

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF HAMBURG HELD ON APRIL 1, 2019 AT THE MUNICIPAL BUILDING,
16 WALLKILL AVE., HAMBURG, NJ**

CALL TO ORDER:

Mayor Marino called the meeting to order at 7:00 p.m.

SALUTE TO THE FLAG:

ROLL CALL:

Mayor Marino requested a roll call:

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

Also Present: Doreen Schott
Richard Clemack, Attorney

STATEMENT OF CERTIFICATION:

Clerk advised

Adequate notice of this meeting has been provided to the public and the press January 11, 2019 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".

March 4, 2019 Regular Meeting Minutes

Motion by Councilmember Oehler, seconded by Councilmember Law to approve the March 4, 2019 Regular Meeting Minutes. Roll call showed all members present in favor.

March 4, 2019 Executive Session Minutes

Motion by Councilmember Garrett, seconded by Councilmember Oehler to approve the March 4, 2019 Executive Session Minutes. Roll call showed all members present in favor.

APPROVAL OF BILLS:

As there are no deletions or additions to the bill list, motion by Councilmember Garrett, seconded by Councilmember Law to open the meeting to the public for bills list only, all members present are in favor. Hearing no comment from the public, motion by Councilmember Garrett, seconded by councilmember Law to close the meeting to the public, all members present are in favor. Motion by Councilmember Oehler, seconded by Councilmember Law to pay the bills. Roll call shows all members present in favor.

ORDINANCES:

No ordinances

RESOLUTIONS:

No resolutions

BUDGET ADOPTION OF BUDGET:

Mayor and Council will hold a public hearing on the 2019 Municipal Budget. Motion by Councilmember Law, seconded by Councilmember Oehler to open the meeting to the professionals. Mr. Bill Schroeder of Nisivoccia address the governing body. Mr. Schroeder advises that again this year Hamburg is self-exam, the budget shows on a house assessed \$152,632.00 increase is \$2.50 per month or \$30.00 per year. This is \$53,000.00 below the maximum allowed for the spenditure cap and \$14,000.00 below the tax levy cap. All are within statutory compliance. Mayor Marino advises that the 2% is for pensions and salaries.

Motion by Councilmember Law, seconded by Councilmember Oehler to open the meeting to the public with regards to the 2019 Municipal Budget with all members present in favor. Hearing no comments from the public. Motion buy Councilmember Law, seconded by Councilmember Garrett to close the meeting to the public with all members present in favor.

Motion by Councilmember Oehler, seconded by Councilmember Law to approve the 2019 Municipal Budget. No discussion roll call shows:

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

At this time Mayor Marino thanks Mr. Schroeder who will be retiring after 23 years of service to our town and advises that he and council have enjoyed working with him and he has done a great job.

Mr. Schroeder thanks all and assures that we are being left in good hands.

ATTORNEY HOUR:**ENGINEERING:**

Mayor Marino advises that Mr. John Ruschke will be attending a meeting in future months to further give details on the various grants that have been applied for. The Nano grant for the Water Tanks is still under review and the recent water system asset management grant is being submitted.

MAYOR'S AGENDA:**Finance**

Treasurers' report the current balance is \$2,300,400.34

Hamburg Post Office

Mayor updates on a project he and the post master along with historian Dan Barr have been working on. This year two unique events occur. Every 100 years the date of July 4, 2019 meets Hamburg's zip code of 07419, another is the 110th anniversary of the Hamburg Fire Department. They will be designing a post card commemorating the 110th anniversary of the Hamburg Fire Department and the zip code meets date. The post card will have the 110th anniversary of the fire department, the town logo, American flag and the zip code meets date stamp. The cost is \$64.00 for 500, members of the fire department and staff will be give one the fire department will be given some to sell to offset the cost of the county parade which Hamburg is hosting in 2020. Also Mayor Marino advises that next year it will be the 100th anniversary of Hamburg Borough and they will be making a stamp

commemorating the 100th anniversary which can be bought in sheets then on 3/19/2020 when Hamburg became incorporated the stamp will be cancelled at the Hamburg Post Office

Zoning Official Update

Mayor Marino advises that our present agreement with Franklin Borough is for shared service of the zoning officer until April 15, 2019. He attended a meeting with the Franklin Officials and administrator to extend the shared service agreement. Since then Franklin had a meeting and decreased the hours of the zoning officer. He is recommending that we authorize the mayor to hire the zoning officer independent of Franklin as an independent contractor as of April 16, 2019. The hours and salary would stay as is and would be monitored and then any adjustment can be made to the 2020 budget along with the use of the detective vehicle for 4 – 5 hours a week. Motion by Councilmember Krasnomowitz, seconded by Councilmember Law to authorize the Mayor. Discussion ensues, clarification from the police director as to whether he would be allowed to use the detective vehicle. Motion is to carry without the vehicle. Both councilmember Garrett and Krasnomowitz commend the job he has been performing. Roll call shows all members present in favor.

Municipal Aid Grant 2019

Mayor Marino advises that he received a call from the Governor’s office advising that Hamburg received \$151,000.00 in grant funds. These funds will be used in repairing various roads within the town.

**RESOLUTION
BOROUGH OF HAMBURG
SUPPORTING THE 2019 MUNICIPAL AID PROGRAM
RESOLUTION #2019-30**

BE IT RESOLVED that Hamburg Borough applied for funding for the 2019 Municipal Aid Grant; and

BE IT RESOLVED that Hamburg Borough was notified of an award in the amount of \$151,000. In funding which will facilitate much need repairs to the roadways located within the Borough of Hamburg; and

BE IT RESOLVED that programs such as this one are necessary to help municipalities perform tasks that they would not be able to consider without grant funding, and

BE IT FURTHER RESOLVED that the Borough of Hamburg unanimously supports programs such as this to help municipalities.

CERTIFICATION

I certify the foregoing resolution to be a true copy of a resolution adopted by the Mayor and Council of the Borough of Hamburg at the April 1, 2019 regular meeting.
Municipalities

Doreen Schott, RMC
Municipal Clerk

Motion by Councilmember Garrett, seconded by Councilmember Law to approve the aforementioned resolution. All councilmembers present in favor.

Mayor Marino also briefly discusses the road construction taking place on Rt 23 North, repair of bridge in Sussex This project has been ongoing for 3 years and is a hazard. The lane is hard for any emergency vehicle to maneuver, even narrow for a small minivan. Town will send a letter to the

state expressing concern for the time it is taken and the hazard it is presenting.

Extension of Premise – DOC's

DOC's is requesting an Extension of Premise to hold a Campfire on April 20, 2019 10:00 pm – 4:00 am. Application and subject to conditions as set forth by police department.

Motion by Councilmember Law, seconded by Councilmember Krasnomowitz to authorize the extension of premise subject to the conditions set forth by the police department. All members present in favor.

COMMITTEE REPORTS

COUNCILMEMBER KRASNOMOWITZ:

1. POLICE COMMISSIONER

Motion by Councilmember Krasnomowitz to open the meeting to Police Director Mike Postorino, seconded by Councilmember Law with all members present in favor.

Monthly Report March 2019

The following is read into the record Calls for service, 1,049, total arrests 3, total motor vehicle accidents 13, total motor vehicle stops conducted by officers 104, total motor vehicle summons issued 101, total operations / investigation reports 48, total walk-ins to headquarters seeking assistance 60, total correspondence 82.

Distracted Driving starts today, signage has been posted. Director Postorino will look into the vehicle use issue by the zoning officer.

Motion by Councilmember Law, seconded by Councilmember Krasnomowitz to close the meeting to Police Director. All members present in favor.

2. OFFICE ADMINISTRATION/ FINANCE

Councilmember Krasnomowitz advises that he and the CFO are starting to look at some of the Best Practice questions to see if there is not room for the borough to improve on some of the negative questions.

3. CONSTRUCTION DEPARTMENT

For the month of February there were 13 permits issued, 8 Certificate of approvals issued and 0 Certificate of Occupancy permits issued for a total collection of \$2,048.00.

4. LAND USE BOARD / ZONING

Each member has a copy of the March Zoning Officer report, Councilmembers are very impressed with the job the zoning officer is doing. Councilmember Krasnomowitz advises that the Land Use Board will be meeting on Monday, a small agenda. There has been recent interest in 48 Gingerbread Castle Road (Plastoid) property. They may be setting up a committee meeting. Once more information is known it will be passed on.

5. INSURANCE

COUNCILMEMBER OEHLER

1. NEWSLETTER

2. RECREATION COMMISSION

Hamburg Recreation held Family Fun Night at the YMCA. Approximately 30 – 40 attended. Bowling at Sparta Lanes will be held on May 19th and Miss Hamburg will be held on June 9th.

3. HISTORIC COMMISSION / HISTORIC SOCIETY

COUNCILMEMBER BURD

1. **OPEN SPACE**
2. **FIRE COMMISSIONER / EMS**

There was a small fender bender with rescue 1 while on route to a fire scene. We are waiting for estimates, there were no injuries and all paperwork was filed. Fire Calls: there were 8 fire calls total for March, 1 fire, 2 MVA, 2 alarm, 1 smell gas/ smoke, 1 assist ems, 1 cancelled in-route. EMS Calls: 14 total calls, 11 medical, 1 alarm, and 2 mental health. Councilmember Burd did not receive a report from St. Clare's day time calls for March.

3. **GRANTS**
4. **BOARD OF EDUCATION**

School budget meeting has been changed to April 25, 2019 at 7:00 pm.

COUNCILMEMBER LAW

Very quiet month, no reports

1. **COURT**
2. **OEM**
3. **SOLID WASTE**
4. **SANITATION AND RECYCLING**

COUNCILMEMBER GARRETT

1. **BUILDING AND GROUNDS**

Working on the trees, they should be ready for planting by the end of the month, then will begin working on the process of donations. Park was officially opened today, the police will be in charge of closing daily and weekends. Littell Center will be notified that park is open.

2. **WATER QUALITY**
3. **BOARD OF PUBLIC WORKS**

There will be no meeting this month.

New Meter System - The specs for the new meters are being worked on by John Ruschke and John Perry. Training was done using the 10 meters that were installed. You could at present time see the water usage as it was occurring. The program is very impressive and allows not only the borough to monitor but also allows for residents through an app to monitor their own water usage. The program will also allow for overlap which will allow the water department to see where water mains are losing pressure. Regina will begin working on the billing aspect of it and will send letter to all residents advising of new system and the need for access to each home which should take no more than half hour. Regina will be advised to include in her letter the time needed.

Sewer System Asset Management Grant - Recommendation from BPW to authorize application for Sewer System Asset Management Grant to be done by Mr. John Ruschke. Motion by Councilmember Garrett, seconded by Councilmember Law to authorize the application for the Sewer System Asset Management Grant. Mayor Marino advises that to comply with the terms of the grant the town will be obligated to spend the money in an allotted time frame. We will use projects the BPW has scheduled in their 3-4 year plan, projects that will comply with the grant such as infiltration study and any repairs, and possibly including equipment.

Roll call shows all members present in favor.

Recreation Park— got grant from YMCA for fitness stations, stations being custom made and shipped to DPW. Mulch will be necessary and the YMCA will donate money for the mulch

4. ROAD DEPARTMENT

Street Sweeping Agreement – Hardyston Township / Hamburg Borough- Motion by Councilmember Garrett, Seconded by Councilmember Law to approve the 2019 Street Sweeping Agreement between Hardyston Township and Borough of Hamburg. All members present in favor.

COUNCILMEMBER SENA**1. FINANCE / TAX DEPARTMENT**

Motion by Councilmember Sena, seconded by Councilmember Garrett to redeem third party tax sale certificate #2018-003 in the amount of \$22203.41. All members present in favor.

4. BOARD of HEALTH

Board of Health will be meeting on Tuesday, April 9, 2019 6:30 pm.

5. MUNICIPAL DRUG ALLIANCE (Wallkill Valley Drug Alliance)

Councilmember Sena met with the representatives of the Wallkill Valley Drug Alliance on March 6th at Hardyston Township with representatives from Franklin, Hardyston and himself. They reviewed the upcoming year plan; budgets, plan adoptions, meeting dates and quarterly reports. Next meeting will be held on May 15th

Councilmember Sena advises he attended the April 21st Sussex County League of Municipalities meeting at Mohawk House. Topic was the legalization marijuana in New Jersey. Recent article in the paper detailed the meeting. At present time the matter is tabled in New Jersey as the vote did not pass.

6. SUSSEX COUNTY ECONOMIC DEVELOPMENT LIAISON

No meeting

PUBLIC PORTION:

Motion by Councilmember Oehler, 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 of the Borough.

Ann Smulewicz - 108 Route 23 Wantage –Ms. Smulewicz addressed the mayor and council regarding a recent experience she had with regards to her water / sewer bill. Ms. Smulewicz has two residences in Hamburg, one of the residence had the water / sewer turned off for non-payment. Her notice was received on April 8, 2019. That bill had a current and past due balance. Policy states that once a residence is turned off there is a \$100 turn on fee. She came to the office advising that she did not receive the notice. She feels that due to the situation and her long standing with the town she should not have to pay the \$100.00 connect fee and feels that if there is a fee it should be a lesser amount. Mayor Marino advised that the Board of Public Works does hear cases on a case by case basis and recommends that she come to the board. He does explain that the fee was put into place to cover the cost of administrative and personnel going back and forth turning water off and on.

Barry of Barry's Towing addresses the mayor and council with his concerns regarding the towing ordinance. He is one of the establishments who have rights to tow for the police in the Borough of Hamburg. He is requesting clarification to the ordinance. He complaint is that there are presently 3 towing companies on the list including himself, recently a fourth was added; K & A from Sussex. He understands the ordinance to read that the provider must be within a 2 mile radius and 15 minutes response time in order to comply. He advises that K & A built a fence on the old Dun and

Dun property which he is using as a holding site which then puts him within the 2 mile radius. His question is whether that is what the intent of the ordinance was as that could open the door for anyone to find property and say they are keeping the tow vehicle there. Police Director was advised to look into it.

Motion by Councilmember Garrett, seconded by Councilmember Law to close the meeting to the public at 7:45 with all 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 Personnel Matter**
- 2. Barging negotiations with teamsters local 125**

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 Oehler to enter into executive session. All member present in favor.

Motion by Councilmember Law, Seconded by Councilmember Garrett to come out of executive session. All members present in favor.

**RESOLUTION
BOROUGH OF HAMBURG
SUSPENSION WITHOUT PAY – Lt. Gunderman**

RESOLUTION #2019- 31

BE IT RESOLVED that Lt. George Gunderman is hereby suspended without pay as a member of the Police Department, Lieutenant and Officer in Charge of the Hamburg Police Department.

BE IT FURTHER RESOLVED, that the suspension shall take effect immediately.

CERTIFICATION

I certify the foregoing resolution to be a true copy of a resolution adopted by the Mayor and Council of the Borough of Hamburg at the April 1, 2019 regular meeting.

Doreen Schott, RMC
Municipal Clerk/

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

1. Sussex County Solid Waste Advisory Council Minutes (3/8/2019)
2. New Jersey Land Conservation Rally (3/8/2019)
3. Wild Turkey Golf Club v Hamburg Borough – Tax appeal (3/8/2019)
4. Ballyowen Golf Club v Hamburg Borough Tax appeal (3/8/2019)
5. Franklin Borough Ordinance amending Chapter 161 (3/8/2019)
6. From Stanhope resolution supporting Path to Progress (3/8/2019)
7. Township of Hardyston Ordinance amending zoning section (3/8/2019)
8. Ginnies House Open House month of April (3/8/2019)
9. From County of Sussex – Mosquito Control (3/13/2019)
10. Copy of March Solid Waste Agenda (3/3/2019)
11. Sussex County League of Municipalities copy of Bi Laws (3/12/2019)
12. Flyer from NJHMFA-NJ Housing and Mortgage Finance Agency (3/18/2019)
13. From DEP copy of Fact Sheet – Former Getty Site (3/18/2019)
14. Notice of pending foreclosure XL Marketing Rt 23 and Wallkill Avenue (3/18/2019)
15. Township of Hardyston Ordinance amending zoning resort housing (3/20/2019)
16. State of NJ notice of Highlands Opens Space Funding Program (3/20/2019)
17. Notice of Petitions of Appeals (3/22/2019)
18. Notice of Foreclosure action 27 Bluff Court (3/22/2019)
19. From Sussex County Final Equalization Table (3/22/2019)
20. Tax Court of NJ – Plaza 23 LLC v Hamburg Borough (3/27/2019)

ADJOURNMENT

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to adjourn the meeting. All councilmembers present in favor. Meeting adjourned at 8:25 pm

Date Approved 5/6/19

Date Released 5/6/19



 Doreen Schott, RMC
 Municipal Clerk