

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON NOVEMBER 7, 2011 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	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".

October 3, 2011 Regular Meeting Minutes

Motion by Councilwoman Oehler, seconded by Councilman Kelly to approve the October 3, 2011 Regular Meeting Minutes of the Mayor and Council. All in favor. Councilman Barr abstained.

October 17, 2011 Regular Meeting Minutes

Motion by Councilman Law, seconded by Councilwoman Oehler to approve the October 17, 2011 Regular Meeting Minutes of the Mayor and Council. All in favor.

October 17, 2011 Regular Meeting Executive Session Minutes

Motion by Councilman Law, seconded by Councilwoman Oehler to approve the October 17, 2011 Regular Meeting Executive Session 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 Law, 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 Kelly, seconded by Councilman Law to close to the public. All in favor.

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

Roll Call:

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

RESOLUTIONS:

Resolution # 2011 – 48 Chapter 159 Hamburg DDEF Grant – DWI.

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

Resolution # 2011 – 49 Transfer Resolution from Water/ Sewer S & W to Water / Sewer O & E and Tax Assessor S & W to Tax Assessor O & E.

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

Roll Call:

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

ATTORNEY HOUR:

1. Lorterdan Hamburg Development Conservation Easement Deed

Attorney Clemack advised the Council that it was in the best interest of the Borough to accept the Deed of Easement for Water Conservation and Declaration of restrictions and Deed and Declaration of Water Conservation Restrictions from Lorterdan Hamburg Development LLC, regarding Block 11, Lot 30. He stated that Lorterdan will provide a free title, a Bill of Sale, that the Hamburg Planning Board will waive the two year maintenance bond, but Lorterdan must provide the maintenance bonds when the Borough releases the performance guarantee, and finally, by acceptance of the deeds, the Borough does not waive any rights as established and set forth in the resolutions of site plan approval, resolutions of the Mayor and Council, the Developer’s Agreement and /or otherwise as provided by law.

Motion by Councilman Krasnomowitz, seconded by Councilman Law to accept the conditions of the resolution as offered.

Roll Call:

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

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. PBA Negotiations

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

ENGINEERING:

Mayor Marino advised that they were trying to get Orchard Street ready for snow.

MAYOR'S AGENDA:

1. New Jersey Conference of Mayors Dues: \$295.00.

Motion by Councilman Barr, seconded by Councilman Kelly to pay \$295.00 for dues for the New Jersey Conference of Mayors. All in favor.

2. Shared Service Meeting with Hardyston – Littell Center, Wallkill Valley League

Mayor Marino informed the Council that he, Councilman Krasnomowitz, and Borough Clerk Doreen Schott met with officials from Hardyston and Franklin; Ogdensburg was not represented although invited to attend. The Littell Center supports the four sending districts for sports which make up the Wallkill Valley League sports program. Mayor Marino said that, although there is a pay rate schedule in place at the moment, the formula of pay for the towns will be changing but that has not yet been determined. Many of our other groups (Boy Scouts, Girl Scouts, and Seniors) do use the Littell Center for meetings throughout the year also. The money we would pay would be used to help defray the administrative costs. The use of fields would also include the Board of Education fields in addition to our fields on Gingerbread Castle Road. Another meeting is scheduled for November 30th.

3. DOC's – Petition to extend licensed premise – December 17, 2011 noon and December 18, 2011 2:00 a.m. (*motion pending signed permit from chief of police)

Council had concerns whether the Fire official and / or Fire chief were contacted and whether a permit would be needed.

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to approve the petition to extend the licensed premises of SJR Co. LLC (Doc's), for a bonfire on 12/17/2011 noon and 12/18/2011 2 AM.

Borough Clerk stated that she received the signed permit from the Police Chief.

Councilman Kelly stated that the forest fire permit must be obtained from the State.

Roll Call:

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

4. Storm

Mayor Marino stated that this past storm was a major storm but that all departments did a great job. There were 25 calls in total, including fire and EMS. He gave his thanks to all.

COMMITTEE REPORTS:

COUNCILMAN SENA**1. FINANCE / TAX DEPARTMENT**

The Tax Collector's report for September showed \$215,287.32 being collected and \$1,241,974.26 being collected for October 2011.

Motion by Councilman Sena, seconded by Councilman Kelly to accept the following resolutions to redeem the third party tax sale: Resolution to redeem third party tax sale certificate #08-001 in the amount of \$96,291.44; Resolution to redeem third party tax sale certificate #10-001 in the amount of \$4,383.58; Resolution to redeem third party tax sale certificate #11-010 in the amount of \$1,179.38; Resolution to redeem third party tax sale certificate #11-005 in the amount of \$1,226.13.

Roll Call:

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

Nays: None

Abstain: None

Absent: None

2. POLICE COMMISSIONER**Police Monthly Report for October 2011**

The October monthly report for the Police Department showed 995 calls of service, including 203 investigative reports, 9 arrests, 18 motor vehicle accidents, and 118 motor vehicle summonses issued.

Police Vehicle Purchase

Councilman Sena discussed the purchase of the police vehicle, stating that the Ford Crown Victoria is no longer available, so a 2012 Dodge Charger will be purchased in its place, but will not exceed the previous approval of \$24,519.69. This will be a "marked" police patrol vehicle, with no tinted windows. The lease payment will be \$743.78 a month for 3 years.

Motion by Councilman Sena, seconded by Councilman Law to sign the lease agreement for the 2012 Dodge Charger Police Vehicle, which will be a marked patrol vehicle with no tinted windows.

Councilman Krasnomowitz requested that last month's motion authorizing the purchase of the 2012 Crown Victoria be rescinded.

Roll Call:

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

Nays: None

Abstain: None

Absent: None

3. BOARD OF HEALTH

Councilman Sena reminded the Council that the Rabies Clinic will be held on Thursday, December 1st from 4-7 pm.

COUNCILMAN KELLY:**4. NEWSLETTER**

Councilman Kelly said that information for the upcoming newsletter is needed by November 22, 2011.

COUNCILWOMAN OEHLER:**1. RECREATION**

Councilwoman Oehler said that the Trunk or Treat that was held on October 30th was a big success, had a good attendance despite the weather. The parents loved it, decorated their cars, and handed out candy to the kids. Councilwoman Oehler thanked Mike Schneider of the Road Dept. for doing a great job in plowing the parking lot of the fields.

Breakfast with Santa will be held on December 11th at 10 AM at the Firehouse.

3. OEM / EMS LIAISON

There were 27 calls for the month. Councilwoman Oehler said that when the ambulance was at Newton Hospital during the snowstorm, there was an 86 year old woman who needed a ride home so instead of calling a taxi, they brought her home.

COUNCILMAN LAW:**1. FIRE COMMISSIONER**

Councilman Law stated that there were a total of 23 fire calls for the month of October.

2. COURT

Correspondence was received from New Jersey Courts regarding new requirements with regards to court personnel. The Judge will now be doing the interviews for court personnel. Councilman Law said Joann Coan has completed her classes and has only her final project left to do.

3. RECYCLING

Councilman Law stated that the yearly recycling report was due April 30th but due to many problems with his computer, it was never filed. It was filed last month and he assured the Council that we would still be eligible for the grants.

COUNCILMAN KRASNOMOWITZ:**1. OFFICE ADMINISTRATION**

Councilman Krasnomowitz discussed the correspondence from Tax Assessor (10/14/2011) regarding revaluation and revised tax maps.

Motion by Councilman Krasnomowitz, seconded by Councilman Barr to move forward with the tax re-evaluation as per the recommendation of the tax assessor.

Roll Call:

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

2. CONSTRUCTION DEPARTMENT

Construction report for September 2011

Councilmember Krasnomowitz advised that there were 15 permits issued, 1 certificate of occupancy, and 12 certificates of approvals with a total of \$2934.00 collected in fees for the month of September.

Councilman Krasnomowitz compared September 2010 with fees at \$637.00 to the current year (fees at \$2934.00) and again stated that he was hopeful that the economy was improving.

3. LAND USE BOARD

No meeting this month.

4. INSURANCE

The Insurance Company requested an update on driver license information of all employees who drive borough vehicles; a memo was sent out.

COUNCILMAN BARR**1. BOARD OF EDUCATION**

The Council received a request from the Hamburg PTA regarding a donation for the Tricky Tray. Motion by Councilman Barr, seconded by Councilman Law to give a \$100.00 donation to the Hamburg PTA Tricky Tray scheduled for December 9, 2011. All in favor.

2. ROAD DEPARTMENT

Councilman Barr also thanked the Road Dept. for a job well done with the recent storms.

3. HISTORIC COMMISSION / HISTORIC SOCIETY

A joint presentation was done of both entities a few weeks ago and was well attended by approximately 30-40 people. There were three markers placed this year.

PUBLIC PORTION:

Motion by Councilman Law, 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.

Dave Lambert – 176 Rt. 23 – asked if there were anything the Council could do to help with the bright lights from Hamburg Plumbing, Granny's, Roberta's and Sunoco. He said that the lights stay on all night, and as they shine directly into his home and keep him awake, he asked those businesses if they could turn them off or lower the wattage. Sunoco has been helpful with shutting theirs off. The Zoning Officer did look into it and as the property is zoned Highway Commercial, the businesses are within their rights of lighting specifications. Council gave Mr. Lambert different suggestions as how to overcome the bright lights but there was no further action that they were able to take.

Mike Schneider – Road Dept. Foreman – asked if the town was going to be picking up large brush from the storms. Councilman Barr said that it would be 5' or less, 4-5' in diameter, bundled and tied, Monday and Friday, and December 1st was the last day of pick-up.

Mr. Schneider also said that the Board of Education property was wet and he was putting a dozer in to push the dirt back up by the catch basins.

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

Mayor Marino stated that the tree lighting would be held on December 2nd.

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

Motion by Councilman Law, seconded by Councilwoman Oehler to enter into Executive Session at 8:33 PM. All in favor.

Discussion regarding PBA Negotiations.

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to return to the Regular Meeting at 9:05 PM. All in favor.

No action taken.

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

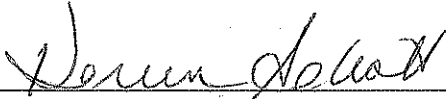
1. From State of New Jersey regarding the Sussex County Wastewater Management Plan. (10/6/2011)
2. Sussex County Tax Rates for 2011 (10/5/2011)
3. From US Census Bureau regarding census survey (10/6/2011) *completed
4. Letter of appreciation from Mr. and Mrs. Esposito to DPW (10/6/2011)
5. 2011 Certification of the Table of Equalized Valuations (10/7/2011)
6. Correspondence from Hamburg PTA (also under CR Barr)
7. Correspondence from Hatch Mott regarding issues with Rt. 94 Paving Project (10/14/2011)
8. Correspondence regarding Accurate Forming Biennial Certification Report (10/20/2011)
9. March for Military Families November 13th Morris County College (10/27/2011)
10. From SCMUA – proposed 2012 Rate Schedule
11. Correspondence from John Garcia regarding project completion (10.27.2011)
12. Mayor Fax Advisory – Halloween Safety for 2011 (11/3/2011)
13. From SCMUA – Proposed 2012 Rate Schedule

ADJOURNMENT

Motion by Councilman Barr, seconded by Councilman Kelly to adjourn the meeting at 9:05 PM. All in favor.

Date Approved: 12-5-11

Date Released: 12-5-11



Doreen Schott, RMC
Municipal Clerk

Submitted by Kathy Garrett