

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF HAMBURG HELD ON MAY 3, 2010 AT THE MUNICIPAL BUILDING, 16
WALLKILL AVE., HAMBURG, NJ**

CALL TO ORDER:

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

ROLL CALL:

Mayor Marino requested a roll call:

| | |
|-------------------------|---------------------|
| Councilman Barr | Councilwoman Oehler |
| Councilman Krasnomowitz | Councilman Kelly |
| Councilman Law | 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, 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".

April 5, 2010 Regular Meeting Minutes

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

April 5, 2010 Regular Executive Session Meeting Minutes

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

April 12, 2010 – Special Meeting Minutes

Motion by Councilman Barr, seconded by Councilman Law to approve the April 12, 2010 Special Meeting Minutes of the Mayor and Council. All in favor.

April 19, 2010 – Regular Workshop Meeting Minutes

Motion by Councilman Barr, seconded by Councilwoman Oehler to approve the April 19, 2010 Regular Workshop Meeting Minutes of the Mayor and Council. All in favor.

April 19, 2010 – Regular Executive Session Workshop Meeting Minutes

These will be tabled for approval.

APPROVAL OF BILLS:

Motion by Councilman Krasnomowitz, seconded by Councilman Barr to add an additional bill of \$2.40 to the dog account. All in favor.

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

Motion by Councilman Kelly, seconded by Councilwoman Oehler to approve and pay the bill list as presented.

Roll Call:

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

CORRECTIVE ACTION PLAN

Mayor and Council are in receipt of the Corrective Action Plan submitted by Chief Financial Officer Amy Maronpot. Mayor Marino stated that the recreation account has since been given to the CFO / Finance Dept. and has been reevaluated in how it has been handled. Most matters have already been rectified.

Motion by Councilman Krasnomowitz, seconded by Councilman Law to accept the Corrective Action Plan as submitted.

DISCUSSION

Councilman Krasnomowitz asked again about recreation and it seemed as though the auditors submit the same report yearly. Mayor Marino stated that recreation was in charge of financial procedures and submitted reports to us and things now have changed, and so far it seems to be working.

Roll Call:

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

RESOLUTIONS:

Mayor Marino presented Resolution # 2010- 10 – Public Assistance Fund Dissolution as there has been no activity on this account since Public Assistance has been turned over to the County.

Motion by Councilman Barr, seconded by Councilman Law to accept the resolution as presented.

Roll Call:

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

Mayor Marino presented Resolution # 2010-11 – Endorsing the submission of the 2009 Recycling Tonnage Grant Application to the NJDEP. Councilman Law stated that it would be submitted within the next few days, citing that it was late due to him waiting on numbers from SCMUA.

Motion by Councilman Law, seconded by Councilman Barr to accept the resolution as presented.

Roll Call:

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

Abstain: None
Absent: None

ATTORNEY HOUR:

1. Bicsak Brothers, Inc. – Developers Agreement for Wantage Project
Attorney Clemack stated that no escrow has yet been received from the town as agreed by the developer's attorney, so there have been no discussions taking place regarding this project.
2. Contract Negotiations – (UPSEU) United Public Service Employees Union
Attorney Clemack informed the Council that the committee will be meeting with the union members on Tuesday, May 4th at 6:30 PM, so until that time, there is nothing new to report.

EXECUTIVE SESSION RESOLUTION:

Attorney Clemack will offer 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.

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.

No Executive Session

ENGINEERING:**1. Main Street Signage**

Borough Engineer John Ruschke met with Road Dept. Foreman Mike Schneider and determined where the signs would go on Main Street. They also discussed the stripping for no parking and the road dept. will be doing that also but Mr. Ruschke did not know when.

2. Heritage Lakes at the Quarry – Request for Bond Release

K. Hovnanian requested a reduction in performance bonds from the Borough. Mr. Ruschke would like to carry this matter as he has not heard back from the association at Heritage Lakes with regards to the completed items.

3. Recreation Fields

Mr. Ruschke discussed the walking path with the Council and gave them a new set of plans showing an 8' walkway. The original plan was to have a 4' wide walkway but this really is not wide enough. The change order in design will be a difference of \$48,400.00, changing it from the planned \$75,600.00 to \$124,000.00. Some of the reasons cited for the change are that fire / police depts. will now be able to reach the back corners should there be an injury, two way walking traffic will now fit, and machines for paving are 8 feet wide.

After further discussion, motion by Councilman Barr, seconded by Councilman Law to accept the change order in the walking path from 4' to 8' for a difference of \$48,400.00 bringing the total to \$124,000.00 for the walking path.

Roll Call:

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

Council discusses plans for the building that Mr. Ruschke presented. He stated that he is checking into the electric service and the possibility of both underground and overhead wires. More will be discussed as far as cost.

Mayor Marino brought up the salt shed and obtaining the necessary three quotes needed to run electric lines for its' own service instead of running off the service of the pavilion. Mike Schneider is handling this.

4. Summit / Circle

The contractor is only reconstructing the pavement where needed instead of milling the entire roadway surface. When Mr. Ruschke told him we were using those millings for the walkway at the rec fields, the contractor stated he would get us millings from another job site. The contractor is replacing the existing curbing only if needed, with adding some along three homes by Bank Street. The drainage should be done this week and the curbing will be started next week.

5. Infrastructure Trust Program

While Mr. Ruschke stated that The Borough was #277 on a list of 300 for the loan money available, Mayor Marino met with the DEP commissioner while at the Mayors Conference and the commissioner will try to expedite the matter for us. Mr. Ruschke will email him in the morning with the necessary information with Borough Clerk Doreen Schott assisting him.

MAYOR'S AGENDA:

1. New Jersey Conference of Mayors

Mayor Marino stated that the conference was encouraging shared services so we were doing great! He stated that the governor was outlining a game plan for towns and asking for our support in keeping the cap at 2 ½%, not only this year, but for the next few years, along with collective bargaining with regards to police, teachers, etc. The governor is also looking to change the voting on the school budget to November and to every other year.

COMMITTEE REPORTS:

COUNCILMAN SENA

1. FINANCE / TAX DEPARTMENT

TAX COLLECTORS REPORT

The Tax Collector's report for March 2010 showed a total of \$231,330.10 being collected.

Council is in receipt of a Resolution to redeem third party tax sale certification #09-024 in the amount of \$7187.83. Motion by Councilman Sena, seconded by Councilman Kelly to accept the

resolution as presented. All in favor.

2. POLICE COMMISSIONER

Monthly report for April

The April 2010 monthly report for the Police Department showed 917 calls of service, including 199 investigative reports, 14 arrests, 10 motor vehicle accidents, and 58 motor vehicle summonses issued.

3. BOARD OF HEALTH

There was a board meeting on April 13th. Denise Webb reported that the new tenant at the Corner Deli started repairs without permits but now they did apply for them. The next meeting will be July 13th at 6:30 PM.

COUNCILMAN KELLY:

2. BOARD OF PUBLIC WORKS

Councilman Kelly informed the Council that the remote meters at Heritage Lakes needed to be replaced at an estimated cost of \$50,000.00. The BPW is recommending that this is put into the budget as some of the residents have been estimated for longer than a three year time frame. The CFO has certified the funds pending budget approval. The Council will revisit this.

COUNCILWOMAN OEHLER:

1. DRUG ALLIANCE

Drug Alliance has set up a basketball clinic for the fall, but a set date has not yet been determined.

2. RECREATION

Recreation has the following clinics set up at the school: May 13 – drawing; May 19 – chess; May 24 – magic. Chris Fitzpatrick will be running a golf social for the residents on August 6th at one of the local golf courses and more information will follow. Hamburg Day, set for July 17th will be postponed and will be held in conjunction with the opening of the rec fields in the fall. The Miss Hamburg, Little Miss/Mr. Hamburg contests will be held hopefully on June 27th at 1 PM at the Hamburg School, pending approval of the school.

COUNCILMAN LAW:

4. RECYCLING

Councilman Law received the necessary information to complete the tonnage grant so that will be submitted within the next few days.

The 8th grade class at Hamburg School did a clean-up around town and pick-up a lot of trash. They were rewarded with a pizza party.

COUNCILMAN KRASNOMOWITZ:

1. CONSTRUCTION DEPARTMENT

The Construction Report was not received in time for this month's report.

COUNCILMAN BARR

1. BOARD OF EDUCATION

Councilman Barr stated that he was unable to attend the Board of Education meeting that was held. It was their re-organization meeting. At this meeting, the Board named the positions that were being eliminated.

4. HISTORIC COMMISSION / HISTORIC SOCIETY

On May 26th, there will be a public session on the Limekilns.

PUBLIC PORTION:

Motion by Councilman Barr, seconded by Councilwoman Oehler 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.

Sheila Frayko – Board of Education Liaison – stated that four positions were eliminated – special education, computers/library, physical education, and elementary education. The seven aides have not yet been notified. Ms. Frayko also thanked the town for the help with the snow removal.

Motion by Councilman Krasnomowitz, seconded by Councilwoman Oehler to close to the public. All in favor.

Mayor Marino mentioned that he felt this was a great time to do the re-evaluation of the town. Not only does it help in keeping with the taxes in check, but it is a great tax appeal defense should the need arise.

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

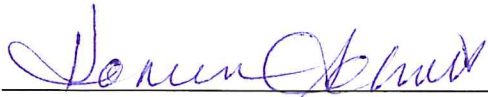
1. 2010-2011 Municipal Percentage Shares for Regional School District Tax (4/8/10)
2. 2009 Annual Report from Construction Department
3. From engineer to Earth Tec advising of Change Order for Recreational Field Landscaping Plan. (4/14/10)
4. Mayor's Fax Advisory – Pension Reform (4/14/10)
5. From engineer to Earth Tec regarding asphalt path width (4/14/10)
6. Notice from Vernon Township regarding newly appointed manager (4/14/10)
7. Sussex County Coalition for Healthy and Safe Families newsletter
8. Notice from Hardyston Township Municipal Utilities Authority of intention to auction 65,000 gallons per day of sewer allocation. (4/15/10)
9. Legislative Bulletin for April 2010 (4/23/10)
10. Notice of Compliance Violation – Mike Fitzpatrick and Son.(4/23/10)
11. Mayors Fax Advisory – Local Jobs for America Act (4/23/10)
12. Clean Community Funding – 2010 in the amount of \$4,702.76 (4/23/10)

ADJOURNMENT

Motion by Councilman Barr, seconded by Councilwoman Oehler to adjourn the meeting at 8:23 PM. All in favor.

Date Approved: 7/7/10

Date Released: 7/7/10



Doreen Schott, RMC
Municipal Clerk

Submitted by Kathy Garrett