.

All Council members present in favor.

ATTORNEY HOUR:

Fire Apparatus Purchase

Attorney Clemack verified with Trenton and the vendor about being on State Contract with regards to purchasing the fire truck and relayed that about \$30,000.00 of the purchase would not be under State Contract. Attorney Clemack had some unanswered questions regarding the warranty information which Councilman Garrett said he will find out about the next day and forward on the information to him.

Motion by Councilman Burd, seconded by Councilman Garrett to award the contract purchase subject to attorney review and subject to warranty information.

Councilman Fitzpatrick inquired as to the final cost of the fire truck and was answered \$479,000.00.

Roll call showed all Council members present in favor.

Block 31, Lot 2 – 14 Route 23 and Wallkill Ave

Attorney Clemack discussed the Borough owned property at 14 Route 23 and Wallkill Ave, stating that he has received updated records from the tax collector. He would like to start in rem tax foreclosure procedures on said property and would like Council to authorize a title search up to \$700.00.

TITLE SEARCH AUTHORIZATION

BLOCK 31, LOT 2

#2018-53

WHEREAS, the Mayor and Council have determined that Block 31, Lot 2, with an address of 14 Route 23 and Wallkill Avenue has been vacant for an undetermined amount of time, and

WHEREAS, the Borough has also determined that in rem foreclosure procedure should be started.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Hamburg do hereby authorize a title search for Block 31, Lot 2, 14 Route 23 and Wallkill Ave.

Motion by Councilman Garrett, seconded by Councilman Krasnomowitz to accept Resolution #2018-53. All Council members present in favor.

MAYOR’S AGENDA:

Appointment – Ptl. Fred Moses – Humane Law Enforcement Officer

Mayor Marino informed the Council that he appointed Ptl. Fred Moses as the Humane Law Enforcement Officer for the Hamburg Police Dept. Animal Control Officer John Abate handles all animal calls for the town but investigations will be a joint effort.

Councilman Law asked if Ptl. Moses would receive a stipend for doing this and Mayor Marino replied that he would not as this would be part of his duties.

JCP&L Power Outages

A meeting will be held on Tuesday June 12th with OEM attending also to discuss the power outages that occurred in town.

Appointment – Historic Commission – Dan Barr

Mayor Marino advised that Dan Barr asked to be involved in the Historic Commission again and as there are changes going on, he felt Mr. Barr, with his knowledge, would be a good fit. He made the appointment effective immediately.

LIQUOR LICENSE RENEWAL – 2018-2019 YEAR

The Licenses listed below have received tax clearance, fees have been paid, and Lt. Gunderman has advised there are no issues with granting renewals.

Attorney Clemack asked the Borough Clerk if any written objections were received and was answered no, also reiterating all fees had been paid.

- Restaurant Kaya (Cravin Thai LLC) 1909-33-003-010

- Marketplace Liquors 1909-33-005-006
- SJR LLC – (Doc’s) 1909-33-004-005
- Hamburg Krishna (Hamburg Liquors) 1909-44-002-007

Motion by Councilman Law, seconded by Councilman Garrett to approve the above Liquor Licenses as all have received tax clearance, fees have been paid, and there have been no objections, written or verbal. All Council members present in favor.

COMMITTEE REPORTS

COUNCILMAN KRASNOMOWITZ:

1. POLICE COMMISSIONER

Motion by Councilman Krasnomowitz, seconded by Councilman Law to open the meeting to Lt. Gunderman. All Council members present in favor.

Monthly Report for May

The May 2018 monthly report for the Police Department showed 907 calls of service, including 1 arrests, 11 motor vehicle accidents, and 179 motor vehicle summonses issued.

Lt. Gunderman stated a new radio was installed in headquarters instead of repairing the old one. The new officers will be on the road on their own on June 15th. The Click It or Tick It has ended but was very successful. Lt. Gunderman applied for a grant to Fire House Subs for an in - car camera and audios, and for the license plate reader. He also inquired as to the status of the Durango (the old police car) and was advised that the Council is still looking into different options as to what to do with it. Mayor Marino stated the issue with the Durango is whether to auction it off or to place it in another department. Lt. Gunderman also said the officers would be taking Domestic Violence training and this will not involve overtime.

Lt. Gunderman approached the Council about hiring a Class II officer for 25 hours a week to be used in court and on patrol on the weekend. There is a court officer presently but in January takes a few months off and days off during the year. Instead of scheduling an officer at top pay, he could have the Class II officer fill in, not costing as much. This officer has all the Police powers and can carry a gun, with the difference being he has to sign in and sign out the gun. He would be paid an hourly rate thereby saving money also. Councilman Garrett would like to see the guidelines for a Class II first and how it will affect the budget also. Councilman Krasnomowitz said he agreed and once Councilman Sena mentioned he could be offered \$18-20.00 an hour, stated it would add approximately \$20,000.00 to the budget. Councilman Fitzpatrick asked how many officers are on staff now, was answered 8; and police cars – 3 plus one for the detective. Lt. Gunderman was asked to wait 30 days with regards to the hiring of a Class II.

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

Police Director Duties and discussion

Councilman Krasnomowitz discussed the Police Director position and duties, along with a wish list for the position. Mayor Marino said it was put together with recommendations from the prosecutor also. Council members Law and Garrett both agree with the items as listed. Attorney Clemack stated the director would be the administration head of the department with the Lieutenant being on the police side of the department. Councilman Krasnomowitz added that yes, this will be a dual position within the department. The committee has narrowed it down to two (2) candidates and would like to bring them before the Council next month.

2. OFFICE ADMINISTRATION

Councilman Garrett asked Councilman Krasnomowitz about looking into our phone bills, saying we pay a tremendous amount for the borough phones, adding now is the time to do so as our contracts end in six (6) months.

3. CONSTRUCTION DEPARTMENT

Monthly Report –April 2018

The monthly report for April 2018 showed there were 17 permits issued, 1 certificates of occupancy, and 13

certificates of approvals with a total of \$8111.00 collected in fees for the month of April.

5. INSURANCE

Councilman Krasnomowitz thanked all those that attended the Harassment and Discrimination Seminar, saying that it was interesting and informative. Since Statewide offers a variety of seminars, he would like to schedule more. Councilman Sena stated that we need to keep pursuing those that did not attend.

COUNCILMAN FITZPATRICK

1. SOLID WASTE

Meeting cancelled.

2. RECREATION COMMISSION

Councilman Fitzpatrick attended the quarterly meeting of the four (4) towns at the Littell Center. He said that in the 1st quarter there were 224 Hamburg residents representing 19% of the attendance.

Recreation Commission held their Ice Cream Social in which 90-100 attended. Coming events include the Hamburg Contests, Miners Baseball Game, Evening in the Park, Hamburg Day, and Sussex County Day.

3. HISTORIC COMMISSION / HISTORIC SOCIETY

Councilman Fitzpatrick stated that Dan Barr was a good choice for this board.

4. SUSSEX COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP

Meeting cancelled.

COUNCILMAN BURD

2. FIRE COMMISSIONER

Councilman Burd stated the Fire Dept. will be meeting on Thursday the 7th so he will have more to report the following meeting.

As Councilman Burd did want to find out what information has been found out about daytime coverage for EMS, motion by Councilman Burd, seconded by Councilman Garrett to open to Joyce Oehler. All Council members present in favor.

Joyce Oehler, EMS 1st Lieutenant, stated that Jennifer Brennan was looking into the coverage and supposed to report back to the Council. Ms. Oehler said that one company did reply to Ms. Brennan and one did not but she did not know the results of what was received. Councilman Burd said this is a major problem as people work and daytime coverage is almost non-existent and nighttime is hard also.

Motion by Councilman Garrett, seconded by Councilman Krasnomowitz to close to Joyce Oehler. All Council members present in favor.

Councilman Burd said he will speak with Jennifer Brennan for a report.

COUNCILMAN LAW

2. EMS / OEM

Certification for EMS Contribution from County of Sussex In the amount of \$2800.00

Motion by Councilman Russ, seconded by Councilman Garrett to accept the financial assistance for EMS in the amount of \$2800.00 from the County of Sussex for the 2018 calendar year. All Council members present in favor.

4. SANITATION AND RECYCLING

Councilman Law relayed that on June 6th, the Hamburg School was partaking in a WET program in which the students will learn about water and what it can do.

COUNCILMAN GARRETT

1. BUILDING AND GROUNDS

Councilman Garrett discussed the trees that will be put around the benches at the rec fields, saying he would like to see 1-2 trees around each bench depending upon size and species.

Councilman Garrett thanked John Ruschke and Doreen Schott for working on the Asset Management grant in which the town received \$85,000.00.

3. BOARD OF PUBLIC WORKS

Mr. John Perry – Water Sewer Operator

Discussed under resolutions

COUNCILMAN SENA

1. FINANCE / TAX DEPARTMENT

The Tax Collector’s Report for May 2018 showed a total of \$1,750,907.13 being collected.

Motion by Councilman Sena, seconded by Councilman Garrett to accept the Resolution for a water sewer refund for Block 24 Lot 1 C2805 in the amount of \$432.74; and the Resolution for a water sewer refund for Block 11 Lot 30 C00061 in the amount \$179.43. All Council members present in favor.

2. ROAD DEPARTMENT

Councilman Sena informed the Council that street sweeping is taking place this week and possibly into the beginning of next week. The area of road on Main Street and Orchard needs to be line stripped. Mr. Schneider is purchasing 30 yards of children’s mulch for \$900.00 for the park at the rec fields.

3. BOARD of HEALTH

There are still 20 outstanding animal renewal licenses for the year.

Municipal Drug Alliance

There was a meeting on May 8th and Hamburg was accepted in the program, joining Hardyston / Franklin. Councilman Sena stated we have a July 1st start date, needing a voting member who will be either himself or Superintendent Roger Jinks.

PUBLIC PORTION:

Motion by Councilman Garrett, seconded by Councilman Sena 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.

Keith Sukennikoff – OEM- commended everyone on the great job they did communicating to OEM about the wires that were down – about 30 residents were out. Bank Street was a big deal as the pump station was running on a generator for 72 hours before power was restored due to an incorrect address. Mr. Sukennikoff stated that County OEM is going to google earth, putting in street #'s so that we can pinpoint exact locations. County OEM has a new ID system that is good for one year.

Jackie Espinosa – JCP&L- relayed that tree damage was caused by healthy trees in the right of way. Step one was opening the roads affected by this and looking at the transmission lines. Councilman Krasnomowitz asked about putting in underground lines to help alleviate this problem. Ms. Espinosa answered that is very expensive to do and when there is an issue, it’s not always clear where exactly where the problem is so digging is involved. She also said that when someone sees red caution tape, it could indicate a live wire even though it looks down and “looks dead”.

Ms. Espinosa also cautioned that ash trees are being affected by the emerald ash bora, an insect that affects

the tree from the inside out.

Joyce Oehler – Recreation Chairperson- said Recreation held the Ice Cream Social and it was well attended, everyone had a great time and the guitar person was terrific, catering to both children and adults.

Sheila Frayko – School Board Liaison- informed Council members that Hamburg School graduation was June 20th at 7 pm.

Motion by Councilman Garrett, seconded by Councilman Law to close to the public. All Council members present 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. Police – Contract Negotiations

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 Sena to accept the resolution as offered. All Council members present in favor.

Motion by Councilman Fitzpatrick, seconded by Councilman Garrett to enter into Executive Session at 8:20 pm. All Council members present in favor.

Discussion on Police – Contract Negotiations

Motion by Councilman Garrett, seconded by Councilman Law to return to the Regular Meeting at 9:00 pm.

All Council members present in favor.

No action taken.

NEW BUSINESS:

Councilman Sena discussed the status of the sidewalk by the Post Office. The owner was advised that an easement was filed and recorded. The title search has been completed showing no record of deed between the Borough of Hamburg and the Postal Office Associates. The inquiring party has been advised.

Councilman Fitzpatrick asked about installing a traffic light on Oak Street and Route 23. Mayor Marino stated this has been brought up and the request has been denied.

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

1. Notification of pending foreclosure 28 Woodland Avenue. (5/11/2018)
2. From Sussex County – resolution establishing 100% as the ration assessed value (5/11/2018).
3. From State of NJ Highlands Council Partnership Funding Program (5/11/2018)
4. Sussex County Solid Waste Advisory Council meeting cancellation notice (5/11/2018)
5. Sussex County Water Quality Management meeting cancellation notice (5/11/2018)
6. From State of NJ DEP – Annual Fee Report and Assessment of Fees (5/11/2018)
7. Local Finance Notice 2018-15 (5/11/2018)
8. From State of NJ – Acting Commissioner – receipt of our letter Re: Rt. 23 work (5/11/2018)
9. Correspondence from NJ Bankers- listing foreclosures (5/11/2018)

- 10. April 2018 monthly program report – Littell center (5/18/2018)
- 11. From State of NJ – approval of asset management plan between Borough of Hamburg and Mott MacDonald (5/18/2018)
- 12. NJ Transit- 2018 request for financial assistance (5/18/2018)
- 13. Correspondence Cannabis World Congress and Business Expo (5/18/2018)
- 14. State of NJ – Transportation Alternative Set Aside Program (5/18/2018)
- 15. From Franklin Borough Ordinance #20-2017 amending land use development
- 16. From State of NJ – Safe Routes to school applications 5/22/2018)
- 17. (duplicate of #14)
- 18. Notice of pending foreclosure 75 Orchard Street (5/22/2018)
- 19. Notice of pending foreclosure 23 Hillside Drive (5/22/2018)
- 20. Notice of pending foreclosure 37 Summit Road (5/30/2018)
- 21. Email from Honorable Josh Gottheimer advising of new District Director (5/30/2018)
- 22. Notice of pending foreclosure 68 Village Drive (5/30/2018)
- 23. From Stillwater resolution supporting State Hwy 23 and Gingerbread Castle Resolution (5/30/2018)
- 24. From Honor Guards of America recognizing Honor Guards Day July 1st 2018(5/30/2018)
- 25. Correspondence from Congress to Mr. Jinks regarding hunger issues in the schools (5/30/2018)
- 26. Newton Country Club – 14th Annual Golf Outing (5/30/2018)

ADJOURNMENT

Motion by Councilman Fitzpatrick, seconded by Councilman Law to adjourn the meeting at 9:10 pm. All Council members present in favor.

Date Approved 7/2/18

Date Released 7/2/18



Doreen Schott, RMC
Municipal Clerk

Submitted by Kathy Garrett