

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON NOVEMBER 5, 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 Oehler

Councilmember Burd

Councilmember Law

Councilmember Garrett

Mayor Marino

Absent: Councilmember Sena

Also Present: Doreen Schott

Kathy Garrett

Richard Clemack, Attorney

**STATEMENT OF CERTIFICATION:**

Clerk will advise:

Adequate notice of this meeting has been provided to the public and the press January 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".

**October 1, 2018 Regular Meeting Minutes**

Motion by Councilmember Garrett, seconded by Councilmember Krasnomowitz to approve the October 1, 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 Oehler, 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 Krasnomowitz, seconded by Councilmember Oehler to approve and pay the bill list as presented.

Roll call showed all Councilmembers present in favor.

**ORDINANCES:**

**ORDINANCE #09-2018 – First Reading**

**AN ORDINANCE PROVIDING AND DETERMINING THE RATE OF COMPENSATION FOR OFFICERS OF THE POLICE DEPARTMENT OF THE BOROUGH OF HAMBURG.**

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

**AN ORDINANCE PROVIDING AND DETERMINING THE RATE OF COMPENSATION FOR OFFICERS OF THE POLICE DEPARTMENT OF THE BOROUGH OF HAMBURG.**

Motion by Councilmember Law, seconded by Councilmember Oehler to approve the ordinance on first

reading and introduction with said ordinance to be published in full and second reading scheduled for December 3, 2018.

Councilmember Krasnomowitz asked if this were contingent on both parties signing and was answered yes. Roll call showed all Councilmembers present in favor.

## **RESOLUTIONS**

### **#2018-73– Resolution supporting the increase in the Local Public Contract Law Bid Threshold**

Motion by Councilmember Krasnomowitz, seconded by Councilmember Law to approve #2018-73– Resolution supporting the increase in the Local Public Contract Law Bid Threshold.

All Councilmembers present in favor.

### **#2018-74 –Resolution appointing Risk Management Consultant (*Council Krasnomowitz*)**

Motion by Councilmember Garrett, seconded by Councilmember Law to approve #2018-74 –Resolution appointing Risk Management Consultant.

Councilmember Krasnomowitz added that Morville Agency, Arthur J Gallagher and Co. is our consultant. All Councilmembers present in favor.

### **#2018-75- Resolution appointing Fund Commissioner (*Council Krasnomowitz*)**

Motion by Councilmember Garrett, seconded by Councilmember Law to accept #2018-75- Resolution appointing Fund Commissioner

Councilmember Krasnomowitz said that he is the Fund Commissioner for the Borough.

All Councilmembers present in favor.

### **#2018-76 –Resolution adopting the NJ State Health Plan Waiver**

Motion by Councilmember Law, seconded by Councilmember Garrett to accept #2018-76 –Resolution adopting the NJ State Health Plan Waiver.

Roll call showed all Councilmembers present in favor.

### **#2018-77- Resolution to adopt the County of Sussex Mutual Aid Agreement (*Council Law*)**

Motion by Councilmember Law, seconded by Councilmember Burd to accept #2018-77- Resolution to adopt the County of Sussex Mutual Aid Agreement.

All Councilmembers present in favor.

### **#2018-78- Resolution to adopt the County of Sussex Code Blue Alert Plan (*Council Law*)**

Motion by Councilmember Law, seconded by Councilmember Garrett to accept #2018-78- Resolution to adopt the County of Sussex Code Blue Alert Plan.

All Councilmembers present in favor.

### **#2018-79 –Resolution to amend Personnel Police – Health /Benefit Waiver**

Motion by Councilmember Law, seconded by Councilmember Oehler to accept #2018-79 –Resolution to amend Personnel Police – Health /Benefit Waiver.

Roll call showed all Councilmembers present in favor.

### **#2018-80- Resolution to amend Personnel Policy State of NJ Paid Sick Leave Law**

Motion by Councilmember Law, seconded by Councilmember Krasnomowitz to accept #2018-80- Resolution to amend Personnel Policy State of NJ Paid Sick Leave Law.

Councilmember Krasnomowitz added we are adhering to the State Guidelines that take effect after October 31<sup>st</sup>.

Roll call showed all Councilmembers present in favor.

**ATTORNEY HOUR:**

**Collective Bargaining Agreement**

Council is in receipt of the contracts for the negotiating agreement with the PBA, authorizing the Mayor to execute the same.

Attorney Clemack offered the following:

**#2018-81**

**Collective Bargaining Agreement  
Police Department**

**WHEREAS**, the Governing Body has been in collective bargaining negotiations with the Police union representatives; and

**WHEREAS**, after ratifications and mirandas from both sides, they have agreed upon all the terms and conditions according to the contract and agreement; and

**WHEREAS**, some administrative changes have been made as the Treasurers' recommendation as to how vouchers should be paid but the substance of changes are minimum; and

**WHEREAS**, under the current law that is how the collective bargaining agreement of the contract incorporates all the substance terms that were ratified by both parties.

**NOW THEREFORE, BE IT RESOLVED** the Council authorizes the Mayor of the Borough of Hamburg to execute the Collective Bargaining Agreement Police Department on behalf of the Borough of Hamburg.

**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 November 5, 2018 Regular Meeting.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Law to accept the resolution as offered.

Roll call showed all Councilmembers present in favor.

**MAYOR'S AGENDA:**

**1. Zoning Officer / Property Maintenance – Jobs were advertised**

Mayor Marino stated the positions were advertised and one email was received from an interested person.

**2. Best Practice 2018 / 2019**

Mayor thanked Borough Clerk Doreen Schott and CFO Christine Licata for working on the report, also stating this needs to be done yearly to qualify for State Aid. He also added that it is becoming more difficult each year but we are good for this year.

Motion by Councilmember Garrett, seconded by Councilmember Krasnomowitz to acknowledge the report was reviewed.

Roll call showed all Councilmembers present in favor.

**3. Letter of interest – Recreation Board – Lenore Graham**

Mayor Marino appointed Lenore Graham to the Recreation Board as she submitted a letter of interest.

**4. Letter of interest – Recreation Board – Anna Titka**

Mayor Marino appointed Anna Titka to the Recreation Board from her letter of interest that she submitted.

**5. Letter of resignation – Recreation Board – Joyce Oehler**

Motion by Councilmember Krasnomowitz, seconded by Councilmember Garrett to accept the resignation of Joyce Oehler as a recreation member due to a Council position. All Councilmembers present in favor.

**6. Highlands Council**

Mayor Marino and Land Use Secretary Wendy Brick met with the Highlands Council and although the Borough is 98% built out, Mayor discussed funds to update maps and possibly bike trails.

**7. Girl Scout Donation Box**

The local Girl Scout troop contacted the Borough asking if a donation box could be left at the municipal building from mid-November until Christmas to collect donations for the Good Samaritan House. Councilmembers thought it was a wonderful idea.

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

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

**Monthly Report October 2018**

The October 2018 monthly report for the Police Department showed 1213 calls of service, including 2 arrest, 10 motor vehicle accidents, 138 motor vehicle stops, and 153 motor vehicle summonses issued. No training was done.

Lt. Gunderman stated people are using the drop off box for prescription drugs. The officers are participating in No Shave November and all donations go towards cancer. The inspection on the building resulted as non-compliant – the detention area failed for retaining someone in the cells. Policy and procedure passed. Councilmember Krasnomowitz suggested that a punch list of improvements be made and given to Councilmember Garrett. Director Postorino added he was unsure of what could be done to make it compliant as the building is old and outdated. Councilmember Krasnomowitz stated he is trying to keep people safe so the potential harm is alleviated. Lt. Gunderman and the Director suggested moving the PD to the Court House. The PD is moving forward with the upgrading of digital radios and on November 29<sup>th</sup> will know about the grant for them. Lt. Gunderman will also look into the radio upgrade for the FD. Mr. Postorino added the FD grant application is for equipment. Mr. Postorino said in working on the grant application for equipment for the Fire Dept. some information was missing – a Dunn's # and a Sam's #. He is working on it with the Chief. The first grant is for fire prevention and the second for equipment. Mayor Marino brought up the signs he would like to have for residents' yard that state "We support Hamburg PD – Slow down for our kids". Lt. Gunderman said they are \$5.00 a sign; he will construe a letter for donations, and start with 100 signs.

Mr. Postorino is working on the Emergency Operation Plan with Keith Sukennikoff.

Lt. Gunderman inquired about a contract with the town. Mayor Marino stated there will be a resolution indicating he will be included with the Borough of Hamburg and PBA Hamburg Unit Local 138 January 1, 2018 – December 31, 2022. Lt. Gunderman would prefer to have a contract that does not mimic the officer's contract. Attorney Clemack responded he has the benefits of the police contracts but in the Lieutenants' position.

Councilmember Law asked if there were any grants available for compliance of the building and Director Postorino responded that not for the entire building but maybe for the bathroom, etc. and will check into it. Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to close to Director Postorino and Lt. Gunderman. All Councilmembers present in favor.

**2. CONSTRUCTION REPORT****Monthly Report September 2018**

The monthly report for September 2018 showed there were 15 permits issued, 1 certificates of occupancy, and 13 certificates of approvals with a total of \$3049.00 collected in fees for the month of September.

**4. LAND USE BOARD**

Councilmember Krasnomowitz is unsure if a Land Use meeting is scheduled.

**5. INSURANCE****Risk Management Consultant Agreement**

Motion by Councilmember Krasnomowitz, seconded by Councilmember Garrett to accept the Risk

Management Consultant Agreement as presented.  
Roll call showed all Councilmembers present in favor.

**COUNCILMEMBER OEHLER**

**2. RECREATION COMMISSION**

Councilmember Oehler relayed the Trunk or Treat was attended by over 100 kids and adults and was a huge success. December 8<sup>th</sup> from 9 am – 11 am will be the Breakfast with Santa at the firehouse. Councilmember Oehler will be attending the joint Recreation meeting at the Littell Center on November 27<sup>th</sup> with the other towns involved with the center.

**COUNCILMEMBER BURD**

**2. FIRE COMMISSIONER**

There were 10 EMS calls for the month of September.  
Councilmember Burd has not yet received the signed contract for EMS services from St. Clares so he will contact David Compton again.

**4. BOARD OF EDUCATION**

Mr. Roger Jinks is resigning with his last day on November 30<sup>th</sup> as he will be taking an administrative position in the Jefferson School system. The Board is looking for his replacement.

**COUNCILMEMBER LAW**

**2. OEM – monthly reports**

Motion by Councilmember Law, seconded by Councilmember Garrett to open to Keith Sukennikoff. All Councilmembers present in favor.  
Keith Sukennikoff said that Code Blue is now in effect countywide for the homeless in the area and he is working with Lt. Gunderman on social media with respect to weather conditions. Lt. Gunderman has a good following so they are able to reach a lot of people with the latest updates. The ID system has been completed with 81 IDs being done.  
Mr. Sukennikoff is now working on equipment used during a storm which falls under FEMA for the Borough to be reimbursed, and encourages departments to take before and after pictures.  
The Emergency Operating Plan (EOP) is due March 20, 2019. The Fire Department NIFRA reports need to be done along with EOPs by January 18, 2019 or there will be no grant, Federal, or State money.  
Executive Order #50 deals with Incident Management Training; if needed, contact OEM.  
Swift 911 – a reverse 911 will send out warnings on water main breaks, bear warnings, etc.  
As another DWI grant was received, a check will be done in December with the DOT signs being used again for motorists- one being located by Docs’ and the other by SCMUA.  
With regards to the radios, the FD radios are mostly compatible as digital; getting the PD up is more important.  
Motion by Councilmember Law, seconded by Councilmember Oehler to close to OEM. All Councilmembers present in favor.

**4. SANITATION AND RECYCLING**

A town clean-up was scheduled for October 28<sup>th</sup> and approximately 12 kids and 3 adults attended. A pizza party was held for them on the 31<sup>st</sup>.

**COUNCILMEMBER GARRETT**

**1. BUILDING AND GROUNDS**

A letter was received from the Railroad advising Hamburg they will not be doing any repairs or enlargements to the trestle as the Borough requested; they will be only repairing the tracks over Rt. 23. The sidewalks by the Post Office have been repaired.  
The YMCA will be installing exercise stations around the walking path at the rec fields in the springtime as

a donation to the town.

### 3. BOARD OF PUBLIC WORKS

BPW will be meeting on Wednesday, the 7<sup>th</sup>.

#### **Release of Escrow – Quarry Cross Roads in the amount of \$1431.50**

Councilmember Garrett advised Councilmembers that Quarry Cross Roads is a project that came before the BPW in 2009 requesting the possibility of purchasing water for their huge project. Terrance Baumann, the project manager, did come in twice and put up escrow for our professionals to discuss this. During a time frame of 2009-2013, discussions went back and forth; for some of that time, the project was also put on hold. The town's water superintendent at that time, Jerry Kastner, advised against selling water to a project this size as it there are so many issues involved with it. This escrow money in the amount of \$1431.50 has just been sitting here. Mr. Baumann sent in a letter stating that he would not be coming in front of the Borough again on this subject. John Ruschke commented that he had no objection to the money being released. The BPW is recommending the release of the escrow money.

Motion by Councilmember Garrett, seconded by Councilmember Law to release the escrow in the amount of \$1431.30 to Mr. Terrance Baumann.

All Councilmembers present in favor.

#### **Purchase of new meters – Beacon System / Badger Meters.**

The BPW members discussed the Beacon System using Badger meters. Regina Flammer and Mike Schneider attended an informational presentation on the system. The software on the water program, although it is working fine now, will no longer be supported as it is out of date; should there be an issue, there may be no way to correct it. This upgrade will require new meters/endpoints to be installed town wide as the system works on cellular signals to read; the Road Department will no longer need to read meters. The margin for error is almost non-existent. The Borough and the resident will also be able to view their reading on a daily basis and if there is a leak, it will be detected quickly. A price quote from Schmidt's Wholesale for the software – a one-time fee – totals \$5490.00 , a new meter cost of \$254.69 each. A \$.89 fee for the app will be included for a grand total of \$5745.58 for the software and 10 meters. An installation company, National Metering Company, could install the meters for \$389.69 per meter (includes meter). The discussion included having the Road Dept. do the installation, hiring extra personnel, with more to be discussed on this. The BPW is recommending going with the upgrade. Councilmember Krasnomowitz asked how long it takes to read meters and was answered 2 weeks for 2 workers.

Motion by Councilmember Garrett, seconded by Councilmember Law to approve the price quote from Schmidt's Wholesale for the software and 10 meters.

Roll call showed all Councilmembers present in favor.

#### **COUNCILMEMBER SENA                      *Report by Mayor Marino / Councilmember Garrett***

##### **1. FINANCE / TAX DEPARTMENT**

The Tax Collector's Report for September 2018 showed a total of \$224,838.49 being collected.

Motion by Councilmember Garrett, seconded by Councilmember Oehler to redeem third party tax sale certificate # 2018-007 in the amount of \$2,137.10; to redeem third party tax sale certificate # 2018-019 in the amount of \$1,956.10; to redeem third party tax sale certificate # 2018-0007 in the amount of \$51,252.33; and to redeem third party tax sale certificate # 2018-002 in the amount of \$2,632.88. All Councilmembers present in favor.

Motion by Councilmember Garrett, seconded by Councilmember Law to approve the Certificate of Sale for unpaid Municipal Liens \$2,455.72. All Councilmembers present in favor.

##### **2. ROAD DEPARTMENT**

Under Public Portion

**3. MUNICIPAL DRUG ALLIANCE**

Mayor Marino stated that since Superintendent Roger Jinks is leaving Hamburg School at the end of November, programs will be at a stand-still until next year.

**PUBLIC PORTION:**

Motion by Councilmember Garrett, seconded by Councilmember Oehler 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.

Mike Schneider – Road Dept. Foreman- relayed the department is getting the trucks ready for winter; he has 220 tons of salt on hand; they put in the pad for the generator for the court house; and repaired a drain on Linwood.

Motion by Councilmember Garrett, seconded by Councilmember Law to close to the public. All Councilmembers 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:

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

1. Statewide Insurance Fund Safety meeting. (10/5/2018)
2. JCP& L – review approval of zero emissions (10/8/2018)
3. SCMUA – 2019 proposed rates (10/8/2018)
4. NJLM – Notice of proposed membership dues (10/8/2018)
5. NJLM – 21<sup>st</sup> annual elected officials hall of fame (10/8/2018)
6. From Sussex County – 2018 Abstract of Retable's (10/8/2018)
7. Rite Aid Subsidiary Entities – change of Officers Notification (10/8/2018)
8. Solid Waste Advisory Council meeting cancellation (10/8/2018)
9. Fraser Firm – notice of interest for Municipal Prosecutor Positon 2019 (10/8/2018)
10. Notice of pending foreclosure 38 Burlington Court (10/12/2018)
11. Water Quality Management Agenda October (10/12/2018)
12. 2018 Certification of the table of equalized valuations (10/12/2018)
13. Littell Center monthly report for September (11/5/2018)
14. Hardyston Township ordinance – outdoor lighting residential properties (10/17/2018)
15. Montague Resolution – opposition to legalization of recreational marijuana (10/17/2018)
16. Winnie Banta – notice of interest for 2019 Bond Counsel Services (10/17/2018)
17. Historic Preservation 2019 Federal Grant applications (10/19/2018)
18. From State of NJ Monitoring reporting notice (10/22/2018)
19. Letter regarding NY Railway Trestle request for service (10/30/2018)
20. Recycle Coach for Sussex County (10/25/2018)
21. Correspondence regarding Hamburg Post Office


- 22. From State of NJ FY 2019 Local Freight Impact Fund (10/26/2018)
- 23. Notice of hearing for site plan approval 13 and 5 Ames Boulevard (10/26/2018)
- 24. State of Corrections, annual inspection visit (10/31/2018)

**ADJOURNMENT**

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to adjourn the meeting at 8:09 pm. All Councilmembers present in favor.

Date Approved 12/3/18

Date Released 12/3/18

  
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Doreen Schott, RMC  
Municipal Clerk

Submitted by Kathy Garrett