

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON DECEMBER, 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	Councilmember Sena
Mayor Marino	

Also Present: Kathy Garrett
Richard Clemack, Attorney

STATEMENT OF CERTIFICATION:

Deputy Clerk advised:

Adequate notice of this meeting, scheduled for Monday December 2, 2019, rescheduled to Wednesday, December 4, 2019 and 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".

November 4, 2019 Regular Meeting Minutes

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to approve the November 4, 2019 Regular Meeting Minutes of the Mayor and Council.

Roll call showed all Councilmembers present in favor,

November 4, 2019 – Executive Session Minutes

Motion by Councilmember Oehler, seconded by Councilmember Law to approve the November 4, 2019 Executive Session 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.

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

Roll call showed all Councilmembers present in favor.

ORDINANCES:

ORDINANCE- #10-2019 – 2nd Reading

AN ORDINANCE AMENDING CHAPTER 70-3G-CAT LICENSING SCHEDULE AND CHAPTER 70-8A-DOG LICENSING FEES – OF THE CODE OF THE BOROUGH OF HAMBURG TO PROVIDE FOR AN INCREASE IN FEES.

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.
 AN ORDINANCE AMENDING CHAPTER 70-3G-CAT LICENSING SCHEDULE AND CHAPTER 70-8A-DOG LICENSING FEES – OF THE CODE OF THE BOROUGH OF HAMBURG TO PROVIDE FOR AN INCREASE IN FEES.

Motion by Councilmember Krasnomowitz, 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. All Councilmembers present in favor. This ordinance was introduced at the November 4, 2019 regular meeting and published as required by law.

PUBLIC HEARING

Hearing no comments from the public, motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to close to the public.

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

Roll call:

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

RESOLUTIONS:

#2019-87 – Resolution Appointing Fund Commissioner (Councilmember Krasnomowitz)

Motion by Councilmember Law, seconded by Councilmember Garrett to accept #2019-87 – Resolution Appointing Fund Commissioner, naming Councilmember Rich Krasnomowitz as Fund Commissioner for the Borough of Hamburg. All Councilmembers present in favor.

#2019-88 - Resolution Appointing Risk Management Consultant (Councilmember Krasnomowitz)

Motion by Councilmember Burd, seconded by Councilmember Oehler to accept #2019-88 - Resolution Appointing Risk Management Consultant, naming The Morville Agency, Arthur J. Gallager as Risk Management Consultant for the Borough of Hamburg. All Councilmembers present in favor.

#2019-89 – Resolution calling for Study Commission to Review Open Public Records Act

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to accept #2019-89 – Resolution calling for Study Commission to Review Open Public Records Act. All Councilmembers present in favor.

Mayor Marino added the requests have gotten out of hand; companies want to build a data base for records and this needs to be scaled back.

#2019-90 – Resolution to Cancel Appropriation Balances in the General Capital Fund

Motion by Councilmember Garrett, seconded by Councilmember Burd to accept #2019-90 – Resolution to Cancel Appropriation Balances in the General Capital Fund, (from past projects that have been completed). All Councilmembers present in favor.

#2019-91 – Budget Transfer

Motion by Councilmember Krasnomowitz, seconded by Councilmember Garrett to accept #2019-91 – Budget Transfer from Police SW to Police OE in the amount of \$27,000.00. All Councilmembers present in favor.

ATTORNEY HOUR:

Collective bargaining – DPW Workers

No new comments

ENGINEERING:

Paving has been completed.

MAYOR’S AGENDA:

Discussion for Council President for January 2020

Mayor Marino discussed the need for a 2020 Council President name for a 100th Anniversary plaque for the building, asking Councilmembers to think about it. He added Councilmember Sena had the longest time on the Council followed by Councilmember Krasnomowitz.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Garrett to nominate Councilmember Sena as Council President for 2020. Councilmember Sena graciously accepted and thanked members for the honor.

All Councilmembers present in favor.

Resolution to authorize Historic Commission to pursue grant money

Mayor Marino advises the Historic Commission would like Wayne McCabe to look into grant money for a museum for the Hamburg artifacts. Councilmember Krasnomowitz asked if the grant money would have to be tied into a building or into a museum (room or space), with other Councilmembers stating they would like to explore different possibilities to see what is available.

COMMITTEE REPORTS

COUNCILMEMBER KRASNOMOWITZ:

1. POLICE COMMISSIONER

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

Monthly report for November

The November 2019 monthly report for the Police Department showed 713 calls of service, including 2 arrests, 11 motor vehicle accidents, 121 motor vehicle stops, and 91 motor vehicle summonses issued; list of mandated training.

Mr. Postorino stated he would like to begin the promotional process in the Police Department since Sergeant Tangorra was promoted to Lieutenant. Mayor Marino set up a Council committee for the interview process consisting on Councilmembers Krasnomowitz, Garrett, and Burd with himself as the alternate. Director Postorino stated there are four (4) eligible candidates who also received letters regarding such.

Mr. Postorino said the new police vehicle was delivered last week, is marked with “ghost” decals, and has built in lights (no overhead lights anymore). He also commended OEM coordinator Keith Sukennikoff for doing a great job with the snow storm and the constant communication he sent to everyone. The new fire truck was sent back with a punch list of issues that needed to be repaired, along with a major water tank issue in which the FD wants a new tank and not a repaired one. The FD chief will go to pick it up when ready and it should be completed within 1 ½ weeks. A letter was received from the insurance company regarding the fire chief’s car that is it now a total loss as frame damage was discovered. All the equipment will be removed and they will start looking for a replacement vehicle.

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

Christine Licata added the budget committee will meet in January.

3. CONSTRUCTION DEPARTMENT

Monthly report – October 2019

The monthly report for October showed there were 23 permits issued, 1 certificates of occupancy, and 23 certificates of approvals with a total of \$11,071.00 collected in fees for the month of October.

4. LAND USE BOARD / ZONING

Monthly Zoning Report October 2019

The monthly report showed 25 property inspections with 6 abated complaints, 1 property maintenance violations, 6 inoperable vehicles, 6 violation notices sent, and 2 summonses issued.

Land Use Board will be meeting Monday, December 9th at 7 pm with 55 Gingerbread Castle Road and the home on the corner of King Cole / Rt. 23.

COUNCILMEMBER OEHLER

2. HISTORIC COMMISSION / HISTORIC SOCIETY

A meeting will be held later in the month.

3. RECREATION

Breakfast with Santa will be held at the firehouse on December 14th from 9 am – 11 am.

The Littell Center will hold a Winter Festival on December 14th from 1 pm – 3 pm.

Councilmember Oehler stated the Littell Center will stay open until June and Hamburg will be contributing a prorated amount.

COUNCILMEMBER BURD

2. FIRE COMMISSIONER / EMS

EMS report – Saint Clare’s October 2019

There were 18 calls with St. Clare’s with a response time of under 5 minutes.

COUNCILMEMBER LAW

1. COURT

Resignation of Public Defender Vanessa Henderson effective December 31, 2019

Council is in receipt of the resignation of Public Defender Vanessa Henderson.

Motion by Councilmember Law, seconded by Councilmember Krasnomowitz to accept the resignation of Vanessa Henderson effective December 31, 2019 with regrets. All Councilmembers present in favor.

Councilmember Law added the Court is pursuing a Public Defender and Conflict Defender.

3. SANITATION AND RECYCLING

Shared Service Agreement – Hardyston Township -Curbside Recycling and Municipal Solid Waste – 2 Year Contract.

Councilmember Law presented the Shared Service Agreement with Hardyston Township for curbside recycling and municipal solid waste, stating it is a 2 year contract. SCMUA is now charging \$10.00 a ton for tipping fees for fiber and this additional fee is not covered in this contract. Last year Hardyston picked up between 100-120 tons of fiber for Hamburg. Councilmember Law stated this additional \$1000.-1200.00 cost will be Hamburg’s responsibility to pay.

Motion by Councilmember Law, seconded by Councilmember Garrett to accept the 2 year Shared Service Agreement with Hardyston Township for curbside recycling and municipal solid waste, pending attorney review.

Roll call showed all Councilmembers present in favor.

COUNCILMEMBER GARRETT

1. BUILDING AND GROUNDS

Estimate for demolition of 14 Route 23

Councilmember Garrett stated he received two verbal estimates for the demolition of 14 Rt. 23: one from Maggio Concrete and Demolition for \$18,000.00 and one from Stephens Concrete and Excavating for \$5,000.00 to tear down and load into dumpsters which were to be provided for him but his price did not cover the scope of work needed to complete the job. The written one that he received is for \$12,500.00 and

this would be done in 2020, taken from Capital Improvements line item and there is approximately \$15,000.00 presently in there.

Motion by Councilmember Garrett, seconded by Councilmember Law to accept the estimate from North Jersey Facilities Services in the amount of \$12,500.00 for the demolition of 14 Route 23, pending submission of certificate of insurance in the amount of \$1 million dollars.

Roll call showed all Councilmembers present in favor.

3. BOARD OF PUBLIC WORKS

Meter Installations Update

Water meter installations for the month of November totaled 127.

4. ROAD DEPARTMENT

No update

COUNCILMEMBER SENA

1. FINANCE / TAX DEPARTMENT

Treasurer Report – October 2019 - \$1,696,355.83

The Tax Collector’s report for October 2019 showed a total of \$840, 223.78 being collected.

Motion by Councilmember Sena, seconded by Councilmember Garret to accept the resolution to refund overpayment of taxes on Block 31, Lot 8 C0702, 22 Willow Circle in the amount of \$1158.88. All Councilmembers present in favor.

Motion by Councilmember Sena, seconded by Councilmember Garrett to accept the resolution for tax exemption for disabled veteran for 2018 for Block 11.01, Lot 1, C0042 in the amount of \$2903.06. All Councilmembers present in favor.

Motion by Councilmember Sena, seconded by Councilmember Garrett to accept the resolution for tax exemption for disabled veteran for 2019 for Block 31, Lot 8 C0702 in the amount of \$1158.88. All Councilmembers present in favor.

Motion by Councilmember Sena, seconded by Councilmember Garrett to accept the resolution to redeem Third Party Tax Sale Certificate #17-0001 for Block 1, Lot 29, 85 Route 23 in the amount of \$36,242.10; to accept the resolution to redeem Third Party Tax Sale Certificate #17-0002 for Block 1, Lot 30, 87 Route 23 in the amount of \$26,652.20. All Councilmembers present in favor.

2. BOARD of HEALTH

Rabies clinic was changed due to the snowstorm to January 7th from 4-6 pm at the firehouse.

Quarry blast

Councilmember Sena informed Councilmembers that on November 22nd at 9:40 am there was a substantial quarry blast that was stronger than usual, unacceptable, and would like something done. Attorney Clemack advised that the Dept. of Labor monitors the blasts with seismographic readings and the companies have to stay within parameters. If residents had any damage, they need to report it individually. Attorney Clemack also stated that Hardyston Township licenses the quarry and would have plans and further information available. He will send an OPRA request to them asking for the necessary information and report back to Councilmembers.

3. MUNICIPAL DRUG ALLIANCE

SWARM night was cancelled again at the YMCA as only 6 people signed up. A “girls in the run” is scheduled for the spring. The next meeting will be held on March 10th.

Councilmember Sena added that board members are needed.

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.

Keith Sukennikoff – OEM – stated that all departments were in contact by text when the email was down and the school used the message system to inform the students about issues. Our pump and well houses were back working within 12 hours. Councilmembers thanked Keith for all his hard work.

Deborah Ortega– 22 Willow Circle – discussed her tax bill, stated she was being double billed, as she was 100% disabled but needed to obtain residency here prior to being tax exempt. She was waiting on VA paperwork before the tax assessor could help her and wanted to see what could be done to change the process so others would not have to go through what she is having to.

Emily Banta – Rt. 23 – requested to be notified before the demolition on the building at 14 Rt. 23 takes place.

Motion by Councilmember Law, 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. Shared Services Municipal Court Process

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 Krasnomowitz, seconded by Councilmember Oehler to enter into Executive Session at 8:07 pm. All Councilmembers present in favor.

Discussion on Shared Services Municipal Court Process

Motion by Councilmember Oehler, seconded by Councilmember Law to return to the Regular Meeting at 8:19 pm. All Councilmembers present in favor.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler for the Historic Commission to have the authority to explore options of grant money for Historic reasons. All Councilmembers present in favor.

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

1. Sussex County Solid Waste Advisory Council Minutes April 9, 2019 (11/18/2019)
2. From DEP Hazardous Substance Discharge 14 King Cole (11/8/2019)
3. Foreclosure notice 105 Heritage Lane (11/13/2019)
4. NJ Herald The Answer Book (11/13/2019)
5. Sherriff's Deed for 14 Route 23 (11/15/2019)
- 6a. Foreclosure notice 3 Meadow Lakes Drive Unit 4 ((11/21/19)
7. Legislative Bulletin November 2019 (11/22/19)
8. DEP News Release America Recycles Day (11/22/19)

9. Clean Communities Statistical Report information (11/22/19)
10. Board of Education information (11/22/19)
11. SC Board of Taxation 2019 Abstract of Ratables (11/21/19)
12. Notice to foreclose 99 Mulberry Street (11/26/19)
13. Public Defender position Daniel P. Agatino
14. SC Planning Board Minutes October 2, 2019
15. OPRA Resolution Borough of Ogdensburg

ADJOURNMENT

Motion by Councilmember Oehler, seconded by Councilmember Law to adjourn the meeting at 8:20 pm. All Councilmembers present in favor.

Date Approved 1-6-2020

Date Released 1-6-2020



Kathy Garrett
Deputy Clerk