

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON SEPTEMBER 4, 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. and opened with a flag salute.

ROLL CALL:

Mayor Marino requested a roll call:

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

Absent: Councilmember Sena

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".

August 5, 2019 Regular Meeting Minutes

Motion by Councilmember Burd, seconded by Councilmember Oehler to approve the August 5, 2019 Regular Meeting Minutes of the Mayor and Council.

Roll call showed all Councilmembers present in favor. Absent: Councilmember Sena

APPROVAL OF BILLS:

Mayor Marino added a \$20.00 Verizon bill to the bill list.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to add the bill to the bill list. All Councilmembers present in favor.

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 Burd to approve and pay the bill list as presented with addition.

Roll call showed all Councilmembers present in favor. Absent: Councilmember Sena

ORDINANCES:

ORDINANCE #08 –2019 1st Reading –Capital Bond – Water Meters

WATER CAPITAL ORDINANCE PROVIDING WATER METER REPLACEMENT PROJECT IN THE BOROUGH BY THE BOROUGH OF HAMBURG, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$150,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH FOR A TOTAL APPROPRIATION OF \$150,000 TO PAY FOR THE COST THEREOF.

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

WATER CAPITAL ORDINANCE PROVIDING WATER METER REPLACEMENT PROJECT IN THE BOROUGH BY THE BOROUGH OF HAMBURG, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$150,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH FOR A TOTAL APPROPRIATION OF \$150,000 TO PAY FOR THE COST THEREOF.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to approve the ordinance on first reading and introduction with said ordinance to be published in full with second reading scheduled for October 7, 2019.

Roll call showed all Councilmembers present in favor. Absent: Councilmember Sena

ORDINANCE #06-2019 – 2ND Reading – Bond Ordinance Water Tank Rehabilitation

BOND ORDINANCE APPROPRIATING \$1,000,000 TO PROVIDE FOR WATER STORAGE TANK REHABILITATION FOR THE BOROUGH OF HAMBURG THROUGH THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST/NEW JERSEY WATER BANK, INCLUDING A NANO LOAN (GRANT) IN THE AMOUNT OF \$450,000, AND AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

Motion by Councilmember Burd, 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 \$1,000,000 TO PROVIDE FOR WATER STORAGE TANK REHABILITATION FOR THE BOROUGH OF HAMBURG THROUGH THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST/NEW JERSEY WATER BANK, INCLUDING A NANO LOAN (GRANT) IN THE AMOUNT OF \$450,000, AND AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

Motion by Councilmember Garrett, 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. The ordinance was introduced at the August 5, 2019 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 Krasnomowitz, seconded by Councilmember Oehler to adopt the ordinance as presented.

Roll call showed all Councilmembers present in favor. Absent: Councilmember Sena

ORDINANCE #07-2019 – 2ND Reading – Vacant and Abandoned Property

AN ORDINANCE ESTABLISHING NEW CHAPTER 156 A ENTITLED “REGISTRATION STATEMENT OF VACANT AND ABANDONED RESIDENTIAL PROPERTIES DURING FORECLOSURE” OF THE GENERAL CODE OF THE BOROUGH OF HAMBURG, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO REQUIRE CREDITORS TO FILE A REGISTRATION STATEMENT FOR VACANT AND ABANDONED PROPERTIES WITH THE MUNICIPAL CLERK AND TO PROVIDE FOR ANNUAL RENEWAL REGISTRATION FEES.

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

AN ORDINANCE ESTABLISHING NEW CHAPTER 156 A ENTITLED “REGISTRATION STATEMENT OF VACANT AND ABANDONED RESIDENTIAL PROPERTIES DURING FORECLOSURE” OF THE GENERAL CODE OF THE BOROUGH OF HAMBURG, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO REQUIRE CREDITORS TO FILE A REGISTRATION STATEMENT FOR VACANT AND ABANDONED PROPERTIES WITH THE MUNICIPAL CLERK AND TO PROVIDE FOR ANNUAL RENEWAL REGISTRATION FEES.

Motion by Councilmember Garrett, 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. The ordinance was introduced at the August 5, 2019 regular meeting and published as provided by law.

PUBLIC HEARING

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

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

Roll call showed all Councilmembers present in favor. Absent: Councilmember Sena

Presentation:

Charlotte Ambrose -30 years of service – Hamburg Board of Education

Mayor Marino presented a plaque to Charlotte Ambrose, thanking her for her 30 years of service to the Board of Education and the children of the town. Ms. Ambrose thanked all, relaying it was her privilege to do so and she enjoyed the time spent.

Hamburg PTA – Update 1 Mile Color Run – September 21, 2019 – Recreation Fields.

Motion by Councilmember Law, seconded by Councilmember Oehler to open to the public. All Councilmembers present in favor.

Amy Christy from the PTA stated there are 31 participants signed up so far with the hopes to have a total of 50. She added the insurance is in place and the Fire Dept. is scheduled to “sprinkle down” the runners. Parking was discussed as rumor has it to expect 100-200 people in attendance. OEM will get a plan together should any issues arise due to the amount of attendees.

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

Planet Network – Mr. Robert Boyle -(Fiber Optic cabling in the public right-of-way)

Did not attend.

ATTORNEY HOUR:

Textile Recycling Bid – Notice to Bidder’s advertised June 19th and 26th no bids received and July 24th and July 31st no bids received

Attorney Clemack relayed bids were published twice with no response so the Borough can negotiate the matter.

Attorney Clemack offered the following resolution:

WHEREAS, the Borough is interested in placing textile recycling containers within Borough limits for the convenience of the people; and

WHEREAS, as was necessary to receive bids for this, the first bid was advertised on June 19th and June 26th and the second bid was advertised on July 24th and July 31st; and

WHEREAS, bid dates were July 10th and August 14th respectively, with no bids being received.

NOW, THEREFORE BE IT RESOLVED the Council of the Borough of Hamburg authorizes The Green Team 65 Triangle Boulevard, Carlstadt, NJ 07072 to place bins on the municipal lot at Route 23 and Linwood Ave.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to accept as offered. All Councilmembers present in favor.

ORDINANCE #09-2019 – 1ST Reading – Traffic Amendment

AN ORDINANCE AMENDING CHAPTER 183 – STREETS AND SIDEWALKS – OF THE CODE OF THE BOROUGH OF HAMBURG ESTABLISHING NEW ARTICLE IV TO PROVIDE FOR THE SAFE AND EFFICIENT MOVEMENT OF TRAFFIC DURING ROAD CONSTRUCTION OR UTILITY WORK ON ABOVE OR BELOW GROUND.

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

AN ORDINANCE AMENDING CHAPTER 183 – STREETS AND SIDEWALKS – OF THE CODE OF THE BOROUGH OF HAMBURG ESTABLISHING NEW ARTICLE IV TO PROVIDE FOR THE SAFE AND EFFICIENT MOVEMENT OF TRAFFIC DURING ROAD CONSTRUCTION OR UTILITY WORK ON ABOVE OR BELOW GROUND.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Burd to approve the ordinance on first reading and introduction with said ordinance to be published in full with second reading scheduled for October 7, 2019. All Councilmembers present in favor.

ENGINEERING:

RRS - Gingerbread Castle Road Paving addition

Motion by Councilmember Garrett, seconded by Councilmember Oehler to approve the Gingerbread Castle Road Paving addition from RRS in the amount of \$17,390.00 showing specific details already included in the grant. All Councilmembers present in favor.

MAYOR’S AGENDA:

Building Acquisition – Block 31, Lot 2 Route 23 North

Mayor Marino stated the Borough has been attempting to acquire the building since 1997 and now it has just about taken place. Future plans will be discussed.

Extension of Premise Permit – DOC’s Pig Roast – September 21, 2019 12:00 pm – 2:00 am

Doc’s has submitted an Extension of Premise Permit to hold a pig roast on September 21st from 12 noon to 2:00 am. The application is completed on line; Police have approved and signed off on this. Motion by Councilmember Garrett, seconded by Councilmember Krasnomowitz to approve said extension. All Councilmembers present in favor.

Hamburg Yard Sale – September 28 & 29, 2019

The town wide garage sales will be held September 28 and 29 from 9 am – 4 pm.

Letter regarding National Park System Legislation

Correspondence was received requesting support to continue legislation for federal funding for the repair and upkeep for the National Park System.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to support. All Councilmembers present in favor.

Hamburg Day

Mayor Marino thanked all – the Recreation Commission, volunteers, Fire Dept., Road Dept., vendors, and residents- that participated in helping to make Hamburg Day a successful day.

Post Cards

The “zip code meets date” post cards are for sale at Borough Hall for \$3.00 each with usable post cards available for \$1.00. Various entities will have them for sale.

COMMITTEE REPORTS

COUNCILMEMBER KRASNOMOWITZ:

1. POLICE COMMISSIONER

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

The traffic ordinance was discussed, saying this is basically so that we would be able to recoup costs for road closures and we would be notified in advance if and when a road would be closed.

Monthly report for August

The August 2019 monthly report for the Police Department showed 946 calls of service, including 2 arrests, 11 motor vehicle accidents, 178 motor vehicle stops, and 137 motor vehicle summonses issued; list of mandated training.

The new officers are doing well and are more comfortable. Mr. Postorino stated by November they should be on their own.

He has been working with Sparta Dispatch making sure they are ready to go by October 1st. Software updates are needed. Records are being changed over. Training dates are scheduled and on the spot training will be done also.

Spectrum took the radio box to inspect and next week will install it. If it does not work, we may have to switch out antennas to a smaller one.

The Fire Apparatus Company had a delay on the doors but they are now in and being installed. The date for the final inspection has not been determined but we will be notified so that we can attend. A detailed list of what we owe / change orders / drawings will be prepared also. Mr. Postorino added that a trade in for the old truck was not discussed. When the conversation turned to taking the firetruck to Wildwood, he stated there was nothing was in the contract saying "to show".

Motion by Councilmember Krasnomowitz, seconded by Councilmember Garrett to close to Director Postorino. All Councilmembers present in favor.

2. OFFICE ADMINISTRATION/ FINANCE

Municipal IT Services – MSI

Councilmember Krasnomowitz advised two quotes were received for technical support services for Borough offices: one from MSI and one from Nisivoccia. Upon discussion, motion by Councilmember Krasnomowitz, seconded by Councilmember Garrett to contract with MSI to provide technical support services for the annual fee of \$15,384.84, which is currently in the budget. All Councilmembers present in favor.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Garrett for an upgrade to the server in the municipal offices with MSI at a cost of \$10,386.95, which is currently in the budget. All Councilmembers present in favor.

4. LAND USE BOARD / ZONING

Monthly Zoning Report July 2019

The monthly report showed 15 property inspections with 3 abated complaints, 4 property maintenance violations, 1 zoning code violation, 2 inoperable vehicles, 5 violation notices issued, and 5 summonses.

Master Plan proposed changes

Councilmember Krasnomowitz stated he met with the planner, chairperson, and secretary to update the Master Plan with regards to the flood plain and changing zones, to be done over two years. On Monday, the Land Use Board will be discussing the billboard, a 2 family on the corner of King Cole and Rt. 23, and the 4 family on Gingerbread Castle Road.

5. INSURANCE

Loss Control Service Visit on August 14, 2019

The report reflected a good visit with very few recommendations.

COUNCILMEMBER OEHLER

2. RECREATION COMMISSION

Hamburg Day was successful with a lot of attendees and vendors. The kids all had a great time with the bounce houses, rock wall, face painter, pony rides, and petting zoo. It was a hot day and all the hot dogs and soda that the Fire Dept. was giving away was appreciated.

The Miner’s baseball game went well and the fireworks, as always, were a big hit.

Trunk or Treat is scheduled for October 27th at 1 pm at the rec fields.

There was a quarterly meeting at the Littell Center and more events were being scheduled. There was no talk of change, so Councilwoman Oehler stated things were staying the same for now.

COUNCILMEMBER BURD

2. FIRE COMMISSIONER / EMS

There were 17 EMS calls. No report from St. Clare’s or Fire.

4. BOARD OF EDUCATION

Councilmember Burd gave the following statistics on the school:

There are 243 children enrolled with 22 going out to the charter school at \$17,000.00 per student. There is no limit on the amount that can go to the charter school as the school has added more space so it is not a problem. Hamburg School has a new Superintendent Kimberly Sigman – hired at \$140,454.00 and new Vice Principal Robert Baumgartner- hired at \$91,500.00. In 2022 the school will be paid off, saving \$300,000.00 year.

COUNCILMEMBER LAW

1. COURT

Recommendation to appoint Vanessa Henderson Esq. as Acting Public Defender.

Motion by Councilmember Law, seconded by Councilmember Garrett to appoint Vanessa Henderson Esq. as Acting Public Defender until 12/31/19 to take the place of Daniel Colfax as she has worked here for two years. She will be paid \$175.00 per case. Roll call showed all Councilmembers present in favor.

Recommendation to appoint James Opfer, Jr., Esq. as Conflict Public Defender / Alternate

Motion by Councilmember Law, seconded by Councilmember Garrett to appoint James Opfer Jr. Esq. as Conflict Public Defender until 12/31/2019. He will be paid \$150.00 per case. Roll call showed all Councilmembers present in favor.

3. SOLID WASTE

Meeting was cancelled.

4. SANITATION AND RECYCLING

Councilmember Law stated he and Borough Clerk Doreen Schott are working with Hardyston on a contract. It is a three year contract and it will be sent to the Attorney for review.

COUNCILMEMBER GARRETT

1. BUILDING AND GROUNDS

Motion by Councilmember Garrett, seconded by Councilmember Law to open to Road Dept. Foreman Mike Schneider. All Councilmembers present in favor.

Notification from State regarding Green Acres Park in Hamburg

The town received correspondence from Green Acres regarding the Hamburg Park and the disrepair the tennis courts were in. Mr. Schneider stated the cracks have already been seal-coated and the area cleaned. Councilmember Garrett mentioned putting down an overlay but was not sure if that would be acceptable. He and Engineer John Ruschke will meet about the paving.

Motion by Councilmember Garrett, seconded by Councilmember Oehler to close to Mike Schneider. All Councilmembers present in favor.

3. BOARD OF PUBLIC WORKS

Meter Bid – One bid submitted by Schmidt Wholesale and recommendation from Engineer to award contract. Certificate of Funds received.

Schmidt’s Wholesale submitted the only bid for the water meters and after the BPW meeting, there was a recommendation from John Ruschke to award the contract to Schmidt’s. Councilmember Garrett said a letter will go out to residents to schedule the installation of their meter. He will have a discussion with Mike Schneider, Mayor Marino, and Regina Flammer on the installation procedures. The ordinance will cover the cost of the needed meters.

Motion by Councilmember Garrett, seconded by Councilmember Krasnomowitz to move forward with the town wide installation of water meters. Roll call showed all Councilmembers present in favor. Absent: Councilmember Sena

Councilmember Garrett discussed the fuel injector and generator for the pump on 517, saying it is 20 years old and it will need to be replaced next year at a cost of \$50-60,000.00. More details to follow.

Construction Loan (EIT) closed successfully

The money for the sewer grant has been completed.

The BPW meeting for Wednesday September 11th is cancelled.

4. ROAD DEPARTMENT

Councilmember Garrett discussed the start / end time of the road dept.

Motion by Councilmember Garrett, seconded by Councilmember Krasnomowitz to keep the time of 6:30 am – 2:30 pm from 4/1 – 9/30 due to the heat of the summer months and then from 8 am – 4 pm from 10/1 – 3/30. He added the later hours will also be good for the installation of the meters. Roll call showed all Councilmembers present in favor. Absent: Councilmember Sena

COUNCILMEMBER SENA *Given by Mayor Marino*

1. FINANCE / TAX DEPARTMENT

The Tax Collector’s report for July 2019 showed a total of \$7,291,817.72 being collected.

Motion by Councilmember Garrett, seconded by Councilmember Oehler to accept the resolution to redeem tax sale certificate #2019-003 in the amount of \$1945.30; the resolution to redeem tax sale certificate #2019-004 in the amount of \$2936.15. All Councilmembers present in favor.

Treasurer Report – July 2019 as given.

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.

Hearing no comments from the public, 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. Personnel Hearing

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 Garrett, seconded by Councilmember Burd to enter into Executive Session at 8:03 pm. All Councilmembers present in favor.

Personnel Hearing

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

Attorney Clemack will compose the resolution.

Mayor and Council agree to meet with the Road Dept. to try to resolve the breakdown between management and department workers.

The Road Dept. supervisor supported his worker and was advised to work on the deliverance of his messages and work orders.

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

1. NJLM Annual Audit Statement (8/12/2019)
2. From State of NJ DOT – FY 2020 Local Freight Impact Fund information (8/12/2019)
3. Correspondence from Wildwood Mayor – Wellness Challenge (8/21/2019)
4. Resolution from SC Freeholders regarding Federal Immigration and Customs Enforcement (8/21/2019)
5. From County of Sussex notice announcing 2019 Transportation Annual Public Hearing on Transportation Assistance Program (8/21/2019)
6. Hardyston Ordinance amending Zoning (8/21/2019)
7. Notice of public hearing – Land Use Board /Application – (8/26/19)
8. Correspondence regarding Public Defender position (8/26/2019)
9. Board of Education Special Meeting (8/27/19)

ADJOURNMENT

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to adjourn the meeting. All Councilmembers present in favor.

Date Approved 10/7/19

Date Released 10/7/19


Doreen Schott, RMC
Municipal Clerk

Submitted by Kathy Garrett