

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON JANUARY 4, 2016 AT THE MUNICIPAL BUILDING, 16 WALLKILL AVE., HAMBURG, NJ

CALL TO ORDER:

Mayor Marino called the meeting to order at 7:30 p.m. and opened with a flag salute.

ROLL CALL:

Mayor Marino requested a roll call:

| | |
|-------------------------|--------------------|
| Councilman Barr | Councilman Law |
| Councilman Krasnomowitz | Councilman Garrett |
| Councilman Burd | Mayor Marino |

Absent: Councilman Sena

Also Present: Doreen Schott
Kathy Garrett
Richard Clemack, Attorney

STATEMENT OF CERTIFICATION:

Clerk will advise:

Adequate notice of this meeting has been provided to the public and the press January 9, 2015 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".

December 7, 2015 Regular Meeting Minutes

Motion by Councilman Garrett, seconded by Councilman Law to approve the December 7, 2015 Regular Meeting Minutes of the Mayor and Council. All in favor.

December 7, 2015 Executive Session Meeting Minutes

Motion by Councilman Krasnomowitz, seconded by Councilman Law to approve the December 7, 2015 Executive Session Meeting Minutes of the Mayor and Council. All in favor.

APPROVAL OF BILLS:

The following were added to the bill list: Councilman Barr added a bill in the amount of \$18,010.59 for Andover 911 Dispatching Services; Councilman Krasnomowitz added a bill in the amount of \$2646.00 payment adjustment to Hardyston Township Construction contract; and Mayor Marino added a bill in the amount of \$429.00 for TJ's Pizza.

Motion by Councilman Krasnomowitz, seconded by Councilman Law to add these bills to the bill list. All in favor.

Motion by Councilman Law, seconded by Councilman Garrett to open to the public with regards to the bill list only. All in favor.

Hearing no comments from the public, motion by Councilman Law, seconded by Councilman Krasnomowitz to close to the public. All in favor.

Motion by Councilman Garrett, seconded by Councilman Law to approve and pay the bill list as presented with additions.

Roll Call:

Ayes: Barr, Burd, Garrett, Krasnomowitz, Law
Nays: None
Abstain: None

Absent: Sena

RESOLUTIONS:

Resolution # 2016-01 – Cash Management Plan.

WHEREAS it is in the best interest of the Borough of Hamburg to earn additional revenue through the investment and prudent management of its cash receipts; and

WHEREAS P.L. 1983, Chapter 8, approved January 18, 1983 is an act concerning the Local Fiscal Affairs Law and amends N.J.S.A. 40A:5-2 and N.J.S.A. 40A:5-14; and

WHEREAS this requires that each local unit shall adopt a cash management plan.

NOW, THEREFORE, BE IT RESOLVED, that the following shall constitute the Cash Management Plan for the Borough and the Treasurer shall deposit and manage its funds pursuant to this plan:

Definitions

- 1. Treasurer shall mean the Treasurer of the Borough of Hamburg
- 2. Fiscal Year shall mean the twelve-month period ending December thirty-one.
- 3. Cash Management Plan shall mean that plan as approved by resolution.

Designation of Depositories

At least once each fiscal year the governing body shall by resolution designate the depositories for the Borough of Hamburg in accordance with the N.J.S.A. 40A:5-14.

Audit Requirement

- 1. The Cash Management Plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A:5-4.

Authority to Invest

- 1. The governing body shall pass a resolution at its first meeting of the fiscal year designating the Borough official(s) who shall make and be responsible for municipal deposits and investments.

Investment Instruments

- 1. The Treasurer shall invest at his discretion in any investment instrument as approved by the State of New Jersey in accordance with N.J.S.A. 40A:5-15.1.

Records and Reports

- 1. The Treasurer shall report all investments in accordance with N.J.S.A. 40A:5-15.2.
- 2. At a minimum the Treasurer shall:
 - a. Keep a record of all investments.
 - b. Keep a cash portion record which reveals, on a daily basis, the status of the cash in its bank accounts.
 - c. Confirm investments with the governing body at the next regularly scheduled meeting.
 - d. Report monthly to the governing body as to the status of cash balances in bank accounts, revenue collection, interest rates, and interest earned.

Cash Flow

- 1. The Treasurer shall ensure that the accounting system provides regular information concerning the cash position and investment performance.
- 2. All moneys, shall be turned over to the Treasurer and deposited in accordance with N.J.S.A. 40A:5-15.
- 3. The Treasurer is authorized and directed to invest surplus funds of the Borough of Hamburg as the availability of the funds permit. In addition, it shall be the responsibility of the Treasurer to minimize the possibility of idle cash by depositing the monies in interest bearing accounts wherever practical and in the best interest of the Borough of Hamburg.
- 4. The Treasurer shall ensure that funds are borrowed for Capital Projects in a timely fashion.

Motion by Councilman Garrett, seconded by Councilman Law to accept Resolution # 2016-01 – Cash Management Plan. All in favor.

Resolution #2016-02 Appointment –Tax Assessor and Municipal Attorney to defend in Tax Court
Motion by Councilman Barr, seconded by Councilman Law to accept Resolution #2016-02 Appointment – Tax Assessor and Municipal Attorney to defend in Tax Court. All in favor.

ORDINANCES:

None

ATTORNEY HOUR:

ENGINEERING:

OATH OF OFFICE – DETECTIVE JEFFREY SOKOLOWSKI

Borough Clerk Doreen Schott administered the Oath of Office to Detective Jeffrey Sokolowski while family members and the public looked on. He was congratulated by Council and he thanked the Mayor and Council.

MAYOR’S AGENDA:

Local Emergency Planned Committee (LEPC) membership appointments

Mayor Marino advised that as part of the County requirements of Office of Emergency Management, he appoints the following persons to the Hamburg Local Emergency Planning Committee (LEPC)- Chairman Keith Sukennikoff, OEM; Kevin Decker, OEM Deputy Coordinator; John Haig, OEM Deputy Coordinator; Paul Marino, Mayor; Councilman Rich Krasnomowitz; Councilman Russell Law; Doreen Schott, Municipal Clerk; Mike Schneider, DPW; Jamie McCurry, Fire Chief; Bill Walsh, Fire Official; Joyce Oehler, EMS Captain; Wayne Yahm, Police Director; Sergeant George Gunderman, Police Department OIC; Roger Jinks, Hamburg School; Bill DeBoer Sr.; Dr. Dennis Fielding, Medical Physician of Hamburg; and Tom Graham. The purpose of the committee is to address potential hazardous materials incidents, and has been expanded to include terrorism preparedness and serve as the Citizen Corps Council. They will be meeting approximately four (4) times a year.

Motion by Councilman Barr, seconded by Councilman Law to accept the committee as submitted. All in favor.

Commodity Resale Agreement – Gasoline and Diesel Fuels

Council is in receipt of the Commodity Resale Agreement for gasoline and diesel fuels from Hardyston Township.

Motion by Councilman Barr, seconded by Councilman Garrett to accept the agreement as presented. All in favor.

PROFESSIONAL SERVICE AGREEMENTS 2016

The following Professional Service Agreements were presented for execution. A spread sheet to Council Members indicated a synopsis for the service performed. The service provided by each is remaining the same as in past years and the following contracts are to be executed:

Richard Clemack Contract (Attorney Services)

- Nelson Consulting Group Contract (Planning Services)
- Mott MacDonald Contract (Engineering Services)
- Nisivoccia & Company Contract (Auditing Services)
- John L Kraft Contract (Bond Counsel)
- Dr. Fielding Contract (Medical Service)
- James P Sloan Contract (Public Defender)
- Alicia Ferrante Contract (Municipal Prosecutor)
- Weiner Lesniak – Glenn Kienz Contract (LUB Attorney)

Motion by Councilman Law, seconded by Councilman Garrett to accept the Professional Service

Agreements as offered. All in favor.

COMMITTEE REPORTS

COUNCILMAN BARR

1. POLICE COMMISSIONER

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to open the meeting to Police Director Wayne Yahm. All in favor.

Monthly report for December 2015

The December 2015 monthly report for the Police Department showed 639 calls of service, including 4 arrests, 19 motor vehicle accidents, and 54 motor vehicle summonses issued (ETickets – 51, hard copies – 3).

Director Yahm also said that there was not much overtime as the training the officers did was computer based in the office.

Councilman Barr asked about the E-tickets - how they are working and why are the officers still writing hard copy tickets. Mr. Yahm replied there have not been many problems with the system and the officers are happy with the E-tickets. There are still some dead spots in town so hard copies still have to be written. Councilman Garrett asked if the 800 E-tickets were met for the pricing but he was unsure and will check with Sergeant Gunderman. Councilman Garrett also asked if there was overtime for the department for the water main break and it was but at a department rate and not at a construction rate which would be much higher.

Councilman Barr also stated that call outs to other municipalities are reimbursed to the department.

When asked about the LEAD program, Mr. Yahm said the schedule is being set with the teachers and should begin in late January or early February, includes 5th and 7th grades, and will run until May.

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to close to Mr. Yahm. All in favor.

2. HISTORIC COMMISSION / HISTORIC SOCIETY

Councilman Barr stated there were a few vacancies on both boards and there are some plans for this coming year.

3. SUSSEX COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP

COUNCILMAN KRASNOMOWITZ:

- 1. OFFICE ADMINISTRATION
- 2. CONSTRUCTION DEPARTMENT
- 3. LAND USE BOARD

Councilman Krasnomowitz spoke to the Zoning Officer regarding the clothing bins and if they were allowed. Since they would be considered a commercial use, they are not a permitted use and therefore not allowed; it was commented that they just wind up being unsightly.

- 4. INSURANCE
- 5. OPEN SPACE

COUNCILMAN BURD

- 1. SOLID WASTE
- 2. SANITATION AND RECYCLING
- 3. GRANTS

Notification that the Statewide Insurance Fund 2015 Grant was awarded to the Borough.

Councilman Burd informed the Council that the Borough was awarded a grant amount of \$1298.73 for traffic control devices from Statewide Insurance Fund 2015 grant.

Notification of recycling grant for the year 2013

Councilman Burd stated that we received \$9988.64 in recycling money this past year which was \$2507.47 more than the year before. E-waste programs are also being looked into for the coming year.

4. BOARD OF EDUCATION

The next meeting will be held on January 5th.

COUNCILMAN LAW

1. COURT

2. FIRE COMMISSIONER AND OEM

Fire and EMS Monthly Reports

Fire Calls- not available

EMS calls: 2 fire; 6 MVA; 3 alarm; 30 medical; 15 trauma; 4 mental health; 0 stand-by; 1 community service; 2 cancelled en- route. Mutual Aid – into Hardyston –32; into Franklin- 2. Total calls for the year- 627. Total man hours for the year: 1968.

Discussion for EMS turn-out gear:

Councilman Law said he met with EMS Captain Joyce Oehler regarding the turn-out gear and discussed the three (3) bids he received with the best one from North Jersey Fire and Rescue at a cost of approximately \$12,518.52 for 18 turn-out gear. After discussion,

Motion by Councilman Krasnomowitz, seconded by Councilman Law to go with North Jersey Fire and Rescue for the EMS turn-out gear at a cost of approximately \$12,518.52 for the 18 turn-out gear.

Motion by Councilman Law, seconded by Councilman Krasnomowitz to open the meeting to EMS Captain Joyce Oehler. All in favor.

Ms. Oehler explained that all but possibly 2 members may need boots; all others were covered. With t-shirts, sweatshirts, and winter hats, in the safety green, which is what would be required by the DOT, the total would be approximately \$16,000.00 per member. The \$12,358.00 is a number for turn-out gear for members and no boots are included. Jacket liners are not included and would be an additional \$75.00 - 100.00 per member. Councilman Barr is concerned that since these members are volunteers for the town that they have what they would like.

Motion by Councilman Barr, seconded by Councilman Law to amend the motion to add up to \$500.00 for liners for members if they so choose to get one. All in favor.

Mayor Marino stated that if boots are needed then it should be an add-on. Ms. Oehler stated the company is willing to work with her for pricing since she has worked with them for approximately 15 years and to add on boots would not be a problem.

Roll Call:

- Ayes: Barr, Burd, Garrett, Krasnomowitz, Law
- Nays: None
- Abstain: None
- Absent: Sena

******Councilman Sena arrived at 7:55 pm******

Motion by Councilman Law, seconded by Councilman Garrett to open the meeting to OEM coordinator Keith Sukennikoff. All in favor.

Mr. Sukennikoff stated that today at 4 pm Fire Chief Jamie McCurry received an email that a grant for up to \$30,000.00 was received from Firehouse Subs and this will be used to purchase a combo tool cutter – the fastest way to cut open a car. This includes the spreader, cutter, ram, batteries, and mounting equipment to put it on the rescue truck. Ex-chief Bill Oehler was also helpful in obtaining this grant.

Motion by Councilman Law, seconded by Councilman Krasnomowitz to close to Mr. Sukennikoff. All in favor.

3. NEWSLETTER

COUNCILMAN GARRETT

1. BUILDING AND GROUNDS

Councilman Garrett will be talking to Jarod at Farmside Landscaping in the near future about our landscaping needs for the coming year.

2. WATER QUALITY

3. BOARD OF PUBLIC WORKS

Councilman Garrett said that with the recent water main break, it has come to the attention of the BPW that maps need to be updated so John Ruschke has been contacted with regards to the update.

Re-organization meeting will be held on January 13th at 7 pm.

COUNCILMAN SENA

1. FINANCE / TAX DEPARTMENT

Tax Collector Report - none

Motion by Councilman Sena, seconded by Councilman Garrett to accept the: Resolution to redeem third party tax sale certificate #15-020 in the amount of \$43,315.06; the Resolution to redeem third party tax sale certificate #14-070 in the amount of \$6245.41; and the Resolution to redeem third party tax sale certificate # 15-009 in the amount of \$8597.87. All in favor.

2. ROAD DEPARTMENT

The Road Dept. will be picking up Christmas trees until the end of January. All road dept. equipment is weather ready.

3. BOARD OF HEALTH

Councilman Sena said the rabies clinic, vaccinating 142 dogs and cats, was successful. Tuesday, January 12th at 6:30 pm is the re-organization meeting.

4. RECREATION

Breakfast with Santa went very smoothly and organized, being attended by approximately 200 plus people. Recreation has a Family Swim Night planned for March along with ice skating at Skylands Ice World. The re-organization meeting will be held on January 19th at 7 pm.

PUBLIC PORTION:

Motion by Councilman Garrett, seconded by Councilman Law 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 in favor.

Stefanie Jasper – artist- informed the Council of a festival she would like to hold entitled “Mountain Mural and Music Festival”, in which the exterior walls in Hamburg / Hardyston / Franklin would be covered with murals. The individual artists participating in the festival would paint their murals on the sides of buildings on Rt. 23 during the 3 day festival, with the public walking around to watch and admire. Ms. Jasper stated that this would bring a constant flow of interest to the Borough and to the County. The artists would have a

contract with the property owners in place. Councilman Garrett asked about DOT approval since it was a major highway and the traffic congestion it may cause. Mayor Marino said that there are a lot of accidents on Rt. 23 already and thinks it is going to be a distraction also. Ms. Jasper said that a business owner could participate in the festival and if there should be a problem, the mural could be painted over. Councilman Krasnomowitz thought safety would be a concern also – with the music, vendors, and people walking on Rt. 23 to see the murals, etc., also stating there is no commercial parking or the many businesses that would have a “wall” for a mural. Holding it on Main Street was mentioned and he agreed with that idea. Councilman Burd said that if the other towns were in on the idea that we should be also. Ms. Jasper would like to come back in about one month to give a more detailed presentation and she will also bring letters from merchants showing their positive feedback about the idea. Motion by Councilman Krasnomowitz, seconded by Councilman Law to close to the public. All 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. Police Interview – applicants – privacy matters

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 Councilman Krasnomowitz, seconded by Councilman Burd to accept the resolution as offered. All in favor.

Motion by Councilman Barr, seconded by Councilman Law to enter into Executive Session at 8:23 pm. All in favor.

Discussion of Police Dept. applicants

Motion by Councilman Sena, seconded by Councilman Law to return to the Regular Meeting. All in favor.

No action taken on Executive Session matter.

Mayor Marino discusses with the Council insurance for functions held at the firehouse with regards to the use of the truck room and /or bathrooms. Councilman Krasnomowitz stated that they would be covered by FD insurance should someone fall off the fire truck. But Councilman Krasnomowitz did suggest getting a Certificate of Insurance from the FD on a yearly basis naming the Borough as an additional insured. Council discussed rentals and the possibility of having them provide an insurance certificate to the FD also.

Councilman Sena asked about the contract for EMS with Hardyston. The town has done a resolution with Hardyston for this year and has a signed copy returned.

Councilman Sena expresses concern over the amount of foreclosures in town. Other Council members mention that it is also unfortunately, county wide.

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

1. Notice of foreclosure action 10 Governor Haines (12/14/2015)
2. SCMUA Estimated charge FY 2016 (12/14/2015)

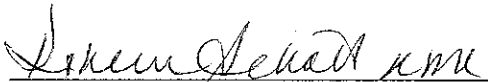
3. Notice of foreclosure action 62 Portsmouth (12/14/2015)
4. NJCM seminar – Terrorist Attacks (12/21/2015)
5. From Franklin Borough Ordinance amending Land Use Board Ordinance (12/21/2015)
6. Correspondence from Hatch Mott to Fairways at Wallkill River regarding water allocation permit. (12/21/2015)
7. Notice of foreclosure action 1 Mountain Road (12/21/2015)
8. Information regarding status: Hamburg’s Declaratory Judgement. (12/21/2015)
9. Notice of Borough’s answer to foreclosure action Wells Fargo v Timchak. et al
10. SCMUA- 2016 actual charges (12/28/2015)
11. Copy of Land Use Housing Amendment Plan sent to LUB (12/28/2015)
12. Correspondence from Weiner Lesniak regarding Hamburg complain for Declaratory Judgement (12/28/2015)
13. Notice of pending foreclosure 15 Holly Drive
14. From State of NJN – Notice of No Further Action 26 Wallkill Avenue (12/28/2015)
15. Notice of pending foreclosure 32 Willow Circle

ADJOURNMENT

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to adjourn the meeting. All in favor.

Date Approved: 2-1-16

Date Released: 2-1-16



Doreen Schott, RMC
Municipal Clerk

Submitted by Kathy Garrett