

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF HAMBURG HELD ON NOVEMBER 1, 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	Councilman Krasnomowitz
Councilman Kelly	Councilman Law
Councilman Sena	Mayor Marino

Absent: Councilwoman Oehler

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".

OATH OF OFFICE

Borough Clerk Doreen Schott administered the Oath of Office to Patrol Officer Daniel Farruggio. He was congratulated by the Mayor and Council.

OCTOBER 4, 2010 Regular Meeting Minutes

Motion by Councilman Sena, seconded by Councilman Kelly to approve the October 4, 2010 Regular Meeting Minutes of the Mayor and Council. All in favor.

OCTOBER 4, 2010 Executive Session Meeting Minutes

Motion by Councilman Sena, seconded by Councilman Law to approve the October 4, 2010 Regular Executive Session 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 Barr, seconded by Councilman Law to open the meeting to the public. All in favor.

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

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

Roll Call:

Ayes: Barr, Kelly, Krasnomowitz, Law, Sena

Nays: None

Absent: Oehler

Abstain: None

ORDINANCE

ORDINANCE #06-2010 – 2nd Reading

AN ORDINANCE AMENDING CHAPTER 53 – RECORDS – OF THE CODE OF THE BOROUGH OF HAMBURG TO ESTABLISH FEES FOR DUPLICATION OF RECORDS.

Motion by Councilman Barr, seconded by Councilman Law for Attorney Clemack to read the ordinance by title for second reading and public hearing. All in favor.

AN ORDINANCE AMENDING CHAPTER 53 – RECORDS – OF THE CODE OF THE BOROUGH OF HAMBURG TO ESTABLISH FEES FOR DUPLICATION OF RECORDS.

Motion by Councilman Barr, seconded by Councilman Law to open the meeting to the public for any questions or comments they may have with regards to this ordinance prior to adoption of same. All in favor. This ordinance was introduced on first reading at the October 4, 2010 meeting and published as required by law.

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

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

Roll Call:

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

ORDINANCE #07-2010 – 2ND Reading

AN ORDINANCE OF THE BOROUGH OF HAMBURG, COUNTY OF SUSSEX, STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY FROM THE STATE OF NEW JERSEY.

Motion by Councilman Barr, seconded by Councilman Law for Attorney Clemack to read the ordinance by title for second reading and public hearing. All in favor.

AN ORDINANCE OF THE BOROUGH OF HAMBURG, COUNTY OF SUSSEX, STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY FROM THE STATE OF NEW JERSEY.

Motion by Councilman Krasnomowitz, seconded by Councilman Law to open the meeting to the public for any questions or comments they may have with regards to this ordinance prior to adoption of same. All in favor. This ordinance was introduced on first reading at the October 4, 2010 meeting and published as required by law.

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

Motion by Councilman Krasnomowitz, seconded by Councilman Law to adopt the ordinance as presented.

DISCUSSION

Councilman Barr questioned as to whether the retention basins belonged to us and was answered no. He also asked about the retention wall by Dot Kays on Linwood Ave, the fact that it was falling down, and Council replied that that had nothing to do with the intersection project.

Roll Call:

- Ayes: Barr, Kelly, Krasnomowitz, Law, Sena

Nays: None
Absent: Oehler
Abstain: None

PROCLAMATION: NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH

Mayor Marino read into the record the Proclamation for National Domestic Violence Awareness Month. He said that purple ribbons were tied around town signifying this cause. Motion by Councilman Sena, seconded by Councilman Barr to accept the proclamation as stated. All in favor.

RESOLUTIONS:

Mayor Marino presented Resolution # 2010-29 – Chapter 159 Hamburg DDEF Grant – DWI. Motion by Councilman Barr, seconded by Councilman Sena to accept the resolution as presented. All in favor.

Mayor Marino presented Resolution #2010-30 – Chapter 159 Body Armor. Motion by Councilman Barr, seconded by Councilman Sena to accept the resolution as presented. All in favor.

****Councilwoman Oehler arrived at 7:40 PM**

ATTORNEY HOUR:

911 Dispatching Service Agreement *This will be discussed in Executive Session*
Mayor and Council are in receipt of revised dispatching agreement between Andover Township and Borough of Hamburg.

ENGINEERING:

1. Updates on various projects

John Ruschke talked about the NJEIT grant and stated that we received authorization from the DEP in September to start the various projects, but there is a black out period from mid September to mid December and we can not receive bids in that black out time frame. The bids are out but we now have to wait until mid December to receive them.

The recreation field concession stand is behind schedule. The shop drawings were submitted and rejected and resubmitted. Mr. Ruschke states that we can fine the contractor daily by imposing liquidated damages but once that reaches high numbers, it is always very difficult to collect on. Council picked out the color selections of shingles, columns, and bathroom colors for the concession stand.

Motion by Councilman Sena, seconded by Councilman Law to go with rustic cedar for the shingles, #708 for the sides, marsh brown for the columns, and beige for the bathrooms. All in favor.

2. NJ Clean Energy Grant - Discussion on possible grant application

John Ruschke explains the NJ Clean Energy Grant application which has a December 31st deadline. This is a 40/60 grant for \$20,000.00, in which lights are the main focus; bulbs, ballasts, sensors, etc. We do not have to specify the project on the application and we can apply for the grant and decide later on if we really want to do it. Councilman Sena said that if the equipment is that old, the

savings itself would pay for it.

Motion by Councilman Law, seconded by Councilwoman Oehler to apply for the NJ Clean Energy Grant.

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

MAYOR'S AGENDA:

1. Mayor Marino said that we received the request from V.I.T.A. (Volunteer Income Tax Assistance) Program to use the Municipal Building for the 2011 program.

Motion by Councilman Law, seconded by Councilman Sena to approve the request. All in favor.

2. Letter from Mr. Bill DeBoer, DeBoer's Auto, Inc. regarding Towing Ordinance
Addressed in the Public Portion

3. Recreation Appointment

Mayor Marino stated that Ryan Kelly is interested in serving on the Recreation Commission. He is therefore appointing him as of November 1, 2010.

Motion by Councilman Krasnomowitz, seconded by Councilman Law to confirm the appointment of Ryan Kelly to the Recreation Commission as of November 1, 2010. All in favor. Councilman Kelly abstained.

4. Basketball Program

Mayor Marino stated that it was suggested that this program run as drug alliance / recreation commission. To date, there are approximately 10 kids and hopefully once it gets started, more will attend. The program will run on Wednesdays, 4:30 PM – 6 PM, grades 4-8, and will be co-ed.

5. Drug Alliance

Mayor Marino and Council members discuss the Drug Alliance program. Mayor Marino stated that the program, of which \$3715.00 is received, is costing the town more time, money, and effort than the benefits reaped. The Jr. Police is the only one benefiting from the program. There are so many restrictions with the programs that are allowed to be presented, what the money is allowed to be spent on, etc. that it is very time consuming. Councilman Krasnomowitz asked if the drug awareness programs that they do have, if they will help us down the road, and was answered not really.

After more discussion, motion by Councilman Krasnomowitz, seconded by Councilman Barr to disband the program as of January 1, 2011 with regrets.

DISCUSSION

Councilman Kelly inquired if we could reinstate at a later date should the standards change. No answer was known.

Roll Call:

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

6. Paving

Mayor Marino asked John Ruschke about the paving that was done at the rec fields and the distance that was left between the paving and the grass. Mr. Ruschke explained that it was needed for the storm water drainage.

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

The Tax Collector's report for September 2010 showed a total of \$1,312,031.75 being collected.

2. POLICE COMMISSIONER

Monthly report for October

The October 2010 monthly report for the Police Department showed 1018 calls of service, including 194 investigative reports, 14 arrests, 16 motor vehicle accidents, and 119 motor vehicle summonses issued.

3. BOARD OF HEALTH

Bear complaints are up, showing that bears are more active, getting ready for the winter. A rabies clinic will not be held this year. Board of Health inspections were held in the local restaurants. The next meeting will be held January 11, 2011.

COUNCILMAN KELLY:**1. BUILDING AND GROUNDS****Landscaping Maintenance Contract for Orchard Street Extension, Municipal Park, Clock area, and Municipal Parking Lot.**

Councilman Kelly presented a Landscaping Maintenance Contract for Orchard Street Extension, Municipal Park, Clock area, and Municipal Parking Lot. Of the three presented options to choose from, Councilman Kelly recommended going with option #2, which included a bi-weekly weed control and monthly spraying for a total of \$3050.00. He said they need to do a monthly spraying to get the progressive weeds as they would be more intense to get out and so they don't get out of control.

Motion by Councilman Kelly, seconded by Councilman Barr to accept the maintenance contract with Farmside Landscape & Design, option #2 for \$3050.00.

DISCUSSION

Councilman Krasnomowitz would like to re-evaluate the contract after one year. Councilman Kelly would like more information regarding the chemical control they utilize.

Roll Call:

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

Generator Contract

Councilman Kelly discussed with the Council the contract from Kraft Power for the 12 generators in town. He stated that although the road dept. does the routine oil changes on the equipment, this

maintenance agreement with Kraft would enhance the service that would be performed on the generators, thereby hoping to alleviate future problems. The service agreement is at a cost of \$9980.00 for the 12 generators, with no major issues being covered under this agreement. Mr. Ruschke recommended this as we have no time frame for the restoration of the pump stations. Councilman Barr asked since we put in for a grant for the pump station to be repaired, would we be pro-rated for this generator once it was taken care of.

Motion by Councilman Kelly, seconded by Councilman Barr to approve the \$9980.00 contract with Kraft Power Corp., along with the hourly service and travel rate letter dated September.

Roll Call:

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

COUNCILWOMAN OEHLER

2. RECREATION

The Halloween Parade was held on October 31st at 2 PM and there was a good turn out of children marching behind the fire truck to the school for goodie bags.

COUNCILMAN LAW:

1. FIRE DEPARTMENT / EMS

Councilman Law presented a Fire Department application for Devin T. Vogel, stating that his background check was completed.

Motion by Councilman Law, seconded by Councilman Barr to accept the Fire Dept. application for Devin T. Vogel. All in favor.

Councilman Law presented Fire Department EMS Division applications for Scott A. Levy and Deborah Calli Ann Ryan, stating that both background checks were completed.

Motion by Councilman Law, seconded by Councilwoman Oehler to accept the Fire Dept. EMS Division applications for Scott A. Levy and Deborah Calli Ann Ryan. All in favor.

2. OFFICE OF EMERGENCY MANAGEMENT

Councilman Law said that there is a 40' construction trailer that a bid has been placed on and he would like to put it next to the DPW building should we acquire it. This would be used for an office for Mike Schneider, offering some privacy for personnel matters, along with freeing up some of the space in the DPW building. Councilman Sena asked about the two OEM trailers that we already have and converting one of them for an office. Councilman Krasnomowitz questioned if this was how we wanted our town portrayed.

After some discussion, motion by Councilman Law, seconded by Councilman Barr to accept the trailer should the Borough win the bid for the 40' construction trailer.

Roll Call:

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

3. COURT

Councilman Law stated that CFO Amy Maronpot can not be a signer on the Municipal Court General Account per AOC Policy. Therefore the Council needs to remove her and state that Deputy Court Administrator Ann Rosellen is the signer.

Motion by Councilman Law, seconded by Councilman Barr to eliminate CFO Amy Maronpot as signer on the Municipal Court General Account per AOC Policy. All in favor.

4. RECYCLING

Councilman Law informed the Council that a clean-up was done around town and 70 bags of garbage were picked up. There were 40 people involved, including the boy scouts and the church and afterwards a pizza party was held.

COUNCILMAN KRASNOMOWITZ:**2. CONSTRUCTION DEPARTMENT**

The Construction Report will be given next month.

3. LAND USE BOARD

The Land Use meeting scheduled for this coming Monday is cancelled. There was a special meeting held last month and there was an approval for "Amazing Stoneworks", a display center for countertops, a company that will be located on Gingerbread Castle Road.

4. INSURANCE

Councilman Krasnomowitz discussed correspondence received from the CFO regarding Waiver of Health Benefits. This would entail offering a stipend for those full time employees who do not take the health benefits offered by the town. Councilman Krasnomowitz is looking into other insurance options. More will be discussed but overall thinks that it is a good idea.

Motion by Councilman Krasnomowitz, seconded by Councilman Barr to adopt the waiver of coverage incentive effective immediately for all eligible full time employees, as per the enrollment period, with a 25%, \$5000.00 cap.

Roll Call:

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

COUNCILMAN BARR**1. BOARD OF EDUCATION**

Councilman Barr asked the Council to make the yearly donation with the ad to the Hamburg Elementary School – 2011 Yearbook.

Motion by Councilman Barr, seconded by Councilman Law to donate \$250.00 for an ad in the Hamburg Elementary School 2011 Yearbook. All in favor.

The Board of Education will purchase the OEM truck for \$1.00 as soon as the appropriate paperwork is located.

2. ROAD DEPARTMENT

Councilman Barr said that he, John Ruschke and Mike Schneider visited Summit and Circle after one of the big storms and there were many issues after the paving was done. The contractor came back and fixed everything to their satisfaction.

3. SENIOR CITIZENS

Unfortunately the senior group has disbanded after being together for 10 years. They sent a letter of thanks for everything the town did for them.

4. HISTORIC COMMISSION / HISTORIC SOCIETY

The Historic Society is working on the designation of the Presbyterian Church. The Historic Commission put in the marker for former Mayor John Linn at his home, which is now the Merry-Go-Round.

PUBLIC PORTION:

Motion by Councilwoman Oehler, 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.

Bill DeBoer – DeBoer's Auto – sent a letter to the Mayor and Council stating that he has been a taxpayer in Hamburg for 26 years, owns a towing business also. Up until 9 years ago there were only 2 towing companies, Bud & Walts and his own, where now there are 5 (including Vernon, Franklin, and Hardyston). He would like to see our ordinance amended back to 2 companies and then call in others if needed. He said that AAA is not included in this. Members agree with Mr. DeBoer. Attorney Clemack would like to speak with Chief Wright before a decision is made.

Motion by Councilman Law, seconded by Councilman Krasnomowitz 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. 911 Dispatching Service Agreement Andover

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 Councilman Krasnomowitz to accept the resolution as offered. All in favor.

Motion by Councilman Law, seconded by Councilman Barr to enter into Executive Session. All in

favor.

Discussion concerning the 911 Dispatching Service Agreement Andover.

Motion by Councilman Krasnomowitz, seconded by Councilman Barr to return to the Regular Session. All in favor.

Motion by Councilman Krasnomowitz, seconded by Councilman Law to authorize the 911 Dispatching Service Agreement with Andover.

Roll Call:

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

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

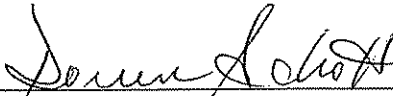
1. Sussex County Homeless Connect Campaign (10/7/10)
2. Correspondence to Zoning Officer regarding Airgas (10/7/10)
3. From DOT news release – Local Aid Projects (10/7/10)
4. Mayor's Fax Advisory – Government Best Practices forum (10/7/10)
5. From NJLM notice that dues will not increase for 2011 (10/7/10)
6. Copy of Best Practice questionnaire (10/7/10)
7. Sussex County Economic Development Partnership Annual Luncheon and Advertisement Rates (10/18/10)
8. From NJLM 13th Annual Elected Officials Hall of Fame (10/8/10)
9. Notice from Bank of America regarding contact information for 46 Lime Kiln Road (10/7/10)
10. Notice of Special Meeting Wallkill Valley Regional HS (10/8/10)
11. From Statewide Insurance notice of new OPRA Legislation (10/14/10)
12. From Statewide Insurance notice of training schedule (10/14/10)
13. From JCPL notice of disconnected accounts.
14. Notice regarding Government Best Practices Forum (10/14/10)
15. Mayors Fax Advisory regarding changes to DLGS Website (10/13/10)
16. From State of NJ – Notice of compliance, annual inspection Board of Public Works. (10/15/10)
17. Notice of Hearing – Hardyston Township subdivision (10/21/10)
18. Notice from Chase regarding contact information 31 Kiln Cole Road (10/21/10)
19. Correspondence from CFO regarding Bureau of Fire Prevention inspections. (10/21/10)
20. Notice of Contact Information 52 Heritage Lane (10/21/10)
21. Wallkill Valley HS notice of Special Meeting. (10/21/10)
22. From JCPL correspondence regarding Secondary Transformer Fault Current at GB Castle Rec. Fields. (10/21/10)

ADJOURNMENT

Motion by Councilman Krasnomowitz, seconded by Councilwoman Oehler to adjourn the meeting.
All in favor.

Date Approved: 12/6/10

Date Released: 12/6/10



Doreen Schott, RMQ
Municipal Clerk

Submitted by Kathy Garrett