

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF HAMBURG HELD ON SEPTEMBER 5, 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:

Councilmember Krasnomowitz
Councilmember Oehler
Councilmember Burd
Councilmember Law
Councilmember Garrett
Councilmember Sena
Mayor Marino

Also Present: Kathy Garrett
Richard Clemack, Attorney

STATEMENT OF CERTIFICATION:

Deputy 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".

August 6, 2018 Regular Meeting Minutes

Motion by Councilmember Garrett, seconded by Councilmember Law to approve the August 6, 2018 Regular 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 Garrett, seconded by Councilmember Law 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 Oehler to approve the bill list as presented.

Roll call showed all Councilmembers present in favor.

ORDINANCES:

ORDINANCE #07-2018 – Second 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 Krasnomowitz, seconded by Councilmember Oehler for Attorney Clemack to read the Ordinance by title for second 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 Law, seconded by Councilmember Krasnomowitz 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 August 6, 2018 regular meeting and published as provided by law.

PUBLIC HEARING

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

Mayor Marino added this was recommended by Borough Engineer John Ruschke.

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

Roll call showed all Councilmembers present in favor.

ORDINANCE #08-2018 – Second 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 Garrett, seconded by Councilmember Oehler for Attorney Clemack to read the Ordinance by title for second 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 Oehler 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 August 6, 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.

Mayor Marino added this is for the installation of the court house generator and was coming out of the capital improvement fund.

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

Roll call showed all Councilmembers present in favor.

RESOLUTIONS

#2018-66 – Resolution determining the detail of Note relating to the construction financing program of the NJEIT.

Mayor Marino stated this resolution is relating to the construction financing program of the infrastructure trust in the amount of \$85,000.00.

Motion by Councilmember Law, seconded by Councilmember Oehler to accept #2018-66 – Resolution determining the detail of Note relating to the construction financing program of the NJEIT. Roll call showed all Councilmembers present in favor.

#2018-67 – Resolution - Form and sale \$85,000 Note

Mayor Marino relayed the resolution is the note pertaining to the \$85,000.00.

Motion by Councilmember Garrett, seconded by Councilmember Burd to accept #2018-67 – Resolution - Form and sale \$85,000 Note. Roll call showed all Councilmembers present in favor.

#2018-68 – Resolution declaring intent to reimburse expenditures for project cost

Motion by Councilmember Law, seconded by Councilmember Oehler to accept #2018-68 – Resolution declaring intent to reimburse expenditures for project cost. Roll call showed all Councilmembers present in favor.

ATTORNEY HOUR:

Attorney Clemack discussed that with a Bond Ordinance, it will take effect 20 days after it is published in the newspaper, which in this case is September 11th. He added the total amount is for \$490,277.60, which includes the performance bond and other credits.

Motion by Councilmember Garrett, seconded by Councilmember Oehler to open the meeting to Jamie McCurry, captain of the truck committee. All Councilmembers present in favor.

Mr. McCurry asked when the bond goes through, who would sign the bond. Attorney Clemack stated the Borough would. Councilmember Garrett reviewed the documents and also the Fire Dept. and all is ok.

Motion by Councilmember Garrett, seconded by Councilmember Oehler to close to Mr. McCurry. All Councilmembers present in favor.

Attorney Clemack offered the following resolution of the Mayor and Council:

#2018-69

Supten 472C Fire Apparatus

WHEREAS, the Mayor and Council are awarding a contract to the first fully custom pumper model 472C from Supten Corporation, 6450 Ideman Road, Dublin, Ohio; and

WHEREAS, the apparatus is a model 472C with a base price of \$251,995.65 and with public and non-public options to add at a cost of \$141,715.32; and

WHEREAS, this award is subject to the estoppel period of the bond ordinance which was passed last month, passing with no objections. If there is an objection, this resolution is null and void.

WHEREAS, the contract has various paragraphs and attachments which will be part of the record.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Hamburg hereby award the contract for the 472C pumper to Supten Corporation.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Mayor and Council of the Borough of Hamburg at the September 5, 2018 Regular Meeting.

Doreen Schott, RMC
Municipal Clerk

Motion by Councilmember Burd, seconded by Councilmember Oehler to accept the resolution as offered. Roll call showed all Councilmembers present in favor.

ENGINEERING:

None

MAYOR’S AGENDA:

- 1. **Halloween Fun Fest- Mr. Don Oriolo Jr.**

This will be discussed in the public portion.

- 2. **Hamburg Day**

Mayor Marino stated Hamburg Day is scheduled for September 9th for all to attend.

COMMITTEE REPORTS**COUNCILMEMBER KRASNOMOWITZ:****1. POLICE COMMISSIONER**

Motion by Councilmember Krasnomowitz, seconded by Councilmember Law to open the meeting to Director Mike Postorino and Lt. Gunderman. All Councilmembers present in favor.

Monthly Report for August

The August 2018 monthly report for the Police Department showed 1067 calls of service, including arrest, 9 motor vehicle accidents, 169 motor vehicle stops, and 135 motor vehicle summonses issued.

Director Postorino gave an overview of what he has been doing: reviewed the schedule with Lt. Gunderman, reviewing the policy and procedures to see if there is a need to update, looking at the EOPs as they are due to be updated next year (director looked at the PD but will look into all departments), has been monitoring the overtime - manpower issues and paving contributed, reviewed the agreement with DASI, and met with Mr. Jinks at the school for a tour and talked about starting LEAD earlier so the kids are able to finish the program. Director Postorino is looking for funding for the PD radios which are analog and outdated.

EMS update – both proposals are good but would like to meet with Atlantic. Director Postorino met with St. Clare's today and they will add another ambulance, run seven days from 6 am – 6 pm. Councilmember Law said St. Clare's have been here for over one year, doing ACS and BLS. Lt. Gunderman said from 6 pm – 6 am we use St. Clare's so it would be beneficial to stay with St. Clare's. Councilmember Burd wants to complete this tonight and not wait another month.

Director Postorino reviewed the facilities of the PD and said some upgrades needed to be made as the facilities are not sufficient at all. Councilmember Garrett said he talked to Lt. Gunderman and Mike Schneider would be able to do the work. Mayor added we will brain storm this year and do it in next year's budget.

Mayor asked about the grant for the fire truck with Mr. Postorino answering once Hamburg passed the bond ordinance, we no longer qualified. He added we may qualify for other equipment but not for the truck. Councilmember Garrett asked Director Postorino if he was working with OEM on the EOPs and he answered yes. Councilmember Garrett also mentioned the paving on Oak Street, the delays and the costs, and Mr. Postorino stated the delays were not that drastic but the costs for the PD and traffic control were not included for the vendor to pay; going forward this should be the responsibility of the vendor.

Director Postorino and Councilmember Krasnomowitz met with the Prosecutor's Office and the meeting went very smoothly and their office should be out of Hamburg by October 1st. Councilmember Krasnomowitz added that is a credit to our PD and to how well it is running.

Councilmember Law asked about the volunteers for DASI and what our part is in the program. Mr. Postorino replied DASI solicits volunteers, provides the training, etc., all at no cost to us.

Lt. Gunderman said the UCR reports will be replaced thru Nibers, a software program, will be taking place in 2020 for a one time cost of \$5000.00.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Burd to close to Director Postorino and Lt. Gunderman. All Councilmembers present in favor.

2. CONSTRUCTION REPORT**Monthly Report –July 2018**

The monthly report for July 2018 showed there were 11 permits issued, 2 certificates of occupancy, and 19 certificates of approvals with a total of \$1742.00 collected in fees for the month of July.

3. OFFICE ADMINISTRATION**NJ Sick Leave and Equal Pay Act**

Councilmember Krasnomowitz discussed the new mandate regarding the sick leave and equal pay act from the State which must be implemented by the Borough beginning October 29th. All employees will accrue at minimum one hour sick time for every 30 hours worked and are eligible to accrue up to and carry over 40 hours. All hours worked and sick time used must be documented and tracked and available for audit for up

to five years.

Councilmember Law relayed the court could go on a voucher system but the judge is contracted.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Law to open to CFO Christine Licata. All Councilmembers present in favor.

Ms. Licata reiterated the above information also saying the tracking part of all employees will be complex for part time employees working different schedules. The Dept. of Labor is still ironing out the specific area of stipend and temporary work positions. Councilmember Garrett asked what she preferred to do. Ms. Licata answered for insurance reasons the crossing guards and judge needed to be left on; the matron and court employees could work off a voucher system; employees will be required to submit a time sheet of hours worked; and the personnel policy will need to be updated. Attorney Clemack added this is a new law and different departments may / may not be covered. There are fine lines that have to be clarified and what is more efficient. This will be discussed further. Councilmember Krasnomowitz asked if we have the software to track this and was answered there are companies that will be advertising to sell it.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to close to Christine Licata. All Councilmembers present in favor.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Law to carry till next month. All Councilmembers present in favor.

4. LAND USE BOARD

Meeting on Monday September 10th at 7 pm.

COUNCILMEMBER OEHLER

2. RECREATION COMMISSION

Councilmember Oehler reiterated that Hamburg Day is Sunday September 8th at the rec fields. She also said she attended a meeting at the Littell Center and there would be a few changes made: dances will no longer be held as there were only about 70 kids at the last dance. Since Drug Alliance pays for the DJ, they decided to discontinue the dances. The Littell Center is now looking into different options for functions. Councilmember Oehler also mentioned the Borough can rent the Littell Center for our functions.

COUNCILMEMBER BURD

2. FIRE COMMISSIONER

Proposals: Atlantic Ambulance Corporation and Saint Clare’s Health LLC

Councilmember Burd said St. Clare’s is the contract the Borough should proceed with and David Compton needed to be contacted so as to start as soon as possible. He will try for 5 am – 6 pm, 7 days a week, but is not sure about the 5 am yet. If a resident does not have insurance the bill will be \$412.99 for the call plus \$7.32 a mile, coming out to be approximately \$523.00. Councilmember Garrett asked if they will be 1st and 2nd call in and was answered yes. He also inquired about fire calls and as St. Clare’s will not do stand-bys, the Borough would be responsible for them. Councilmember Garrett asked how this was going to be dispatched as our members need to be aware of this. Andover will be sending only fire calls to the members unless EMS needs to respond to the fire call. Otherwise St. Clare’s will be dispatched.

Attorney Clemack offered the following resolution of the Mayor and Council:

#2018-70

EMS Coverage Contract with St. Clare’s

WHEREAS, the Mayor and Council find it necessary to have daytime EMS coverage for the residents of the Borough of Hamburg; and

WHEREAS, the Borough is awarding a one year contract with automatic extensions of one year with St. Clare’s EMS for this daytime coverage; and

WHEREAS, either party can terminate on a 90 day notice.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Hamburg hereby enter a contract agreement with St. Clare’s to take effect on the first day they are available.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Mayor and Council of the Borough of Hamburg at the September 5, 2018 Regular Meeting.

Doreen Schott, RMC
Municipal Clerk

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to accept the one year contract with St. Clare’s for EMS effective as soon as possible.

Roll call showed all Councilmembers present in favor.

3. BOARD OF EDUCATION

School opens tomorrow, Tuesday, September 6th.

COUNCILMEMBER LAW

1. COURT

Correspondence from Court Administrator – Dismissal of Summonses

Councilmember Law stated that last year the Borough had an outside vendor come in and helped to clear our records of outstanding unpaid fines and found that some offenders had passed away, some were in jail for long terms, etc. He added this would have a minimal effect to us.

Councilmember Law informed the Council the court clerk is on vacation returning on Wednesday, the 12th.

2. EMS / OEM

The OEM ID badges have been completed. The Hardyston employees that work here in Hamburg, such as Fire, Zoning, Construction, etc., also received Hamburg badges. Mr. Sukennikoff will be starting on a complete inventory list of our equipment. Councilmember Krasnomowitz asked for a copy and their value to make sure everything is properly insured.

Councilmember Law contacted Mrs. Smalley at the school to schedule another clean-up.

COUNCILMEMBER GARRETT

1. BUILDING AND GROUNDS

Councilmember Garrett discussed the trees for the park and would like to take a walk around the park again to look at planting areas.

He also mentioned the lawn maintenance for the Borough and wants to get three bids again as we spend a lot of money each year.

Councilmember Oehler brought up the lawn maintenance for a property on Linwood Ave, stating the bushes are out into the road and to avoid them she had to go into the other lane on a corner turn.

3. BOARD OF PUBLIC WORKS

Meeting cancelled. Councilmember Garrett stated John Perry is working out great.

COUNCILMEMBER SENA

2. ROAD DEPARTMENT

9’ Mason Dump Body – Quotes from Tony Sanchez Ltd and Henderson

Mr. Schneider discussed this under the Public Portion.

Motion by Councilmember Sena, seconded by Councilmember Garret to purchase a stainless steel bed for the 2004 Ford Mason Dump truck from Sanchez LTD at a cost of \$15,850.00 to be funded from the water and sewer account.

All Councilmembers present in favor.

Resignation Letter- Devon Gunderman

Motion by Councilmember Sena, seconded by Councilmember Garrett to accept with regrets the resignation letter from Devon Gunderman due to personal reasons. All Councilmembers present in favor.

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 Council members present in favor.

Mike Schneider – Road Dept. Foreman – said the court house generator will be here next week so he will pour a pad for it to be situated on. He also said he turned in that address on Linwood Ave plus nine others to Property Maintenance a while ago. Councilmember Krasnomowitz will contact the zoning officer.

Councilmember Garrett asked about our salt status for the winter. Mr. Schneider stated he has enough to last until the end of the year but he will order more through the Morris County Co-op.

Mr. Schneider discussed the truck – it is a 2004 Ford Mason Dump truck and he would like to purchase a stainless steel bed for it at a cost of \$15,850.00. He has dealt with Sanchez before and he is under the State Contract. Putting the bed on the truck will give it an additional 5-6 more years of usage.

Don Oriolo Jr – Halloween Fun Fest – indicated he wanted to hold this Halloween event the last week of October and submitted plans for the Council to review. He spoke to the owner of the restaurant across the road and has a verbal ok to use the property for parking. Mr. Oriolo is asking for a temporary use permit so that he is able to hold his event. Mayor Marino replied this is really a Land Use issue and they may give a temporary ok but he needs to go before that board which is meeting on Monday the 10th. Attorney Clemack advised Council that Mr. Oriolo does not have site plan approval and he owns only the castle; LU may give the temporary ok. Councilmember Krasnomowitz added to contact Board Secretary Wendy Brick to let her know he was coming to the meeting to present the idea from the public. Councilmembers relayed how good the castle looks.

Motion by Councilmember Garrett, seconded by Councilmember Law to close to the public. All Councilmembers 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. PBA 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 Councilmember Law, seconded by Councilmember Burd to accept the resolution as offered. All Councilmembers present in favor.

Motion by Councilmember Law, seconded by Councilmember Oehler to enter into Executive Session. All Councilmembers present in favor.

Discussion regarding PBA Negotiations

Motion by Councilmember Oehler, seconded by Councilmember Burd to return to the Regular Meeting at

8:27 pm. All Councilmembers present in favor.

Attorney Clemack offered the following resolution of the Mayor and Council:

#2018-71

Police Union Contract Ratification

WHEREAS, the Governing Body has been in collective bargaining negotiations with the Police union representatives, both meeting before the Mayor and Council meeting; and

WHEREAS, the negotiation committee of the Mayor and Council has made recommendation in the Executive Session as to the terms of settlement and the same have been explained in detail.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby adopts and ratifies the suggestions of the negotiating committee as explained by Councilmember Krasnomowitz during Executive Session and the Municipal Clerk and Borough Attorney are hereby authorized to move forward.

BE IT FURTHER RESOLVED that Councilmember Krasnomowitz is hereby authorized to notify the bargaining unit of our agreement and ratification.

BE IT FURTHER RESOLVED if the bargaining unit is in agreement thereof, an agreement shall be drawn and prepared for execution.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Mayor and Council of the Borough of Hamburg at the September 5, 2018 Regular Meeting.

Doreen Schott, RMC
Municipal Clerk

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to approve the resolution as offered.

Roll call:

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

NEW BUSINESS:

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

1. Notice of pending foreclosure – 30 Vernon Avenue (8/8/18)
2. Notice – Save the Date – Municipal Breakfast Forum (8/8/2018)
3. Notice of pending foreclosure – 8 Prospect Avenue (8/8/2018)
4. Notice of noncompliance – State of NJ Monitoring – GB Castle Road (8/8/2018)
5. Notice of pending foreclosure – 34 Portsmouth Ct. (8/10/2018)
6. Seminar – Wantage Township –Prevent Opioid Overdose, Save a Lift (8/10/2018)
7. SCLOM General Membership Meeting. September 20th. Mohawk House (8/13/2018)
8. Correspondence from CP Professional Services – Asset Management Planning (8/15/2018)
9. Correspondence from Rite Aid – Notice of Albertsons Merger Cancellation Notification (8/15/2018).
10. From County of Sussex 2018 Transportation Annual Public Hearing (8/22/2018)
11. From State of NJ – Underground storage tank, 17 Rt. 23 – No further action (8/27/2018)
12. Hardyston Ordinance – Land Use (8/27/2018)
13. Mortgage Contracting Services – update of municipal contact list

ADJOURNMENT

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to adjourn the meeting at 8:29 pm. All Councilmembers present in favor.

Date Approved _____

Date Released _____

Doreen Schott, RMC
Municipal Clerk

Submitted by Kathy Garrett