

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF HAMBURG HELD ON JANUARY 6, 2020 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:

Councilmember Krasnomowitz	Councilmember Law
Councilmember Oehler	Councilmember Garrett
Councilmember Burd	Councilmember Sena
Mayor Marino	

Also Present: Doreen Schott
Kathy Garrett
Richard Clemack, Attorney

STATEMENT OF CERTIFICATION:

Clerk advised:

Adequate notice of this meeting has been provided to the public and the press January 11, 2019 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 4, 2019 Regular Meeting Minutes

Motion by Councilmember Oehler, seconded by Councilmember Krasnomowitz to approve the December 4, 2019 Regular Meeting Minutes of the Mayor and Council.

Roll call showed all Councilmembers present in favor.

December 4, 2019 Executive Session Minutes

Motion by Councilmember Garrett, seconded by Councilmember Law to approve the December 4, 2019 Executive Session Meeting Minutes of the Mayor and Council.

Roll call showed all Councilmembers present in favor.

December 4, 2019 Special Meeting Minutes

Motion by Councilmember Oehler, seconded by Councilmember Garrett to approve the December 4, 2019 Special Meeting Minutes of the Mayor and Council.

Roll call showed all Councilmembers present in favor.

APPROVAL OF BILLS:

As there are no additions or deletions to the bill list, motion by Councilmember Garrett, seconded by Councilmember Law to open the meeting to the public with regards to the bill list only. All Councilmembers present in favor.

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

Motion by Councilmember Oehler, seconded by Councilmember Law to approve and pay the bill list as presented.

Roll call showed all Councilmembers present in favor.

ORDINANCES:

ORDINANCE #01-2020 First Reading

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

Motion by Councilmember Burd, seconded by Councilmember Krasnomowitz for Attorney Clemack to read the Ordinance by title for the first reading and publication. All Councilmembers present in favor

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to approve the ordinance on first reading and introduction with said ordinance to be published in full with second reading scheduled for February 3, 2020. All Councilmembers present in favor.

RESOLUTIONS:

#2020-11 – Waiving the claimants certification in certain circumstances

Motion by Councilmember Garrett, seconded by Councilmember Krasnomowitz to accept resolution #2020-11 – Waiving the claimant's certification in certain circumstances. All Councilmembers present in favor.

#2020-12 - Governing Body certification of compliance with the EEO Guideline

Motion by Councilmember Oehler, seconded by Councilmember Law to accept resolution #2020-12 - Governing Body certification of compliance with the EEO Guideline. All Councilmembers present in favor.

#2020-13 – 2019 Cash Management Plan

Motion by Councilmember Oehler, seconded by Councilmember Garrett to accept #2020-13 – 2019 Cash Management Plan. All Councilmembers present in favor.

#2020-14 – Authority to Sign for Expense

Motion by Councilmember Krasnomowitz, seconded by Councilmember Garrett to accept resolution #2020-14 – Authority to Sign for Expense. All Councilmembers present in favor.

#2020-15 – Authority to Invest

Motion by Councilmember Garrett, seconded by Councilmember Krasnomowitz to accept resolution #2020-15 – Authority to Invest. All Councilmembers present in favor.

#2020-16 – LEPC Committee

Motion by Councilmember Law, seconded by Councilmember Oehler to accept resolution #2020-16 – LEPC Committee, naming: Mayor Paul Marino, Councilmember Russell Law, Councilmember Richard Krasnomowitz, Hamburg Borough Doreen Schott, OEM Coordinator Keith Sukennikoff, OEM Deputy Coordinator John Haig, OEM Deputy Coordinator Kevin Decker, Hamburg Police Director Michael Postorino, Hamburg Police OIC Lt. Jason Tangorra, Hamburg Fire Chief Richard Padgett Jr., Fire Inspector / Official William Walsh, Hamburg DPW Mike Schneider, Ferrellgas Partners, LP Rich Wilson, Resident of Hamburg Tom Graham, and Hamburg School Representative Barry Douglas. All Councilmembers present in favor.

#2020-17 – FY 2021 Drug Alliance Grant Program

Motion by Councilmember Sena, seconded by Councilmember Garrett to accept resolution #2020-17 – FY 2021 Drug Alliance Grant Program. All Councilmembers present in favor.

#2020-18 – Budget Transfer (Construction Code to Building and Grounds - \$13,000)

Motion by Councilmember Garrett, seconded by Councilmember Oehler to accept resolution #2020-18 – Budget Transfer (Construction Code to Building and Grounds - \$13,000). All Councilmembers present in favor.

#2020-19 – Second Amendment

Motion by Councilmember Garrett, seconded by Councilmember Law to accept resolution #2020-19 – Second Amendment.

Councilmember Garrett brought this resolution to the Council to support the Second Amendment to bear arms.

Motion by Councilmember Garrett, seconded by Councilmember Law to accept the resolution as offered. Roll call showed all Councilmembers present in favor.

#2020-20 - Amendment to personnel policy – absences

Mayor advised this amendment is for all employees and give supervisors more guidance.

Motion by Councilmember Garrett, seconded by Councilmember Krasnomowitz to accept resolution #2020-20 - Amendment to personnel policy – absences. All Councilmembers present in favor.

ATTORNEY HOUR:

ENGINEERING:

Mayor informed Councilmembers about the ongoing installation of water meters. He added that we are waiting to hear about the NANO grant for the water tanks.

MAYOR'S AGENDA:

Notification of award – 2020 Municipal Aid Grant - \$135,000 – Mulberry, Hillside, State St

Mayor Marino relayed the notification of receiving the 2020 Municipal Aid Grant in the amount of \$135,000.00 for the repaving of Mulberry, Hillside, and State Streets, stating that 11 years ago this is where we began with the repaving projects in the town and now we will start again. On Mulberry, the street has to be finished.

Committees

Mayor reiterated the committees that have been established for the year:

Finance: Councilmembers Sena and Krasnomowitz, Mayor Marino

Road Dept. Union: Councilmembers Krasnomowitz and Garrett, Mayor Marino

Police New Hire: Councilmembers Krasnomowitz, Garrett, and Burd

Shared Services Court: Councilmembers Law and Krasnomowitz, Mayor Marino

PROFESSIONAL SERVICE AGREEMENTS 2020- Copy of individual contracts with clerk.

Motion by Councilmember Oehler, seconded by Councilmember Krasnomowitz to accept the Professional Service Agreements for 2020 for all listed:

- Richard Clemack Contract (Attorney Services)
- Nelson Consulting Group Contract (Planning Services)
- Mott MacDonald Contract (Engineering Services)
- Nisivoccia & Company Contract (Auditing Services)
- Waters, McPherson, McNeill Contract (Bond Counsel)
- Hamburg Medical Associates (Medical Service)
- James Opfer (Public Defender)
- Alicia Ferrante Contract (Municipal Prosecutor)
- Weiner Lesniak – Glenn Kienz Contract (LUB Attorney)
- Arthur J Gallagher and Company, George Morville (Insurance)
- McCabe & McCabe LLC (Historic Planner)

All Councilmembers present in favor.

COMMITTEE REPORTS:**COUNCILMEMBER KRASNOMOWITZ:****1. POLICE COMMISSIONER**

Motion by Councilmember Krasnomowitz, seconded by Councilmember Law to open the meeting to Police Director Mike Postorino. All Councilmembers present in favor.

December 2019 report

The December 2019 monthly report for the Police Department showed 604 calls of service, including 6 arrests, 12 motor vehicle accidents, 75 motor vehicle stops, and 51 motor vehicle summonses issued; list of mandated training.

Mr. Postorino stated he sent out a letter for the Police testing for the Sergeant's exam: there are four (4) eligible officers with three (3) submitting letters of interest. A meeting on Monday, January 13th at 5 pm is scheduled for the Police committee to meet.

At the November meeting the restructuring of the Police Dept. was discussed – a Lieutenant and two (2) Sergeants so there can be two shifts on at all times with an officer on also at all times. The change in the ordinance is from one Sergeant to two Sergeants with a \$4000.00 Sergeant added pay.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Garrett to accept the following resolution:

**RESOLUTION No. 2020-24
POLICE DEPT. ORDINANCE CHANGE**

BE IT RESOLVED, a motion was made to prepare an Ordinance to amend Chapter 44-2A Staffing of the Police Department to include an additional Sergeant.

NOW THEREFORE, BE IT RESOLVED, this ordinance will be available for 1st reading at the February 3, 2020 meeting of the Mayor and Council.

All Councilmembers present in favor.

Mr. Postorino mentioned that a grant in the amount of \$24,490.42 was received from Firehouse Subs for Fire /EMS for communications – pagers, portable radios, and highband radios.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to accept the resolution as offered.

**RESOLUTION No. 2020-21
FIREHOUSE SUBS
PUBLIC SAFETY FOUNDATION**

WHEREAS, Firehouse Subs Foundation Board of Directors has awarded the Borough of Hamburg a grant in the amount of \$24,490.42 for various police and fire items; and

WHEREAS, acceptance of the grant is upon recommendation and acceptance of the Municipal Council.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council hereby accept the grant from Firehouse Subs Public Safety Foundation Board of Directors in the amount of \$24,490.42.

All Councilmembers present in favor.

Mr. Postorino discussed the new fire truck, which upon inspection, there was a hole in the water tank and also a crack in the seam. He advised the company that no repairs on the tank would be accepted and so they are totally replacing the tank and should be done by the end of January. The Fire Chief will inspect it and by the end of February the Borough should have it back. Members will also receive training on it. The pump on the Supten 98 will go out for repair after the new truck goes into service and while the International is still in service.

The Fire Chief's car was deemed a total loss after it was involved in an accident and the Borough will receive \$10,300.00 back. Mr. Postorino found a 2016 Dodge Journey all-wheel drive SUV at Franklin / Sussex Auto Mall with less than 38,000 miles on it for \$12,700.00. The insurance company will cover the

cost to reinstall the lights on it. CFO Christine Licata, when asked, stated there is \$2000.00 left in the line item from auction money.

Motion by Councilmember Burd, seconded by Councilmember Oehler to accept the following resolution:

RESOLUTION No. 2020-23

PURCHASE OF FIRE CHIEF'S VEHICLE

WHEREAS, there is a need to replace the Fire Chief's vehicle that was deemed totaled in a car accident; and

WHEREAS, a 2017 Dodge Journey all wheel vehicle, with less than 38,000 miles was found to replace said vehicle at Franklin Sussex Auto Mall; and

WHEREAS, the cost of the vehicle is \$12,700.00 with an extended 100,000 miles warranty plan being included in said cost; and

WHEREAS, the insurance company will cover the cost to take out and reinstall the special lights on the vehicle.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Hamburg to move forward with the purchase of the 2016 Dodge Journey from Franklin Sussex Auto Mall pending availability of funds.

All Councilmembers present in favor.

3. CONSTRUCTION DEPARTMENT

November 2019 Report

The monthly report for November showed there were 13 permits issued, 1 certificates of occupancy, and 8 certificates of approvals with a total of \$2141.00 collected in fees for the month of November.

4. LAND USE BOARD / ZONING

November 2019 Report

The monthly report showed 23 property inspections with 7 abated complaints, 4 property maintenance code violations, 4 violation notices sent, 4 OPRA's, and 3 summonses issued.

Land Use Meeting is Monday, January 13th at 7 pm with three (3) applications.

5. INSURANCE

Councilmember Krasnomowitz mentioned the Notification of Award of 2019 grant from Statewide Insurance in the amount of \$1,386.9 for Cyber Security Awareness.

COUNCILMEMBER OEHLER

2. RECREATION COMMISSION

Breakfast with Santa was well attended by approximately 150 people and all had a great time.

Addendum Agreement Littell Community Center

An addendum agreement was received from Hardyston Township to extend the Shared Services Agreement for the Littell Center for six (6) months from December 31, 2019 through June 30, 2020.

Motion by Councilmember Oehler, seconded by Councilmember Law to extend the Shared Services Agreement with Hardyston Township for the Littell Center from December 31, 2019 through June 30, 2020. All Councilmembers present in favor.

3. HISTORIC COMMISSION / HISTORIC SOCIETY

Mayor Marino stated the Council asked the Commission if a building was put up, how much grant money would be available. The grant that is available is approximately \$20,000.00.

COUNCILMEMBER BURD

2. FIRE COMMISSIONER / EMS

Saint Clare's November 2019 report

There were 31 calls for November for St. Clare's with an average response time of 5 seconds.

Hamburg EMS calls totaled 20 calls; yearly calls totaled 195.

Fire calls totaled 16 calls; yearly calls totaled 137.

Public Safety Director

Councilmember Burd asked for clarification about Mike Postorino as Public Safety Director. Mayor stated he is the liaison (guidance), acting on Council behalf but the Councilperson is the authority.

COUNCILMEMBER LAW

1. COURT

Councilmember Law asked about the generator for the Court and it has been installed and working. The window in the front is on hold for the time being upon determination of what will be done with the building.

2. OEM

Multiple trees came down with the last ice storm and there are a lot of tree branches still laying on power lines and telephone lines that local entities are not taking care of. Councilmember Law would like a letter from this Council to go out to Century Link and JCPL asking them to step up their maintenance of the trees. Motion by Councilmember Law, seconded by Councilmember Krasnomowitz to send out said letter to the necessary entities. All Councilmembers present in favor.

COUNCILMEMBER GARRETT

1. BUILDING AND GROUNDS

The house at 14 Rt. 23 was taken down along with the tree. Three verbal quotes were received for the tree: \$500.00, \$1500.00, and \$1900.00. Councilmember Garrett relayed that the property is now safe.

3. BOARD OF PUBLIC WORKS

John Ruschke is waiting to see if the town will receive the NANO grant for the water towers so that we could proceed with the project.

COUNCILMEMBER SENA

1. FINANCE / TAX DEPARTMENT

The Treasurer's Report for November showed a total of \$2,468,066.40.

The Tax Collector Report for November 2019 showed a total of \$1,824,816.15 being collected and for December 2019 a total of \$226,464.77 being collected.

Finance meeting

There will be a Finance meeting to discuss the budget on January 21st at 5:30 pm.

3. BOARD of HEALTH

Rabies clinic will be held on Tuesday, January 7th from 4 – 6 pm at the fire house.

Board of Health meeting will be held on Tuesday, January 14th at 6:30 pm.

4. MUNICIPAL DRUG ALLIANCE

Grant Year 2021 – Strategic Plan for Funding Municipal Alliance –

Under Resolutions

Drug Alliance will meet on March 10th.

PUBLIC PORTION:

Motion by Councilmember Garrett, seconded by Councilmember Krasnomowitz 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 Councilmembers present in favor.

Hearing no comments from the public, motion by Councilmember Garrett, seconded by Councilmember Law to close to the public. All Councilmembers present 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. **Collective Bargaining / Union**
2. **Rice Notice dated 12/30/19 for 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 Councilmember Garrett, seconded by Councilmember Burd to enter into Executive Session at 7:52 pm. All Councilmembers present in favor.

Attorney Clemack offered the following resolution, stating that events have transpired and Council is of the opinion this is the best course of action for the health, safety and welfare of the people of Hamburg:

RESOLUTION No. 2020-22

ST. CLARE'S 24 / 7

EMERGENCY SERVICES COVERAGE – HAMBURG BOROUGH

BE IT RESOLVED that Michael Postorino is hereby authorized on behalf of the Council to contact St. Clare's Hospital to determine or not whether St. Clare's will provide 24 / 7 Emergency Services Coverage; and

NOW, THEREFORE, BE IT RESOLVED, Mr. Postorino is authorized on behalf of the Borough of Hamburg to bind the Borough to an agreement, at least in the interim, pending a final agreement.

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to accept the resolution as offered. Roll call showed all Councilmembers present in favor.

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

1. Sussex County Water Quality Management Minutes (12/11/2019)
2. Notification – Freshwater Wetlands General Permit 4 Submittal (12/11/2019)
3. Notification – Freshwater Wetlands General Permit 4 Submittal 0 Ferrellgas – Report on file (12/11/2019)
4. Notice of JCPL Vegetative Maintenance (12/11/2019)
5. From State of NJ Compliance Activity – Water Allocation Permit # 5166 (12/20/2019)
6. Follow up regarding report of recent blasting from Eastern Concrete Materials. 4

ADJOURNMENT

Motion by Councilmember Krasnomowitz, seconded by Councilmember Oehler to adjourn the meeting. All Councilmembers present in favor.

Date Approved 2/3/2020

Date Released 2/3/2020

Doreen Schott RMC
Doreen Schott, RMC
Municipal Clerk

Submitted by Kathy Garrett