

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF HAMBURG HELD ON APRIL 4, 2022 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 Haig
Councilmember Burd	Mayor Marino

Absent: Councilmember Sena

Also Present: Attorney Clemack
Doreen Schott
Kathy Garrett

STATEMENT OF CERTIFICATION:

Clerk will advise:

Adequate notice of this meeting has been provided to the public and the press January 9, 2022 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

March 7, 2022 Regular Meeting Minutes

Motion by Councilmember Haig, seconded by Councilmember Oehler to approve the March 7, 2022 Regular Meeting Minutes of the Mayor and Council.

Roll call:

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

March 21, 2022 Regular Meeting Minutes

Motion by Councilmember Oehler, seconded by Councilmember Burd to approve the March 21, 2022 Regular Meeting Minutes of the Mayor and Council.

Roll call:

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

March 21, 2022 Executive Session Minutes

Motion by Councilmember Haig, seconded by Councilmember Oehler to approve the March 21, 2022 Executive Session Minutes of the Mayor and Council.

Roll call:

Ayes: Krasnomowitz, Oehler, Burd, Haig
Nays : None
Abstain : Law

Absent : Sena

APPROVAL OF BILLS:

As there are no additions or deletions to the bill list, motion by Councilmember Burd, seconded by

Councilmember Oehler to open the meeting with regards to the bill list only. All Councilmembers present in favor.

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

Roll call:

Ayes: Krasnomowitz, Oehler, Burd, Law, Haig

Nays: None

Abstain : None

Absent : Sena

OPTIMUM PRESENTATION :

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to open the meeting to Marilyn Davis of Optimum. All Councilmembers present in favor.

Marilyn Davis, the area director for Government Services for Altice USA attended the meeting to discuss internet access. She stated they are hiring more techs to deal with the technical issues and improving services. Councilmember Krasnomowitz stated that many residents are working from home, complaining of slow speeds, along with businesses thinking of relocating due to these issues and asked what measures are being taken by the company to improve these issues. Ms. Davis replied the network is being upgraded and as of today, broadband (fiber and high speed) is complete, with 1 G pole to home. The infrastructure is being upgraded and all should be completed by summer. Ms. Davis also relayed there is a government program (ACC) offered for \$30.00 month for the economically challenged that qualify. She will provide the material to the clerk. More resources have also been added for response time for customer service calls. Council thanked her for attending.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Haig to close to Ms. Davis. All Councilmembers present in favor.

ORDINANCES:

ORDINANCE # 05-2022 First Reading

AN ORDINANCE AMENDING CHAPTER 215-ZONING MAP OF THE CODE OF THE BOROUGH OF HAMBURG TO AMEND THE ZONING MAP TO CHANGE THE ZONE OF CERTAIN PROPERTIES CURRENTLY IN THE RESIDENTIAL OFFICE (RO) ZONE TO HIGHWAY COMMERCIAL (HC) ZONE

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 215-ZONING MAP OF THE CODE OF THE BOROUGH OF HAMBURG TO AMEND THE ZONING MAP TO CHANGE THE ZONE OF CERTAIN PROPERTIES CURRENTLY IN THE

RESIDENTIAL OFFICE (RO) ZONE TO HIGHWAY COMMERCIAL (HC) ZONE

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 May 2, 2022.

Mayor added the ordinance will match the zoning of these properties with the Master Plan of the Borough.

Roll call:

Ayes: Krasnomowitz, Oehler, Burd, Law, Haig

Nays: None

Abstain : None

Absent : Sena

RESOLUTIONS:

#2022-45- 2022 Ibank Permanent Financing Form and Resolution

Motion by Councilmember Burd, seconded by Councilmember Oehler to accept resolution #2022-45- 2022 Ibank Permanent Financing Form and Resolution. All Councilmembers present in favor.

2022-46- SFY 2022 Ibank Permanent Financing Combination (Project 1909000-001 and 002) Resolutions

Motion by Councilmember Oehler, seconded by Councilmember Law to accept resolution 2022-46- SFY 2022 Ibank Permanent Financing Combination (Project 1909000-001 and 002) Resolutions. All Councilmembers present in favor.

2022-47- 2022 Ibank Permanent Financing Resolution Authorizing Loan Agreements and Financing

Motion by Councilmember Law, seconded by Councilmember Burd to accept resolution 2022-47- 2022 Ibank Permanent Financing Resolution Authorizing Loan Agreements and Financing. All Councilmembers present in favor.

2022-48- BAG UP NJ

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to accept resolution 2022-48- BAG UP NJ. All Councilmembers present in favor.

2022-49 – 2021 MA NJDOT grant PM Construction Road Resurfacing Project

Motion by Councilmember Haig, seconded by Councilmember Law to accept resolution 2022-49 – 2021 MA NJDOT grant PM Construction Road Resurfacing Project. All Councilmembers present in favor.

2022-50 – Rescind resolution 2021-65 Denville Line Painting for NJDOT 2021 MA Grant

Motion by Councilmember Haig, seconded by Councilmember Law to accept resolution 2022-50 – Rescind resolution 2021-65 Denville Line Painting for NJDOT 2021 MA Grant. All Councilmembers present in favor.

2022-51 – Rescind resolution 2021-54 Schifano Construction for NJDOT 2021 MA Grant

Motion by Councilmember Haig, seconded by Councilmember Law to accept resolution 2022-51 – Rescind resolution 2021-54 Schifano Construction for NJDOT 2021 MA Grant. All Councilmembers present in favor.

2022-52 – Supporting Title 35 - Legal Notices Publications

Motion by Councilmember Law, seconded by Councilmember Oehler to accept resolution 2022-52 – Supporting Title 35 - Legal Notices Publications. All Councilmembers present in favor.

2022-53 – Emergency Temporary Budget

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to accept resolution 2022-53 – Emergency Temporary Budget. All Councilmembers present in favor.

ATTORNEY HOUR:

ENGINEERING:

Bid Results – 2021 Municipal Aid Road Resurfacing – PM Construction

As listed

MAYOR’S AGENDA:

Request for donation for Golf outing will be passed on to Recreation

CONSENT AGENDA:

ALL MATTERS LISTED BELOW ARE CONSIDERED TO BE ROUTINE IN NATURE AND WILL BE ENACTED BY ONE MOTION, THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF ANY DISCUSSION IS DESIRED, THAT PARTICULAR ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY.

- Zoning Report: 2022
- Construction Report: February 2022
- Treasurer Report: December 2021
- Tax Report: 2022
- Police Report: March 2022
- EMS Report: 2022
- Court Report: 2022
- Board of Health January 2022, February 2022

Motion by Councilmember Law, seconded by Councilmember Oehler to accept the Consent Agenda as offered. All Councilmembers present in favor.

COMMITTEE REPORTS:

COUNCILMEMBER KRASNOMOWITZ

Land Use meeting will be cancelled.

Councilmember Krasnomowitz advised the Borough received a Recreation Grant in the amount of \$70,000.00 with a 20% match. The grant covers crack fill and resurfacing of the tennis courts. There would be no monies for repairs or replacement.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Law to decline the grant for the resurfacing of the tennis courts. All Councilmembers present in favor.

COUNCILMEMBER OEHLER

Recreation will hold an Ice Cream Social at the Rec Fields on June 26th from 1-3 pm.

Councilmember Oehler stated she will attend the “Week of the Young Child” at Hamburg School and read the Proclamation from the Borough.

COUNCILMEMBER BURD

There were 5 fire calls for the month. The plates for the fire chief's car were in. The school had their budget meeting and are only receiving \$50,000 in State Aid. Councilmember Burd added that 27 students go out to charter school at a cost of \$517,000 to the taxpayers. Budget cuts were made along with one staff member. There will be a budget hearing on April 26th.

Councilmember Haig advised Hamburg School truck in West Milford coming north on Rt. 23 at 6:30 am. Councilmember Burd advised he would contact the school to find out more information.

COUNCILMEMBER LAW

2022 Annual Visitation – Courts

Notification was received that the annual Court visitation will take place on April 29th.

COUNCILMEMBER HAIG

2022 Street Sweeping Contract – Hardyston Township

Councilmember Haig stated the contract with Hardyston for street sweeping went up \$5.00 an hour, now at \$130.00 an hour.

Motion by Councilmember Haig, seconded by Councilmember Law to approve the 2022 Street Sweeping contract with Hardyston Township. All Councilmembers present in favor.

Street sweeping should start sometime in April.

The meeting room lights are unable to be repaired (balusters cannot be repaired or replaced) and the lights will have to be replaced with LED lights. An electrician will be coming in to look at and give an estimate.

The Fire Dept. sign is painted, installed and looks good.

Landscaping services will be starting on 4/5 with a cleanup.

COUNCILMEMBER SENA

PUBLIC PORTION:

Motion by Councilmember Law, seconded by Councilmember Haig 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.

Charles Kazella – Fire Chief- thought he would be able to discuss the chief's vehicle. He spoke about his emails regarding acquiring the fire chief's vehicle, how his mental capacity was questioned by the Public Safety Director, how he felt like a criminal, and how his wife was scared when two police officers showed up at his home to deliver a rice notice.

Councilmember Burd responded that he felt it was a grievance matter regarding money and not about emails. Mayor said it was a misunderstanding and has gotten totally out of hand.

Sheila Frayko – stated the new head of Buildings and Grounds lives in West Milford and he was probably coming to work. Councilmember Haig replied the said truck is old, not a commuter vehicle and should stay in town. Ms. Frayko will check into it.

Jaime McCurry – inquired about snow and ice removal on Wallkill Ave, saying his stepdaughter fell 2 times because the sidewalks were horrible. Councilmember Krasnomowitz replied this was a

Motion by Councilmember Law, seconded by Councilmember Haig 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. Legal Advice; Attorney Client Privilege; Purchase of Equipment

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 Haig, seconded by Councilmember Oehler to accept the resolution as offered. All Councilmembers present in favor.

Discussion on Legal Advice; Attorney Client Privilege; Purchase of Equipment

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

Attorney Clemack offered the following resolution:

**Spectrum Communications
Resolution #2022-54**

WHEREAS, the Fire Chief’s vehicle was involved in a MVA accident resulting in a settlement claim of \$17,381.00; and

WHEREAS, a replacement Fire Chief’s vehicle was purchased in the amount of \$13,000., leaving a balance of \$4,381.00 from the insurance settlement; and

WHEREAS, the vehicle needed emergency lights installed; and

WHEREAS, Spectrum Communications performed the work and submitted a bill in the amount of \$11,035.38, however, a purchase order or authorization from the Council was not obtained prior.

NOW, THEREFORE, BE IT RESOLVED, that funding for the purchase will come from the approximately \$4000 left from the original settlement monies and the balance, approximately \$7000 from the firematic budget.

BE IT FURTHER RESOLVED, that the invoice from Spectrum Communications in the amount of \$11,035.38 is hereby approved in consideration of the aforementioned.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Mayor and Council of the Borough of Hamburg at the April 4, 2022 Regular Meeting.

Doreen Schott, RMC
Municipal Clerk

Motion by Councilmember Burd, seconded by Councilmember Law to accept the resolution as offered. All Councilmembers present in favor.

Attorney Clemack offered the following directive to be sent out to all:

Furthermore it is recommended that a directive go out to all department persons that there will be no expenditures over \$1000.00 without Council notification.

Motion by Councilmember Law, seconded by Councilmember Oehler to accept the directive as given. All Councilmembers present in favor.

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

1. Local Finance Notice 2022-09 (3/9/2022) Utility Arrearages and Ratepayer Notice (3/9/2022)
2. Notice to foreclose Block 11, Lot 30 (3/9/2022)
3. Hamburg School – Free Preschool 2022-2023 (3/10/2022)
4. From SC Board of Taxation 2022 Tax Appeals (3/16/2022)
5. SC Water Quality Management Minutes February 2022 (3/22/2022)
6. SC Planning Board Minutes February 2022 (3/22/2022)
7. Land Use Board Minutes January 2022 (3/28/2022)
8. Notice of Public Hearing Elizabeth Town Gas (3/31/2022)

ADJOURNMENT

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

Date Approved_____

Date Released_____

 Doreen Schott, RMC
 Municipal Clerk

Submitted by Kathy Garrett