

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON AUGUST 1, 2022 AT THE MUNICIPAL BUILDING, 16 WALLKILL AVE., HAMBURG, NJ**

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**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  
Kathy Garrett

**STATEMENT OF CERTIFICATION:**

Deputy 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" Act

**July 6, 2022 Regular Meeting Minutes**

Motion by Councilmember Haig, seconded by Councilmember Oehler to approve the July 6, 2022 Regular Meeting Minutes of the Mayor and Council.

Roll call:

Ayes: Krasnomowitz, Oehler, Burd, Law, Haig

Nays: None

Abstain: None

Absent: Sena

**July 6, 2022 Executive Session Minutes**

Motion by Councilmember Krasnomowitz, seconded by Councilmember Law to approve the July 6, 2022 Executive Session Minutes of the Mayor and Council.

Roll call:

Ayes: Krasnomowitz, Oehler, Burd, Law, Haig

Nays: None

Abstain: None

Absent: Sena

**APPROVAL OF BILLS:**

As there are no additions or deletions to the bill list, motion by Councilmember Burd, 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 Haig, seconded by Councilmember Law to close to the public. All Councilmembers present in favor.

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

Roll call:

Ayes: Krasnomowitz, Oehler, Burd, Law, Haig

Nays: None  
Abstain: None  
Absent: Sena

**ORDINANCES:**

**Ordinance 08-2022 – 1<sup>st</sup> Reading**

**AN ORDINANCE AMENDING CHAPTER 98 - CONSTRUCTION CODES, UNIFORM - RENTAL PROPERTY – OF THE CODE OF THE BOROUGH OF HAMBURG, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, TO PROVIDE FOR THE ADMINISTRATION OF THE REQUIREMENT IMPOSED BY THE STATE OF NEW JERSEY FOR LEAD-BASED PAINT INSPECTIONS OF CERTAIN RESIDENTIAL RENTAL DWELLINGS AND TO ESTABLISH FEES FOR INSPECTIONS.**

Motion by Councilmember Haig, 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 98 - CONSTRUCTION CODES, UNIFORM - RENTAL PROPERTY – OF THE CODE OF THE BOROUGH OF HAMBURG, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, TO PROVIDE FOR THE ADMINISTRATION OF THE REQUIREMENT IMPOSED BY THE STATE OF NEW JERSEY FOR LEAD-BASED PAINT INSPECTIONS OF CERTAIN RESIDENTIAL RENTAL DWELLINGS AND TO ESTABLISH FEES FOR INSPECTIONS.

Attorney Clemack informs Council the law mandates one- and two-family rentals built before 1978 must now be inspected regularly for lead paint. There are three ways a town can do this-1) we hire a person to inspect 2) contract out 3) people do their own inspection. Attorney mentions this only affects about 7-8 homes and towns are also doing an interlocal.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to introduce the ordinance on first reading and introduction with said ordinance to be published in full with second reading scheduled for September 7, 2022.

Councilmember Haig stated that when he worked at Home Depot contractors had to do this for windows and doors. Councilmember Krasnomowitz stated perhaps going with the Construction Dept. seems like the way to go.

Roll call:

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

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler that the Mayor and Council do authorize the request for a certified lead paint inspector as required by statute. All Councilmembers present in favor.

**RESOLUTIONS:**

**Amendment to the Agenda: Resolution #2022-82 - American Rescue Plan Firefighter Grant**

Councilmember Haig stated he and Councilmember Law worked on putting this grant together to purchase 24 sets of turn out gear for the Fire Dept. The total amount of the Community Affairs grant is \$75,213.60 and there is a 10% cash match from the town.

Motion by Councilmember Burd, seconded by Councilmember Law to accept Resolution #2022-82 as offered. All Councilmembers present in favor.

**ATTORNEY:**

**Litigation – Insurance Claim**

Attorney Clemack relayed an abandoned vehicle was towed at the direction of the police and placed in storage for a long period of time and the owner was unknown. The lienholder realized he was not getting paid, tracked the car down. The towing company wants their money; the towing company got sued along

with the Borough. A Certificate of Insurance along with the Insurance Policy was sent to the Insurance Company. The insurance company will cover the claim.

**ENGINEERING:**

None

**MAYOR’S AGENDA:**

Will address issues under Committee Reports

**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 / Property Mtn.:

Construction Report: June 2022

Treasurer Report: May 2022, June 2022

Tax Report:

Police Report:

EMS Report:

Court Report:

Board of Health: June 2022

Animal Control

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

**COMMITTEE REPORTS:**

**COUNCILMEMBER KRASNOMOWITZ**

**Statewide Loss Control Visit**

Councilmember Krasnomowitz stated that Ivan Cohen of Statewide made a safety visit and there were minor issues that needed to be addressed but overall a good job was done. Most of the recommendations have already been completed.

The Monday August 8<sup>th</sup> Land Use Meeting has been cancelled with the next meeting being held on September 12<sup>th</sup> with two applications coming before the board.

**COUNCILMEMBER OEHLER**

FootGolf was held but due to the timing being wrong, there was a poor turnout. A better time frame would be during soccer season but those that did attend had a lot of fun.

Miners’ baseball tickets are available for the August 20<sup>th</sup> fireworks game for \$12. each at the municipal building. September 9<sup>th</sup> is movie night at the Firemen’s Pavilion starting at 6:45 pm with the movie showing at 7:15 pm.

**\*\*Councilmember Sena arrived\*\***

**COUNCILMEMBER BURD**

There were 5 fire calls for the month of July.

There was a “Hot Wash Meeting” for the lost person incident at the Hamburg Rec Fields, attended by the Chief, Lt., and other officers. There were issues at the scene regarding communications with the Fire Dept. and Sussex County.

**COUNCILMEMBER LAW**

Councilmember Law is working on getting the recycling program together.

The Court is running smoothly and will have a report for next month.

Regarding OEM and the lost person, there were a lot of communication issues.

An information sheet showing OEM training and classes was given to all. We are receiving money from FEMA for the OEM signs that are running. Councilmember Krasnomowitz stated the Police Dept. asked about using the OEM sign with the radar on it. Councilmember Law will get back to him about this. OEM filled the requirements for the next \$10,000.00 grant so they will apply for it. They also received 240 cases of water from an Anheuser Busch water grant. OEM assistance was also given on the water main break on the highway.

### **COUNCILMEMBER HAIG**

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

Mayor stated there is a misinterpretation of the ordinance as to hours with the Police Dept. and extra money for shift coverage on days they are on. He also said the Police call for back up on a road detail, not the Road Dept. Supervisor.

Councilmember Haig discussed the water main breaks that happened in town and the confusion. Mike Schneider stated he asked for patrol to help with traffic but no one was available so he contacted State Police and also no one was available so when Hardyston was contacted, they sent two officers over to help. The following Monday the State had to cold patch the area and troopers could not cover and neither could our dept. so Hardyston came again. With the water break by DeBoers, the Police stated to do it another day.

Lisa Karas – 16 Banks Street – thanked Mike Schneider and members of the Road Dept. for all they do. Ms. Karas complained about the speeding on Banks and State Streets, expressing concern as there are no sidewalks and many residents that are out and about and walk. She stated the Police have to issue more tickets on the side streets. Ms. Karas added that many of the cars are coming from the Crystal Springs area so perhaps Hardyston PD could help out also. Councilmember Krasnomowitz stated the laws have recently changed drastically and he will mention to our Police Lt. about Hardyston PD helping out.

Councilmember Sena asked what time of day the speeding takes place and was answered between the hours of 7:30-8 am and 5:30-6 pm.

On another note, Ms. Karas relayed that on the corner of State St. and Rt. 23 there is a mountain of brush and the homeowner will not help to keep it clean. Councilmember Law will look at this also.

Motion by Councilmember Haig, seconded by Councilmember Law to close to the public. All Councilmembers present in favor.

### **Notification of damage to park pavilion**

#### **Vandalism in buildings**

Mayor stated all employees have keys to the buildings but they should be using their own facilities and not doing damage to other buildings.

### **Bartlett Tree Experts**

A representative from Bartlett Trees came to inspect two trees- the blue spruce located at the rear left of the building and the blue spruce located at the right side of the parking lot. Although he found both to be healthy, they need to be treated for bag bugs at a total cost of \$453.75.

Motion by Councilmember Haig, seconded by Councilmember Law to approve the total cost of \$453.75 for Bartlett Tree Experts to treat the two trees. All Councilmembers present in favor.

Councilmember Haig also stated he is looking into purchasing commercial lights for the Christmas trees as they are brighter and the lights will last longer.

**Upcoming items:** the municipal building and fire dept will be seal coated on Saturday, August 6<sup>th</sup>; the Water Superintendent is recommending voluntary water restrictions such as watering your plants/gardens/yards every other day and turning off the water when not using.

**Internal Work Order Procedures**

Councilmember Haig relayed records need to be kept of the completed projects done in the buildings. A “work request” form will be completed and submitted to him to review and approve and when finished, Councilmember Haig will file the record.

Motion by Councilmember Haig, seconded by Councilmember Law to accept this procedure. All Councilmembers present in favor.

**Completed items:** the tree is gone on the side of the Police Dept.; a survey was done at Block 32, Lot 8, the OEM building and part of a neighboring driveway is on our property, but no fence will be put up, and there will be no parking lot. A bathroom will be installed in the building.

**Road Dept. Ad**

Councilmember Haig informed the Council that an ad for the DPW worker needs to be placed now as time is flying by.

**COUNCILMEMBER SENA**

Motion by Councilmember Sena, seconded by Councilmember Law to accept Resolution T-06-2022 – To Abate Interest for August 1, 2022 Tax Bill. All Councilmembers present in favor.

**New Business**

Councilmember Law began by saying he is looking for ways to save money on our taxes. He believes that after 10 years it is time to put a Chief back in the Police Dept, and eliminate the Lt. and Police Director position along with looking into other ways of cutting costs. Councilmember Krasnomowitz stated the Police Director is appointed until the end of the year and has done a lot to secure money in other aspects. The Lt. goes to the Director for guidance. He also reminded members that there are two upcoming labor / union contracts and the Police Director has handled interlocal agreements. He is also in the middle of putting together the Police building across the street. Our Lt. does a good job but Councilmember Krasnomowitz is not sure if this is a savings right not. Councilmember Sena would like to see just how much the savings would be on paper and also would like to hear from the Lt. about the speeding issues and would like him to attend meetings.

Attorney cautions all to discuss the pros and cons of the position.

Mayor stated these things are part of the paid director’s position and added since he would not be here next year, he is not getting involved in breaking a tie should there be one.

Councilmember Burd would like a list of grants that the Police Director acquired.

Motion by Councilmember Law, seconded by Councilmember Oehler to eliminate the position of Lt. and director in favor of chief and amend the ordinance and prepare it for review.

Roll call:

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

Mayor added the position is not easy and there have been two good guys for ten years in the positions.

**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.

WHEREAS, N.J.S.A. 10:14012(b) of the Open Public Meetings Act provided for matters of this nature to be discussed in executive session; and

WHEREAS, the minutes of the executive session shall be taken and made available to the Public upon

conclusion of the matter and provided that the privacy rights of the person will not be violated; and; WHEREAS, the Mayor and Council may take formal action on the matter discussed in executive session or any others matters when it returns from the executive session.

NOW, THEREFORE, the Mayor and Council enters into executive based upon the foregoing.

**No Executive Session**

**PUBLIC PORTION:**

Mayor Marino will offer a motion 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.

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

1. From Township of Woodbridge – 14<sup>th</sup> Annual Senior Olympic Games (7/7/2022)
2. Daniel’s Law notification online portal (7/8/2022)
3. Resolution – Sandyston-Walpack Consolidated School District. (7/8/2022)
4. State of NJ Reassignment from Tier B to Tier A- Stormwater Sewer System (7/11/2022)
5. Land Use Board Minutes May 2022 (7/15/2022)
6. Correspondence from Herold Law – Special Insurance Counsel (7/15/2022)
7. Copy of Board of Public Works Minutes – June 2022 (7/18/2022)
8. Discharge notification 46 Orchard Street – Oil Heating (8/1/2022)
9. Legal Notice to property owners – 49 Gingerbread Castle Road LUB hearing (7/18/2022)
10. Copy of Hamburg Recreation Minutes (7/25/2022)
11. From State of NJ – Synthetic Organic Compound Waiver (7/25/2022)
12. Statewide Loss Control Visit report. (7/25/2022)

**ADJOURNMENT**

Motion by Councilmember Law. Seconded by Councilmember Oehler to adjourn the meeting at 8:12 pm. All Councilmembers present in favor.

Date approved 9-7-2022

Date released 9-7-2022

  
Doreen Schott, Municipal Clerk

Submitted by Kathy Garrett  
Deputy Clerk