

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON JULY 6, 2011 AT THE MUNICIPAL BUILDING, 16 WALLKILL AVE., HAMBURG, NJ**

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**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	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 6, 2011 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 6, 2011 Regular Meeting Minutes**

Motion by Councilman Krasnomowitz, seconded by Councilwoman Oehler to approve the June 6, 2011 Regular Meeting Minutes of the Mayor and Council. All in favor. Councilman Kelly abstained.

**JUNE 6, 2011 Regular Meeting Executive Session Minutes**

Motion by Councilman Krasnomowitz, seconded by Councilwoman Oehler to approve the June 6, 2011 Regular Meeting Executive Session Minutes of the Mayor and Council.

Roll Call:

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

**APPROVAL OF BILLS:**

Mayor Marino added the following bills to the bill list for payment: Liberty Construction in the amount of \$4766.24, Zinno Construction in the amount of \$74,498.44, and PM Construction in the amount of \$128,607.36. Also, 2 bills at \$150.00 for the Public Defender for a court case that was sent out-of-town.

Motion by Councilman Barr, seconded by Councilman Kelly to add the bills to the bill list. All in favor.

Motion by Councilman Barr, seconded by Councilwoman Oehler 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. All in favor.

Motion by Councilman Law, seconded by Councilman Barr to pay the bills as presented with additions.

#### DISCUSSION

Councilman Law asked if this was the final payment for Zinno Construction as he went to see the building and was not happy with some issues there. There was garbage around, and other issues he would like to see corrected. Borough Clerk Doreen Schott stated that the Borough is holding approximately \$7000.00 retainage.

Motion by Councilman Law, seconded by Councilman Barr to amend the motion to pay all by Zinno Construction.

#### Roll Call:

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

After further discussion, motion by Councilman Barr, seconded by Councilman Krasnomowitz to include payment for Zinno Construction but to hold the check until John Ruschke, Councilman Law, and Mayor Marino approve. All in favor.

#### ORDINANCE

##### ORDINANCE # 11-2011 – 2<sup>nd</sup> Reading

**CAPITAL ORDINANCE PROVIDING FOR PAVING AND IMPROVEMENTS TO WISHING WELL ROAD, GOVERNOR HAINES STREET, URBAN PLACE, PRINCE STREET AND LIME KILN ROAD AND OTHER ROADS IN THE BOROUGH BY THE BOROUGH OF HAMBURG, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$75,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH AND \$150,000 FROM THE DOT GRANT FOR A TOTAL APPROPRIATION OF \$225,000. TO PAY FOR THE COST THEREOF.**

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

**CAPITAL ORDINANCE PROVIDING FOR PAVING AND IMPROVEMENTS TO WISHING WELL ROAD, GOVERNOR HAINES STREET, URBAN PLACE, PRINCE STREET AND LIME KILN ROAD AND OTHER ROADS IN THE BOROUGH BY THE BOROUGH OF HAMBURG, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$75,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH AND \$150,000 FROM THE DOT GRANT FOR A TOTAL APPROPRIATION OF \$225,000. TO PAY FOR THE COST THEREOF.**

Motion by Councilwoman Oehler, seconded by Councilman Law to open the meeting to the public for any questions or comments they may have with regards to the ordinance prior to adoption of same. All in favor. This ordinance was introduced on first reading at the June 6, 2011 meeting and published as provided by law.

#### PUBLIC HEARING

Hearing no comments from the public, motion by Councilman Barr, seconded by Councilwoman

Oehler to close to the public. All in favor.

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

Roll Call:

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

Attorney Clemack stated that Councilman Kelly abstained due to the fact that he resides on one of the named streets.

**ORDINANCE # 12-2011 – 2<sup>nd</sup> Reading**

**CAPITAL ORDINANCE PROVIDING FOR WATER MAIN REPLACEMENT ON RT. 23 APPROPRIATING \$200,000 IN THE BOROUGH BY THE BOROUGH OF HAMBURG, IN THE COUNTY OF SUSSEX, NEW JERSEY, THEREFOR FROM THE WATER / SEWER CAPITAL IMPROVEMENT FUND OF THE BOROUGH UTILITY TO PAY FOR THE COST THEREOF.**

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

**CAPITAL ORDINANCE PROVIDING FOR WATER MAIN REPLACEMENT ON RT. 23 APPROPRIATING \$200,000 IN THE BOROUGH BY THE BOROUGH OF HAMBURG, IN THE COUNTY OF SUSSEX, NEW JERSEY, THEREFOR FROM THE WATER / SEWER CAPITAL IMPROVEMENT FUND OF THE BOROUGH UTILITY TO PAY FOR THE COST THEREOF.**

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 the ordinance prior to adoption of same. All in favor. This ordinance was introduced on first reading at the June 6, 2011 meeting and published as provided by law.

**PUBLIC HEARING**

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

Roll Call:

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

**ORDINANCE # 13 – 2011 – 2<sup>nd</sup> Reading**

**AN ORDINANCE AMENDING CHAPTER 203 – VEHICLES & TRAFFIC – OF THE CODE OF THE BOROUGH OF HAMBURG PROVIDING FOR ADDITIONAL NO PARKING AREAS AND ADDITIONAL REGULATIONS.**

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

AN ORDINANCE AMENDING CHAPTER 203 – VEHICLES & TRAFFIC – OF THE CODE OF THE BOROUGH OF HAMBURG PROVIDING FOR ADDITIONAL NO PARKING AREAS AND ADDITIONAL REGULATIONS.

Motion by Councilman Barr, seconded by Councilwoman Oehler to open the meeting to the public for any questions or comments they may have with regards to the ordinance prior to adoption of same. All in favor. This ordinance was introduced on first reading at the June 6, 2011 meeting and published as provided by law.

**PUBLIC HEARING**

Hearing no comments from the public, motion by Councilman Barr, seconded by Councilwoman Oehler to close to the public. All in favor.

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

**DISCUSSION**

Councilman Krasnomowitz stated that he still did not think the ordinance read the way the Council believed it was supposed to read. Councilman Kelly said that he was in opposition to the time frame imposed in the ordinance. Councilman Sena said that he had an issue with Sunday.

**Roll Call:**

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

**ORDINANCE # 14-2011 – 2<sup>ND</sup> Reading**

**AN ORDINANCE AMENDING CHAPTER 203 – VEHICLE & TRAFFIC – OF THE CODE OF THE BOROUGH OF HAMBURG TO RESTRICT THE USE OF CERTAIN PARKING SPACES TO EMERGENCY MEDICAL SERVICE PERSONNEL, BOROUGH EMPLOYEES AND OTHER DESIGNATED PERSONS.**

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

AN ORDINANCE AMENDING CHAPTER 203 – VEHICLE & TRAFFIC – OF THE CODE OF THE BOROUGH OF HAMBURG TO RESTRICT THE USE OF CERTAIN PARKING SPACES TO EMERGENCY MEDICAL SERVICE PERSONNEL, BOROUGH EMPLOYEES AND OTHER DESIGNATED PERSONS.,

Motion by Councilman Barr, seconded by Councilwoman Oehler to open the meeting to the public for any questions or comments they may have with regards to the ordinance prior to adoption of same. All in favor. This ordinance was introduced on first reading at the June 6, 2011 meeting and published as provided by law.

**PUBLIC HEARING**

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

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

**Roll Call:**

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

Abstain: None  
Absent: None

**ORDINANCE # 15-2011 – 1<sup>ST</sup> Reading**

**AN ORDINANCE AMENDING CHAPTER 215-20 FLOOD PLAINS OR FLOOD HAZARD AREAS OF THE CODE OF THE BOROUGH OF HAMBURG SETTING FORTH NEW AND ADDITIONAL REGULATIONS FOR DEVELOPMENT**

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

**AN ORDINANCE AMENDING CHAPTER 215-20 FLOOD PLAINS OR FLOOD HAZARD AREAS OF THE CODE OF THE BOROUGH OF HAMBURG SETTING FORTH NEW AND ADDITIONAL REGULATIONF OR DEVELOPMENT.**

Motion by Councilman Barr, seconded by Councilman Law to approve the ordinance on first reading and introduction with said ordinance to be published in full and with second reading scheduled for August 1, 2011

Councilman Law asked if this should go before Land Use first before it goes any further and was answered that it was not necessary.

**Roll Call:**

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

**ORDINANCE # 16-2011 2<sup>ND</sup> Reading**

**AN ORDINANCE TO AMEND CHAPTER 116 – FIRE PREVENTION – OF THE GENERAL CODE OF THE BOROUGH OF HAMBURG DESIGNATING THE HARDYSTON TOWNSHIP BUREAU OF FIRE PREVENTION AS THE LOCAL ENFORCEMENT AGENCY.**

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

**AN ORDINANCE TO AMEND CHAPTER 116 – FIRE PREVENTION – OF THE GENERAL CODE OF THE BOROUGH OF HAMBURG DESIGNATING THE HARDYSTON TOWNSHIP BUREAU OF FIRE PREVENTION AS THE LOCAL ENFORCEMENT AGENCY.**

Motion by Councilman Law, seconded by Councilman Barr to open the meeting to the public for any questions or comments they may have with regards to the ordinance prior to adoption of same. All in favor. This ordinance was introduced on first reading at the June 6, 2011 meeting and published as provided by law.

**PUBLIC HEARING**

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

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

**Roll Call:**

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

Abstain: None  
 Absent: None

**RESOLUTIONS:**

**Resolution # 2011-28 – Chapter 159 – EMS Freeholder Grant**

Mayor Marino stated that this is the grant in which the EMS receives money directly for their use. Motion by Councilman Law, seconded by Councilman Kelly to accept Resolution #2011-28. All in favor.

**Resolution # 2011-29 – Chapter 159 – Clean Communities Grant**

Mayor Marino said that this money Councilman Law and the students from the school use for the clean-up that is done around town each year.

Motion by Councilman Law, seconded by Councilman Barr to accept Resolution #2011-29. All in favor.

**ATTORNEY HOUR:**

Attorney Clemack explained to the Council that another tax assessor had to be hired for the tax appeals for the town. Some of the appeals were settled but some of them are continued. Attorney Clemack stated that the tax assessor office is in disarray: deeds are not filed, a re-evaluation needs to be done next year, and there were a lot of appeals due to a drop in real estate values. He would like Councilman Krasnomowitz to be involved with the tax assessor.

**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 negotiations with unions

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 Krasnomowitz, seconded by Councilwoman Oehler to accept the resolution as offered. All in favor.

**ENGINEERING:**

*Update given by Mayor Marino*

Mayor Marino stated that the Heritage Lakes pump station is moving ahead. The Falcon Ridge project is complete and the Orchard Street drainage project is almost complete. The recreation fields are almost done. Mayor Marino said that the foul poles need to be regulation size and asked Councilman Law to check into it. There are edging issues and the parking lot has some rocks in it that need to be cleaned up prior to opening.

**MAYOR’S AGENDA:**

**1. Hamburg Day and Park Opening 8/14 or 8/21**

Motion by Councilman Barr, seconded by Councilwoman Oehler to open the meeting to Ryan Kelly of the Recreation Commission. All in favor.

Mayor Marino started out by saying that he had a conflict with the August 20<sup>th</sup> date for Hamburg Day, but the August 14<sup>th</sup> date would be fine. He wondered if there would be a rain date. Ryan said that August 14<sup>th</sup> was the last day of the Farm and Horse Show but did not really see a conflict. He also said there would not be a rain date as it would be a problem for the rentals and possibly for the vendors. August 14<sup>th</sup> is decided upon. Mayor Marino said that he would ask the Fire Dept. for their help with manpower. Council discussed the food vendors. Councilwoman Oehler stated that now it is mandated that someone have a Serve Safe License and that her daughter has just been certified.

Motion by Councilman Law, seconded by Councilman Kelly to close to Ryan Kelly. All in favor.

Motion by Councilman Barr, seconded by Councilwoman Oehler to hold Hamburg Day and the Opening of the Recreational Fields on August 14<sup>th</sup>.

Roll Call:

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

**2. S-2937 / A-4133 – Health Benefit and Pension Changes**

Mayor Marino stated that this will begin in October and increase a percentage over the next 7 years. It is self explanatory in The Mayors Advisory dated June 29, 2011.

**3. Physical and Psychological checks on police candidates**

Council discusses the physical and psychological checks on police candidates, regarding regular and special police. Council stated that the Police Chief was to hire Kevin Kiel as a special officer. After further discussion, the following resolution was offered:

**BE IT RESOLVED**, that the Mayor and Council of the Borough of Hamburg hereby assumes authority and control of the appointment, scheduling, and management of experts for physical and psychological examinations and background checks, in connection with the hiring and promotion of police candidates, whether it be regular police or special police.

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

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

The following resolution was also offered:

**BE IT FURTHER RESOLVED**, that the Mayor has the authority to direct the candidate to the appropriate expert and the authority to order the background check.

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

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

The Tax Collector's report for May 2011 showed a total of \$1,510,537.06 being collected.

**2. POLICE COMMISSIONER****Police Monthly report for June**

The June monthly report for the Police Department showed 1064 calls of service, including 182 investigative reports, 9 arrests, 10 motor vehicle accidents, and 154 motor vehicle summonses issued.

**Court Officer Position**

Council discusses the Court Officer position and decided that Chief Wright can start Kevin Kiel, who was hired as a special, can start him as a court officer and the Borough will continue to do the background checks.

**Sheriffs Dept. Info**

Council discusses the recent changes within the County Sheriff's Department with regards to prisoner transport and chain of command. Council discusses sending the Freeholders a letter expressing their disappointment in this change of policy and the adverse affect it has on local Police Depts. Attorney advises that he had prepared a draft letter to be sent out but the town was going to hold off until further clarification was made. Councilman Kelly advises that we contact the Sherriff's Office and get the actual policy pertaining to this. Councilman Barr advises that an email dated June 13<sup>th</sup> was sent explaining the policy and he will forward this on to the attorney. The attorney will review the email and advise the Council if it does in fact state the policy. The matter will be tabled till next month and if the policy is not clear the attorney will be advised to send a letter requesting clarification.

**Memo from Chief Wright regarding new patrol vehicle**

Council is in receipt of a memo from Chief Wright requesting a new vehicle. Mayor Marino stated that he always sees at least three vehicles not in use; Council members agree and wonder if there is a need for a new vehicle. Council members discuss the use of vendors and they would like a directive sent to the Chief requesting him to send the patrol cars to other vendors. Mayor Marino states the possibility of Mike Schneider handling the overseeing of fleet maintenance; other Council members feel that Mr. Schneider has many duties at the moment, and this would overburden him. Councilman Kelly mentions looking into shared services with county maintenance. Mayor Marino would like Councilman Sena to speak to Chief Wright regarding vehicle maintenance; anything over \$300.00 must give a minimum of two (2) quotes, with the first option going to local businesses. After all discussion, Council agrees to table the new police vehicle for now, due to budgetary constraints. Borough Clerk Doreen Schott will request an inventory of cars and mileage from the Police Dept. Councilman Sena and Mayor Marino will meet with Chief Wright to discuss certain matters.

**Letter of resignation from Ptl. Timothy Maglio effective June 30, 2011**

Council received a letter of resignation from Patrolman Timothy Maglio. Motion by Councilman Sena, seconded by Councilman Barr to accept, with regrets, the resignation



of Timothy Maglio from the Police Dept. effective June 30, 2011. All in favor.

### **Click It or Tick It Resolution**

Mayor Marino brings to the Councils attention the resolution that was passed last month. He said that last year the money came from the State to support this program and this year we did not receive any money for the manpower to run the program. He does not want the public to think that we do not support this, as we do support it, but it puts a burden on our Police Dept. and a burden on our Court. After some discussion, Motion by Councilman Krasnomowitz, seconded by Councilman Law that the Council of the Borough of Hamburg is in support of the Click It or Tick It program as long as the money comes from the State.

### **DISCUSSION**

Councilman Sena said that we voted to support the resolution of the State, but it was after the fact and that this Council was not happy with that fact. Councilwoman Oehler said that the State is coming out with a resolution for cell phones also.

Motion by Councilman Krasnomowitz, seconded by Councilman Law to amend the motion to include cell phones and any other safety roadblocks.

### **Roll Call:**

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

### **3. BOARD OF HEALTH**

The Board of Health will meet on July 12<sup>th</sup> at 6:30 PM.

### **COUNCILMAN KELLY:**

#### **1. BUILDING AND GROUNDS**

Councilman Kelly mentioned the retaining wall around the tree in the municipal parking lots. Mr. Schneider was only able to get one price quote at the moment but will try to get more. Councilman Kelly also mentioned the apron in front of the firehouse, how badly the ruts in the asphalt are, and how he would like to re-do it in concrete as then the driveway would be stronger. He will be speaking to Mr. Ruschke about this.

### **COUNCILWOMAN OEHLER:**

#### **1. RECREATION**

Councilwoman Oehler informed the Council that Stephanie Russell is Miss Hamburg 2011, Ashley Hendricks is the runner up, Christopher Morciglio is Little Mr., and Haley Gabowsky is Little Miss. She said that Ryan Kelly did a great job on running the contests and everything went well. Paula Marino and Tammy DeOliveria may be joining the commission.

#### **3. OEM /EMS LIAISON**

Councilwoman Oehler said there were 24 EMS calls for the month and 166 so far for the year.

### **COUNCILMAN LAW:**

#### **1. FIRE COMMISSIONER**

Councilman Law said that the parade in Port Jervis will be held this coming weekend. He also

complimented Ryan Kelly and Chris Fitzpatrick for the great job they did for the Miss Hamburg Contests.

**COUNCILMAN KRASNOMOWITZ:**

**2. CONSTRUCTION DEPARTMENT**

Construction Activity Report 5/1/2011 – 5/31/2011

Councilmember Krasnomowitz advised that there were 16 permits issued, 0 certificates of occupancy, and 14 certificates of approvals with a total of \$3084.00 collected in fees for the month of April.

Councilman Krasnomowitz stated that according to the numbers listed, there is activity going on, which is promising that the economy is picking up.

**3. LAND USE BOARD**

Land Use will not be meeting this month.

Councilman Krasnomowitz brought up some property maintenance issues that were brought to his attention. Some of them are on foreclosed homes and he has talked to Greg Kresge. Councilman Kelly offered to meet with him and Mr. Kresge. Councilman Sena asked about parking lots being striped and why this is not being enforced. This also will be discussed.

**COUNCILMAN BARR**

**1. BOARD OF EDUCATION**

Councilman Barr said that the Board was holding a special meeting to interview for board seats that need to be filled.

**4. HISTORIC COMMISSION / HISTORIC SOCIETY**

There will be a meeting held in October from the commission to the historic society with a special presentation.

Councilman Barr, along with Mayor Marino attended the open house for Amazing Stoneworks and said they did a wonderful job with re-doing the inside of the building for their showcase.

**PUBLIC PORTION:**

Motion by Councilman Krasnomowitz, 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.

Mike Prelich – 31 Orchard Street – informed the Council that the storm drain in front of his house is flat and half of the curb in front was taken out. Councilman Krasnomowitz has already spoken to Mr. Ruschke about it. He said the curb is coming out because it is not the right width of the road due to the straightening of the road. He will speak to Mr. Ruschke about the other issues.

Tom Eckard – 36 Orchard Street – complained about workers driving machines on his yard and wants to make sure that the yard is put back the way it was.

Chief John Haig – said that if any help was needed with washing the parking lots, he would help.

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. Collective bargaining negotiations with unions

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 Krasnomowitz, seconded by Councilwoman Oehler to accept the resolution as offered. All in favor.

Motion by Councilman Barr, seconded by Councilwoman Oehler to enter into Executive Session at 8:56 PM. All in favor.

Discussion concerning Collective bargaining negotiations with unions.

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

Motion by Councilman Krasnomowitz, seconded by Councilman Barr to appoint Attorney Michael Garofalo as special counsel for the Jason Eben case subject to the signing of the contract. All in favor.

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

1. NJLM – Taxpayer’s Dollar – “Don’t Pass the Buck” (6/9/2011)
2. From State of NJ Notice of compliance from May 24<sup>th</sup> violation at police department (6/9/2011)
3. Correspondence from “Home serve” provider of utility sponsored warranty and repair plan programs. (6/9/2011)
4. From Sussex County – Open space application (6/9/2011)
5. From State of NJ, correspondence regarding fireworks injury (6/10/2011)
6. Correspondence from Walder, Hayden and Brogan attorneys at law regarding firms practices. 6/10/11)
7. Correspondence from Chief Wright to Clerk, Council liaison regarding inmate acceptance / medical clearance to county jail (6/10/2011)
8. New Jersey League of Municipalities – 14<sup>th</sup> Annual Elected Officials Hall of Fame. (6/24/2011)

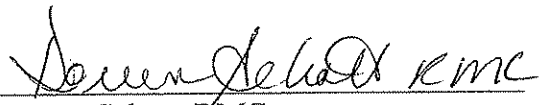
9. From League of Municipalities – Pension and Health Benefit Reform update. (6/24/2011)
10. Notification from FEMA regarding Flood Plan Map. 6/24/2011)
11. Invitation to attend swearing of the new Mayor and Council of Vernon. (6/24/2011)
12. Information regarding transfer of prisoners. (6/24/2011)
13. Hamburg Board of Education Notice of Re-Advertisement for Board Vacancy (6/21/2011)
14. Hamburg Board of Education Special Meeting Notice (6/21/2011)
15. NJLM – “The Making of Our Nation’s Law” (6/24/2011)
16. Mayors Advisory – Governors Educational Transition Task Force (6/30/2011)
17. NJL M – Proposed Pension Changes S-2937/A-4133 (6/30/2011)
18. NJLM – Proposed Health Benefit Changes S-2937/A-4133 (6/20/2011)
19. Hardyston Township notice of use variance approval (6/30/2011)
20. Resolution from Fredon Township support to construct a veterans cemetery in Northern NJ (6/30/2011)
21. From State DOT notification of work on Routes 94 Northbound and Southbound – resurfacing (6/30/2011)
22. Mayors Advisory – Governor signs Pension and Health Benefit Reform (6/30/2011)
23. Mayors Advisory = A-4221/S-2974 Suspension of 2.5% non residential development fee Affordable Housing (6/30/2011)
24. Email advising of Proposed Health Benefit Changes S-2937 / A-4133 (6/30/2011)

**ADJOURNMENT**

Motion by Councilwoman Oehler, seconded by Councilman Krasnomowitz to adjourn the meeting at 9:30 PM. All in favor.

Date Approved: 8/1/11

Date Released: 8/1/11

  
 \_\_\_\_\_  
 Doreen Schott, RMC  
 Municipal Clerk

Submitted by Kathy Garrett