

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON MARCH 1, 2010 AT THE MUNICIPAL BUILDING, 16 WALLKILL AVE., HAMBURG, NJ

CALL TO ORDER:

Mayor Marino called the meeting to order at 7:30 p.m.

SALUTE TO THE FLAG:

Boy Scout Troop #248 conducted the opening flag ceremony with a salute to the flag. Mayor Marino presented a Proclamation celebrating the 100th Scouting Anniversary.

ROLL CALL:

Mayor Marino requested a roll call:

Councilwoman Oehler	Councilman Krasnomowitz
Councilman Kelly	Councilman Law
Councilman Sena	Mayor Marino

Absent: Councilman Barr

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, 2010 by delivering to the press and posting at the Municipal Building a copy of the "Annual Notice of Meetings" pursuant the provisions of the "Open Public Meetings Act".

February 1, 2010 Regular Meeting Minutes

Motion by Councilwoman Oehler, seconded by Councilman Krasnomowitz to approve the February 1, 2010 Regular Meeting Minutes of the Mayor and Council. All in favor.

February 1, 2010 Regular Executive Meeting Minutes

Motion by Councilman Kelly, seconded by Councilwoman Oehler to approve the February 1, 2010 Regular Executive Meeting Minutes of the Mayor and Council. All in favor.

APPROVAL OF BILLS:

As there are no additions or deletions to the bill list, motion by Councilman Krasnomowitz, seconded by Councilman Law 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 Law to close to the public on the bill list. All in favor.

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

Roll Call:

Ayes: Kelly, Krasnomowitz, Law, Oehler, Sena

Nays: None
Abstain: None
Absent: Barr

ORDINANCES: - 1st Reading**Ordinance #02-2010****AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK. (N.J.S.A. 40a:4-45.14 Calendar Year 2010)**

Motion by Councilwoman Oehler, seconded by Councilman Law for Attorney Clemack to read the Ordinance by title for first reading and publication. All in favor.

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK, (N.J.S.A. 40a:4-45.14 Calendar Year 2010)

Motion by Councilman Sena, seconded by Councilman Kelly to approve the ordinance on first reading and introduction with said ordinance to be published in full with second reading scheduled for April 5, 2010.

Roll Call:

Ayes: Kelly, Krasnomowitz, Law, Oehler, Sena
Nays: None
Abstain: None
Absent: Barr

RESOLUTIONS:**Resolution # 2010-06 – Emergency Temporary Appropriation. (Temporary Budget)**

Motion by Councilman Sena, seconded by Councilwoman Oehler to accept the resolution as offered.

Roll Call:

Ayes: Kelly, Krasnomowitz, Law, Oehler, Sena
Nays: None
Abstain: None
Absent: Barr

ENGINEERING: *Updates will be given in April*

MAYOR'S AGENDA:

Mayor Marino informed the Council that at the April meeting he would like to have discussions on the rec fields with regards to putting in the concession stand and bathrooms. He stated that he has had initial conversations with Councilman Law with getting prices and information and would like everyone to begin thinking about it.

COMMITTEE REPORTS:**COUNCILMAN SENA****1. FINANCE / TAX DEPARTMENT****TAX COLLECTORS REPORT**

The Tax Collector's report for January 2010 showed a total of \$343,782.43 being collected. Council is also in receipt of the 2009 Annual Report.

2. POLICE COMMISSIONER

Monthly report for February 2010

The February 2010 monthly report for the Police Department showed 1052 calls of service, including 169 investigative reports, 11 arrests, 12 motor vehicle accidents, and 93 motor vehicle summonses issued.

Councilman Sena stated that the Police Dept. has been monitoring the school traffic at 3 PM and he has been told that it has been improving.

The Sergeants' exam was administered last week – written test only. Acting Sergeant Dave McNulty took the exam and the previous test scores of Officer John Barrett will be used.

COUNCILMAN KELLY:

Councilman Kelly stated that he has noticed more police activity on the highways and believes that having Officers Nichols and Eben visible have helped and made a difference.

Councilman Kelly also received information about a sale on bleachers that he will now forward to Mr. Ruschke for him to review.

2. WATER QUALITY / SWAC

Councilman Kelly discussed correspondence C16 – flow control for Sussex County – which mandates that all trash picked up in Sussex County goes to the SCMUA. The NJ Administrative Code mandates that we renegotiate our agreements with the solid waste haulers so that the agreement reflects this if it does not. Attorney Clemack will review the current contract to see if this is included in it.

COUNCILWOMAN OEHLER:**1. DRUG ALLIANCE**

Councilwoman Oehler received a thank you from Drug Alliance for putting up the red ribbons. She stated that 24 municipalities participated and over 1000 ribbons were tied.

Drug Alliance is sponsoring a drug and alcohol poster contest for the younger grades and an essay contest for the older ones and Councilwoman Oehler has passed this information on to the school.

2. RECREATION

Two more clinics are being looked into – a basketball clinic and a marine physical fitness test clinic. More information will be given on those two clinics.

Lunch with the Easter Bunny will be held in conjunction with the Fire Dept. Auxiliary on March 27th at the Fire Dept. Meeting Room with an egg hunt to follow.

COUNCILMAN LAW:**1. FIRE DEPARTMENT / EMS**

Councilman Law presented an application for Fire Department Membership for George Gunderman, who is asking for reinstatement, is a police officer in town (background check would have been completed).

Motion by Councilman Law, seconded by Councilman Sena to approve the application for membership in the Fire Dept. for George Gunderman. All in favor.

Councilman Law presented an application for Fire Department Membership for Dave McNulty, a police officer in town (background check would have been completed,) stating that he already has had Introduction to Fire Behavior and Firefighter I training and could go right on active duty. Motion by Councilman Law, seconded by Councilman Sena to approve the application of Dave McNulty for the Fire Dept. as Fire Fighter I, Probationary Fire Fighter for the Borough of Hamburg. All in favor.

There were 20 calls for the EMS Dept. – 10 medical, 3 trauma, 1 fire, 3 CO alarms, 1 lift assist, and 2 stand-bys.

4. RECYCLING

The recycling meeting with Hardyston has been postponed until Thursday, March 11th. Councilman Law stated that all the necessary information has been given to Hardyston for them to review and discuss a proposal for us. This will also include solid waste for the school and town buildings. Councilman Law said that Lafayette was non-responsive when asked if they would be interested.

COUNCILMAN KRASNOMOWITZ:

2. CONSTRUCTION DEPARTMENT

Construction Report January 2010

According to the construction report received for January 2010, 6 permits were issued, 0 certificate of occupancy, 8 certificates of approval and \$1480.00 in fees were collected.

Councilman Krasnomowitz stated that estimated construction costs this year in January were \$48,124.00 compared to \$107,387.00 for January 2009, which shows the decline of activity.

3. LAND USE BOARD

Councilman Krasnomowitz said that there was no meeting last month for the Land Use Board and there is no meeting scheduled for this month, which also shows the decline of the construction in the Borough.

COUNCILMAN BARR

Report given by Mayor Marino

1. BOARD OF EDUCATION

Meeting scheduled for Tuesday, March 2nd.

2. ROAD DEPARTMENT

Mayor Marino commended the Road Dept. on the terrific job on the snow removal they did during the recent snowstorms. He stated that there are always some complaints but they were minimal.

There was a problem with the new truck breaking down but it should be covered under the warranty.

PUBLIC PORTION:

Motion by Councilman Law, seconded by Councilman Kelly 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.

Hearing no comments from the public, motion by Councilman Kelly, 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. Contract Negotiations – (UPSEU) United Public Service Employees Union
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 Sena, seconded by Councilwoman Oehler to accept the resolution as offered. All in favor.

Motion by Councilman Krasnomowitz, seconded by Councilwoman Oehler to enter into Executive Session. All in favor.

Discussion concerning Contract Negotiations with UPSEU.

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

The current and any future contract of the Local 911 Road Dept. union was discussed and as a result of the meeting there are a few changes: Article XI Section D - shall be designated by the Supervisor; Article XII Section A Boots and/or rain gear as approved by the Supervisor; Article IX Section A element with until Attorney Clemack can notify the union representative and no further action should be taken.

Councilman Sena said that Mr. Bill Schroeder, auditor with Nisivoccia would like to hold off on introducing the budget due to the instability of Trenton. The Governor will be introducing their budget in March so we will be getting an idea of what kind of aid he will be cutting. The courts put a stay on the order for COAH for the time being.

Mayor Marino discussed the clock not working. Doreen Schott stated that Mike Schneider checked it out and it is not getting power to it and was trying to get in touch with Louis of the DOT.

Council discussed the lack of lighting at Hamburg Village and Doreen Schott stated that she will be contacting the management company.

Mayor Marino discussed with the Council the placement of a pavilion, bathroom, and concession stand in the rec fields. Sewer lines and lighting were also mentioned.

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

1. Correspondence from Elizabethtown Gas (2/14/10)

2. From Lafayette Township resolution opposing bill for apprenticeship programs for public works contractors (2/1/10)
3. From Lafayette Township resolution opposing expanding prevailing wage requirements to food services, public bodies and schools. (2/4/10)
4. Copy of 2008 Recycling tonnage report (2/4/10)
5. From Weldon Materials report of recycled materials (2/4/10)
6. Letter of Thanks from first place holiday decorating winners Mr. and Mrs. Webb. (2/4/10)
7. Copy of 2010 New Jersey state Transportation Conference and Expo. (2/4/10)
8. Mayors Fax Advisory – COAH (2/11/10)
9. Mayors Fax Advisory – Pension Reform (2/11/10)
10. From State of NJ – No further action required, underground oil tank (2/11/10)
11. Information from BSC Solar – Solar Power Integrators (2/11/10)
12. S/C Coalition for Healthy & Safe Families newsletter (2/11/10)
13. Mayors Fax Advisory – Governor declares fiscal emergency (2/18/10)
14. Mayors Fax Advisory – Information regarding PERS (2/18/10)
15. Mayors Fax Advisory – Affordable Housing and COAH (2/18/10)
16. From S/C notice of certified Sussex County Solid Waste Management Plan amendment.
17. Mayors Fax Advisory – Pension Reform (2/19/10)
18. From Hatch Mott MacDonald correspondence regarding NJEIT projects. (2/25/10)
19. From County of Sussex resolution regarding sale of properties. (2/25/10)
20. Notice to Creditors – 56 Vernon Avenue (2/25/10)
21. From Hardyston Township public notice to extend Use Variance (2/25/10)
22. From Jersey Central Power and Light notice of Posting signs and banners on utility poles. (2/25/10)

ADJOURNMENT

Motion by Councilman Krasnomowitz, seconded by Councilwoman Oehler to adjourn the meeting at 8:45 PM. All in favor.

Date Approved: _____

Date Released: _____

Doreen Schott, RMC
Municipal Clerk

Submitted by Kathy Garrett