

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON JULY 3, 2023 AT THE MUNICIPAL BUILDING, 16 WALLKILL AVE., HAMBURG, NJ

CALL TO ORDER:

Mayor Krasnomowitz called the meeting to order at 7:00 p.m.

SALUTE TO THE FLAG:

ROLL CALL:

Mayor Krasnomowitz requested a roll call:

Councilmember Law	Councilmember Endres
Councilmember Oehler	Councilmember Haig
Councilmember Burd	Councilmember Sena

Also Present: Attorney Clemack
Doreen Schott

STATEMENT OF CERTIFICATION:

Clerk advised:

Adequate notice of this meeting has been provided to the public and the press January 11, 2023 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".

June 5, 2023 Regular Meeting Minutes

Motion by Councilmember Sena, seconded by Councilmember Oehler to approve the June 5, 2023 Regular Meeting Minutes. All in favor.

APPROVAL OF BILLS:

There are no additions or deletions to the bill list. Motion by Councilmember Haig, seconded by Councilmember Endres to open the meeting to the public with regards to the bill list only. All in favor. Hearing no comment, motion by Councilmember Haig, seconded by Councilmember Law to close the meeting to the public. All in favor.

Motion by Councilmember Haig, seconded by Councilmember Oehler to approve the bill list. All in favor.

ORDINANCES:

Ordinance #09-2023 – 2nd Reading

AN ORDINANCE AMENDING SECTION 44-23 OF THE CODE OF THE BOROUGH OF HAMBURG - CONTRACTED OFF-DUTY EMPLOYMENT-TO AMEND FEES AND COSTS FOR SERVICES OF OFF-DUTY POLICE OFFICERS OF THE BOROUGH OF HAMBURG

Motion by Councilmember Law, seconded by Councilmember Endres to open the meeting to the public for any comments. All in favor. No public comment.

This ordinance was introduced at the June 5, 2023 regular meeting and published as proved by law. Motion by Councilmember Law, seconded by Councilmember Oehler to close the meeting to the public. All in favor.

Motion by Councilmember Law, seconded by Oehler to approve Ordinance 09-2023 on second reading. All in favor.

Ordinance #10-2023 – 1st Reading

AN ORDINANCE AMENDING CHAPTER 164-SEWERS AND CHAPTER 209- WATER OF THE CODE OF THE BOROUGH OF HAMBURG REGARDING DISCONTINUANCE OF SERVICE AND PAYMENT OF BILLS.

Motion by Councilmember Law, seconded by Councilmember Haig to approve the ordinance on first reading and introduction with second reading scheduled for August 7, 2023. All in favor

Motion by Councilmember Law, seconded by Councilmember Oehler to open the meeting to the public. All in favor. Hearing no comment, motion by Councilmember Law, seconded by Councilmember Oehler to close the meeting to the public. All in favor.

EXECUTIVE SESSION:

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. **Personnel Matter – Discipline Hearing**
- 2. **DPW Hire**
- 3. **Confidential Legal Advice – Block 31, Lot 2 – 14 Route 23**

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 matters.

Motion by Councilmember Law, Seconded by Councilmember Oehler to enter in executive session. All in favor.

Motion by Councilmember Law, seconded by Councilmember Oehler to return to regular session. All in favor.

Personnel Matter - Discipline Hearing:

Hereby be it resolved that the Mayor and Council hereby ratify the decision made at the hearing to terminate the employee who was the subject of the hearing, termination effective immediately.

Motion by Councilmember Law, seconded by Councilmember Oehler.

Roll Call

Ayes	Burd, Oehler, Endres, Law, Haig, Sena
Nays	None
Abstain	None
Absent	None

Motion by Councilmember Law, seconded by Councilmember Endres to advertise for the position of Police Administrative Assistant /Records Custodian. All in favor. Mayor Krasnomowitz, Councilmember Law and Police Chief will meet to discuss salary.

DPW Hires

Motion by Councilmember Law, seconded by Councilmember Oehler to hire Mr. Scott Knapp full

time to the Department of Public Works Department, salary \$18.00 per hour; 6 months' probation, pending completion of a background check and physical. All in favor.

Motion by Councilmember Law, seconded by Councilmember Haig to hire Mr. Stephen Rochette full time to the Department of Public Works Department, salary \$18.00 per hour; 6 months' probation, pending completion of a background check and physical. All in favor

RESOLUTIONS:

2023-71 – MA 2024 – Governor Haines, North Governor Haines & Highview Street Resurfacing Project.

Motion by Councilmember Haig, seconded by Councilmember Law. All in favor

2023-72 – Appointment of Deputy Registrar

Motion by Councilmember Law, seconded by Councilmember Oehler. Discussion Councilmember Sena addresses the council; he discusses the position of the Deputy Clerk / Deputy Registrar approved last month. He does not feel the position should have included recreation and BPW as it had in the past. Breaking up the position is a 15,000. Increase in total salary for the positions. Secondly, advises that all positions of hire should have been brought before the council, would recommend amending the salary as there would be a different outcome. Clerk advises that both at the budget meetings and at the interview with the committee the hiring was presented and discussed. Mayor advises that the monies were worked into the budget during budget negotiations, Councilmember Sena advises that it does not need to be spent even though included in the budget. Discussion ensues, clerk clarifies that this resolution is only for deputy registrar, it is a clerk's appointment as towns need to have a registrar and deputy registrar. Councilmember Sena reiterates that that the process of hiring was at fault and that in the future the council will be more involved.

Roll Call

Ayes Burd, Oehler, Endress, Law, Haig

Nays Sena

Abstain None

Absent None

2023-72 – Authorizing purchase of Natural Gas Services on an Online Auction

Motion by Councilmember Oehler, seconded by Councilmember Law. All in favor.

ATTORNEY HOUR:

14 Route 23 – Appraisal Report – Associated Appraisal Group

Attorney Clemack advises the Mayor and Council are in receipt of the document dated June 19, 2023 prepared by Associated Appraisal Group – 14 Route 23 and Walkkill Avenue, Hamburg, Sussex County NJ; block 31 Lot 2. Attorney advises the appraisal sets a value to the property. Matter will be discussed in executive session later this evening.

ENGINEERING:

MAYOR'S AGENDA:

Mayor Krasnomowitz advises that he is making the following appointments:

Lisaann Permunion to the Historic Commission, Class C, alternate 1

John Moeckel to the Board of Public Works

Mayor advises he is also honored to appoint Paul Marino to the Board of Public Works

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: May 2023
Construction Report:
Treasurer Report: May 2023
Tax Report:
Police Report:
EMS Report: May 2023
Court: May 2023
Board of Health: May 2023
OEM Report
Animal Control:

Motion by Councilmember Law, seconded by Councilmember Oehler to approve the consent agenda. All in favor.

COMMITTEE REPORTS:

COUNCILMEMBER BURD

Councilmember Burd reads the fire calls for the month of June 2023; 11 total – 3 fires, 5 alarm, 1 smoke cond., 1 assist EMS and 1 Medi-Vac.

Fire Department Assist Grant was awarded in the amount of \$10,000. This will go to equip the members with critical equipment.

COUNCILMEMBER OEHLER

Recreation – Ice Cream Social this Sunday 1 – 3 pm

Miners Game 8/12/23

Hamburg Day 9/10/23

Trunk or Tread 10/23/23 1:00 with parade at 1:15 pm

Halloween Decorating Contest 10/15/23 – 10/30/23

Breakfast with Santa 12/9/23 9:00-10:30 am

Christmas Decorating Contest 12/15/23 – 12/24/23

There will be no movie night this year as a requirement is to obtain a License Permit. Cost is \$750.00. Councilmember Oehler is reaching out to Hardyston Township to discuss several options. Councilmember Sena discussed this year's tree lighting ceremony. Would like to see improvement in the future. The police should be available to perform road closure on Wallkill Avenue.

Councilmember Oehler is aware, there were issue last year and is working with the Ladies Auxiliary along with rec for this year's lighting.

COUNCILMEMBER ENDRES

Monday, July 10, 2023 the Historic Commission and Land Use Board will be meeting jointly.

COUNCILMEMBER LAW

A memo regarding reimbursement procedures will be going out to Mayor / Council and all department heads. Reimbursements will only be provided if verification (receipt) is attached. Councilmember Law advises that governing body is in receipt of the OEM report. They were very busy, water main breaks, power outages, assist to DPW an PD. They are again applying for the 2023 grant; grant amount is \$10,000. Hamburg is 1 of 3 towns that applied, this is the 3rd year applying and is confident we will get it again.

COUNCILMEMBER HAIG

DOT will be doing road work- paving between Rt. 23 Franklin to Doc's Place in Hamburg shortly. The road department exercised valves and found one by King Cole Road that was in need of repair. Three companies were contacted, only one quote was received back from Hank Sanders in the amount of \$2,620.00 the cost does not include jack hammering if that is required, Road Supervisor advises worst case scenario for jack hammering would be \$1,500.00. This is time sensitive as paving is to begin on July 19, 2023 and the valve needs to be repaired prior. Motion by

Councilmember Haig, seconded by Councilmember Law to accept the quote from Hank Sanders with the understanding that if jack hammering is required the cost may increase. All in favor. Decal on the RT 23 Railroad Crossing Trestle will be replaced. Mr. Geddis will do the repair and the it will be arranged with the police.

All received a copy of the PEOSHA report last month, all issues have been resolved and in compliance.

Holiday Decorating Lights – Route 23 and Main Street. -2 quotes and one non-responsive quote was received. Holiday Designs - \$11,040.33, Holiday Outdoor Décor \$13,769.17 and non-responsive from Pole Mounted Holiday Decorations. Councilmember Haig advises that JCP&L will perform the hook up on the State Highway, Local Road will be done by local electrician. 20 poles are mapped as indicated in the map provided. decorations in total; 6' snowflakes for Rt 23 and 3" candles for Main Street, money will be coming from the American Rescue Plan. Mayor questions whether there is a time frame from which it will be needed to be taken down.

Attorney will review, \$11,040.33 cost for Holiday Designs, \$1,200.00 Local Electrician, \$295.00 Permit fees.

Motion by Councilmembers Law, seconded by Councilmember Oehler to approve Holiday Designs in the amount of \$11,040.33. Project will include JCP&L fee \$14,000 Local Electrician fee \$1,200.00 and Permit fee \$295.00. All in favor.

COUNCILMEMBER SENA

Amendment to the Animal Control Shared Service Agreement to include Dog Census. Mayor to execute

Open Space – Recreation Grant – Green Acre Park - Matching grant received for \$50,000.00 to improve both existing courts. Councilmember Sena and Haig have been working on this grant. Bid was prepared showing basketball and pickleball. Engineer emailed both mayor and Councilmember Haig advising recommendation to include in the grant both basketball and pickleball. Councilmember Haig asked if the material is the same as that which was spoken about prior. Clerk advises that the bid was received from the engineer with instruction to publish. Councilmember Sena wants to see the council involved, the river area adjacent is a disaster, municipal park needs more to be done. Councilmember Oehler would like to see pickle ball at the recreation field and basketball at the Green Area Park. Requests meeting with the engineer so this can all be worked out.

Motion by Councilmember Oehler, seconded by Councilmember Law to see the publication of the bid can be cancelled. All in favor.

PUBLIC PORTION:

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

Paul Marino – Confirms with the attorney that any project brought before the council should have council vote. Confirms with Councilmember Haig that DOT and JCP&L approval – permits were granted for the Decorative Light Project. Paul Marino advises that he agrees with separating the BPW position, feels that the recreation position should have been part of the Deputy Clerk / Deputy Registrar position instead of having three positions where you had one person performing those duties. lastly, he discusses that the property will be discussed in executive session and that the plans for that property may change. He is disappointed but understands the change, the basis for the original plans was to get the police department a new building as the old one has compliance issues. He advises that the town looking to sell is a good thing as there was money already spent that can be recouped. He thanks the Mayor for the BPW appointment

EXECUTIVE SESSION:

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:

Confidential Legal Advice- Block 31, Lot 2 – 14 Route 23

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 matters.

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

1. Lead Service Line Replacement Law (6/5/2023)
2. NJ Health – Tickborne Disease Activity NJ (6/7/2023)
3. Hampton Township – Resolution supporting Dennis Branch Library renovation project (6/7/2023)
4. JCP&L – Decorative lighting (6/12/2023)
5. JCP&L Notice of public hearing (6/12/2023)
6. Hardyston Township – Fire Protection Systems 11 Orchard Street (6/14/2023)
7. Hardyston Township – Fire Protection Systems 16 Wallkill Avenue (6/14/2023)
8. NJ Society of Municipal Engineers – 2023 Project of the Year Awards ((6/23/2023)
9. Notice of action to foreclose Block 24, Lot 1 (6/23/2023)
10. Mutual Status Report – Tax Court Matters (6/23/2023)
11. Correspondence from Sandyston Township-Delaware Water Gap National Recreation Area (6/23/2023)
12. Legislative Bulletin 2023 (6/28/2023)
13. From Franklin Borough amending ordinance (6/30/2023)

ADJOURNMENT

A motion is in order to adjourn the meeting

Date Approved 8/7/23

Date Released 8/7/23

Doreen Schott RMC
Doreen Schott, RMC
Municipal Clerk