

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF HAMBURG HELD ON AUGUST 7, 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 Burd	Councilmember Haig
Councilmember Sena	
Absent: Councilmember Oehler	

Also Present: Attorney Clemack
Doreen Schott, RMC
Beth Martin, Deputy Clerk

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".

July 3, 2023 Regular Meeting Minutes

Motion by Councilmember Endres, seconded by Councilmember Law to approve the July 3, 2023 Regular Meeting Minutes. All in favor.

July 3, 2023 Executive Meeting Minutes

Motion by Councilmember Haig, seconded by Councilmember Law to approve the July 3, 2023 Executive 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 Law 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 Law to approve the bill list. All in favor.

ENGINEERING:

Stormwater Management Ordinances:

John Ruschke, in regards to Ordinance 21-2023, which was tabled until the September meeting, recommended that the Borough allow the homeowners to replace the trees they remove, from their property, with one-inch trees instead of larger ones, thus cutting back cost burdens on the

homeowners. Mr. Ruschke recommended not putting in a permit process and allow for self-policing by neighbors for the replacement of trees taken down, and that the Zoning Officer can handle any neighbor disputes. Councilmember Sena asked how much was enforceable by the state. Ruschke explained it is all enforceable, but it is easier to self-regulate. The state forced all the towns that were Teir B to go to Teir A, which requires many more ordinances.

Lime Kiln Road Culvert Replacement Project:

Mr. Ruschke recommended moving forward with the award for the Lime Kiln Culvert to Mike Fitzpatrick Contractors. Mayor Krasnomowitz explained it was on the agenda for this evening to be awarded. The Certificate of Funds has been issued by the CFO.

Recreation Grant:

The Recreation Grant, the Borough received, will be used to redo the tennis courts. The two tennis courts will be recoated and converted to one basketball court and two pickleball courts. There will be an 8ft fence around the basketball court and a 6ft fence around the pickleball courts. Two pickleball courts fit on half of a tennis court, by reducing the size of tennis court to half will give the Borough easy accessibility to the watermain which runs underneath. The recommendation to have the DPW remove the old fencing currently around the courts to cut back on costs. Councilmembers Sena, Oehler, and Haig met with Alec and John Ruschke to discuss the plans. Councilmember Sena questioned if there is enough room on half a tennis court to put two pickleball courts. It was confirmed by both John Ruschke and Mayor Krasnomowitz. Councilmember Haig discussed the material which will be used on the surface of courts. This material has a decent life span and it is a snap together material. Mr. Ruschke recommended waiting to do the addendum on the bid until the funds are made available.

ORDINANCES:

Ordinance #10-2023 – 2nd 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 Haig, seconded by Councilmember Law to open the meeting to the public for any comments. All in favor. No public comment.

This ordinance was introduced at the July 3, 2023 regular meeting and published as proved by law.

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

Motion by Councilmember Law, seconded by Haig to approve Ordinance 10-2023 on second reading. All in favor.

Stormwater Ordinances 11-2023 through 20-2023

Attorney Clemack offers the following general resolution; Resolved Ordinance 11-2023 through 20-2023 (stormwater ordinances) is hereby read by title for first reading. Motion by Councilmember Sena, seconded by Haig. All in favor.

Resolved that all ordinances (11-2023 through 20-2023) will be scheduled for second reading on September 6, 2023. Motion Councilmember Law, seconded Haig. All in favor.

Ordinance #11-2023 – 1st Reading

AN ORDINANCE CONTAINERIZED YARD WASTE.

Motion Councilmember Law, seconded Haig. All in favor

Ordinance #12-2023 – 1st Reading

ILLICIT CONNECTION

Motion Councilmember Law, seconded Haig. All in favor

Ordinance #13-2023 – 1st Reading

IMPROPER DISPOSAL OF WASTE

Motion Councilmember Law, seconded Haig. All in favor

Ordinance #14-2023 – 1st Reading

LITTER CONTROL

Motion Councilmember Law, seconded Haig. All in favor

Ordinance #15-2023 – 1st Reading

PET WASTE

Motion Councilmember Law, seconded Haig. All in favor

Ordinance #16-2023 – 1st Reading

PRIVATE STORM DRAIN INLET RETROFITTING

Motion Councilmember Law, seconded Haig. All in favor

Ordinance #17-2023 – 1st Reading

REFUSE CONTAINERS / DUMPSTERS

Motion Councilmember Law, seconded Haig. All in favor

Ordinance #18-2023 – 1st Reading

WILDLIFE FEEDING

Motion Councilmember Law, seconded Haig. All in favor

Ordinance # 19-2023 – 1st Reading

YARD WASTE COLLECTION PROGRAM

Motion Councilmember Law, seconded Haig. All in favor

Ordinance #20-2023 – 1st Reading

PRIVATELY-OWNED SALT STORAGE

Motion Councilmember Law, seconded Haig. All in favor

Ordinance #21-2023 – TABLED UNTIL SEPTEMBER 6, 2023

TREE REMOVAL-REPLACEMENT ORDINANCE

RESOLUTIONS:

2023-76 – Determining the Week of September 17 Through September 23 to be Proclaimed as Constitution Week

Motion by Councilmember Haig, seconded by Councilmember Law to accept Resolution 2023-76 – Determining the Week of September 17 through September 23 to be Proclaimed as Constitution Week. All Councilmembers present in favor.

2023-77 – Authorizing the Public Sale at Auction of a Vacant Parcel of Land Known and Designated as Lot 2 in Block 31 as Shown on the Tax Map of the Borough of Hamburg, County of Sussex

Motion by Councilmember Endres, seconded by Councilmember Burd to accept Resolution 2023-77 - Authorizing the Public Sale at Auction of a Vacant Parcel of Land Known and Designated as Lot 2 in Block 31 as Shown on the Tax Map of the Borough of Hamburg, County of Sussex. All Councilmembers present in favor.

2023-78 – Mike Fitzpatrick Contractors – Lime Kiln Road Culvert Replacement

Motion by Councilmember Haig, seconded by Councilmember Law to accept Resolution 2023-78 - Mike Fitzpatrick Contractors – Lime Kiln Road Culvert Replacement. All Councilmembers present in favor.

ATTORNEY HOUR:

Attorney Clemack had nothing further to report.

ENGINEERING:

Addressed above.

MAYOR'S AGENDA:

Happy to say we are appointing Robert VanHoon Jr. to the Recreation Board. There are still a few open seats on the Recreation Board. The BPW Board is full. The Land Use Board has one position open, Alternate Position.

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: July 2023 and August 2023

Construction Report: June 2023 and July 2023

Treasurer Report: June 2023 and July 2023

Tax Report: June 2023 and July 2023

Police Report:

EMS Report: June 2023 and July 2023

Court: June 2023

Board of Health: June 2023

OEM Report July 2023

Animal Control: June 2023

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

COMMITTEE REPORTS:

COUNCILMEMBER BURD

Gave an update on the school sign. The dismissal time was going to be changed from 2:30 to 3. The Fire Department received a \$10,000 grant. Thanked Charlie, Fire Chief. Councilmember Burd read the fire report for the month: 4 fires, 3 MVAs, 4 alarms, 3 smoke condition, and 3 smell of gas/smoke. For the month of July there were 15 calls. There have been 70 calls year to date.

COUNCILMEMBER ENDRES

The state has upgraded the software used by construction department. It is a state mandate that all software allows for online permits. Mayor Krasnomowitz updated on the software upgrade; a resolution has already been passed accepting the \$6416.30 cost for the software upgrade. Motion by Councilmember Burd, seconded by Councilmember Endres to sign off on the shared services

agreement with Hardyston Township. All in favor. Mayor Krasnomowitz also informed the council the current shared services contract expires at the end of the year. Hardyston is looking to renew for another 5-year contract, with approximately a 2% increase.

Met with the Historical Society and the company that is taking over the Gingerbread Castle is going to be using the warehouse and taking down the taller of the two towers, the one not connected to the Wheatsworth Mill. The Historical Commission is okay with this removal as it does not affect anything historical on the building.

COUNCILMEMBER LAW

Gave the recreation report in the absence of Councilmember Oehler.

The ice cream social was rescheduled due to the weather. There were about 30 people at the event on the rescheduled date. The Recreation Department will be meeting with OEM and the Police Department on August 22 to discuss the EOP plan for Hamburg Day. On August 31, they will be meeting down at the field to do the lay out for Hamburg Day.

Some future dates of Recreation Events:

9/10 – Hamburg Day

9/22 – Foot Golf at Crystal Springs. This event will be \$5.00 per person to get in.

12/9 – Breakfast with Santa

The Recreation Department is looking for a DJ to help with the tree lighting this year, because they are going to have cookies and hot chocolate.

Councilmember Law read the police monthly report: 602 calls, 6 arrests, 10 motor vehicle accidents, 235 motor vehicle stops, 142 tickets, and 3 walk-ins.

OEM report is in the consent agenda.

Solid waste meetings were cancelled for the months of June, July and August.

The Borough is required to have a Clean Communities Coordinator. Beth Martin is going to be the Coordinator and Councilmember Law is going to be the Assistant Coordinator. We both will be going through three classes. There are two online and one down at Rutgers. There are two classes in September and one in October.

COUNCILMEMBER HAIG

Sent condolences out to Alec and his family for the loss of his mom on August 7, 2023.

Two items, Quote for Bank Street Booster control panel and the Quote for Lime Kiln Pump Street, were tabled until the mid-August meeting due to Alec not being able to be present.

BPW Recommendation for (1) EDU for 240 Route 23 (block 14, lot 1) – Motion by Councilmember Haig, seconded by Councilmember Law. All in favor.

BPW Recommendation for (1) EDU for 49 Gingerbread Castle Road (block 11, lot 33) – Motion by Councilmember Sena, seconded by Councilmember Law. All in favor.

A motion to accept the resignation of Max Simsic for the DPW, by Councilmember Haig, seconded by Councilmember Law. All in favor.

The Christmas Lights arrived today for the Borough.

Questioned what is going on with the DPW Trailer. Mayor Krasnomowitz stated it is unusable and to take it to the salvage yard. Attorney Clemack stated it needs to be declared as surplus prior to getting rid of it. The Borough could give it to a nonprofit or anyone, ie: hunting club, could bid for it for \$1.00. Further discussion will take place.

COUNCILMEMBER SENA

Motion by Councilmember Sena, seconded by Councilmember Endres, to accept a third-party tax sale certificate #2022-0020 in the amount of \$5822.43.

The Tax rate was released on July 11. Motion by Councilmember Sena, seconded by

Councilmember Endres to extend the grace period of the 3rd quarter taxes until August 18, 2023. All in favor. The certified tax rate from the county for the Borough is currently 4.769%. The municipal tax increase was 2.3%.

The CFO gave a notice the State Health benefits will increase by 7.3% on what is being currently paid. Mayor Krasnomowitz updated the Clerk is requesting for the loss runs from the state benefits, experience from the group. Once the information is acquired the council will be looking for other coverage, for something more competitive with comparable coverage.

Scheduled to have the firetruck paid off in 2026. The high interest rates are what is making paying this off sooner difficult. It was \$3000 to \$4000 a year in interest now it is more like \$10,000. During the budget discussions this needs to be included.

The dog census is almost completed. During the month of July more than \$900 was collected, which is almost triple the amount brought in during the same time frame in previous years.

The Wallkill Valley Soccer club hosted a County Soccer tournament at the end June, with another one scheduled for sometime in October. This event brought more than 1400 people to the Borough and the surrounding areas, which utilized the local businesses around. Councilmember Sena would like to make the businesses aware of the October one so they are prepared for the amount of people coming in and out of the Borough. The club loved the fields.

Open Space:

The property by the river is in complete disarray. This area needs to be updated and cleaned up, possibly adding picnic tables and grills. The DPW is working on getting some tree removal quotes.

PUBLIC PORTION:

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

Paul Marino made a suggestion of possibly using the money allotted for vehicles in the water department, as long as nothing has been spent for this account, to help pay down the remaining cost of the Firetruck. Reminded the council there are other fields, and anything that can be done to one can be done to the others. There is the 2% received for Open Space to use for updating the fields/parks. Commends the Board for doing their best to keep the taxes low.

Motion by Councilmember Endress, seconded by Councilmember Law to enter into Executive Session. 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. **Interview – Administrative Assistant Candidates**
2. **Attorney Client Privilege - Litigation**

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 Endres to enter back into open session. All in favor.

Attorney Clemack offered the following resolution:

Resolved that the council agreed to a candidate and the police chief can offer the position with the salary cap discussed in executive session to the candidate chosen. Motion by Councilmember Law, seconded by Councilmember Burd to offer the position of Police Department Administrative Assistant. All in favor.

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


1. Franklin Borough Ordinance 07-2023 (7/6/2023)
2. Foreclosure: 28 Woodland Ave (7/6/2023)
3. NJ Health Insurance Fund (7/17/2023)
4. Municipal Regulation of Beekeeping (7/19/2023)
5. Delaware Water Gap National Recreation Area – Montague (7/19/2023)
6. Foreclosure: 10 Amherst Court (7/20/2023)
7. Municipal Requirement: Animal Control (7/21/2023)
8. DPW Inspection Close-out (7/24/2023)
9. Franklin Borough Planning Board Ordinance (7/24/2023)
10. Safe Routes to School Memo (7/24/2023)
11. Delaware Water Gap National Recreation Area – Hampton (8/1/2023)
12. Notice of LUB Public Hearing - Gingerbread Castle Rd Application (8/2/2023)

ADJOURNMENT

Motion by Councilmember Law, seconded by Councilmember Sena to adjourn the meeting. All in favor.

Date Approved 9-6-23

Date Released 9-4-23



Doreen Schott, RMC
Municipal Clerk