

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF HAMBURG HELD ON JANUARY 7, 2013 AT THE MUNICIPAL
BUILDING, 16 WALLKILL AVE., HAMBURG, NJ**

CALL TO ORDER:

In accordance with the Open Public Meetings Act, with regards to notices, the regularly scheduled Meeting of the Hamburg Mayor and Council was called to order at 7:30 PM by Mayor Marino and opened with a flag salute.

ROLL CALL:

Mayor Marino requested a roll call:

Councilman Barr	Councilwoman Oehler
Councilman Krasnomowitz	Councilman Garrett
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, 2013 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".

December 3, 2012 Regular Meeting Minutes

Motion by Councilwoman Oehler, seconded by Councilman Law to approve the December 5, 2012 Regular Meeting Minutes of the Mayor and Council.

Roll Call:

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

December 3, 2012 Executive Meeting Minutes

Motion by Councilman Law, seconded by Councilwoman Oehler to approve the December 5, 2012 Executive Meeting Minutes of the Mayor and Council.

Roll Call:

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

APPROVAL OF BILLS:

There are two additions to the bill list:

TJ's Pizzas in the amount \$364.00 and Joyce Oehler in the amount of \$34.68 for a luncheon. Motion by Councilman Krasnomowitz, seconded by Councilman Law to add these bills to the bill list. All in favor.

Motion by Councilman Barr, seconded by Councilman Garrett 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 Councilwoman Oehler to approve and pay the bill list as presented with additions.

Roll Call:

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

ORDINANCES:

Ordinance #01-2013

BOND ORDINANCE PROVIDING FOR THE PURCHASE OF AN AMBULANCE IN AND BY THE BOROUGH OF HAMBURG, NEW JERSEY, APPROPRIATING \$176,000. THEREFOR AND AUTHORIZING THE ISSUANCE OF \$167,000. BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

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

BOND ORDINANCE PROVIDING FOR THE PURCHASE OF AN AMUBLANCE IN AND BY THE BOROUGH OF HAMBURG, NEW JERSEY, APPROPRIATING \$176,000. THEREFOR AND AUTHORIZING THE ISSUANCE OF \$167,000. BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

Motion by Councilman Barr, seconded by Councilwoman Oehler to approve the ordinance on first reading and introduction with said ordinance to be published in full with second reading scheduled for February 4, 2013.

Roll Call:

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

Ordinance #02-2013

CAPITAL ORDINANCE AMENDING SECTION 1 OF THE CAPITAL ORDINANCE NUMBER 12-2011 (WATER MAIN REPLACEMENT ON RT. 23) OF THE BOROUGH FINALLY ADOPTED JULY 6, 2011 IN ORDER TO AMEND THE APPROPRIATION AMOUNT OF THE IMPROVEMENT AUTHORIZED TO BE UNDERTAKEN.

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

CAPITAL ORDINANCE AMENDING SECION 1 OF THE CAPITAL ORDINANCE NUMBER 12-2011 (WATER MAIN REPLACEMENT ON RT. 23) OF THE BOROUGH FINALLY ADOPTED JULY 6, 2011 IN ORDER TO AMEND THE APPROPRIATION AMOUNT OF THE IMPROVEMENT AUTHORIZED TO BE UNDERTAKEN.

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 with second reading scheduled for February 4, 2013.

Roll Call:

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

RESOLUTIONS:

Resolution # 2013- 01

**CASH MANAGEMENT PLAN (Read by title only). Motion
BOROUGH OF HAMBURG
2013 Cash Management Plan
Resolution # 2013 – 01**

WHEREAS it is in the best interest of the Borough of Hamburg to earn additional revenue through the investment and prudent management of its cash receipts; and

WHEREAS P.L. 1983, Chapter 8, approved January 18, 1983 is an act concerning the Local Fiscal Affairs Law and amends N.J.S.A. 40A:5-2 and N.J.S.A. 40A:5-14; and

WHEREAS this requires that each local unit shall adopt a cash management plan.

NOW, THEREFORE, BE IT RESOLVED, that the following shall constitute the Cash Management Plan for the Borough and the Treasurer shall deposit and manage its funds pursuant to this plan:

Definitions

1. Treasurer shall mean the Treasurer of the Borough of Hamburg
2. Fiscal Year shall mean the twelve-month period ending December thirty-one.
3. Cash Management Plan shall mean that plan as approved by resolution.

Designation of Depositories

At least once each fiscal year the governing body shall by resolution designate the depositories for the Borough of Hamburg in accordance with the N.J.S.A. 40A:5-14.

Audit Requirement

1. The Cash Management Plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A:5-4.

Authority to Invest

1. The governing body shall pass a resolution at its first meeting of the fiscal year designating the Borough official(s) who shall make and be responsible for municipal deposits and investments.

Investment Instruments

1. The Treasurer shall invest at his discretion in any investment instrument as approved by the State of New Jersey in accordance with N.J.S.A. 40A:5-15.1.

Records and Reports

1. The Treasurer shall report all investments in accordance with N.J.S.A. 40A:5-15.2.
2. At a minimum the Treasurer shall:
 - a. Keep a record of all investments.
 - b. Keep a cash portion record which reveals, on a daily basis, the status of the cash in its bank accounts.
 - c. Confirm investments with the governing body at the next regularly scheduled meeting.
 - d. Report monthly to the governing body as to the status of cash balances in bank accounts, revenue collection, interest rates, and interest earned.

Cash Flow

1. The Treasurer shall ensure that the accounting system provides regular information concerning the cash position and investment performance.
2. All moneys, shall be turned over to the Treasurer and deposited in accordance with N.J.S.A. 40A:5-15.
3. The Treasurer is authorized and directed to invest surplus funds of the Borough of Hamburg as the availability of the funds permit. In addition, it shall be the responsibility of the Treasurer to minimize the possibility of idle cash by depositing the monies in interest bearing accounts wherever practical and in the best interest of the Borough of Hamburg.
4. The Treasurer shall ensure that funds are borrowed for Capital Projects in a timely fashion.

I HEREBY CERTIFY the above to be a true copy of a Resolution Adopted by the

Council of the Borough of Hamburg at a duly convened Meeting held on January 7, 2013.

Doreen Schott
Municipal Clerk

Motion by Councilman Krasnomowitz, seconded by Councilman Law to accept the resolution as offered.
Roll Call:

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

Resolution # 2013 – 02

Appointment of Tax Assessor and Municipal Attorney to defend before the Sussex County Tax Court and Sussex County Tax Board.

Motion by Councilman Barr, seconded by Councilman Law to adopt Resolution # 2013-02 as offered.

Roll Call:

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

Resolution # 2013 – 03

Mayor Marino presented a resolution supporting the objective of the NJ Coalition on Human Rights for fairness, compassion to innocent victims of violence.

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

ATTORNEY HOUR:

1. Authorization to publically bid for Ambulance

The Bid specifications are ready to go out to bid for the ambulance.

Motion by Councilman Barr, seconded by Councilman Law to authorize to publicize the bid for the ambulance. All in favor.

2. Revaluation

Attorney Clemack stated that the tax assessor is getting estimates from companies to do the revaluation and this also must be approved by the Division of Taxation. Councilman Garrett asked if the town needed to have 2-3 bids and was answered yes. Attorney Clemack will be in contact with the tax assessor.

ENGINEERING:

Mayor Marino stated that the Rt. 23 Water main project will be starting soon. John Ruschke and Gerald Kastner are working on Well #3, which will be discussed at the February meeting.

MAYOR'S AGENDA:

Housing Rehabilitation Program update.

Mayor Marino stated that Pat Fisher, who is the program coordinator of the Housing Rehabilitation Program, said that unfortunately there has not been much interest in the program and we have not received very many qualified applicants. So at this time we will be using the funds that we have. Councilman Krasnomowitz said that the timing may be off and perhaps we could re-publish in the spring when people are ready to fix up their homes.

Shared Service Agreements

Construction Office Services Amendment.

Mayor Marino stated that, with the Shared Services agreement with Hardyston, Hamburg will be paying \$878.00 less than last year and having two more services, along with administrative services. Hamburg will set the criteria with Hardyston setting the schedule.

Motion by Councilman Garrett, seconded by Councilman Barr to accept the Construction Office Services Amendment at a cost of \$45,000.00.

Roll Call:

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

Zoning and Property Maintenance Code Enforcement Services.

Mayor Marino said this is included in the Shared Services agreement with Hardyston at a cost of \$7,000.00.

Motion by Councilman Barr, seconded by Councilman Law to accept the Zoning and Property Maintenance Code Enforcement Services.

Roll Call:

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

Partnership in the Littell Community Center.

Mayor Marino discussed with the Council the Partnership in the Littell Community Center. He stated that he was advised that 275 people from the town use the facility on a regular basis. Hamburg residents are charged at a higher admit fee as we are not participators with the surrounding communities and feels this is unfair to our residents. Our children play soccer, football, baseball, go to school with all these other students who attend functions there, etc. The Girl and Boy Scouts meet there as do the seniors. They will also schedule in our rec fields for use, as this will be part of the agreement. Mayor Marino feels that it is now advantageous to partner with the Littell Center. Hardyston Township Council has offered the Borough this at a cost of \$10,000.00. DISCUSSION

Councilman Sena asked what was \$10,000.00 divided by 275? He felt that that was a lot of money for the small amount of people that actually used the facilities. He realized that the other groups did participate and meet at the Littell Center but argued this did not constitute spending \$10,000.00. to offset the cost. He also stated that the Hardyston fields are a mess, that other fields are not being used, and would like us to have control over our fields, which are beautiful and he would like them to remain that way.

Councilman Barr said that our kids are included in the programs and would like to see it stay that way, and this is one way to do so.

Councilman Law said that the Boy and Girl Scouts, and Little League all use the facilities which to him is worth is and they would have one central point.

Councilwoman Oehler stated that the seniors now have a place to go and they (Recreation) have had requests for donations from the seniors.

Councilman Garrett liked the idea that the three towns were coming together.

Motion by Councilman Barr, seconded by Councilman Law to accept the Partnership in the Littell Community Center at a cost of \$10,000.00.

Roll Call:

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

Ethics Course

Mayor Marino discusses employees taking an Ethics Course, which would take approximately 2 hours. Council agrees. This will include office staff, Road Dept. and Fire / EMS Captains.

PROFESSIONAL SERVICE AGREEMENTS

Council is in receipt of spread sheets indicating a synopsis for all the Professional Service Agreements. The service provided by each is remaining the same as in past year.

- Richard J Clemack - 2013 contract
- Nelson Consulting Group – 2013 contract
- Hatch Mott MacDonald – 2013 contract
- Nisivoccia & Company – 2013 contract
- John L Kraft – 2013 contract
- Morville Agency – 2013 contract
- Dr. Fielding – 2013 contract
- James P. Sloan – 2013 contract
- Mark Hontz – 2013 contract
- Weiner Lesniak – Glenn Kienz – 2013 contract

Motion by Councilman Barr, seconded by Councilman Law to approve and execute the 2013 contracts for each above listed professional for the upcoming year.

Roll Call:

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

COMMITTEE REPORTS

COUNCILMAN SENA

1. FINANCE / TAX DEPARTMENT

Tax Collector report for November 2012 showed a total of \$1,636,907.11 being collected and a total of \$301,081.89 being collected in December 2012.

Motion by Councilman Sena, seconded by Councilman Garrett to accept the Resolution to redeem third party tax sale certificate #12-006 in the amount of \$1791.02; and to accept the Resolution to redeem third party tax sale certificate # 11-008 & 12-014 in the amount of \$1516.48. All in favor.

2. ROAD DEPARTMENT

Councilman Sena stated that he is in receipt of a request from Road Foreman Mike Schneider to carry his vacation, sick and personal time from 2012 to 2013. According to a letter that Mr. Schneider submitted, this would entail carrying 2 weeks' vacation time.

Motion by Councilman Sena, seconded by Councilman Law to open to Mr. Schneider. All in favor.

Mr. Schneider explained that due to another road dept. worker having to take time off, he was unable to take a scheduled vacation and use his vacation time, thereby submitting this request.

Motion by Councilwoman Oehler, seconded by Councilman Garrett to close to Mr. Schneider. All in favor.

Councilman Barr stated that he had no problem with Mr. Schneider carrying the time. Councilman Garrett asked if any other employees carry time and Mayor Marino stated that some do.

As there was no other discussion, motion by Councilman Garrett, seconded by Councilwoman Oehler that Mr. Schneider carry the 2 weeks' vacation time. All in favor.

3. BOARD OF HEALTH

Board of Health reorganization meeting will be held on Tuesday, January 8, 2013

COUNCILMAN GARRETT

1. BOARD OF EDUCATION

Councilman Garrett stated that the meeting is January 29th and Councilman Barr will be attending with him. He also stated that the vacant seat on the Board went to Pat Harby.

2. WATER QUALITY

The next Water Quality meeting is scheduled for January 10th at 7:30 PM and Councilman Garrett will attend and report back to the Council.

3. BOARD OF PUBLIC WORKS

BPW will be meeting this coming Wednesday, the 9th.

COUNCILWOMAN OEHLER:

2. RECREATION

Recreation had their Breakfast with Santa, which went very well and was attended by many adults and children. The Commission will be discussing the holiday decorating contest winners at their next meeting.

COUNCILMAN LAW:

1. BUILDING AND GROUNDS

Councilman Law stated that he met with the Road Dept. Forman. They will be going over some outstanding issues for next month.

COUNCILMAN KRASNOMOWITZ:

1. OFFICE ADMINISTRATION

Council is in receipt of a telephone proposal from Princeton Hosted Solutions, LLC for the updating of the telephone system within the Borough. Councilman Krasnomowitz said that all the buildings within the borough will now be connected. This includes all new hardware and a T111 access line also. With the new system, this will save the town approximately \$500. a month on phone bills. The original proposal was for \$2600.00 but is now being submitted at \$1415.00.

Motion by Councilman Krasnomowitz, seconded by Councilman Barr to accept the proposal of \$1415.00 of a monthly fee for the phone system of Princeton Hosted Solutions, LLC, subject to Attorney review.

Roll Call:

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

2. CONSTRUCTION DEPARTMENT

November 2012 Construction Report

Construction report for November 2012

Councilmember Krasnomowitz advised that there were 7 permits issued, 0 certificates of occupancy, and 9 certificates of approvals with a total of \$1059.00 collected in fees for the month of November.

3. LAND USE BOARD

Council is in receipt of a Year End Summary prepared by Board Secretary Marguerite Nemeth.

4. INSURANCE

Resolution appointing Risk Management Consultant for 2013.

Motion by Councilman Krasnomowitz, seconded by Councilman Garrett to appoint George Morville as the Risk Management Consultant for 2013. All in favor.

Risk Management Consultant's Agreement for 2013.

Motion by Councilman Krasnomowitz, seconded by Councilman Barr to appoint the Morville Agency as the Risk Management Consultant's Agreement for 2013. All in favor.

Resolution appointing Fund Commissioner for 2013.

Motion by Councilman Barr, seconded by Councilman Garrett to appoint Rich Krasnomowitz as Fund Commissioner for 2013 for the Borough of Hamburg. All in favor.

COUNCILMAN BARR

1. FIRE COMMISSIONER – OEM

The following Applications for Raffles License were submitted by The Hamburg Volunteer Fire Dept. for approval:

#551 – March 7, 2013

#552 – June 6, 2013

#553 – September 5, 2013

#554 – December 5, 2013

Motion by Councilman Barr, seconded by Councilman Garrett to approve the submitted applications. All in favor.

Council is in receipt of a Red Light Permit Application for Fire Chief Charles Zweigle. Motion by Councilman Barr, seconded by Councilman Law to approve the submitted application. All in favor.

2. POLICE COMMISSIONER

Lanier Copier Lease Agreement – Copy Machine Lease for Police Dept.

Councilman Barr stated that the Police Dept. has been working off a small copier/fax machine to make copies and need an actual copy/fax/scanner machine. This is a lease agreement for \$60.00 a month for 60 months.

Motion by Councilman Barr, seconded by Councilwoman Oehler to approve said agreement as submitted. All in favor.

3. HISTORIC COMMISSION / HISTORIC SOCIETY

Re-organization will be January 23rd.

PUBLIC PORTION:

Motion by Councilman Garrett, 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.

Director Yahm – stated that the copier was a necessary purchase, to fax, scan, collate, etc. as the Dept. did not have anything like that. When asked by Councilman Garrett, he stated that the new officers will be on their own by the end of the week.

Sheila Frayko – Board of Education Liaison – thanked Councilman Barr for attending the Board meetings and bringing back the information to the Council and was looking forward to working with Councilman Garrett.

Gerald Kastner – Water Superintendent – stated that we will be working on the well #3.

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

Mayor Marino informed the Council that paperwork was submitted to FEMA from Hurricane Irene and we received \$121,109.14 from back from them.

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 Grievance

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 8:15 PM. All in favor.

Discussion on Police Grievance

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

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


1. Sussex County Municipal Utilities Authority adopted rate schedule (12/13/12)
2. Proposed gas base rate increase Elizabethtown Gas. (12/13/12)
3. SCMUA Sewage Treatment Services Estimated Annual Charge FY 2013 (12/13/12)
4. Correspondence from Marlboro Township regarding Jersey Central & Power & Light. (12/20/12)
5. NJLM – Annual Mayor’s Legislative Day February 6, 2013 (12/20/12)
6. Water Quality Management meeting cancellation (12/20/12)
7. NJLM – Meeting scheduled. (12/20/12)
8. New Jersey Crime Victim’s Law Center – letter regarding requested resolution. (12/20/12)
9. Eastern Surplus & Equipment - letter of available surplus equipment. (12/20/12)

ADJOURNMENT

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

Date Approved: 2/4/2013

Date Released: 2/4/2013



 Doreen Schott, RMC
 Municipal Clerk

Submitted by Kathy Garrett