

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE  
BOROUGH OF HAMBURG HELD ON AUGUST 6, 2018 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:

Councilmember Krasnomowitz  
Councilmember Burd  
Councilmember Law  
Councilmember Garrett  
Councilmember 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".

**June 18, 2018 Executive Session Meeting Minutes**

Motion by Councilmember Garrett, seconded by Councilmember Law to approve the June 18, 2018 Executive Meeting Minutes of the Mayor and Council.  
Roll call showed all Councilmembers present in favor.

**July 2, 2018 Regular Meeting Minutes**

Motion by Councilmember Law, seconded by Councilmember Krasnomowitz to approve the July 2, 2018 Regular Meeting Minutes of the Mayor and Council.  
Roll call showed all Councilmembers present in favor.

**July 2, 2018 Executive Session Meeting Minutes**

Motion by Councilmember Garrett, seconded by Councilmember Law to approve the July 2, 2018 Executive Session Meeting Minutes of the Mayor and Council.  
Roll call showed all Councilmembers present in favor.

**APPROVAL OF BILLS:**

As there are no additions or deletions to the bill list, motion by Councilmember Law, seconded by Councilmember Krasnomowitz to open the meeting to the public with regards to the bill list only. All Councilmembers present in favor.

Hearing no comments from the public, motion by Councilmember Garrett, seconded by Councilmember Law to close to the public. All Councilmembers present in favor.

Motion by Councilmember Law, seconded by Councilmember Burd to approve and pay the bill list as presented.

Roll call showed all Councilmembers present in favor.

**ORDINANCES:**

**ORDINANCE #06-2018 – Second Reading**

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE BOROUGH OF HAMBURG, APPROPRIATING THE AGGREGATE AMOUNT OF \$540,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$440,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

Motion by Councilmember Garrett, seconded by Councilmember Burd for Attorney Clemack to read the Ordinance by title for second reading and publication. All Councilmembers present in favor.

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE BOROUGH OF HAMBURG, APPROPRIATING THE AGGREGATE AMOUNT OF \$540,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$440,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

Motion by Councilmember Krasnomowitz, seconded by Councilmember 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 Councilmembers present in favor. This ordinance was introduced on first reading at the July 2, 2018 regular meeting and published as provided by law.

**PUBLIC HEARING**

Hearing no comments from the public, motion by Councilmember Garrett, seconded by Councilmember Law to close to the public. All Councilmembers present in favor.

Motion by Councilmember Law, seconded by Councilmember Krasnomowitz to adopt the ordinance as presented.

Roll call showed all Councilmembers present in favor.

**ORDINANCE #07-2018 – First Reading**

**BOND ORDINANCE APPROPRIATING \$85,000. TO PROVIDE FOR THE DEVELOPMENT OF A WATER SYSTEM ASSET MANAGEMENT PLAN FOR THE BOROUGH OF HAMBURG TO BE UNDERTAKEN PURSUANT TO THE NEW JERSEY WATER QUALITY ACCOUNTABILITY ACT, AND AUTHORIZING THE ISSUANCE OF \$85,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF.**

Motion by Councilmember Garrett, seconded by Councilmember Burd for Attorney Clemack to read the Ordinance by title for first reading and publication. All Councilmembers present in favor.

**BOND ORDINANCE APPROPRIATING \$85,000. TO PROVIDE FOR THE DEVELOPMENT OF A WATER SYSTEM ASSET MANAGEMENT PLAN FOR THE BOROUGH OF HAMBURG TO BE UNDERTAKEN PURSUANT TO THE NEW JERSEY WATER QUALITY ACCOUNTABILITY ACT, AND AUTHORIZING THE ISSUANCE OF \$85,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF.**

Motion by Councilmember Krasnomowitz, seconded by Councilmember Law to approve the ordinance on first reading and introduction with said ordinance to be published in full and second reading scheduled for September 5, 2018.

Mayor Marino relayed that John Ruschke will work with the State for the financing.

Roll call showed all Councilmembers present in favor.

**ORDINANCE #08-2018 – First Reading**

**CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE AND INSTALLATION OF A GENERATOR FOR THE COURT HOUSE BY THE BOROUGH OF HAMBURG, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$7,500. THEREFOR FROM THE CAPITAL IMPROVEMENT FUND TO PAY FOR THE COST THEREOF.**

Motion by Councilmember Law, seconded by Councilmember Garrett for Attorney Clemack to read the Ordinance by title for first reading and publication. All Councilmembers present in favor.

**CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE AND INSTALLATION OF A**

GENERATOR FOR THE COURT HOUSE BY THE BOROUGH OF HAMBURG, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$7,500. THEREFOR FROM THE CAPITAL IMPROVEMENT FUND TO PAY FOR THE COST THEREOF.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Law to approve the ordinance on first reading and introduction with said ordinance to be published in full and second reading scheduled for September 5, 2018.

Mayor stated this money has been budgeted for in the 2017 and 2018 budget.

Roll call showed all Councilmembers present in favor.

Mayor Marino also relayed that he would like to have a finance meeting before the September meeting.

**RESOLUTIONS:**

**2018-62– Road Department Hire – Part Time Position**

Motion by Councilmember Sena, seconded by Councilmember Garrett to accept Resolution 2018-62 – Road Department Hire –Devon Gunderman for the part time position at \$10.00 an hour. All Councilmembers present in favor.

**2018-63 – Authorization of Payments for Accumulated Absence**

Motion by Councilmember Krasnomowitz, seconded by Councilmember Law to accept Resolution 2018-63 – Authorization of Payments for Accumulated Absence for Police Officers Larry Barcza and Devin Gormley whom have resigned from the Hamburg Police Department. All Councilmembers present in favor.

**2018-64 – Capital Budget Amendment – Courthouse Generator**

Motion by Councilmember Krasnomowitz, seconded by Councilmember Burd to accept Resolution 2018-64 – Capital Budget Amendment for the Courthouse Generator in the amount of \$7500.00. All Councilmembers present in favor.

**2018-65 - Purchase of Custom Pumper Model 472C from Sutphen Corporation**

Motion by Councilmember Law, seconded by Councilmember Garrett to accept Resolution 2018-65 – Purchase of Custom Pumper Model 472C from Sutphen Corporation for the purchase of the fire department apparatus for a total of \$490,277.67.

Roll call showed all Councilmembers present in favor.

**ATTORNEY HOUR:**

**1. EMS Daytime Coverage**

Attorney Clemack advised tabling this discussion until Director Mike Postorino can look into both contracts further as he has had experience with dealing in these matters. Councilmember Law stated St. Clare’s has been covering Hamburg and doing a good job.

**ENGINEERING:**

None

**MAYOR’S AGENDA:**

**Resignation – Councilmember Fitzpatrick**

Mayor Marino received a written resignation of Councilmember Fitzpatrick on July 9, 2018, verbal on July 8.

Motion by Councilmember Law, seconded by Councilmember Krasnomowitz to accept the resignation of Chris Fitzpatrick with regrets. All Councilmembers present in favor.

**Republican Committee’s list for filling vacated council position and letters of interest**

Mayor Marino stated the Republican Committee submitted three names for the vacated council position and those three people submitted letters of interest and also are in attendance at the meeting tonight. He asked

for a motion to open to the three candidates for them to speak with no comments from the Council. Motion by Councilmember Burd, seconded by Councilmember Law to open the meeting to the three candidates. All Councilmembers present in favor.

**Darlene Borromeo**

Ms. Darlene Borromeo relayed she has lived here for 30 years and ran in a primary quite a few years ago. She has been an RN for 40 years and would like to serve her community.

**Joyce Oehler**

Ms. Joyce Oehler said she has lived here for 32 years, served on the Council from 2009-2013 and ran again in the June primary but did not make it on. She is a member of Fire, EMS, a crossing guard, and Recreation Commission. She has a lot of pride in the town and would like to help take care of Hamburg again.

**John Haig**

Mr. John Haig stated he has lived here for 25 years, is a member of the Fire Dept., on the Land Use Board and Historic Commission.

Motion by Councilmember Law, seconded by Councilmember Sena to close to the candidates. All Councilmembers present in favor.

Motion by Councilmember Law, seconded by Councilmember Krasnomowitz to nominate Joyce Oehler to fill the vacated Council position, saying this was the protocol as to how he replaced Chris Kelly.

Motion by Councilmember Sena, seconded by Councilmember Burd to nominate John Haig to fill the vacated Council position.

Motion by Councilmember Garrett, seconded by Councilmember Law to close nominations. All Councilmembers present in favor.

**DISCUSSION**

Councilmember Sena said he does not agree with that protocol of filling a vacated seat and it should not be a foundation to build on. There were two other people on the list that did not get a call or able to submit a letter.

Mayor Marino replied that we have to follow the Republican Committee, with Attorney Clemack adding that three names have to be submitted within fifteen days of a resignation.

Mayor Marino asked for a roll call on the first motion: Joyce Oehler

Roll Call:

Ayes: Krasnomowitz, Law, Garrett

Nays: Burd, Sena

Abstain: None

Absent: None

Borough Clerk Doreen Schott administers the Oath of Allegiance to Joyce Oehler who then takes her place at the dais as Councilmember.

Mayor Marino thanked all that were involved in this process.

He also added that OEM was getting caught up on issuing the County IDs.

**COMMITTEE REPORTS**

**COUNCILMEMBER KRASNOMOWITZ:**

**1. POLICE COMMISSIONER**

Motion by Councilmember Krasnomowitz, seconded by Councilmember Sena to open the meeting to Lt. Gunderman. All Councilmembers present in favor.

**Monthly Report July 2018**

The July 2018 monthly report for the Police Department showed 881 calls of service, including 3 arrests, 14 motor vehicle accidents, and 90 motor vehicle summonses issued.

Lt. Gunderman stated the new officers attended a lot of training seminars as did the other officers. The radios have a lot of dead spots in different areas of town to the point the officers are not able to reach Andover Dispatch when they need assistance. Lt. Gunderman is looking into digital which will satisfy 99% of the issues. The quote to go digital is approximately \$8600.00 which includes the repeater and updates. He added that if we do not do it this year, then next year for sure. Spectrum will allow half payment this year and half next year. Mayor stated the budget is already tight. Lt. Gunderman said the cars and headquarters are already digital capable so the switch will be easy.

The drop off box for prescription drugs was filled within one month with the word getting out by social media. Three officers are now certified for CLEAR. Lt. Gunderman applied for and on 7/31 received a grant in the amount of \$3500.00 for the drunk driving enforcement fund. He is also in the process of updating policy rules and regulations for the department and will submit to the Council within two months. Mayor Marino, referring to the upcoming road paving, stated that money is tight in the budget with regards to the police coverage for the project. Lt. Gunderman said he is moving his schedule around so he can cover shifts to help cut down the overtime.

Councilmember Garrett asked how it was going with Police Director Mike Postorino and Lt. Gunderman replied they were both dealing with vacations at the moment but he is very knowledgeable.

Councilmember Sena asked Lt. Gunderman about the detective's car and if he takes it home with him with Lt. Gunderman answering yes as issues come up that need to be investigated. Councilmember Sena asked if anyone, as a Police Officer, was working outside of Hamburg, with the reply being not that Lt. Gunderman was aware of; no. Councilmember Sena brought up the newspaper articles, saying it does not look good for the town. Lt. Gunderman said, with the press releases, he follows the Attorney Generals' guidelines; the public knows the police are doing their job; residents know we do have issues and the police are taking care of them. He added that he would not do something harmful to the town or to residents. Councilmember Sena said with narcotic arrests, families are hurt and it is not community policing. Councilmember Law did not believe narcon stories should be printed. Mayor asked if there were a policy on it as it is public record. Attorney Clemack suggested meeting with the Director. Councilmember Garrett asked if the Attorney General information was on line as he would like to read it and Lt. Gunderman answered yes.

Councilmember Oehler said rumors always go around and if it were printed, the rumors would be squashed. Councilmember Krasnomowitz said he thought it was community policing, good or bad, and one cannot pick or choose as the public needs to know the Police are out there. Councilmember Sena said their lives are already living hell, with Mayor Marino replying you cannot micro manage the Police Dept; we should not regulate it.

Motion by Councilmember Law, seconded by Councilmember Krasnomowitz to close to Lt. Gunderman. All Councilmembers present in favor.

**2. OFFICE ADMINISTRATION****OBS – Annual Service Contract Renewal – Recording System**

The contract for the laptop / recording system is due for renewal with payment in the amount of \$861.00 for the year.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Law to approve payment.

Councilmember Krasnomowitz asked if the laptop was working correctly as at times there have been issues with the recording of meetings. Borough Clerk Doreen Schott answered there was an issue, the company was there the following day, and it has been fine since.

All Councilmembers present in favor.

**3. CONSTRUCTION DEPARTMENT****Monthly Report –June 2018**

The monthly report for June 2018 showed there were 16 permits issued, 1 certificates of occupancy, and 9 certificates of approvals with a total of \$2281.00 collected in fees for the month of June.

Councilmember Krasnomowitz said that he was glad to see many homes being constructed in the Bluffs area, saying that was a positive sign for the development.

**4. LAND USE BOARD**

A meeting will be held on Monday, August 13<sup>th</sup> at 7 pm.

**COUNCILMEMBER OEHLER**

**2. RECREATION COMMISSION**

Councilmember Oehler reported that Hamburg Day is coming up on September 9<sup>th</sup> from 12 noon – 4 pm. Music in the Park was held on July 29<sup>th</sup> and was a big hit with the band playing different types of music. Recreation is working on the details to keep the clinics going in the school. Councilmember Oehler also relayed that Recreation is in need of members.

Mayor Marino said now that Councilmember Oehler is the liaison to Rec, she will have to resign from the board and will submit a letter.

**COUNCILMEMBER BURD**

**2. FIRE COMMISSIONER**

Councilmember Burd reported there were 4 fire calls for the month.

**Correspondence from Fire Department regarding support of looking into daytime emergency service coverage.**

Council received correspondence from the fire dept. regarding their support for the Council looking into the daytime EMS coverage.

Council received proposals from Atlantic Ambulance Corporation and Saint Clare's Health LLC.

Councilmember Burd stated he has not yet received a price per mile from St. Clare's. Councilmember Oehler asked if the shift could be extended to 5 am – 7 pm instead of the 6 am – 6 pm time due to work schedules. Councilmember Garrett replied that would be crossing the 12 hour shift time frame so he did not think that would be advisable. Councilmember Krasnomowitz added that we should request no balance billing. Discussion followed regarding these issues but no decision could be made as the costs were not available. Councilmember Burd will continue to follow through.

**Hamburg Fire Department – 14<sup>th</sup> Annual Golf Outing**

Motion by Councilmember Burd, seconded by Councilmember Krasnomowitz to donate \$100.00 to the Hamburg Fire Dept. 14<sup>th</sup> annual golf outing on September 24, 2018. All Councilmembers present in favor.

**Social Affairs Permit – Clambake August 25, 2018 – 1:00 – 5:00 pm**

Motion by Councilmember Burd, seconded by Councilmember Krasnomowitz to approve the Social Affairs Permit of the Fire Dept. for the clambake on August 25, 2018 from 1 pm – 5 pm at the Firemen's Pavilion. All Councilmembers present in favor.

The Police have no issue with the application.

**4. BOARD OF EDUCATION**

Councilmember Burd attended the BOE meeting and said the school, because of decline adjustments from the State, will have to use \$76,576.00 out of their surplus for the coming school year. Director Postorino will be touring the school. Councilmember Burd asked about putting school news in with the town newsletter. Discussion followed with number of pages the school was interested in submitting, postage cost, etc. Borough Clerk will reach out to the school.

**COUNCILMEMBER LAW**

**2. EMS / OEM**

Councilmember Law relayed that 80 ID's have been handed out from OEM and he was hoping to finish the others by the end of this week.

Motion by Councilmember Law, seconded by Councilmember Oehler to open the meeting to OEM Keith Sukennikoff. All Councilmembers present in favor.

Mr. Sukennikoff stated the County OEM is also helping with the IDs and the weather updates. The digital signs are advising the public about the upcoming road paving.

Motion by Councilmember Law, seconded by Councilmember Burd to close to OEM. All Councilmembers present in favor.

Councilmember Law advised the Council there is a lot of dumping on the trails and he asked Lt. Gunderman to purchase four (4) trail cameras to help find the offenders. This money will come from the Clean Communities grant.

**COUNCILMEMBER GARRETT**

**1. BUILDING AND GROUNDS**

**Generator Quotes for Court House**

Three quotes were presented for the court house generator: Hayenhjelm Electric Co. LLC at a total of \$6840.00; Maciag Electric for \$8450.00; and Nerone Electrical Contracting for \$9135.00.

Motion by Councilmember Garrett, seconded by Councilmember Law to award the court house generator contract to Hayenhjelm Electric Co. LLC. at a total of \$6840.00.

All Councilmembers present in favor.

**3. BOARD OF PUBLIC WORKS**

A meeting will be held on August 8<sup>th</sup> at 7 pm.

**COUNCILMEMBER SENA**

**1. FINANCE / TAX DEPARTMENT**

Council is in receipt of a notice from the tax collector regarding the tax extension for the grace period for 3<sup>rd</sup> quarter taxes until 8/17 due to the tax rate being certified late.

The Tax Collector's Report for June 2018 showed a total of \$229,181.13 being collected.

The Tax Collector's Report for July 2018 showed a total of \$930,617.02 being collected.

Motion by Councilmember Sena, seconded by Councilmember Garrett to accept the resolution to redeem third party tax sale certificate # 2016-025 in the amount of \$41,058.02.

All Councilmembers present in favor.

**2. ROAD DEPARTMENT**

**Letter of Resignation – Ed Day – Road Department**

Motion by Councilmember Sena, seconded by Councilmember Garrett to accept the letter of resignation of Road Dept. worker Ed Day effective July 13, 2018. All Councilmembers present in favor.

**Resolution to Hire – Road Department – Devon Gunderman**

Done under resolutions

**3. BOARD OF HEALTH**

A meeting was held on July 10<sup>th</sup>.

**PUBLIC PORTION:**

Motion by Councilmember Garrett, seconded by Councilmember 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 Councilmembers present in favor.

Paula Marino – Holly Drive – stated her concerns about the playground at the rec fields being in full sun without any shade available. She was hopeful when the town was planting trees by the benches that a few could be planted about the playground area, also saying that Franklin had a type of screen shading by their benches in the playground area. Councilmember Garrett will look into the matter.

Sandra Leo - 112 Wheatsworth Road – spoke regarding the speeding on Wheatsworth and Gingerbread Castle Road. She said cars, buses, and trucks use it and it is a cut thru from Rt. 94 to Rt. 23. Mayor Marino said the Police do try extra monitoring especially when complaints come in and when available. Ms. Leo said Hardyston does also. Councilmember Krasnomowitz said there is constant speeding on the road and perhaps we could put the digital signs up when the road paving has ended.

Mike Schneider – Road Dept. Foreman – said milling on Oak and Mulberry Streets will begin on Wednesday with paving on Friday. He also has received bids for the removal of the tree on Mulberry but is waiting for JCP&L to respond.

Motion by Councilmember Garrett, seconded by Councilmember Law to close to the public. All Councilmembers present in favor.

Councilmember Krasnomowitz said the sidewalk on Wallkill Ave by the turn is crumbled and needs to be addressed. Mike Schneider will look into it.

Mayor Marino added a PBA meeting needs to be scheduled.

**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:

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**

**NEW BUSINESS:**

None

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

1. Sussex County Solid Waste Minutes February 2018 (7/6/2018)
2. Notice of pending foreclosure 20 Heritage Lane (7/6/2018)
3. NJ Society of Municipal Engineers – project of the year award (7/6/2018)
4. Project Self Sufficiency award Healthy Women, Healthy Families (7/6/2018)
5. Notice Solid Waste Advisory Meeting cancelled (7/9/2018)



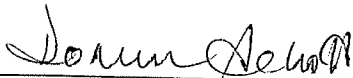
6. Newsletter from Sussex Rural Electric Cooperative (7/9/2018)
7. Correspondence from Rite Aid Corporation (7/9/2018)
8. Notice of pending foreclosure 9 Vernon Avenue (7/11/2018)
9. SCMUA E Waste Day (7/11/2018)
10. Correspondence from "Citizens Improving Affordable Housing" (7/11/2018)
11. SC Water Quality Meeting Cancellation notice (7/13/2018)
12. USDA Housing Preservation Grants (7/13/2018)
13. Littell Center Monthly May report (7/13/2018)
14. Xxxxx
15. From Franklin Borough Ordinance amending Land Use (7/16/2018)
16. Correspondence from Elan City – radar speed sign (7/16/2018)
17. NJLM Legislative Bulletin – June 2018 (7/16/2018)
18. JCPL infrastructure investment program (7/16/2018)
19. From Sussex County Tax Administrator – Certified Tax Rates (7/18/2018)
20. 2018 NJ Special Olympics (7/20/2018)
21. Notice of action to foreclose 9 Vernon Avenue (7/25/2018)
22. From State of NJ DEP Change in Source / treatment (7/26/2018)
23. Vernon Township Ordinance – Land Development (7/27/2018)
24. Notice of DOT 2019 State Aid Programs (7/27/2018)
25. From NJLM Annual Audit Statement (8/1/2018)
26. From DEP Remedial Action Protectiveness – Biennial Certification Form for Grey Elephant (8/1/2018)

**ADJOURNMENT**

Motion by Councilmember Garrett, seconded by Councilmember Krasnomowitz to adjourn the meeting at 8:22 pm. All Councilmembers present in favor.

Date Approved 8-5-18

Date Released 8-5-18



Doreen Schott, RMC  
Municipal Clerk

Submitted by Kathy Garrett