

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF HAMBURG HELD ON MARCH 2, 2020 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 Burd
Councilmember Sena	Mayor Marino

Absent: Councilmember Garrett

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 10, 2020 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".

February 3, 2020 Regular Meeting Minutes

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to approve the February 3, 2020 Regular Meeting Minutes of the Mayor and Council.

Roll call showed all Councilmembers present in favor.

February 3, 2020 Executive Session Minutes

Motion by Councilmember Oehler, seconded by Councilmember Krasnomowitz to approve the February 3, 2020 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 Law, seconded by Councilmember Oehler 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 Law, seconded by Councilmember Oehler to close to the public. All Councilmembers present in favor.

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

Roll call showed all Councilmembers present in favor.

ORDINANCES:

ORDINANCE #02-2020 Second Reading

**ORDINANCE AMENDING CHAPTER 44 POLICE DEPARTMENT OF THE CODE OF
THE BOROUGH OF HAMBURG – TO INCREASE THE NUMBER OF AUTHORIZED
SERGEANT POSITIONS FROM ONE TO TWO**

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.

ORDINANCE AMENDING CHAPTER 44 POLICE DEPARTMENT OF THE CODE OF THE BOROUGH OF HAMBURG – TO INCREASE THE NUMBER OF AUTHORIZED SERGEANT POSITIONS FROM ONE TO TWO

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. The ordinance was introduced at the February 3, 2020 regular meeting and published as provided by law.

PUBLIC HEARING

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

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

Roll call showed all Councilmembers present in favor.

ORDINANCE #03-2020 Second Reading

ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICIALS, OFFICERS AND EMPLOYEES OF THE BOROUGH OF HAMBURG, COUNTY OF SUSSEX, STATE OF NEW JERSEY

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

ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICIALS, OFFICERS AND EMPLOYEES OF THE BOROUGH OF HAMBURG, COUNTY OF SUSSEX, STATE OF NEW JERSEY

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. The ordinance was introduced at the February 3, 2020 regular meeting and published as provided by law.

PUBLIC HEARING

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

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

Roll call showed all Councilmembers present in favor.

ORDINANCE #04-2020 Second Reading

ORDINANCE AMENDING CHAPTER 209-WATER-OF THE CODE OF THE BOROUGH OF HAMBURG, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO MODIFY WATER RATES

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

ORDINANCE AMENDING CHAPTER 209-WATER-OF THE CODE OF THE BOROUGH OF HAMBURG, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO MODIFY WATER RATES

Motion by Councilmember Sena, 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. The ordinance was introduced at the February 3, 2020 regular meeting and published as provided by law.

PUBLIC HEARING

Hearing no comments from the public, motion by Councilmember Law, seconded by Councilmember Sena to close to the public. All Councilmembers present in favor.
Mayor Marino reiterated a review of our fees was done.

Motion by Councilmember Sena, seconded by Councilmember Law to adopt the ordinance as presented.

Roll call showed all Councilmembers present in favor.

ORDINANCE #05-2020 Second Reading

AN ORDINANCE AMENDING CHAPTER 209-WATER- OF THE CODE OF THE BOROUGH OF HAMBURG COUNTY OF SUSSEX, STATE OF NEW JERSEY INCREASING THE SHUTOFF/TURN ON SERVICE FEE, THE TURNOFF FEE AND CHAPTER 164-SEWERS-TO INCREASE SERVICE RESTORATION FEE AND CHARGES AND FEES FOR CONNECTION AND FOR USER FEES

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.

AN ORDINANCE AMENDING CHAPTER 209-WATER- OF THE CODE OF THE BOROUGH OF HAMBURG COUNTY OF SUSSEX, STATE OF NEW JERSEY INCREASING THE SHUTOFF/TURN ON SERVICE FEE, THE TURNOFF FEE AND CHAPTER 164-SEWERS-TO INCREASE SERVICE RESTORATION FEE AND CHARGES AND FEES FOR CONNECTION AND FOR USER FEES

Motion by Councilmember Sena, 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 February 3, 2020 regular meeting and published as provided by law.

PUBLIC HEARING

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

Motion by Councilmember Sena, seconded by Councilmember Law to adopt the ordinance as presented.

Roll call showed all Councilmembers present in favor.

RESOLUTIONS:

2020-30 – Salary Resolution

Motion by Councilmember Sena, seconded by Councilmember Law to accept resolution #2020-30 – Salary Resolution. All Councilmembers present in favor.

2020-31 - Child Abuse Prevention Month

Motion by Councilmember Sena, seconded by Councilmember Oehler to accept resolution #2020-31 – Child Abuse Prevention Month. All Councilmembers present in favor.

#2020-32 Revised Resolution – Second Amendment

Mayor stated resolution was #2020-19 was amended to change all Borough references to Mayor and Council.

Motion by Councilmember Sena, seconded by Councilmember Law to accept the revised 2020-32 – Second Amendment Resolution. All Councilmembers present in favor.

BUDGET INTRODUCTION**Ms. Man Lee and CFO Christine Licata will present the Mayor and Council with the 2020 Budget for discussion and Introduction.**

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to open the meeting to Ms. Man Lee and CFO Christine Licata. All Councilmembers present in favor.

Ms. Lee gave the Council the following information: the total appropriation is \$3,451,407.00 with the local tax levy of \$2,466,234.00. There is a \$0.029 increase than the previous year. This equates to \$44.00 a year on a home assessed at \$153,425.00 or \$3.71 per month. There is a \$83,000.00 increase due to debt service: \$59,000.00 from paying down the note on the fire truck and \$31,000.00 for tax appeals. Mayor Marino stated the committee met and worked hard on this budget and felt it was fiscally responsible. He is unsure of the outstanding tax appeal and the way it will go so measures have to be taken in account. Councilmember Krasnomowitz added he felt the committee was very creative to spend very little taxpayer money in this budget, adding that the municipality only controls 22% of the entire tax bill. Councilmember Sena supports the budget stating it is a good budget; we have to deal with the tax appeal issue and it is something out of our control. He said since last October a lot of time and effort has been put in on this. Mayor Marino added there is a small increase in water and sewer rates for the first time in seven (7) years and meters are being replaced also. Minor testing on the sewer system will be preformed as SCMUA rates went up due to the water flow that went thru the system. Our water tanks need to be refurbished and to construct a new water tank was not feasible as per John Ruschke, so we are doing preventive maintenance. Ms. Lee stated it is a fiscally responsible budget, under both the appropriation cap and tax levy cap, but not eligible for Self-Review this year.

Motion by Councilmember Sena, seconded by Councilmember Oehler to introduce the 2020 Budget with the public hearing to be held on April 6, 2020 at the Municipal Building, 16 Wallkill Ave, Hamburg, NJ and the municipal clerk shall post the required notices in the official newspapers of the municipalities.

Roll call showed all Councilmembers present in favor.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to close to Ms. Lee and Ms. Licata. All Councilmembers present in favor.

ATTORNEY HOUR:**24 Bank Street – Vacant Property Registration**

Correspondence was received from the attorney for the purchaser of 24 Banks Street. The Vacant Property Registration of \$2000.00 is due on this property, is bank owned, and HUD is putting the burden on the buyer. Since it is not their obligation, the buyer is asking the Council for a waiver or adjustment of the \$2000.00 funds due. This property did close and the money (\$2000.00) is in escrow. The buyer's attorney stated the buyer is going to renovate and sell, which will enhance the esthetics of the community. Councilmember Krasnomowitz felt that since the buyer is going to flip the home and not live in it, it is remaining vacant so the process should continue.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to deny the waiving of the \$2000.00 Vacant Property Registration for 24 Banks Street.

Roll call showed all Councilmembers present in favor.
Attorney Clemack will contact the attorney on record.

MAYOR'S AGENDA:

FY 2020 Municipal Aid Grant – Copy of executed agreement for grant in the amount of \$135,000.00. Award must be within 24 months.

Copy of executed agreements regarding FY 2020 Municipal Aid Grant for Mulberry Street Neighborhood Resurfacing project reminding us that needs to be used within 24 months.

Shared Services Court

A meeting has not been scheduled yet but the requested information from the Court Administration was sent to the OIC and not to Mike Postorino as asked. Mayor Marino stated that he is the Police Director by ordinance but the Public Safety Director by resolution. He would also like a letter sent to each department stating he is the liaison from the Council and should information be requested, it should be provided to him.

Parade

The 100th Anniversary Parade of the town is scheduled for October 3rd. Mayor Marino gave an update: the DOT permits have been received, the parade route established, Keith Sukennikoff and Ron Garrett are chairmen, trucks will park at Ames and Accurate, President Trump has been sent an invitation to attend, and Firehouse Subs will supply the food.

March 19th

The 100th Anniversary dedication of the plaque will be at the March 19th Mayor and Council meeting at 7 pm. Five (5) commemorative post cards were chosen and sent to Wilcox Press for printing and then will be stamped by the Post Office and sold as souvenirs.

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.

Police Report – February 2020

The February 2020 monthly report for the Police Department showed 653 calls of service, including 3 arrests, 8 motor vehicle accidents, 133 motor vehicle stops, and 107 motor vehicle summonses issued; list of mandated training that was done this month.

Mr. Postorino informed the Council the second phase of the promotional process of the sergeant will be completed on Wednesday and results will be available next week. The grant check from Firehouse Subs was received. The new firetruck was delivered. There is a minor repair on a valve that should be completed today. Training on the new truck is continuing with March 14th is the "in service" date as the other truck is to be sent out to have the pump repaired. The fire chief's vehicle should be back by the end of the week as the lighting equipment is being installed in the new vehicle by the insurance company. Fire calls for January totaled 7 and for February totaled 8.

Mr. Postorino received a one-page addendum from St. Clare's regarding the 24/7 coverage for EMS. They would also like to talk about long term building use. Presently members use the back room and bathrooms. Mayor states he would like to see the Road Dept. use the bays for their equipment, to get them out of bad weather especially and make them last longer. Mike Postorino will handle talks with St. Clare's. There are still EMS jackets that are usable; Councilmember Garrett is looking into

having the lettering removed. Mr. Postorino is waiting for a verbal appraisal on the vehicles based on mileage and the year of the vehicle. To put them on auction, a brief description is needed along with pictures. Doreen Schott added that anything is available to be put on auction. Mike Postorino also added that Doreen Schott sent letters to all 16 EMS members requesting all equipment be returned and received items from 3 members, with others saying they could not get here at the designated time. Suggestion is to send out another letter with a final date. Councilmember Burd suggested the Police Dept. as a drop off. One laptop, one radio and pagers are still missing. Councilmember Law relayed he had EMS 2 portable radio. Letters will go out again requesting the equipment back along with County ID with a due date of March 13.

OEM – On March 14, Keith Sukennikoff will be attending training. He also received an EMMA grant in which funding will be available for emergency management. A submitted OEM grant for a portable generator was denied as we did not meet the criteria.

Mr. Postorino reiterated that he would like a letter sent to all departments as a general directive regarding himself that he is the liaison from the Council and what his role in the town is.

Councilmembers are in agreement.

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

3. CONSTRUCTION DEPARTMENT

Construction Report – January 2020

The monthly report for January showed there were 18 permits issued, 1 certificates of occupancy, and 23 certificates of approvals with a total of \$2535.00 collected in fees for the month of January.

4. LAND USE BOARD / ZONING

Zoning Report –January 2020

The monthly report showed 17 property inspections with 6 abated complaints, 1 property maintenance code violations, 1 Zoning code violation, 9 violation notices sent, 1 OPRA, and attended court on 1 case.

COUNCILMEMBER OEHLER

2. RECREATION COMMISSION

Councilmember Oehler stated the bid on the Littell Center to be sold had been accepted but other venues are being looked into also. Activities will go on as scheduled there until the end of June. Hamburg Rec has the following activities planned: bowling at Sparta Lanes on March 22; Family Fun at the YMCA on April 4; Hamburg contests on June 14; Ice cream social on June 28; Miners baseball on July 18; Hamburg Day on August 16.

4. HISTORIC COMMISSION / HISTORIC SOCIETY

Historic Commission – Appropriation of funds

Councilwoman Oehler relayed at the recent meeting of the Historic Commission, it was voted to appropriate \$100.00 from their budget toward a plaque for the time capsule.

Councilwoman Oehler also stated articles for the time capsule will be collected and buried on Hamburg Day scheduled for August 16.

COUNCILMEMBER BURD

2. FIRE COMMISSIONER

2020 Parade List

The Fire Department submitted a list of parades the FD would like to attend for the 2020 year, also requesting to take the Chief's vehicle and either a pumper or rescue truck. The parades are: St. Patrick's Day in Newton in March, Memorial Day on May 25th, Port Jervis in Port Jervis, NY on July 11, and the Fireman's Inspection Day in Hamburg on October 3.

Motion by Councilmember Burd, seconded by Councilmember Oehler to approve said list of parades and dates. All Councilmembers present in favor.

Fire report

Given under Police

EMS

21 oxygen cylinders and 8 locks were returned to Airgas.

4. BOARD OF EDUCATION

Councilmember Burd stated the Board of Education is seeking candidates to fill two seats; should someone be interested to please contact Bill Sabo at the Hamburg School.

COUNCILMEMBER LAW

3. COURT

Update given under Police Director

4. OEM

Update given under Police Director

5. SOLID WASTE

Councilmember Law stated that SCMUA burned 2000 pounds of old flags and then on Veteran's Day held a ceremony at the Veteran's cemetery in Lafayette and buried the ashes there. He added firehouses and American Legions do not take and burn flags anymore because of the toxins in the nylon flags.

Councilmember Law also relayed that there will be a public meeting as SCMUA has to administratively submit a landfill permit.

COUNCILMEMBER GARRETT *Given by Mayor Marino*

3. BUILDING AND GROUNDS

Landscaping Services – 2020 Farmside Proposal

Farmside submitted a proposal for the lawn care of the athletics field in the amount of \$4,565.00; the proposal for Orchard St./ Rt. 23 parking lot / clock area in the amount of \$5,010.00; and Borough Hall planting in the amount of \$2,000.00 (\$1,000. for fall planting and \$1,000. for spring planting). Total of \$11,575.00.

Motion by Councilmember Sena, seconded by Councilmember Law to accept said proposal in the total amount of \$11,575.00. All Councilmembers present in favor.

Correspondence regarding Longview Drive

Council discussed under public portion the received correspondence. Mike Schneider stated he cuts the grass up to where the resident parks, also stating the paper road is used for a parking lot for this resident. Councilmember Burd added this paper road is used as a road to her garage as there is no other access to the garage. After further discussion, this will be tabled to the April 6 meeting for

additional investigation into the matter.

3. BOARD OF PUBLIC WORKS

Bluffs Court

Mayor Marino updated the Council, stating construction debris was found in the sewer lines of our system. Mike Schneider had the lines cleaned and took pictures. Mike will also video the lines so if the issue should happen again, we would have proof that the lines were clean.

Attorney Clemack stated he has been in touch with the owner, a New York law firm, to find out who the insurance carrier is and he also is trying to work out a resolution on the sewer work, the performance bond and insurance. Attorney Clemack spoke to John Ruschke and neither have heard anything back. A deadline date was given and if issues are not resolved, a stop work order will be issued.

Inspection of existing connections – Sanitary Sewer System

Attorney Clemack will review the sewer ordinance regarding the inspection of sump pumps for the April meeting. There is no clause in our ordinances regarding inspection.

COUNCILMEMBER SENA

1. FINANCE / TAX DEPARTMENT

The Treasurer’s Report for January 2020 showed a total of \$2,022,482.09.

Motion by Councilmember Sena, seconded by Councilmember Krasnomowitz to accept the resolution to redeem third party tax sale certificate 17-0005 in the amount of \$18,684.35; the resolution to redeem third party tax sale certificate 2019-010 in the amount of \$8,611.30. All Councilmembers present in favor.

Motion by Councilmember Sena, seconded by Councilmember Krasnomowitz to accept the resolution to cancel the 2019 Interest Balance \$1.88 Account #12863. All Councilmembers present in favor.

2. BOARD of HEALTH

The Board is in receipt of the resignation of Paula Marino due to personal reasons.

Motion by Councilmember Sena, seconded by Councilmember Krasnomowitz to accept the resignation of Paula Marino with regrets and thanked her for the many years of service she gave to the board. All Councilmembers present in favor.

Councilmember Sena relayed the next meeting of the Board of Health will be held on April 14th but is unsure if there will be a quorum. He added he could work with Doreen Schott and then bring issues to the Council for decisions. Ms. Schott added she would like to wait until a board member returns to town to get her input.

3. MUNICIPAL DRUG ALLIANCE

Drug Alliance will meet March 10 and an upsetting fact in the paper stated that January had a record number of overdoses at eleven (11).

4. ROAD DEPARTMENT

Will be discussed in the public portion

PUBLIC PORTION:

Motion by Councilmember Oehler, seconded by Councilmember Krasnomowitz 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.

Brian Tobachnick – 20 Holly Drive – stated he appreciated the request and following through with making changes to the 2nd Amendment Resolution and thanked the Council for doing so.

David Dreifuss – 51 Vernon Ave- thanked the Council for listening to the community opinion and amending the resolution 2020-19 (note: amended #2020-32).

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

Attorney Clemack stated a few weeks ago he and Councilmember Krasnomowitz met with the Union member for the Road Dept. They resolved some issues and he was going back to membership and will get back to us regarding the few issues that are remaining open. No final agreement as of yet.

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:

1.

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. Notice of a complaint to foreclose Block 20, Lot 17 (2/7/2020)
2. From State of NJ – No further action notice on Block 21, Lot 65
3. Correspondence from State of NJ to Matrix Excavation – Request for turning lane.
4. Sussex County Solid Waste Advisory Council Minutes – November 2019 (2/26/2020)
5. Sussex County Solid Waste Advisory Council Minutes – December 2019 (2/26/2020)
6. From state of NJ water drinking report (2/26/2020)

ADJOURNMENT

Motion by Councilmember Sena, seconded by Councilmember Oehler to adjourn the meeting at 8:19 pm. All Councilmembers present in favor.

Date approved 4-6-2020

Date released Doreen Schott

Doreen Schott
Municipal Clerk, RMC

Submitted by Kathy Garrett