

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON JULY 7, 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. and opened with a flag salute.

ROLL CALL:

Mayor Marino requested a roll call:

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

Absent: Councilman Sena

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".

June 7, 2010 Regular Meeting Minutes

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to approve the June 7, 2010 Regular Meeting Minutes of the Mayor and Council. All in favor. Councilman Kelly abstained.

June 7, 2010 Regular Executive Session Meeting Minutes

Motion by Councilwoman Oehler, seconded by Councilman Law to approve the June 7, 2010 Regular Executive Session Meeting Minutes of the Mayor and Council. Councilman Kelly abstained.

APPROVAL OF BILLS:

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

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

Roll Call:

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

MUNICIPAL BUDGET – PUBLIC HEARING

The Mayor and Council will hold a public hearing on the 2010 Municipal Budget. Same was published in the June 16, 2010 edition of the New Jersey Herald / Sunday Herald as required by law.

Motion by Councilman Barr, seconded by Councilman Law to open the meeting to CFO Amy Maronpot and Auditor Bill Schroeder. All in favor.

Mayor Marino asked Mr. Schroeder if there was anything that we should be keeping our eyes open for in the coming year. Mr. Schroeder replied that the Governor was changing the cap law, probably to 2%, but we are in a good place. State aid is now out also.

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

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

Motion by Councilman Barr, seconded by Councilman Law to adopt the budget as presented.

Mayor Marino stated that the small businesses help us maintain and save money and keep jobs.

There have been minimum changes here in town, and also thanks the town employees and council members.

Roll Call:

Ayes: Barr, Kelly, Krasnomowitz, Law, Oehler

Nays: None

Abstain: None

Absent: Sena

ORDINANCE**ORDINANCE #03-2010 – 1st Reading****AN ORDINANCE AMENDING CHAPTER 203-VEHICLES AND TRAFFIC – OF THE CODE OF THE BOROUGH OF HAMBURG TO REGULATE PARKING ON THE PREMISE OF THE MUNICIPAL BUILDING**

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

AN ORDINANCE AMENDING CHAPTER 203 – VEHICLES AND TRAFFIC – OF THE CODE OF THE BOROUGH OF HAMBURG TO REGULATE PARKING ON THE PREMISE OF THE MUNICIPAL BUILDING.

Motion by Councilman Krasnomowitz, seconded by Councilman Barr to approve the Ordinance on first reading and introduction with said ordinance to be published in full with second reading scheduled for August 2, 2010.

Mayor Marino stated that the Borough parking lot has become a “Park and Ride”, and, especially on voting days, the parking has been limited. Council discussed the wording and decided to change it to say: No person shall park a vehicle on Lot 3, Block 4, as shown on the Tax Map of the Borough of Hamburg, except during the time to conduct Borough business in any borough owned building located thereon.

Motion by Councilwoman Oehler, seconded by Councilman Krasnomowitz to change and incorporate the wording into the ordinance. All in favor.

RESOLUTIONS:

Motion by Councilman Barr, seconded by Councilwoman Oehler to accept Resolution # 2010- 17 Supporting the Over the Limit Under Arrest 2010 Statewide Crackdown. All in favor.

Motion by Councilman Barr, seconded by Councilman Law to accept Resolution # 2010-18 Authorizing execution of loan agreement; NJEIT. All in favor.

ATTORNEY HOUR:

1.

ENGINEERING:***Report given by Mayor Marino***

1. Payments application # 5 and #6 from Earth Tec Associates in the amounts of \$69,286.00 and \$15,242.92 respectively. Both have been submitted to the bill list for payment.

Motion by Councilman Law, seconded by Councilwoman Oehler to pay Earth Tec Associates for payment #5 in the amount of \$69,286.00 and payment #6 in the amount of \$15,242.92.

Roll Call:

Ayes: Barr, Kelly, Krasnomowitz, Law, Oehler

Nays: None

Abstain: None

Absent: Sena

Paving on Summit and Circle was done on Friday. School Street is ready to be paved but the contractor is just waiting for the heat to subside.

MAYOR'S AGENDA:**1. GARAGE SALE**

After some discussion, the Mayor and Council decide on the last weekend of September-the 25th and 26th - for the annual Hamburg Town Wide Garage Sale.

2. NJEIT Update

Mayor Marino stated that we received a letter from State of New Jersey advising that our application for the project has been reviewed and we can anticipate financing in the fall.

3. Letter requesting support

Mayor Marino received a letter from a resident requesting support from the town to override Governor Christie's veto and restore property tax rebates. He stated that he agreed with the resident and wrote to the State officials that we need property tax relief for our seniors and disabled homeowners.

4. Farmside Landscaping

Mayor Marino informed the Council about the Borough Christmas Tree and the report that was received from Farmside Landscaping regarding same. There are many problems wrong with the tree: the tree is planted too deep, dying roots, damaged, infected, and broken limbs, webbing straps that were never removed, to name a few. Mayor Marino said that the tree should come with a one year guarantee and he would like to submit this report to the state to see what they will do with it. He asked that Doreen call Nick Dogias and discuss it. Council agreed to wait to see what the State

said about it.

5. JCP&L- Installation of Electric Distribution Facilities Agreement

A letter was sent to JCP&L requesting that they waive the \$4,013.07 hook-up fee. Although this may be futile, Mayor Marino relayed that we can always be hopeful.

Attorney Clemack offered the following resolution:

Resolved, that a letter is sent to JCP&L requesting the fee of \$4,013.07 be waived and that the electric distribution facilities are installed. Motion by Councilman Law, seconded by Councilman Kelly to accept the resolution as offered. All in favor.

6. Fire / EMS Calls

Mayor Marino stated that it has been a policy that the Road Dept could respond to Fire / EMS calls during the day if needed and inquired if were still in effect. Councilman Barr stated that it was still in effect and he saw no problem with it as long as there was no conflict with their schedule. Mike Schneider would have to be the one that would make the determination on if the person would be able to respond to a call.

COMMITTEE REPORTS:

Report given by Mayor Marino

COUNCILMAN SENA

1. FINANCE / TAX DEPARTMENT

TAX COLLECTORS REPORT

The Tax Collector's report for May 2010 showed a total of \$1,557,315.98 being collected.

Motion by Councilman Krasnomowitz, seconded by Councilwoman Oehler to accept the Resolution to redeem third party tax sale certificate #09-011 in the amount of \$19,643.95. All in favor.

2. POLICE COMMISSIONER

Monthly report for June 2010

The June 2010 monthly report for the Police Department showed 1064 calls of service, including 205 investigative reports, 16 arrests, 17 motor vehicle accidents, and 110 motor vehicle summonses issued.

3. BOARD OF HEALTH

The next meeting of the Board of Health will be on Tuesday July 13, 2010 at 6:30 p.m.

COUNCILMAN KELLY:

1. BUILDING AND GROUNDS

The water wheel for the recreation fields has been delivered.

COUNCILWOMAN OEHLER:

2. RECREATION

The Miss Hamburg Contests were held at the Hamburg School on June 27th. Kaitlyn Timchak was crowned Miss Hamburg, Timothy Doyle was Little Mr. Hamburg, and Autumn Doyle was Little Miss Hamburg. Summer recreation is going well and the fire truck is hosing the kids down on Fridays. The clinics that were held at the school were very successful, especially the magic one.

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

The Fire Dept. submitted a letter requesting landscaping to cover up the appearance of the salt shed at the pavilion. Mayor Marino stated that this was not necessary as the trees would need to be very tall and standing by the pavilion you would still see the salt shed. Other Council members stated that the salt run-off would destroy the trees also. Council denied the request.

Councilman Law presented an application for Aimee L. Landrud for EMS. The background check was returned favorable.

Motion by Councilman Barr, seconded by Councilman Law to accept the applicant. All in favor.

3. COURT

The Shared Services meeting with Sussex was scheduled but then cancelled at the last moment. They wanted to use our court facilities and must renew their contract with Wantage by January. Councilman Law will wait for them to contact him.

4. RECYCLING

Councilman Law said that we have begun using Hardyston for recycling services.

COUNCILMAN KRASNOMOWITZ:**2. CONSTRUCTION DEPARTMENT**

Construction Report May 2010

Councilmember Krasnomowitz advised that there were 11 permits issued, 2 certificates of occupancy, 9 certificates of approvals with a total of \$2,756.00 collected in fees for the month of May. Councilman Krasnomowitz stated that in May of 2009 a total of \$60,316.56 was collected and in May of 2010 a total of \$92,700.00 has been collected, so activity has increased.

3. LAND USE BOARD

There is a Land Use meeting on July 12th but no applications have been submitted. Councilman Krasnomowitz has been attending the Franklin / Hardyston Chamber of Commerce meetings which are very interesting. There is a store going in behind Weis, but no one is saying what it will be. Some buildings are being torn down but also have environmental issues along with them.

COUNCILMAN BARR**1. BOARD OF EDUCATION**

Mr. Engravalle has resigned and Mr. Roger Jink has taken over as superintendent. There is a Board of Education vacancy available.

4. HISTORIC COMMISSION / HISTORIC SOCIETY

Councilman Barr stated the Lime Kiln Historic District Nomination report has been referred to the Land Use Board, which will then present the Council with a report for consideration. He stated that only a small part of the property of Lot 7, where the owner had concerns, would be designated. Motion by Councilman Barr, seconded by Councilman Law to refer the Lime Kiln Historic District Nomination Report to the Land Use Board, which includes Block 11, Lot 10 and 10.01 and Block 11, Lot 7.

Roll Call:

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

PUBLIC PORTION:

Motion by Councilwoman Oehler, seconded by Councilman Barr 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 Barr, 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. **UPSEU Contract – bargaining**
2. **POLICE – Personnel – notified**
- 3.

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

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

Motion by Councilman Krasnomowitz, seconded by Councilwoman Oehler that Mr. Timothy Maglio is hereby appointed as a member of the Hamburg Police Department subject to the following: Unanimous approval of the Police Committee and he has to pass the Chiefs' criteria for the final selection, as discussed in Executive Session.

Roll Call:

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

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

1. New Jersey League of Municipalities – Taxpayers Dollars – Don’t pass the buck on NJ Taxpayers (6/10/10)
2. From State of NJ to SCMUA Permit 2010 for Hamburg Borough (6/10/10)
3. From State of NJ to Ames Rubber regarding surface water GPA renewal (6/10/10)
4. Notification of contact information – 6 Lakeview Drive Hamburg, NJ (6/10/10)
5. From Waste Management – notice of rate increase (6/11/10)
6. Notification of contact information – 45 Heritage Lane, Hamburg, NJ (6/17/10)
7. Notice of Probate Part Sussex County for estate of Joseph Lavish (6/17/10)
8. Letter from NJ State PBA and NJ State FMBA to all mayors regarding 2.5% Cap proposal. (6/18/10).
9. Awards Program luncheon saluting Sustainable Jersey Certified Municipalities. (6/18/10)
10. Correspondence from LUB secretary requesting bond extension from Sunoco (6/24/10)
11. Correspondence from Hardyston Township regarding proposed 2.5% Hard Cap (6/23/10)
12. Hamburg School Notice of Board Vacancy (6/24/10)
13. Hamburg School Notice of Special Meeting (6/24/10)
14. From State of NJ notice of upcoming aid programs (6/24/100)
15. NJ Transit Public Hearing Notice for Senior Citizen Transportation Assistance (6/24/10)
16. Correspondence from NJ Fish and Game regarding the effectiveness of the TRN (Trap, Neuter, Return) Program. (6/25/10)
17. From “The Land Conservatory of NJ notice that newsletter is now on website. (6/25/10)
18. Wallkill Valley Regional HS Notice of public comment to certain administrative contracts. (6/25/10)

ADJOURNMENT

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

Date Approved: 8/2/10

Date Released: 8/2/10



Doreen Schott, RMC
Municipal Clerk

Submitted by Kathy Garrett