

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF HAMBURG HELD ON JUNE 3, 2019 AT THE MUNICIPAL BUILDING,
16 WALLKILL AVE., HAMBURG, NJ**

CALL TO ORDER:

Mayor Marino called the meeting to order at 7:00 pm and opened with a flag salute.

MOMENT OF SILENCE

Mayor Marino called for a moment of silence for the passing of crossing guard Bonnie Reina, firefighter Theodore Vanderwerf, and Zoning Board, Board of Adjustment and Planning Board Chairperson Bob Adams. All three served the town for many years.

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
Kathy Garrett

STATEMENT OF CERTIFICATION:

Clerk will advise:

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".

May 6, 2019 Regular Meeting Minutes

Motion by Councilmember Garrett, seconded by Councilmember Law to approve the May 6, 2019 Regular Meeting Minutes of the Mayor and Council.

Roll call showed all Councilmembers present in favor.

May 6, 2019 Executive Session Minutes

Motion by Councilmember Law, seconded by Councilmember Oehler to approve the May 6, 2019 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 Oehler, seconded by Councilmember Law to open the meeting to the public with regards to the bill list only. All members present in favor.

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

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

Roll call showed all Councilmembers present in favor.

ORDINANCES:

ORDINANCE #04-2019- 2nd Reading

BOND ORDINANCE APPROPRIATING \$85,000 TO PROVIDE FOR THE DEVELOPMENT OF A SANITARY SEWER 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 Krasnomowitz for Attorney Clemack to read the Ordinance by title for second reading and public hearing. All Councilmembers present in favor.

BOND ORDINANCE APPROPRIATING \$85,000 TO PROVIDE FOR THE DEVELOPMENT OF A SANITARY SEWER 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 Garrett to open the meeting to the public for any questions and comments they may have with regards to the ordinance prior to adoption. The ordinance was introduced at the May 6, 2019 regular meeting and published as provided by law.

PUBLIC HEARING

Mayor Marino stated the application was accepted by the DEP and that Hamburg had to also bond for the grant. The \$250,000.00 would need to be spent within 3 years.

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

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

Roll call showed all Councilmembers present in favor.

ORDINANCE #05-2019 1st Reading

CAPITAL ORDINANCE PROVIDING FOR PAVING AND IMPROVEMENTS TO GINGERBREAD CASTLE RD, HOLLY DRIVE, KIRKWOOD, AVE FAIRVIEW AVE, WOODLAND AVE AND VARIOUS OTHER ROADS AS NEEDED IN THE BOROUGH BY THE BOROUGH OF HAMBURG, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$55,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH AND \$151,000 FROM THE DOT GRANT FOR A TOTAL APPROPRIATION OF \$206,000 TO PAY FOR THE COST THEREOF.

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

CAPITAL ORDINANCE PROVIDING FOR PAVING AND IMPROVEMENTS TO GINGERBREAD CASTLE RD, HOLLY DRIVE, KIRKWOOD, AVE FAIRVIEW AVE, WOODLAND AVE AND VARIOUS OTHER ROADS AS NEEDED IN THE BOROUGH BY THE BOROUGH OF HAMBURG, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$55,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH AND \$151,000 FROM THE DOT GRANT FOR A TOTAL APPROPRIATION OF \$206,000 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 with second reading scheduled for July 1, 2019. Roll call showed all Councilmembers present in favor.

RESOLUTIONS:

#2019-39– Overpayment of road detail SKODA Contracting - \$334.00

Motion by Councilmember Krasnomowitz, seconded by Councilmember Burd to accept resolution #2019-39– Overpayment of road detail SKODA Contracting - \$334.00. All Councilmembers present in favor.

#2019-40 – Overpayment of road detail JCP&L in the amount of \$88.00

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to accept resolution #2019-40 – Overpayment of road detail JCP&L in the amount of \$88.00 (for Police). All Councilmembers present in favor.

#2019-41 – Outstanding Municipal Court Checks

Motion by Councilmember Krasnomowitz, seconded by Councilmember Law to accept resolution #2019-41 – Outstanding Municipal Court Checks. All Councilmembers present in favor.

#2019-42 – to be done under Municipal audit

#2019-43 – 2020 NJ Municipal Aid Grant and Resolution

Motion by Councilmember Law, seconded by Councilmember Oehler to accept resolution #2019-43 – 2020 NJ Municipal Aid Grant and Resolution. All Councilmembers present in favor.

Mayor Marino added this was for submitting the next grant for Mulberry Street resurfacing.

#2019-44 - to be done under committee reports

#2019-45 – Rain Tax

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to accept resolution #2019-45 – Rain Tax. All Councilmembers present in favor. Mayor Marino added Hamburg is opposing this tax.

#2019-46 – (EIT Loan) Sanitary Sewers – Intent to Reimburse

Motion by Councilmember Garrett, seconded by Councilmember Oehler to accept resolution #2019-46 – (EIT Loan) Sanitary Sewers – Intent to Reimburse. All Councilmembers present in favor.

#2019-47 – (EIT Loan) Sanitary Sewers – Form and Sale Resolution

Motion by Councilmember Law, seconded by Councilmember Oehler to accept resolution #2019-47 – (EIT Loan) Sanitary Sewers – Form and Sale Resolution. All Councilmembers present in favor.

#2019-48 – Clean Communities Grant (Chapter 159)

Motion by Councilmember Garrett, seconded by Councilmember Law to accept resolution #2019-48 – Clean Communities Grant (Chapter 159). All Councilmembers present in favor. Mayor Marino added that \$6880.23 is the amount received.

2018 MUNICIPAL AUDIT

RESOLUTION #2019-42 and Corrective Action Plan

Mayor Marino relayed that CFO Christine Licata submitted an explanation and corrective action plan regarding the fixed asset accounting and reporting system for the Borough.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Burd to accept resolution #2019-42 and approving the Corrective Action Plan in connection with the 2018 year Audit Report.

All Councilmembers present in favor.

ATTORNEY HOUR:

Discharge of Mortgage – 39 Orchard Street (small cities loan \$10,460.00)

Attorney Clemack stated that this is a small cities loan that did not have to be paid back to the town until the home was sold. It has been sold so a Discharge of Mortgage will be done and this mortgage will be on record as paid.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Burd to authorize the Mayor and Clerk to sign the appropriate papers for the discharge.

Councilmember Krasnomowitz asked how much money is in that account and Ms. Licata replied

approximately \$200,000.00.
All Councilmembers present in favor.

Resolution #2019-38 K and A Towing – Motion to rescind

Attorney Clemack offered the following resolution #2019-52

Whereas, upon further information of the application of K and A Towing, the Mayor and Council take the following action:

Now, Therefore, Be it Resolved, Resolution 2019-38 is hereby rescinded.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Burd to accept resolution #2019-52. All Councilmembers present in favor.

ENGINEERING:

Mr. Ruschke is looking into putting a building on the rec fields and whether there is financing available.

MAYOR’S AGENDA:

Finance –Treasurer’s report April 2019 – Current fund balance is \$1,272,745.48

Textile recycling contract

Mayor informed the Council this has to go to bid as it is Municipal property in which the boxes are to be placed. The Borough would receive \$100.00 per box per month and Mayor would like to see three boxes placed in the municipal parking lot on Linwood Ave. The money generated from this would go into Buildings and Grounds to help defray the cost of landscaping. Attorney Clemack would make up bid specs and we may even get a higher amount than expected. Councilmember Krasnomowitz liked the idea, expressing the insurance part is good along with the opt out part of the contract should we decide to do so. Motion by Councilmember Garrett, seconded by Councilmember Krasnomowitz to change the amount of bins from 2 to 3 and to prepare bid documents and have the Borough Clerk advertise. All Councilmembers present in favor.

SCMUA Seat

Mayor Marino relayed that the Borough has only had one seat on the SCMUA Board in the past 30 years and he would like to see us have one again, reiterating that the Borough has been part of SCMUA for 30 years.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Law to send a letter to the Freeholders that Hamburg would be interested in a seat on the SCMUA Board. All Councilmembers present in favor.

LIQUOR LICENSE RENEWAL – 2019-2020 YEAR

The Licenses listed below have received tax clearance, fees have been paid, and Sgt. Tangorra 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.

- Restaurant Kaya (Cravin Thai LLC) 1909-33-003-010
- Hamburg Krishna (Hamburg Liquors) 1909-44-002-007
- SJR LLC – (Doc’s) 1909-33-004-005
- Marketplace Liquors 1909-33-005-006 town fee

Motion by Councilman Law, seconded by Councilman Burd to approve the Liquor License for Restaurant Kaya (Cravin Thai LLC) -1909-33-003-010. All Councilmembers present in favor.

Motion by Councilman Law, seconded by Councilman Burd to approve the Liquor License for Hamburg Krishna (Hamburg Liquors)-1909-44-002-007. All Councilmembers present in favor.

Motion by Councilman Law, seconded by Councilman Burd to approve the Liquor License for SJR LLC – (Doc’s)-1909-33-004-005. All Councilmembers present in favor.

Motion by Councilman Law, seconded by Councilman Burd to approve the Liquor License for Marketplace Liquors -1909-33-005-006 pending municipal fee being received. All Councilmembers present in favor.

COMMITTEE REPORTS

COUNCILMEMBER KRASNOMOWITZ:

1. POLICE COMMISSIONER

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

Monthly report May 2019

The May 2019 monthly report for the Police Department showed 871 calls of service, including 4 arrests, 13 motor vehicle accidents, 68 motor vehicle stops, and 56 motor vehicle summonses issued.

Mr. Postorino stated the officers have been busy the past month with mandatory training as listed on the report. When asked, he replied the officers do their training here in Sussex County. They are going through the application process for new officers and background checks. Mayor Marino set up a Council committee for the review of police dept. applications consisting of Councilmembers Krasnomowitz, Burd, and Law with himself as the alternate. \$566.00 was spent on LEAD with a reimbursement of \$500.00.

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

3. CONSTRUCTION DEPARTMENT

Monthly report April 2019

The monthly report for April showed there were 24 permits issued, 2 certificates of occupancy, and 16 certificates of approvals with a total of \$5878.00 collected in fees for the month of April.

4. LAND USE BOARD / ZONING

Land Use will be held on Monday June 10th. The billboard should be continued to be heard.

COUNCILMEMBER OEHLER

2. RECREATION COMMISSION

May 19th bowling at Sparta Lanes was held and there was a decent showing. Participants had to pay ahead and the event was successful. June 9th at 1 pm are the Hamburg contests at the Hamburg School; June 23rd the ice cream social at the rec fields; July 13th is Music in the Park; and August 31st is the Miners game at Skylands Stadium. The Littell Center is continuing discussions about the rubber ducky derby.

3. HISTORIC COMMISSION / HISTORIC SOCIETY

Mayor Marino stated that more items are being moved to the storage facility.

COUNCILMEMBER BURD

2. FIRE COMMISSIONER / EMS

Fire calls for May total 12

EMS calls for May total 19

Social Affairs Permit – Corn hole Tournament June 15, 2019 11:00 am – 9:00 pm

Motion by Councilmember Burd, seconded by Councilmember Law to approve the Social Affairs Permit for the Fire Department for the Corn hole Tournament to be held on June 15, 2019 from 11:00 am-9:00 pm. All Councilmembers present in favor.

Volunteer Fire Assistant Grant Resolution #2019-44

Councilmember Burd relayed this is an equipment grant for \$3302.47 which will be deposited in the

firemen's account for purchase of equipment exceeding that amount and then matched by the Council for a total of \$6604.94. Mayor Marino added this (\$3302.47) will come out of their budget.
 Motion by Councilmember Burd, seconded by Councilmember Oehler to accept the Volunteer Fire Assistant Grant Resolution #2019-44. All Councilmembers present in favor.

Board of Chosen Freeholders -Certification for EMS Contribution - \$2800.00

Motion by Councilmember Burd, seconded by Councilmember Law to receive financial assistance in the amount of \$2800.00 from the Board of Chosen Freeholders for EMS Contribution. All Councilmembers present in favor.

Membership Application – Fire Department – Jared McNamara

Council is in receipt of a membership application for the Fire Dept. for Jared McNamara. All checks have been completed.

Motion by Councilmember Burd, seconded by Councilmember Law to approve and accept the membership application for Jared McNamara for the Fire Dept. All Councilmembers present in favor.

COUNCILMEMBER LAW

1. COURT

Court had their annual court review and passed with one minor issue. The prisoners in the Sussex County Jail system are being transferred to Morris County.

2. OEM

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

Mr. Sukennikoff stated there was a fire on King Cole Road in which the family did accept Red Cross help. There is a mutual aid agreement within the municipalities for in home help with the Red Cross which Attorney Clemack review and approved.

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

Councilmember Law added the State Police Local Emergency Management section approved their local emergency management committee operations plan.

4. SANITATION AND RECYCLING

Councilmember Law updated the Council saying he is working on the recycling arrangements.

COUNCILMEMBER GARRETT

1. BUILDING AND GROUNDS

The stations in the Hamburg park walking path are being installed by the Road Dept.

3. BOARD OF PUBLIC WORKS

Water Meter Bid Specs

John Ruschke sent over the bid specs for the water meters and approved by Attorney Clemack.

Motion by Councilmember Garrett, seconded by Councilmember Law to send this out to bid. All Councilmembers present in favor.

The BPW meeting scheduled for June 12th will be cancelled.

4. ROAD DEPARTMENT

Mike Schneider is continually working throughout the town, making good progress. One truck had some recalls on it but nothing major.

COUNCILMEMBER SENA

2. BOARD of HEALTH

Board of Health will meet July 9th.

4. MUNICIPAL DRUG ALLIANCE

May 19th meeting was held in which Project Graduation was discussed along with fall programs such as Kids Night Out at the YMCA. The Addition Walk in Franklin will be held on August 3rd. Hamburg School programs were also discussed and Councilmember Sena will report more after speaking to Ms. Sigman at the school. Next meeting is September 18th.

PUBLIC PORTION:

Motion by Councilmember Law, 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.

Jackie Espinosa – JCP&L – a modified version of the Reliability Plus Program was approved by the board in which \$400 million was approved for the infrastructure for the distribution system. Tree trimming has started; Hamburg will be divided into zones, base lines created so as to isolate outages and have more SKADA controls.

Motion by Councilmember Garrett, seconded by Councilmember Oehler 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. Proposed 9-1-1- Dispatching Agreement – Sparta Township**
- 2. Road Department 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 Krasnomowitz, seconded by Councilmember Oehler to accept the resolution as offered. All Councilmembers present in favor.

Motion by Councilmember Law, seconded by Councilmember Oehler to enter into Executive Session at 7:38 pm. All Councilmembers present in favor.

Discussion regarding Proposed 9-1-1- Dispatching Agreement – Sparta Township and Road Department Negotiations.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Law to return to the Regular Meeting. All Councilmembers present in favor.

Attorney Clemack offered the following resolution:

**BOROUGH OF HAMBURG
RESOLUTION #2019-49**

“RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF SPARTA FOR THE ANSWERING AND DISPATCHING OF CALL FOR THE HAMBURG POLICE, FIRE AND EMS”

WHEREAS, the Uniform Shared Services Act, N.J.S.A. 40A:65-1 et seq., promotes the broad use of shared services as a method to reduce local expenses funded by property taxpayers; and

WHEREAS, the Uniform Shared Services Act allows for any local unit to enter into an agreement with any other local unit or units to provide or receive any services that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction; and

WHEREAS, the Township of Sparta and the Borough of Hamburg desire to enter into a Shared Services Agreement whereby the Township of Sparta will provide the Borough of Hamburg with the answering and dispatching of call for the Hamburg Police, Fire and EMS;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Hamburg, in the county of Sussex and the state of New Jersey that we do hereby authorize and direct the Mayor to execute a 5 year Shared Services Agreement, upon legal review, substantially in the form of the Agreement currently on file in the office of the Municipal Clerk with the Township of Sparta, Sussex County, New Jersey.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Law to accept Resolution #2019-49. Roll call showed all Councilmembers present in favor.

Attorney Clemack offered the following resolution:

**BOROUGH OF HAMBURG
MAYOR AND COUNCIL
DISBANDING 9-1-1 DISPATCHING
SHARED SERVICES
ANDOVER TOWNSHIP
RESOLUTION No. 2019-51**

Whereas, the Borough of Hamburg has authorized the execution of a Shared Service Agreement with Sparta this evening; and

Whereas, the Borough has an agreement for dispatch services with Andover Township; and

Whereas, the Borough desires to terminate the Andover agreement and enter into an agreement with Sparta.

Now, Therefore, Be it Resolved as follows: the Mayor is hereby authorized and given the discretion, on behalf of the Mayor and Council, to notify Andover Township and give Andover Township a 90 day notice of termination as provided by the Hamburg / Andover contract. The timing of the notice is at the discretion of the Mayor.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to accept Resolution #2019-51. Roll call showed all Councilmembers present in favor.

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

1. 2019 Talent Show Sussex County Fairgrounds (5/8/2019)
2. Notice to Property Owners – Land Use Board Sign Application (5/8/2019)
3. Water Quality Management Agenda May 2019 (5/8/2019)
4. Solid Waste Advisory Meeting Cancellation (5/8/2019)
5. State of NJ-GB Castle water monitoring non-compliance (5/8/2019)
6. State of NJ – GB Castle water monitoring non-compliance (5/8/2019)
7. State of NJ – 2019-2020 Municipal Percentage Shares for Tax Levies(5/8/2019)
8. NJ Municipalities Magazine subscription
9. Notice of NJDOT State Aid Grants (5/15/2019)

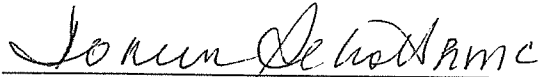
10. From State of NJ notice that EOP Plan has been accepted and approved (5/17/2019)
11. From Sussex County notice of Health Reports for April 2019 (5/17/2019)
12. From State of NJ Notice that the agreement for the asset management plan in the amount of \$85,000.00 has been accepted (5/22/2019)
13. Sussex County Water Quality Management Minutes for April 2019 (5/22/2019)
14. NJLM Legislative Bulletin April 2019 (5/29/2019)
15. From State of NJ DOT –Notification of 2020 Maintenance Roadway Repair – Routes 23 and 94 (5/29/2019)
16. Notice of public hearing 55 Gingerbread Castle Road ((5/31/2019)

ADJOURNMENT

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to adjourn the meeting.

Date Approved 7-1-19

Date Released 7-1-19



Doreen Schott, RMC
Municipal Clerk

Submitted by Kathy Garrett