

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF HAMBURG HELD ON DECEMBER 5, 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 Sena	Mayor Marino

Absent: Councilman Law

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".

****Councilman Law arrived and took his place at the dais.****

November 7, 2011 Regular Meeting Minutes

Motion by Councilman Kelly, seconded by Councilwoman Oehler to approve the November 7, 2011 Regular Meeting Minutes of the Mayor and Council with a correction on page 6, under Historic Commission, only one marker was placed this year, not three. All in favor.

November 7, 2011 Regular Meeting Executive Session Minutes

Motion by Councilman Barr, seconded by Councilman Kelly to approve the November 7, 2011 Regular Meeting Executive Session Minutes of the Mayor and Council. All in favor.

APPROVAL OF BILLS:

There are two additions to the bill list: \$83.00 for Max is Back for the Star on the Christmas tree and \$25.74 for TJ's Pizza for the Road Dept. workers.

Motion by Councilman Krasnomowitz, seconded by Councilman Law 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 Kelly, 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 with additions.

Roll Call:

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

RESOLUTIONS:

Mayor Marino presented Resolution # 2011 – 51 – Chapter 159 Body Armor for approval.

Motion by Councilman Barr, seconded by Councilwoman Oehler to accept Resolution # 2011 – 51 – Chapter 159 Body Armor as presented. All in favor.

ATTORNEY HOUR:

1.

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 Law, seconded by Councilwoman Oehler to accept the resolution as presented. All in favor.

ENGINEERING:

1. **Correspondence from Engineer to Liberty Construction regarding outstanding issues.**
Ron Piccolo from Hatch Mott MacDonald informed the Council that they are working on the punch list.

2. **Road Resurfacing Project**
This project will go out to bid in January.

3. **Heritage Lake Pump Station**
Mr. Piccolo stated that the pump station is complete and finished. Councilman Sena said that there were approximately 15 items to address on the punch list and wondered if they were all completed. Mr. Piccolo will ask Mr. Ruschke for verification.

4. Sanitary Sewer Flows

Mr. Piccolo informed the Council that since August the flows that we send to SCMUA have doubled. We have had an earthquake, hurricane, a wet summer and the water table is high, all of which have contributed to the high flows. Mr. Piccolo brought photos of cracks in pipes where infiltration also is contributing. There are sump pumps from Hamilton Street flowing into pipes. There is in excess of 60-70,000 gallons a day being put through the system. Mayor Marino discusses putting in a camera to find out where the leaks are as soon as possible. This could cost up to \$50,000.00. Mr. Piccolo will continue metering as the water levels will remain high until April. He will also advise where the cameras need to be placed.

Motion by Councilman Sena, seconded by Councilman Barr to open to Water Superintendent Gerald Kastner. All in favor.

Mr. Kastner has notified has notified SCMUA of the situation. He also said that we are ok for now due to our flows being low at the beginning of the year.

Motion by Councilman Law, seconded by Councilman Krasnomowitz to authorize Hatch Mott MacDonald to move ahead with the testing at a cost of approximately \$50,000.00.

Roll Call:

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

5. 5 Year Plan

Mr. Ruschke prepared a draft form of the 5 Year Plan for review and this will go to the BPW Board and then back for Council discussion. Within the plan will be different items within the Borough to upgrade.

6. Well 1A

Mr. Kastner said that he just received the permit to operate the well and doesn't see a problem. Councilman Sena asked if the developer met his obligations. Mr. Kastner said that they are working on being reimbursed on some items that the town had to fulfill and that should hopefully be within two weeks.

Motion by Councilman Barr, seconded by Councilwoman Oehler to close to Mr. Kastner. All in favor.

MAYOR'S AGENDA:

1. Hamburg elementary School Yearbook Donation.

Council is in receipt of a request from the Hamburg School for the yearly donation of the Yearbook ad, which is a full page ad, at a cost of \$250.00.

Motion by Councilman Barr, seconded by Councilman Kelly to place a full page ad in the Hamburg School Yearbook at a cost of \$250.00. All in favor.

2. Land Use Appointment

Mayor Marino received correspondence from Ms. Wendy Brick expressing interest in the Class IV position on the Land Use Board. Mayor Marino appointed Ms. Brick to the Land Use Board as a Class IV position as this is a Mayor appointment.

3. 2012 Inter local Agreement – Wantage Township for Animal Control Officer and Dog Pound.

Council is in receipt of the Interlocal Agreement for the Animal Control Officer and Pound Facilities with Wantage Township. The new agreement shows a \$200.00 increase from the 2011 agreement. Motion by Councilman Barr, seconded by Councilman Law to accept said Interlocal Agreement with Wantage Township for Animal Control Officer and Dog Pound for 2012.

Councilman Sena commented that he believed we approved each contract separately; was answered that previously we did.

Roll Call:

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

COMMITTEE REPORTS:

COUNCILMAN SENA

FINANCE / TAX DEPARTMENT

Motion by Councilman Sena, seconded by Councilwoman Oehler to accept the Resolution to redeem third party tax sale certificate # 09-015 in the amount of \$31,078.04.

Roll Call:

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

Motion by Councilman Sena, seconded by Councilwoman Oehler to approve following resolutions: Resolution to redeem third party tax sale certificate # 09-015 in the amount of \$31,078.04; Resolution for tax overpayment Block 25 Lot 19 (C0104) in the amount of \$1,246.44; Resolution for tax overpayment Block 21 Lot 52 in the amount of \$1,055.72 (Veteran’s Deduction); Resolution for tax overpayment Block 13 Lot 7 in the amount of \$969.56; Resolution for tax overpayment Block 22 Lot 18 in the amount of \$1,635.49.

Roll Call:

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

Salary Increases 2012

Council discussed the salary increase for the non-contractual employees for the upcoming 2012 year and members agree that they must stay within the 2% cap.

Motion by Councilman Sena, seconded by Councilman Barr to give non-contractual employees a 2% salary raise for the 2012 year.

Roll Call:

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

Absent: None

POLICE COMMISSIONER

1. Police Monthly Report for November 2011

The November monthly report for the Police Department showed 991 calls of service, including 165 investigative reports, 13 arrests, 21 motor vehicle accidents, and 103 motor vehicle summonses issued.

Purchase of Patrol Car

Chief Wright has received three quotes regarding the lights for the patrol car and there is a big difference in the prices. He would like to go with the highest but Council is concerned about the warranty issues with doing so as this would be contracted separately. The three quotes were from Winner Ford at \$6795.00, Spectrum at \$8809.65, and Warnock at \$7905.00. Council said we should go with Winner Ford, where we bought the car and have the lights put on before we even pick up the car. Councilman Law asked where the lights were from the old car as we were going to re-use them. they were probably in the DPW building but Councilman Barr stated that they would not fit the new car.

Motion by Councilman Kelly, seconded by Councilman Barr to accept the low bidder, Winner Ford, at \$6795.00 for the lights of the new patrol car.

Roll Call:

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

2. Correspondence from Chief regarding pending complaint.

Council is in receipt of said correspondence and is aware that there may be delays in having this matter settled.

3. Notice of official retirement from Chief Wright

Council is in receipt of correspondence from Chief Wright stating that his retirement is effective February 1, 2012, with his last work date as of January 31, 2012. Motion by Councilman Sena, seconded by Councilwoman Oehler to accept said official letter of retirement. All in favor.

BOARD OF HEALTH

Rabies Clinic was held on Thursday December 1st. There were 112 vaccines administered.

COUNCILMAN KELLY:

1. BUILDING AND GROUNDS

Councilman Kelly commented on the block work around the tree being done and how wonderful it looks. He also said that the Police were having trouble with their back door and that Road Dept. Foreman Mike Schneider was looking for a new door.

Mayor Marino said that he would like to get prices for a cleaning crew for the court house, Police Station and Municipal Building, beginning in January. They would have to be insured and bonded. Borough Clerk will make phone calls.

COUNCILWOMAN OEHLER:**1. RECREATION**

Breakfast with Santa will be held this coming Sunday, December 11th, from 10 AM – 12 Noon at the firehouse. A blanket order for reimbursement in the amount of \$1300.00 for the breakfast is needed in case items are not purchased using the Wal-Mart or ShopRite cards and members will be able to be reimbursed for their purchase.

Motion by Councilwoman Oehler, seconded by Councilman Kelly to approve said blanket resolution in the amount of \$1300.00 for Recreation. All in favor.

3. OEM / EMS LIASON

There were 44 EMS calls for the month with 316 for the year.

COUNCILMAN LAW:**1. FIRE COMMISSIONER**

Councilman Law gave the amount of calls for the month and also stated that the department is holding a Christmas tree sale at the pavilion.

3. RECYCLING

Councilman Law attended the SCMUA meeting on November 26th, in which the tipping fees were discussed and announced that they were being increased 8% minimum, up to 25%. This could affect our shared services agreement with Hardyston, as the contractors are the ones that will be paying, so even though we have an agreement, this may eventually impact us. SCMUA is not receiving the \$3 million grant from the State as promised. More information will follow.

COUNCILMAN KRASNOMOWITZ:**1. OFFICE ADMINISTRATION**

Council is in receipt of correspondence from Maureen Kaman, our tax assessor (10/14/2011) regarding the revaluation and revised tax maps. Councilman Krasnomowitz said that she will attend the workshop in January to advise the Council of the time frame for the re-evaluation, the tax maps, costs and other information.

2. CONSTRUCTION DEPARTMENT**Construction report for October 2011**

Councilmember Krasnomowitz advised that there were 18 permits issued, 2 certificate of occupancy, and 19 certificates of approvals with a total of \$5125.00 collected in fees for the month of October. Councilman Krasnomowitz compared October 2010 and 2011; again stated that he was hopeful that the economy was improving.

Letter of complaint

Councilman Sena brings to the Council's attention the letter from Patrick Barton concerning the Hardyston Construction Official. A meeting will be set up with Marianne Smith and the Construction Office to discuss the situation and we will receive a report.

3. LAND USE BOARD

A letter of resignation was received from Zoning Officer Greg Kresge effective November 30, 2011. Motion by Councilman Krasnomowitz, seconded by Councilman Barr to accept the resignation of

Greg Kresge as Zoning Officer effective November 30, 2011 with regrets. All in favor.
Councilman Barr asked about the investigation that Mr. Kresge was involved in at Hamburg School and was informed that any pending matter would be handled by the new Zoning Officer.

Mayor Marino stated that he contacted Mr. Sid Crum about taking over the position of Zoning Officer/Property Maintenance . Mr. Crum would be interested for one year and also taking the classes that go along with the position. Borough Clerk Doreen Schott contacted Hardyston Township about setting up an Interlocal Agreement and although they do not have Property Maintenance within their township, they would perform the task for our Borough along with Zoning.
Motion by Councilman Barr, seconded by Councilwoman Oehler to offer Mr. Sid Crum the position of Zoning Officer / Property Maintenance for one year starting immediately. All in favor.

COUNCILMAN BARR:

2. ROAD DEPARTMENT

Councilman Barr thanked the Road Dept. for their help with putting the star on the tree. The Road Dept. will continue to pick up sticks and bags. Councilman Barr also discussed with the Council that the Road Dept is receiving complaints and calls about brush pick up and asked about how large of tree branches residents are able to put out and also the size of branches that residents are putting on the curb. A notice has been put in the up coming newsletter that will go out in December.

3. HISTORIC COMMISSION / HISTORIC SOCIETY

The Historic Commission nominated The Limekilns and the Wheatsworth Mills / Gingerbread Castle to be placed on a list for the 10 most endangered Historic Places in NJ 2012 , as per Councilman Barr.

PUBLIC PORTION:

Motion by Councilman Barr, seconded by Councilman Kelly 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.

Russ Brown – Hamilton Street – informed the Council that their sump pump is still going off, trying to get rid of water in their basement. Ron Piccolo took down some additional information and will discuss the situation further with John Ruschke.

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

EXECUTIVE SESSION RESOLUTION:

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Motion by Councilman Law, seconded by Councilwoman Oehler to accept the resolution as presented. All in favor.

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

Discussion concerning PBA negotiations.

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

No action taken.

Discussion regarding the Robert O'Conner letter. There is no easement on record. The matter will be looked into further; the drainage issues, the cause for the blockage, whether it be debris, and from where or from whom, but the property owner is responsible.

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

1. Abstract of ratable for Sussex County (11/10/11)
2. From County Health Department notice of Health Department moving to Wheatsworth Road (11/10/11)
3. Correspondence from Byram Twp regarding SCMUA rate increase (11/10/11)
4. Mayors Fax Advisory, local finance notice issued, 2012 municipal and county budget cap info. (11/10/11).
5. From Hardyston Township correspondence regarding 30 Gingerbread Castle Road. (11/14/11)
6. From NJ business and Industry Association, nominations for New Good Neighbor Awards. (11/18/11)
7. From State of NJ underground storage tank removal 29 Bank Street (11/18/11)
8. Correspondence from Tax Assessor (12/1/2011)
9. Newsletter "Sidebar" (12/1/2011)
10. NJLM Legislative Bulletin November 2011 (12/1/2011)
11. Correspondence from Tax Assessor regarding Disabled Veterans Status (12/1/2011)
12. From the State of NJ FY 2012 Annual Fee Report and Assessment of Fees for NJ Pollutant Discharge Elimination System. (12/1/2011)
13. From State of NJ Water Compliance – Compliance Report (11/29/2011)
14. Compliance Plan to County from Tax Assessor (12/1/2011)

ADJOURNMENT

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

Date Approved: 1-4-2012

Date Released: 1-4-2012



Doreen Schott, RMC
Municipal Clerk