

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON OCTOBER 2, 2023 AT THE MUNICIPAL BUILDING, 16 WALLKILL AVE., HAMBURG, NJ**

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**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	Councilmember Oehler

Absent: None

Also Present: Attorney Clemack  
Ken Nelson, Town Planner  
Doreen Schott, RMC

**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”.

**September 6, 2023 Meeting Minutes**

Motion by Councilmember Oehler, seconded by Councilmember Burd to approve the September 6, 2023 Regular Meeting Minutes. All in favor.

**APPROVAL OF BILLS:**

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

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

**ORDINANCES:**

**Ordinance #21-2023 – 1<sup>st</sup> Reading (Carry)**

**TREE REMOVAL-REPLACEMENT ORDINANCE**

This ordinance will be presented and introduced at the November 6, 2023 meeting of the Mayor and Council of the Borough of Hamburg.

**RESOLUTIONS:**

**2023-84 – Resolution of the Borough Council of the Borough of Hamburg Authorizing a Change Order to the Contract with Schifano Construction Cor. Inc. for the Lawrence St., Hamilton St., and Linwood Ave. Resurfacing Project (2022 NJDOT Municipal Aid)**

Motion by Councilmember Oehler, seconded by Councilmember Law to accept Resolution 2023-84 – Resolution of the Borough Council of the Borough of Hamburg Authorizing a Change Order to the Contract with Schifano Construction Cor. Inc. for the Lawrence St., Hamilton St., and Linwood Ave. Resurfacing Project (2022 NJDOT Municipal Aid). All Councilmembers present in favor.

**2023-85 – Resolution of the Borough Council of the Borough of Hamburg Authorizing a Change Order to the Contract with Denville Line Painting for the Lawrence St., Hamilton St., and Linwood Ave. Resurfacing Project (2022 NJDOT Municipal Aid)**

Motion by Councilmember Law, seconded by Councilmember Endres to accept Resolution 2023-85 – Resolution of the Borough Council of the Borough of Hamburg Authorizing a Change Order to the Contract with Denville Line Painting for the Lawrence St., Hamilton St., and Linwood Ave. Resurfacing Project (2022 NJDOT Municipal Aid). All Councilmembers present in favor.

**2023-86 – Resolution to Cancel Appropriation Balance in the Capital Fund**

Motion by Councilmember Oehler, seconded by Councilmember Endres to accept Resolution 2023-86 – Resolution to Cancel Appropriation Balance in the Capital Fund. All Councilmembers present in favor.

**2023-87 – Chapter 159 EMMA Grant**

Motion by Councilmember Endres, seconded by Councilmember Law to accept Resolution 2023-87 – Chapter 159 EMMA Grant. All Councilmembers present in favor.

**2023-88 – Bergen County Coop Resolution and Agreement**

Motion by Councilmember Haig, seconded by Councilmember Law to accept Resolution 2023-88 – Bergen County Coop Resolution and Agreement. All Councilmembers present in favor.

**ZONING ORDINANCE AMENDMENTS:**

The Mayor and Council of the Borough of Hamburg are in receipt of a document titled Zoning Ordinance Amendments, dated July 24, 2023, and prepared by Mr. Ken Nelson of The Nelson Consulting Group. Mayor Krasnomowitz introduced Mr. Nelson. Mr. Nelson explained the Land Use Board adopted a master plan reexamination report. There was a lengthy delay from master plan to zoning ordinance changes due to Covid. The next step is to begin Zoning Land Use Board regulations changes, based on what was in the reexamination report. It is now time for the Mayor and Council to adopt the changes, if they choose to agree with the Land Use Board recommendations. Mr. Nelson explains there were some areas of the zoning map that were changed and some that were not changed. The main changes recommended being made are dividing the RR Residential Zone into two zone, R1 and R2. R1 will have a minimum of 20,000 square feet and R2 will have a minimum square footage of 10,000. Another big change recommended is to modify the locations of the RO Residential Office and HC Highway Commercial Zones to reflect the existing pattern along routes 23 and 94. This change has already taken place for DeBoer's Auto. The alignment of the Wallkill Vally Heritage Trail along the edge of the borough would allow for the trail to go through the entire borough on the Wallkill River side. Attorney Clemack will prepare an ordinance accepting the changes made to the zones of the Borough of Hamburg and present it to the Mayor and Council at a future meeting.

Councilmember Sena, Councilmember Haig, and Mayor Krasnomowitz had a few questions as to why no one had interest in the property by Falcon Ridge to build on. Mr. Nelson he wasn't sure. He knows there was some interest a while back ago, but it would require a light, at the expense of the builder, on the intersection of Oak and Route 23.

Resignation Letter – Mr. Ken Nelson, Nelson Consulting Group

Mayor Krasnomowitz thanked Mr. Ken Nelson for all of his years of service to the Borough, stated working with him has been great, and said the footprint left behind Mr. Nelson will be felt by everyone in tow. A motion was made by Councilmember Law, seconded by Councilmember Oehler, to accept the resignation and retirement of Mr. Ken Nelson. All were in favor, with regret. Mr. Ken Nelson thanked the council for making working in Hamburg a pleasure.

### **ATTORNEY HOUR:**

Blasting – Hardyston Quarry:

Attorney Clemack is going to provide the municipal clerk with the name and phone number of the head of relations for the quarry. Attorney Clemack stated he, the head of relations, is very willing to sit down and talk to residents and the Mayor and Council. They will also provide tours of the quarry, if requested. Attorney Clemack stated the quarry wants to be as cooperative as possible. Councilmember Sena explained there are two specific dates that are of main concern with specific times. They plan on sitting down and discussing what was done differently during these dates and why so much more activity during these times/dates. The company is sending the head of relations to come meet with the council and discuss current and future bastings.

7 Card Street – Right of Way:

Attorney Clemack stated property is under sale. The buyers are looking for a License not an easement. Attorney Clemack suggests issuing the license under the following conditions: the dwelling would remain single-family use; no construction or improvements in the encroachment area; and that if the building is damaged or demolished that the license would cease and the building would have to be rebuilt within the correct zoning guidelines. There was a discussion between the councilmembers about the looking and use of the building. After a discussion between councilmembers a decision to issue the license as a single-family residence a motion was made by Councilmember Endres and seconded by Councilmember Burd. All were in favor.

### **ENGINEERING:**

There was no engineering report at this time.

### **MAYOR'S AGENDA:**

*Previously discussed in the Zoning Ordinance Amendment Portion - Resignation Letter – Mr. Ken Nelson, Nelson Consulting Group*

PTA has made application for the following Licenses on the following date

November 17 2023, January 26, 2024 and April 12, 2024

License #571 – Bingo License

License #577 – Raffle License

License #578 – Raffle License

License #579 – Raffle License

A motion by Councilmember Endres, seconded by Councilmember Oehler to accept all the raffle and bingo licenses presented to the Council for the Hamburg PTA. All were in favor.

### **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:

Construction Report: August 2023  
Treasurer Report: August 2023  
Tax Report: August 2023  
Police Report: August 2023  
EMS Report: August 2023  
Court: August 2023  
Board of Health: August 2023

OEM Report

Animal Control:

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

### **COMMITTEE REPORTS:**

#### **COUNCILMEMBER BURD:**

Councilmember Burd read the Fire Report into the record. For the month of September there were only two calls, one was a fire and the other was a smoke condition. There has been a total of 81 calls for the year so far.

Councilmember Burd stated the Fire Department's air packs were tested and more than half of the bottles did not pass due to their age. There are 33 bottles that can be carried over until next year. Councilmember Burd made a motion to open the floor and discussion up to the Chief of the Fire Department, Charlie Kazella, seconded by Councilmember Oehler. All were in favor. To replace the bottles, it is going to cost over \$30,000. The CFO has a fund that can be used for fire safety. The fire department currently has roughly \$9,800 in their budget and still need to pay bills and put tires on the trucks. The chief of the fire department is going to get quotes for the bottles. Mayor Krasnomowitz asked what the shelf life and required number of bottles is. Chief Kazella stated the shelf life is 15 years and the requirement is one and a spare per firefighter, putting the number required at 46. Chief Kazella has applied for grants to help try to cover the costs, still waiting to hear back. Councilmember Haig asked what makes the bottles bad. Chief Kazella answered the bottles themselves only last about 15 years. Councilmember Sena stated we need to come up with a much better plan to cover the cost of the replacements. Mayor Krasnomowitz explained this is something that needs to be worked on and the council will work on it with the CFO. A motion by Councilmember Burd, seconded by Councilmember Oehler, to close the floor to Chief Kazella.

#### Hamburg School Strategic Planning Session:

Mayor Krasnomowitz and Councilmember Burd attended the strategic planning meetings for the Board of Education. These meetings covered where the school is now and where they plan to be in the next five years. There is a third meeting on October 3, 2023 to complete the sessions. After the third and final meeting the plan will be set.

Councilmember Burd is still working on setting up a meeting the St. Clare's EMS

#### **COUNCILMEMBER OEHLER:**

There were 114 people at Hamburg Day. There was a last-minute cancellation of a food vendor, so Councilmember Oehler was able to get 25 sandwiches and cut them into quarters and served them. Thinking about having them as a vendor next year. Councilmember Oehler stated everyone loved dunking the mayor in the dunk tank.

The Foot Golf event also went well. There were 26 people, where last year there were only 6. The Miner's Game had a very low turnout. There will be discussions on how to get more

participation for next year.

The Trunk-or-Treat is scheduled for Sunday October 29, 2023 at the park. The parade is scheduled to start at 1:15pm.

The Halloween decorating contest will take place from October 15 to October 30.

Breakfast with Santa will take place on December 9, 2023 at 9am. Residents are asked to please register so the Recreation Commission can make sure there is enough food and room for all participants. Councilmember Haig asked about the details for the Christmas Tree Lighting event. Councilmember Oehler explained the details are still being worked out, and that letters are going to be sent to the school. Councilmember Haig asked if the high school choir could be invited to sing. Councilmember Oehler will bring the questions back to the Recreation Commission and get the answers.

**COUNCILMEMBER ENDRES:**

There were two applications at the Land Use Board meeting. One was the Woods in Hamburg. A lot of neighbors were in attendance. Due to the Woods in Hamburg not being prepared to give their position, this application was moved to the October meeting, scheduled for October 9, 2023. The second application was there is a two-story house on Lime Kiln that wants to put up a two-family house and rent it out.

**COUNCILMEMBER LAW:**

Councilmember Law read the police monthly report into the record. The first of the Tahoes went out to be police packaged with the lights, radios, and safety equipment.

**2023 Recycling Tonnage Grant Services Agreement:**

A motion was made by Councilmember Law, seconded by Councilmember Oehler to accept the agreement between Marguerite Nemeth and the Borough of Hamburg for the 2023 Recycling Tonnage Grant Report. All were in favor.

**Clean Communities:**

On October 21, 2023 at 7:30 am there will be a Town Clean-up with the kids from the school.

**Crossing Guard Hire:**

Councilmember Law asked if anyone knew anyone who is looking for a part-time job. The Police Department is looking to hire crossing guards. Applications can be sent to the police department.

**COUNCILMEMBER HAIG:**

The DPW cleaned up Orchard Street, the part that extends into the park. There are visible street lights now. There is a guardrail behind Cravin' Thai that needs to be replaced. Mayor Krasnomowitz questioned if they need to be replaced or even be there at all. Mayor suggested taking out the guard rail and replacing it with bollards.

JCP&L has the application, just waiting on approval, to put up the Christmas lights along Route 23.

The area by the river Park has been cleaned up and looks great. Quotes, under state contract, have been received for garbage cans, picnic tables, and grills for the area. The monies for this are available under the Road Department miscellaneous line item. Mayor Krasnomowitz questioned carry in/ carry out and not needing a trash receptacle. Councilmember Haig made a motion to open to DPW Supervisor Alec Yanish, seconded by Councilmember Oehler. Alec agreed to keep an eye

on the trash receptacle more often. A motion to close to DPW Supervisor Alec was made by Councilmember Haig, seconded by Councilmember Sena. A motion by Councilmember Haig, seconded by Councilmember Law to approve and not exceed \$7500 from the Morris County Coop to complete this River Park project.

There is a water main break by the tennis courts. The contractor will need to be called to handle the situation. The DPW is doing the fencing and prep work for the tennis court project.

**COUNCILMEMBER SENA:**

A motion was made by Councilmember Sena, seconded by Councilmember Law to accept Resolution T-006-2023 – To Redeem third party tax sale certificate #2022-001 in the amount of \$5847.59.

The CFO has set a date of October 30, 2023 at 5:30pm for the first Budget Meeting. Mayor Krasnomowitz, Councilmember Burd, Councilmember Sena, CFO Joe Brezina, and Municipal Clerk Doreen Schott will be in attendance of the budget meeting.

Councilmember Sena discussed the Bond Anticipation Note (BAN) for the firetruck. The interest has increased from \$10,300 to \$12,600 due to a higher interest rate. The BAN renews in September of every year until pair off. There was a lack of bids for the ban renewal. However, the interest on the note was less than anticipated. The CFO will go with the bid from Provident Bank for the note. The CFO advises to make efforts to pay the BAN off sooner.

Councilmember Sena is requesting we have weeds control program at the park. The monies to pay for this can come out of Open Space. Councilmember Sena will work with DPW to control the weeds around the park, and get a plan worked out to control them through the fall and spring, estimates will be looked into.

**PUBLIC PORTION:**

A motion by Councilmember Oehler, seconded by Councilmember Haig to open the meeting to the public. All in favor.

Chief Kazella questioned if the files for the ambulance for the members who want to sign up for the 9/11 paperwork have been found. Councilmember Law stated the files which have been requested have not been located as of yet, but are still being looked for. Chief Kazella stated the monies from working for Hardyston for 18 months, four years ago, questioned if that monies were still around, should have gone to the fire department and possibly can be used for the air packs. Mayor Krasnomowitz explained the Borough is going to figure out the air tank issue being it is a safety issue.

A resident who lives on Holly Drive questioned the maintenance of the dry well located on Holly Drive. He explained it used to be maintained by the town and now it is over grown, an eye sore, and neglected. DPW Supervisor Alec Yanish stated the DPW will take a look at it and get it taken care of.

A motion by Councilmember Haig, seconded by Councilmember Oehler to close the meeting to the public. All in favor.

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

1. Block 36 Lot 2 – Packet (9/8/2023)
2. Renewal of a Certificate of Approval – CSR TKR, LLC. (9/8/2023)
3. Notice of 3M Class Action Settlement (9/26/2023)
4. Hamburg Boro, CSC TKR, CE2300210, Deficiency Letter (9/26/2023)
5. Hardyston Ordinance 2023-13 (9/26/2023)
6. Notice of Foreclosure – 10 Amherst Court (9/26/2023)
7. Sussex County Division of Health Inspection Report – August (9/26/2023)
8. Sussex County Ordinance (9/27/2023)

**ADJOURNMENT**

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

Date Approved 11-6-23

Date Released 11-6-23

  
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Doreen Schott, RMC  
Municipal Clerk

Submitted by Beth Martin, Deputy Clerk