

MINUTES OF THE MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON OCTOBER 15, 2012 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	
	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, 2012 by delivering to the New Jersey Herald and the Sunday Herald and posting at the Municipal Building a copy of the "Annual Notice of Meetings" pursuant the provisions of the "Open Public Meetings Act".

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. **Police Interviews – Ms. Dana Black. Mr. Jason Tangorra**
2. **James Sloan – Pension Contribution**
- 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 Krasnomowitz, seconded by Councilwoman Oehler to accept the resolution and enter into Executive Session later in the evening. All in favor.

1. LIQUOR LICENSE RENEWAL 2012 – 2013

The following application has received a Special Ruling to Permit Renewal of Inactive License Pursuant to N.J.S.A. 33:1-12.39 from the Division of alcoholic Beverage. Control. All required State and Local Fees have been received.

Motion by Councilwoman Oehler, seconded by Councilman Kelly to authorize the Resolution for renewal for Francis J. Hinger, License #1909-33-001-011. All in favor.

***Councilman Law arrived 7:35 PM

2. Water Main Improvement Project – Route 23 / Fairview Avenue

Mayor and Council are in receipt of October 3, 2012 Bid Results for the Rt. 23 / Fairview Avenue Water Main

Improvement Project. Mayor and Council are also in receipt of Withdraw of Bid from Reivax Contracting Corp. Motion

Motion by Councilman Kelly, seconded by Councilman Krasnomowitz to open the meeting to Borough Engineer John Ruschke, Water Superintendent Gerald Kastner, Road Dept. Foreman Mike Schneider and BPW Chairman Ron Garrett. All in favor.

Council discusses the water main improvement project – Route 23 / Fairview Ave., with John Ruschke informing the Council that the project bids come in high, with the low bidder backing out due to a clerical error. Mayor Marino stated that approximately \$300,000.00 was set aside for this project, but bids were up to ¾ of a million dollars.

Mike Schneider was asked to call independent contractors, and of those contacted, only one price quote was submitted. The others said they could not do the job for one reason or another.

When asked about the numbers on the bid, Mr. Ruschke explained that that he thought they were high due to the reason that the DOT wants the work done at night because of the traffic concern. He also mentioned a similar job in Hopatcong, which was of a larger scale, on a county road and it came in at a lower bid. The contractors relayed to Mr. Ruschke that the reasons were because of the night time work and the highway work. They also said that even the day work can make the job difficult due to the time restrictions with the traffic. Council discussed the possibility of having large trucks detour onto Blair Road, but this would involve Police, and then Police would also need to be stationed by the quarry to detour those trucks. The project time is approximately 20-30 days. A lot of the work is shoulder work, so if the DOT would allow the contractor to do the work during the day, that would cut the cost significantly. Placing concrete barriers up was mentioned but the DOT would decide this. Ron Garrett mentioned that a project in Oak Ridge was a night project and is now being done during the day but again, this is a State project.

John Ruschke stated that the worse section is where the dip in the highway is, by the bridge.

Gerald Kastner also reiterates that it would take more time to repair a break than to do a dry replacement. He also said that time wise, even if we start at night, it will be day light by time we get to lay the pipe after all the digging, etc. is done. Mr. Kastner would be concerned with the wet earth surrounding the sides of the pipe also, which would cause delays in repairing the pipe too.

Mayor Marino asked what if there was a break in this pipe. Mr. Schneider replied that every time there is a break he must call the State, and a supervisor from the State tells us how much can be fixed. Again, Mr. Ruschke reiterates that the State has not said what needs to be done to take this project from night time to a daytime project. We then have to have a reasonable timeframe for the contractor to work with.

Mr. Ruschke has already contacted the DOT for specific information and should be able to report back to the Council for the November meeting.

Attorney Clemack offered the following resolution:

Resolution #2012-38
Rejection of Bids Water main Improvement Project –
Route 23 / Fairview Avenue

Resolved, with reference to the bids received on the Water main Improvement Project – Route 23 / Fairview Avenue,

Be it further resolved, that the Mayor and Council hereby determines that all the bids submitted are in excess of the budget and therefore all bids are rejected.

Now, Therefore, Be it resolved, that all said bidders are to be notified of the rejection.

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to accept said resolution.

Roll Call:

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

Absent: None

Council discusses rebidding the project. Mr. Ruschke stated that if he does get a favorable response from the DOT, he would like to see modifications on the proposed traffic control plan, daytime work, and minimized night time work.

Attorney Clemack offered the following resolution to authorize Mr. Ruschke to go forward should the DOT come back with a favorable plan:

Resolved that the Borough Clerk is authorized to reissue a notice for bids regarding the Water main Improvement Project – Route 23 / Fairview Avenue subject to notification by the Borough Engineer that he has obtained a favorable response from the DOT, the favorable response being a proposed traffic control plan, daytime work, and minimized night time work.

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

3. 2011 Road Resurfacing Project – Change Order # 1

Mayor Marino discussed the change order: a decrease in the amount of \$5,248.04 for Mark Paving for the 2011 Road Resurfacing Project. The total amount was \$166,501.07.

Motion by Councilman Kelly, seconded by Councilwoman Oehler to accept the Change Order #1. All in favor.

4. 2011 Road Resurfacing - Payment Application No. 2

Mayor and Council are in receipt of Payment Application No. 2 for Mark Paving in the amount of \$4,530.52.

Motion by Councilman Kelly, seconded by Councilman Law to accept the Payment Application No. 2 in the amount of \$4,530.52. All in favor.

5. VersaProbe Warranty

Mayor and Council are in receipt of recommendation from BPW to extend the warranty from Northrop Grumman for the VersaProbe equipment that is used with the Badger Meters for water readings. Cost is \$300.00.

BPW Chairman Ron Garrett stated that the warranty runs out November 31, 2012.

Motion by Councilman Krasnomowitz, seconded by Councilwoman Oehler to spend the \$300.00 for the warranty on the VersaProbe for the Badger Meters. All in favor.

Council Discussion

Councilman Krasnomowitz informed the Council that the first soccer games were held on the fields at the park and everything went well. Mike Schneider put up the soccer goals and lined the fields and did a great job. The only problem was there were no bathroom facilities so he asked Mr. Schneider to look into getting a port-a-john for the fields.

Councilman Law said that he contacted landscapers about the baseball infield. Mr. Schneider said that he did get a price quote from Farmside but did not have it on hand.

Councilman Barr brought up the street signs and thanked Mr. Schneider and his crew for installing them. Councilman Barr heard from many people good things about the signs so the project was definitely worth it.

Councilman Law did the recycling clean-up with Hamburg School, filled up the road dept. truck and thanked Mike Schneider for all his help and future help.

John Ruschke also tells the Council that the paving on Bank Street has been completed. Morris County co-op was used and was within the budget and looks great.

Mr. Ruschke mentioned that he received correspondence from an attorney about the development in Wantage regarding water allocation and the purchase of it from Hamburg. They would like an approval letter from us but

they are not supplying not enough details on the issues for us. This could generate quite a bit of revenue for Hamburg, but Mr. Kastner would also need additional staff and that would need to be taken into consideration. Mr. Ruschke is suggesting that Mr. Clemack contact their attorney to go over the finer details for the Council. Councilman Kelly questions if an 8" main would be large enough and Mr. Ruschke thought so but would need to see the plans so this would be premature to speculate. Attorney Clemack stated that he will contact their attorney as we had plans made in the past but we will not just agree without specifics being discussed.

Motion by Councilman Barr, seconded by Councilwoman Oehler to close to the professionals. All in favor.

PUBLIC POURTION:

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.

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

EXECUTIVE SESSION RESOLUTION:

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WHEREAS, the Mayor and Council of the Borough of Hamburg find it necessary to enter into executive session for the reasons hereafter cited:

- 2. **Police Interviews – Ms. Dana Black. Mr. Jason Tangorra**
- 2. **James Sloan – Pension Contribution**
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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 and enter into Executive Session later in the evening. All in favor.

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

Motion by Councilwoman Oehler, seconded by Councilman Kelly to return to Regular Session.

Roll Call

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

RESOLUTION

BE IT RESOLVED that Jason Tangorra and Dana Black are hereby appointed as Probationary Police Officers for the Borough of Hamburg subject to the following:

- 1. Satisfactory passing of the drug test
- 2. Satisfactory passing of the psychological evaluation

BE IT FURTHER RESOLVED that if said persons successfully pass those tests they will be sworn in with an effective date of employment on November 5, 2012.

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

Roll Call

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

Nays: None

Absent: None

Abstain: None

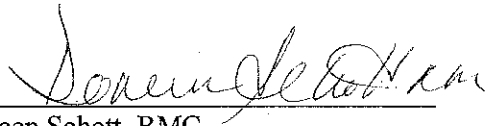
Mayor Marino and council members welcome the officers.

ADJOURNMENT

Motion by Councilwoman Oehler , seconded by Councilman Law to adjourn the meeting at 9:30 p.m. All members present in favor.

Date Approved: 11/5/12

Date Released: 11/5/12



Doreen Schott, RMC
Municipal Clerk

Submitted by Kathy Garrett