

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF HAMBURG HELD ON JUNE 5, 2017 AT THE MUNICIPAL BUILDING,
16 WALLKILL AVE., HAMBURG, NJ**

CALL TO ORDER:

Mayor Marino called the meeting to order at 7:00 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 10, 2017 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".

May 1, 2017 Regular Meeting Minutes

Motion by Councilman Garrett, seconded by Councilman Krasnomowitz to approve the May 1, 2017 Regular Meeting Minutes of the Mayor and Council.

Roll Call vote showed all members present in favor.'

May 1, 2017 Executive Session Minutes

Motion by Councilman Garrett, seconded by Councilman Law to approve the May 1, 2017 Executive Session Meeting Minutes of the Mayor and Council.

Roll Call vote showed all members present in favor.

APPROVAL OF BILLS:

Councilman Sena added the following bills to the bill list: a check in the amount of \$100.00 to Brielle Bustamante; \$250.00 to Nicole Spangenberg; and \$39.43 to Kathy Garrett. These are all from the Recreation account for the Miss Hamburg Contests.

Motion by Councilman Sena, seconded by Councilman Law to add these bills to the bill list.

Roll Call:

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

Motion by Councilman Garrett, seconded by Councilman Law to open the meeting to the public. All in favor.

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

Motion by Councilman Sena, seconded by Councilman Law to approve and pay the bill list as presented

with additions. All in favor.

PRESENTATION – SENIOR CITIZEN AWARD

Helen Kaposi

Mayor Marino relayed that Ms. Kaposi was born on February 28, 1915 in Hardyston, but she graduated from Hamburg High School and lived most of her life her in Hamburg. She married in 1935 and together with her husband owned a convenience store in Hamburg that had 2 gas pumps and enjoyed selling soft serve ice cream. She still lives in the home that she built with her husband. She participates in the local senior group and has just turned 102 years of age.

Joe Carr

Mayor Marino stated that Mr. Carr was born on July 9, 1942 and is also a lifelong resident of Hamburg, going through the Hamburg School system. He served in the Army from 1964-1966, and then entered the Fire Department on July 11, 1968 and has been a member since, presently serving as Lieutenant in Fire Police. Mr. Carr’s father was also the Chief of the department in 1924. He is also an avid Met’s fan, NASCAR and attends the local Miner’s baseball games. He lives on Mulberry Street with his wife Carol and they have a daughter Kerry.

ORDINANCES:

None

RESOLUTIONS:

2017-30 – Purchase of Ford F-550 (state contract) for Road / Water Department.

Councilman Sena gave the Council information regarding the purchase of a Ford F-550 truck for the Road / Water Department. This is under the State Contract and \$80,000.00 has been budgeted for this truck. The total cost of the Ford F-550 truck Cab / Chassis with dump body (2017) at the State Contract price is \$77,516.00.

Motion by Councilman Sena, seconded by Councilman Law to approve Resolution 2017-30 2017-30 – Purchase of Ford F-550 (state contract) for the Road / Water Department.

Roll call showed all Council members present in favor.

ATTORNEY HOUR:

1.

ENGINEERING:

MAYOR’S AGENDA:

Mayor Marino stated there are no updates with regards to the shared services discussions.

1. Proclamation: Reverend William B. Collins

Mayor Marino read the proclamation supporting Reverend William B. Collins of St. Jude’s Church in Hamburg who is retiring on June 25th and returning to his home in Galway, Ireland.

Motion by Councilman Sena, seconded by Councilman Burd to accept the Proclamation as offered. All in favor.

2. Revised Certificate of Funds Availability – Special Legal Service

Mayor Marino relayed that the revised certificate of funds availability amount is not to exceed \$10,000.00 out of the Police Budget for the purpose of special legal services for 2017 police matters.

Motion by Councilman Burd, seconded by Councilman Sena to accept the Revised Certificate of Funds Availability. All in favor.

3. 2017 Municipal Aid Grant

Mayor Marino announced the Borough received \$72,000.00 funding from the NJ Department of Transportation Municipal Aid Program 2017 towards road projects. He said the Borough will work with the engineer to get the most work accomplished.

4. CFO

Mayor Marino stated that CFO Dawn Babcock would be leaving June 30th and has done a great job for the Borough. Christine Licata will be taking over as Acting CFO as of July 1, 2017.

Motion by Councilman Sena, seconded by Councilman Krasnomowitz to accept Christine Licata as Acting CFO as of July 1, 2017.

Roll call showed all Council members present in favor.

LIQUOR LICENSE RENEWAL – 2017-2018 YEAR

The Licenses below have received tax clearance, fees have been paid, and no objections have been received.

- Restaurant Kaya (Cravin Thai LLC) 1909-33-003-010
- SJR, LLC (Doc’s) 1909-33-004-005
- Hamburg Krishna (Hamburg Liquors) 1909-44-002-006

The license below has received tax clearance and no objections have been received. Clerk will hold until payment is received.

- Marketplace Liquors 1909-33-005-006 (no payment received)

Motion by Councilman Krasnomowitz, seconded by Councilman Burd to approve the above Liquor License renewals for the 2017-2018 year.

Roll call vote showed all Council members present 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 May 2017

The May 2017 monthly report for the Police Department showed 873 calls of service, including 9 arrests, 15 motor vehicle accidents, and 48 motor vehicle summonses issued (ETickets – 45, hard copies – 3).

When asked, Mr. Yahm stated the department is doing away with the E-tickets. There is a mixture at the moment due to the type of summons issued – some cannot be issued by E-ticket and / or there are still some “dead spots in town” that affect whether E-tickets can be issued.

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

2. HISTORIC COMMISSION / HISTORIC SOCIETY

Meeting is cancelled.

COUNCILMAN KRASNOMOWITZ:

1. OFFICE ADMINISTRATION

2. CONSTRUCTION DEPARTMENT

Monthly report April 2017

The monthly report for April 2017 showed there were 13 permits issued, 1 certificates of occupancy, and 15 certificates of approvals with a total of \$1354.00 collected in fees for the month of April.

3. LAND USE BOARD

Councilman Krasnomowitz is unsure if the meeting will be held.

COUNCILMAN BURD

4. BOARD OF EDUCATION

Councilman Burd was unable to attend the monthly meeting.

COUNCILMAN LAW

2. FIRE COMMISSIONER AND OEM

EMS Calls for May

2 fire; 6 MVA; 1 alarm; 8 medical; 2 trauma; 0 mental health; 0 stand-by; 3 community service; 1 cancelled en- route. Mutual Aid – into Wantage - 2. Total calls for the year- 114. Total man hours for the year: 288.

Fire Report Unavailable.

OEM

OEM was invited on Thursday with Vernon and Hardyston to a training exercise with the Railroad.

COUNCILMAN GARRETT

Councilman Garrett thanked all that attended the Memorial Day Services at the Hardyston Cemetery and at the monument in front of the municipal building.

3. BOARD OF PUBLIC WORKS

Council is in receipt of a recommendation from BPW to award 50 EDUs to RPM Development Group for a project on Route 23 North before Docs. This will be a 55 and older community development, consisting of 50 units; 43 one bedroom units and 7 two bedroom units with a laundry room on each floor. These are income eligible rental units only. The water and sewer main would need to be extended and that would be at the owner's expense. A resolution was prepared by the Borough Engineer outlining all stipulations and time frames and should extensions be necessary, they could return to the Board.

Motion by Councilman Garrett, seconded by Councilman Law to approve the 50 EDUs for RPM Development to proceed on to Land Use with their project.

Attorney Clemack asked about the time frame and Councilman Garrett said there were time limits in place but they could always return for extensions. Councilman Law asked about the road being repaired if they should tear it up and it was replied that yes, it would be included in the site plan.

Roll Call showed all Council members present in favor.

COUNCILMAN SENA

1. FINANCE / TAX DEPARTMENT

The Tax Collector's Report for May showed a total of \$1,733,369.46 being collected.

2. ROAD DEPARTMENT

Councilman Sena stated that as of today, Monday, June 5th, street sweeping has been completed. There are a few catch basins on Oak Street that still need to be repaired but now the rain is delaying those repairs. He also stated that crack sealing and micro paving will follow.

3. BOARD of HEALTH

The next meeting will be on the 11th of July 2017.

4. RECREATION

Recreation had the Miss Hamburg contests: Miss Hamburg 2017 is Nicole Spangenburg; Little Mr. is Darren Wareka; and Little Miss is Salacia Fortain. Upcoming events for the Recreation Commission included the Miners Baseball Game, July 1st (fireworks); "Evening in the Park" on July 15th, rain date of July 16th; Hamburg Day on August 20th. Councilman Sena stated that he is in the process of making an official

volleyball court at the rec fields, and they are going thru the Littell Center to schedule the time. He also mentioned that 2 portable soccer benches were just purchased for the fields.

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.

Mike Schneider – Road Dept. Foreman –stated the Fire Dept. and Rec Field pavilions both were inspected and passed.

Charlie McMickle – thanked the Council for the soccer benches.

Sheila Frayko – Board of Education Liaison – stated that the LEADS graduation was a nice ceremony and graduation for the school is June 20th at 7 pm.

Motion by Councilman Garrett, seconded by Councilman Law to close to the public. All in favor.

Motion by Councilman Barr, seconded by Councilman Law to enter into Executive Session at 7:30 pm. 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. Personnel (rice notice issued)
- 2. Plaza 23
- 3. Grey Elephant / Historic Hamburg
- 4. Police / Personnel

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 Law, seconded by Councilman Sena to enter into Executive Session. All in favor.

Discussion on Personnel (rice notice issued); Plaza 23; Grey Elephant/Historic Hamburg; Police/Personnel.

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

Attorney Clemack offered the following resolution:

RESOLUTION

#2017-31

Police Disciplinary Matters

WHEREAS, regarding the Police Disciplinary matters that is scheduled for June 19, 2017, which is beyond the thirty (30) days allowed for a disciplinary hearing; and

WHEREAS, the Officers' attorney consented to it, but not in writing, so if the Borough does not receive a consent in writing that this is acceptable, the alternate day will be June 14, 2017, at 7 pm at the municipal building.

NOW, THEREFORE, BE IT RESOLVED that a special notice will be issued by the municipal clerk regarding the Police Disciplinary Matters.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Mayor and Council of the Borough of Hamburg at the June 5, 2017 Regular Meeting.

Doreen Schott, RMC
Municipal Clerk

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

Attorney Clemack offered the following resolution:

**RESOLUTION
#2017-32**

Grey Elephant Hamburg Historic Tax Appeal

WHEREAS, regarding Grey Elephant Hamburg Historic Tax Appeal cases, there is a discussion as to how the matter would be settled; and

WHEREAS, the Borough Attorney Richard Clemack is authorized to proceed as the discussion ensued in the Executive Session; and

WHEREAS, the main point would be Block 11, Lot 33, regarding proof and submission of a sales contract in the amount of \$275,000.00 being obtained.

NOW, THEREFORE, BE IT RESOLVED that should this not be produced, then all discussions and present counter offers are withdrawn in all the matters.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Mayor and Council of the Borough of Hamburg at the June 5, 2017 Regular Meeting.

Doreen Schott, RMC
Municipal Clerk

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

Regarding the Attorney / Client Privilege with the Police Officer, there is no action to be taken.

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

1. From Vernon Township 2017 Gypsy Moth Program (5/2/2017)
2. Information from NJ Bankers regarding foreclosed properties (5/2/2017)
3. Sussex County Water Quality Management Minutes March 2017 (5/2/2017)
4. NJLM Legislative Bulletin April 2017 (5/2/2017)
5. Notice of change of ownership 108 Mulberry Street 9 5/5/2017)
6. Correspondence from Dot Kays regarding fire department and police (5/9/2017)
7. Correspondence from tax collector regarding water meter 41 Mulberry (5/9/2017)
8. From Hardyston Township ordinance amending zoning chapter (5/9/2017)
9. Information from Rehabco Inc. (5/11/2017)

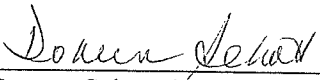
- 10. Notice of pending foreclosure 40 Village Drive (5/16/2017)
- 11. Copy of ordinance from Hardyston – zoning
- 12. Arbor Consulting Group (5/16/2017)
- 13. NCJAR – Information from Realtors regarding programs (5/19/2017)
- 14. From Richard Vohden – economic and demographic problems in Sussex County (5/19/2017)
County of Sussex invitation Public meeting – North Jersey Transportation Planning Authority (5/15/2017)
- 15. From Sussex County Public Information Meeting North Jersey Transportation Planning Authority (5/15/2017)
- 16. Copy of resolution from Mt. Olive – Amending the Open Public Records Law (5/22/2017)
- 17. Notice of Tax Appeal 29 Quarry Rd (5/25/2017)
- 18. Foreclosure notice for 7 Oak Point Drive
- 19. Sussex County Planning Board Minutes

ADJOURNMENT

Motion by Councilman Garrett, seconded by Councilman Law to adjourn the meeting. All in favor.

Date Approved 7-17-17

Date Released 7-17-17



 Doreen Schott, RMC
 Municipal Clerk

Submitted by Kathy Garrett