

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF HAMBURG HELD ON MAY 2, 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	Councilman Sena
Mayor Marino	

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 6, 2016 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".

March 21, 2016 Executive Session Meeting Minutes

Motion by Councilman Garrett, seconded by Councilman Krasnomowitz to approve the March 21, 2016 Executive Session Meeting Minutes of the Mayor and Council.

Roll Call:

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

April 4, 2016 Regular Meeting Minutes

Motion by Councilman Burd, seconded by Councilman Krasnomowitz to approve the April 4, 2016 Regular Meeting Minutes of the Mayor and Council.

Roll Call:

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

April 18, 2016 Meeting Minutes

Motion by Councilman Krasnomowitz, seconded by Councilman Garrett to approve the April 18, 2016 Meeting Minutes of the Mayor and Council.

Roll Call:

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

Absent: None

April 18, 2016 Executive Session Meeting Minutes

Minutes will be carried for approval.

APPROVAL OF BILLS:

As there are no additions or deletions to the bill list, motion by Councilman Krasnomowitz, seconded by Councilman Burd to open the meeting to the public with regards to the bill list only. All in favor. Hearing no comments from the public, motion by Councilman Krasnomowitz, seconded by Councilman Burd 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.

Roll Call:

Ayes: Barr, Burd, Garrett, Krasnomowitz, Law, Sena

Nays: None

Abstain: None

Absent: None

2015 MUNICIPAL AUDIT:

Synopsis of Audit has been published as provided by law- Certification to be signed by governing body

Mayor Marino stated the Synopsis of Audit was published in the newspaper and now the Council needs to sign.

Motion by Councilman Burd, seconded by Councilman Garrett to approve to sign. All in favor.

Resolution of Certification of Annual Audit to be adopted

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

CORRECTIVE ACTION PLAN and Resolution No. 2016-22; Accepting Correction Action Plan

Mayor and Council are in receipt of the Corrective Action Plan as prepared by the CFO and Resolution No. 2016-22.

Motion by Councilman Burd, seconded by Councilman Garrett to accept the Corrective Action Plan and Resolution #2016-22.

Mayor Marino asked CFO Amy Maronpot if all items have been corrected and she replied they had. All in favor.

RESOLUTIONS:

Resolution # 2016-18 –Support Sussex County Clear Program.

Motion by Councilman Garrett, seconded by Councilman Burd to accept Resolution # 2016-18 –Support Sussex County Clear Program. All in favor.

Resolution # 2016-20 – Chapter 159 Volunteer Fire Asst. Grant.

Motion by Councilman Law, seconded by Councilman Krasnomowitz to accept Resolution # 2016-20 – Chapter 159 Volunteer Fire Asst. Grant in the amount of \$3500.00. All in favor.

Resolution # 2016-21 – Chapter 159 EMS Donation 2016

Mayor Marino stated that this resolution is in regards to private EMS donations that should be deposited into the Fire Dept. account, going for training purposes.

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

Mayor Marino said that the donation money not being used correctly and should be used for training purposes. This is a big problem, especially with the Fire Dept. running in the red. Joyce Oehler said that yes, the Fire Dept. is running in a deficit, but if we (EMS) had this donation money, we could use it for equipment also. Councilman Krasnomowitz asked if the money was specifically donated to EMS and was answered yes. Mayor Marino reiterated that it was all one organization.

After further discussion, Mayor Marino offered the following resolution:

**RESOLUTION OF THE MAYOR AND COUNCIL
BOROUGH OF HAMBURG
Ems Donation
#2015-21**

BE IT RESOLVED, that any private donations other than County or State agencies to the Fire Department or EMS be directed to the Hamburg Fire Department Inc. Civil Officers and Budget. Motion by Councilman Barr, seconded by Councilman Sena to accept the resolution as offered.

Roll Call:

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

**ORDINANCES:
(no ordinances)**

**ATTORNEY HOUR:
1.**

ENGINEERING: no report

MAYOR'S AGENDA:

1. Letter of Resignation – CFO Amy Maronpot
 Mayor Marino presented the letter of resignation from CFO Amy Maronpot, stating that she is resigning effective May 31, 2016 due to retirement and relocating.
 Motion by Councilman Law, seconded by Councilman Sena to accept the letter of resignation from Ms. Maronpot effective May 31, 2016 with regrets. All in favor.

Mayor Marino also mentioned that since Ms. Maronpot worked for a few different towns, that quite possibly an Interlocal may be done with one other.
 Councilman Burd also said that William Sabo of the Hamburg School was wondering about a replacement as Amy Maronpot worked there also.

2. Notification from State of NJ DOT – 2016 Municipal Aid Program for road improvement was denied.

Mayor Marino stated that notification was received that Hamburg was denied the NJ DOT 2016 Municipal Aid Program, adding that the DOT Commissioner at the League said we would probably receive it next year.

3. Energy Market Exchange Bidding
 The Energy Market Exchange bidding was held on April 5th with the contract being a 24 month contract. The electricity bid went to Constellation Energy at \$0.0781 K/Wh. The natural gas bid went to Great Eastern Energy at \$0.485/Therm. Both bids were substantially lower than last time.

4. Water Booster Station Emergency Generator and Electrical Improvements Bid
 The bid opening for the Water Booster Station Emergency Generator and Electrical Improvements was April

20th and BOZ Electrical Contractors was the low bidder.

After a brief discussion, Attorney Clemack offered the following resolution:

**RESOLUTION OF THE MAYOR AND COUNCIL
BOROUGH OF HAMBURG
Water Booster Station Emergency Generator and Electrical Improvements
#2016-23**

BE IT RESOLVED, regarding the Water Booster Station Emergency Generator and Electrical Improvements, Borough of Hamburg, with the bids set forth in a letter from Hatch Mott MacDonald dated April 27, 2016, BOZ Electrical Contractors being the low bidder;

THEREFORE, BE IT RESOLVED that the award is to BOZ Electrical Contractors, total base bid of \$174,400.00, Supplemental Bid Item 'A' of \$61,000.00, making a total bid of \$235,400.00. This bid is subject to the said contractor submitting the appropriate insurance and other documents as required by the bid documents.

Motion by Councilman Garrett, seconded by Councilman Krasnomowitz to accept the resolution as offered. Mayor Marino stated that it was recommended that this project be done all at once as the money is there and Jerry Kastner is concerned with having to do more repair work on the station, resulting in more costs to the town.

Roll Call:

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

5. New Jersey Conference of Mayors

COMMITTEE REPORTS

COUNCILMAN BARR

1. POLICE COMMISSIONER

The monthly report was not available.

2. HISTORIC COMMISSION / HISTORIC SOCIETY -no report

3. SUSSEX COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP- no report

COUNCILMAN KRASNOMOWITZ:

1. OFFICE ADMINISTRATION

2. CONSTRUCTION DEPARTMENT

Monthly report for March 2016

The report showed there were 7 permits issued, 0 certificates of occupancy, and 7 certificates of approvals with a total of \$2454.00 collected in fees for the month of March.

3. LAND USE BOARD

The next meeting will be held on May 9th at 7 pm and Councilman Krasnomowitz said activity on various properties will be discussed.

4. INSURANCE - no report

5. OPEN SPACE -no report

COUNCILMAN BURD

Councilmember Burd will discuss update on Borough Camera (security)

Council is in receipt of the five (5) identical proposals for the Security System for Borough properties, including Borough Hall, ball park, Court House, and Police Station. Nextronic Systems LLC being the

lowest at \$15,547.15; with pole mount option is \$15,013.75. Councilman Burd said the resolution on the cameras was very good and Councilman Garrett stated these are great cameras and this company does very good work. Each will have four cameras situated in various areas, facing the doors, parking lot, and meeting room. The park will be mounted on a pole (installed by the Road Dept.) and have a DVR system. All recordings will be able to be viewed in the police station and in the police cars.

Attorney Clemack offered the following resolution:

**RESOLUTION OF THE MAYOR AND COUNCIL
BOROUGH OF HAMBURG
Security System Borough of Hamburg
#2016-24**

WHEREAS, at the Mayor and Council Meeting held on May 2, 2016, it was discussed the need for a security system within the Borough owned buildings and recreation fields; and

WHEREAS, there were five offers that were solicited and received, all being identical, with the lowest being Nextronic Systems LLC, 107 Fern Rd, Dingmans Ferry, PA 18328 having submitted the low proposal of \$15,547.15; and

WHEREAS, Nextronic Systems LLC is highly recommended.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Hamburg select Nextronic Systems LLC, Dingmans Ferry, PA for the Security System for the Borough of Hamburg.

Motion by Councilman Burd, seconded by Councilman Barr to accept the resolution as offered.

All in favor.

Mayor Marino thanked the committee for all their hard work on this and was pleased with the good plan that was instituted.

- 1. **SOLID WASTE**- no report
- 2. **SANITATION AND RECYCLING** – no report
- 3. **GRANTS**- no report
- 4. **BOARD OF EDUCATION** – no report

Councilman Burd said that although the school board stayed within the cap, taxes are up 1.709 % on a home assessed at \$100,000.00. There are 26 students going to the charter school at a cost of \$16,000.00 per student, equaling \$326,000.00. Council members wonder if there is a cap on the number of students that are allowed to attend but Councilman Burd did not know for sure.

COUNCILMAN LAW

1. COURT

Councilman Law said the plan for the Court door has to be changed as the door has to be reconfigured and now it will cost more than expected. He will get more information on this.

The State Police has an issue with lab results being tampered with, affecting approximately 12 - 14 cases. This now will mean extra costs associated with the judge and prosecutor with regards to fact finding and the Police Dept. with discovery.

2. FIRE COMMISSIONER AND OEM

Fire Report - April

2 fire; 3 MVA; 1 alarms; 0 smoke condition; 1 smell gas/smoke; 0 traffic cont; 1 assist EMS; 0 stand-by; 0 medi-vac; 0 public service; 0 cancelled en-route. Mutual Aid – into Hardyston – 1; into Franklin – 1. Total calls for the year – 44. Total man hours for the year: 516.

EMS Report - April

3 fire; 4 MVA; 2 alarm; 30 medical; 10 trauma; 4 mental health; 0 stand-by; 3 community service; 2

cancelled en- route. Mutual Aid – into Hardyston –30. Total calls for the year- 206. Total man hours for the year: 697.

EMS Membership – Zachary Ross – Background Check and Medical Report received.

Council is in receipt of a membership application for Zachary Ross, whose background check was returned favorable and medical form was also received.

Motion by Councilman Law, seconded by Councilman Garrett to accept the membership application for EMS for Zachary Ross. All in favor.

Councilman Garrett asked if he was a driver or EMT and it was unknown.

3. NEWSLETTER – no report

COUNCILMAN GARRETT

Councilman Garrett mentioned the Fire Dept received the \$30,000.00 from Firehouse Subs and used it for equipment – Jaws of Life, etc. He also mentioned that Sparta received \$10,000.00 from Firehouse Subs, with Sparta Township matching it and the Fire Dept purchased a boat.

1. BUILDING AND GROUNDS

Councilman Garrett said the brick on the side of the fire dept. building has been repaired; it was \$150.00 more than the original amount but it was done correctly.

2. WATER QUALITY – no report

3. BOARD OF PUBLIC WORKS

Councilman Garrett relayed that Board members were meeting at the booster station at 6 pm on May 11th before the meeting for a tour of the facility to see how it all works. The regular meeting will begin at 7 pm.

COUNCILMAN SENA

1. FINANCE / TAX DEPARTMENT

The Tax Collector's report for March 2016 showed a total of \$271,935.58 being collected.

Motion by Councilman Sena, seconded by Councilman Garrett to redeem third party tax sale certificate #14-068 in the amount of \$2858.98; to redeem third party tax sale certificate #15-021 in the amount of \$1289.09. All in favor.

Motion by Councilman Sena, seconded by Councilman Garrett to refund an overpayment on Water and Sewer Block 17, Lot 18 (2752) in the amount of \$239.79. All in favor.

2. ROAD DEPARTMENT

The Road Dept. will be flushing hydrants the week of May 2nd- 5th from 12 am – 5 am. A notice was placed in the paper.

3. BOARD of HEALTH

Board of Health has a new inspector and the next meeting will be in July.

4. RECREATION

The upcoming events that Recreation will be holding are the Miss Hamburg, Little Mr. / Little Miss Hamburg contests on June 12th, Hamburg Day on August 21st, and a Miners baseball game on July 16th. Members are discussing summer recreation and holding a bike / walk for cancer.

PUBLIC PORTION:

Motion by Councilman Barr, seconded by Councilman Burd 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.

Jerry Kastner – Water Superintendent - Water testing for lead is being done in the school as a proactive measure, costing approximately \$1400.00. Road Dept. Foreman Mike Schneider is helping at the site. Mr. Kastner followed the DEP guidelines as the EPA is very strict with regulations. Sixty two (62) samples were taken and should lead show up, he will determine what course of action will be taken. Mr. Kastner is optimistic as new service lines were installed in the school in 2002 which will make a difference.

Mike Schneider – Road Dept. Foreman – stated that 14 catch basins were rebuilt and they are doing repair work on cracks in the roads. Street sweeping will begin the end of May, beginning of June.

Joyce Oehler – EMS Captain – stated that Zack Ross is taking his EMT test on Thursday and Tabitha and Colin begin school in September. She also said she has not heard anything from Hardyston regarding the EMS deadline of May 30th so July 1st they will stop running calls.

Chris Fitzpatrick – Glenside Ave – asked about how many calls are made into Hardyston, what the budget was, and what we charge the patient. Joyce Oehler responded about \$40,000.00 and there is no charge to the resident as they are volunteers.

He also mentioned there are at least six (6) empty houses for several years in Penny Rock and wondered if the town could offer potential buyers an abatement on taxes as an incentive to come here. Attorney Clemack answered no, adding that residential laws are different than industry laws; that is why stores are offered that incentive.

Motion by Councilman Garrett, 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. Hinger vs. Hamburg – ABC appeal

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 Sena to enter into Executive Session at 8:42 pm. All in favor.

Discussion regarding Hinger vs. Hamburg – ABC appeal

Motion by Councilman Krasnomowitz, seconded by Councilman Burd to return to the Regular Meeting. All in favor.

No action taken.

Mayor Marino stated that the Borough will be looking for applicants for the Finance Dept. and will begin the interview process.

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

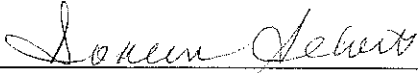
1. Notice of Tax Appeal Block 24, Lot 1 (C0708) (4/5/2016)
2. From State of NJ – Safe Routes to School applications (4/5/2016)
3. Township of Hardyston Ordinance Amending “Zoning” (4/5/2016)
4. Correspondence NJ Bankers – services of listing foreclosures for municipalities
5. From Weiner Lesniak – Notice to courts – Draft Addendum to Hamburg Housing Element and Fair Share Plan. (4/5/2016)
6. Notice of Tax Appeal Block 17, Lot 18 (C1919) (4/11/2016)
7. Notice of Sherriff’s deed Block 17, Lot 18 (C1207) (4/11/2016)
8. From State of NJ – No further action Underground Storage Tank (4/12/2016)
9. Correspondence from Hardyston Twp. Sparta Mountain Wildlife Management Area Forest Stewardship Plan (4/12/2016)
10. NJ Transit Public Meeting Notice (4/12/2016)
11. Correspondence from Walder Hayden – Insurance coverage litigation practice. 4/12/2016)
12. From State of NJ – Notice of NJDEP case – underground storage tank (4/18/2016)
13. Notice of hearing in Hardyston Township (4/18/2016)
14. Notice of foreclosure action – 9 Michael Court (4/22/2016)
15. Notice of foreclosure action and property registration 9 Michael Court (4/22/2016)
16. Notice of foreclosure action and property registration 113 Falcon Ridge Way (4/22/2016)
17. Notice of foreclosure action and property registration 78 Village Drive (4/22/2016)
18. Notice of foreclosure action and property registration 24 Spruce Hills Court (4/22/2016)
19. Notice of foreclosure action and property registration 34 Portsmouth Ct. (4/22/2016)
20. Elizabeth Gas notice of public hearing (4/22/2016)
21. JCPL notice of residential account disconnected (4/22/2016)
22. JCPL notice of residential accounts disconnected (4/22/2016)
23. Sussex County Water Quality Management Minutes January 2016) (4/22/2016)
24. From Franklin Borough – Adoption of the 2016 Master Plan Re-Examination Report (4/22/2016)
25. From Weiner Lesniak – Correspondence in the matter of the Borough of Hamburg Complaint for Declaratory Judgement (4/26/2016)
26. From State of NJ – 2016-2017 Municipal Percentage Shares for Regional School Districts (4/26/2016)
27. Notice of Foreclosure – 69 Vernon Avenue (4/26/2016)
28. Notice of Foreclosure – 68 Heritage Lane (4/26/26)
29. Notice of Foreclosure 0 26 N Route 23 (4/26/2016)
30. From Timothy Middleton, Esq, Comparable Sales /Evidence 780 Falcon Ridge Way No. (4/26/2016)
31. From Tax Assessor list of County Tax Board Appeals in Hamburg. (4/26/2016)
32. From Township of Vernon – 2016 Gypsy Moth Control Program
33. Notice of transfer of deed in Lieu of foreclosure (4/27/2016)

ADJOURNMENT

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

Date Approved: _____

Date Released: _____



Doreen Schott, RMC
Municipal Clerk

Submitted by Kathy Garrett