

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF HAMBURG HELD ON JULY 1, 2013 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.

MOMENT OF SILENCE

Mayor Marino requested a Moment of Silence for the passing of former Councilman Joe Marano.

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".

June 3, 2013 Regular Meeting Minutes

Motion by Councilwoman Oehler, seconded by Councilman Law to approve the June 3, 2013 Regular Meeting Minutes of the Mayor and Council. All in favor.

June 3, 2013 Executive Meeting Minutes

Motion by Councilman Garrett, seconded by Councilwoman Oehler to approve the June 3, 2013 Executive Meeting Minutes of the Mayor and Council. All in favor.

APPROVAL OF BILLS:

Motion by Councilman Barr, seconded by Councilwoman Oehler to place a bill for Triple A Emergency Supply Co. in the amount of \$9844.77 on hold pending approval of CFO Amy Maronpot.

Motion by Councilman Garrett, seconded by Councilman Law 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 Barr, seconded by Councilman Krasnomowitz 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.

Roll Call:

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

ORDINANCES:

None

RESOLUTIONS:

2013 – 24 – Supporting the Continued Tax Exemption for Municipal Bonds

Mayor Marino stated that he is proud to be introducing this resolution in support of continuing the tax exemption for municipal bonds. He would like this sent to the President of the United States, the Governor of the State of NJ and the governing body, along with the Freeholders, all Sussex County municipalities and tax boards, etc.

Motion by Councilman Barr, seconded by Councilman Law to approve Resolution 2013-24.

Roll Call:

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

LIQUOR LICENSE RENEWALS 2013 – 2014

The following application and a non issue report from Police Department have been received along with the appropriate State and Local Fees. **Tax Clearance Certificate has been received.**

- SJR Co. LLC 1909-33-004-004

Attorney Clemack asked if there were any written objections or negative reports from the Police and the Borough Clerk answered no to both.

Motion by Councilman Barr, seconded by Councilwoman Oehler to authorize the 2013-2014 Liquor License Renewal for SJR Co. LLC. All in favor.

ATTORNEY HOUR:

1. Notification of Appeal Hinger vs. Borough of Hamburg to Division of Alcoholic Beverage Control
Attorney Clemack stated that this has been followed through to ABC.

2. Correspondence that 2013 complaint was filed on behalf of Borough to Tax Court regarding Block 22, Lot 1

Attorney Clemack said that the necessary information was sent down to the tax court and will keep the Council informed on this matter.

3. Notice of Tort Claim – Souther v. Hamburg

Attorney Clemack stated that this is notification of intent, it was sent to our insurance carrier and that no action is needed at this time, adding also that there was no discharge of resignation of the person.

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.
- 2.
- 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.

No Executive Session

ENGINEERING:

1. Rt. 23 Water main

Mr. Ruschke stated that the project is substantially completed. The contractor will return in the fall for some settlement issues due to the rain, etc. and the vegetation is not in. The DOT will be paving in the Spring 2014, so we should maintain safety until the State comes in. The contractor has an outstanding request for a change order on a mark-out for the water main, for which Mr. Ruschke does not feel this should be a change order. They are working out the final pay estimate.

2. Well #3

The pump was pulled with no issues. The shop drawings were submitted, rejected and submitted again. By the end of July the project should be complete.

3. Dot Kays - Linwood Ave

The Road Dept. did the grading and the junipers were planted, of which a few more are needed along with a bit more mulch. Mr. Ruschke looked at the job and said that it was done well.

4. Parking lot – paving

Mayor Marino talks about the paving of the municipal parking lot and that he is not happy with how it looks within a month after being paved and spending that much money on it. He discussed reaching out to the contractor to see what possibly he may be able to do. Also, the county will be contacted to request that the buses not use the parking lot as a pick-up / turn-around point.

5. Paving on Gingerbread Castle Road / Wheatsworth

Mayor Marino discussed the Wheatsworth Road paving, saying that Hardyston apologized for not advising us of the project so that we could have finished our section of the road. He questioned the manhole in front of the Bluffs development and who should be repairing that. Mr. Ruschke thinks the contractor needs to fix this. Mayor Marino asked if we could pave this under the co-op. Mr. Ruschke replied that since it is such a small area, under 200 tons, it would be really hard to get a contractor to do a job so small. Mr. Ruschke will call Tilcon and see if they are doing any work in the area. He will also call Franklin and Hardyston. Mayor Marino also suggested that we repair the catch basin and then put a claim on the developer's performance bond.

Mayor Marino stated that we did not get the Municipal Aid Grant this year. King Cole Road is up next for repairing.

MAYOR'S AGENDA:

Presentation: Mr. Fred Brody – Cross River Fiber, Inc.

Motion by Councilwoman Oehler, seconded by Councilman Barr to open the meeting to Mr. Fred Brody of Cross River Fiber, Inc. All in favor.

Mr. Brody gave a brief presentation, stating that his company, Cross River Fiber would like to run a telephone wire on the poles through the town. He was unsure of the exact route but did state that they were going through Newton, Hardyston and Lafayette and ending up in Newark. Every four (4) miles was a 4x12 box, otherwise it was only wires that would be run through the towns. Attorney Clemack stated that a plan and a route needed to be submitted to the town. Councilman Garrett stated that someone had to be the first town, and according to Mr. Brody, they started their presentation with Hamburg, and Councilman Law said that he liked the plan. Mr. Brody reiterated that he was just asking to put up a telephone wire but he would provide a proposed route.

Motion by Councilwoman Oehler, seconded by Councilman Law to table this discussion pending more information. All in favor.

Authorization to conduct Animal Census

The town needs to conduct an animal census every two years and submit it to the State. Lisa Deutsch submitted a letter of interest to conduct the census for \$1200.00, which would be paid for out of the Dog Account.

Motion by Councilman Garrett, seconded by Councilwoman Oehler to appoint Lisa Deutsch to conduct the animal census for a total of \$1200.00. All in favor.

Rec Field Bench

Mayor Marino stated that the Girl Scouts want to donate a bench to the rec fields. Councilmen Barr and Sena are having a meeting in the morning with a representative about the placement of the playground so they will discuss this also.

Office Help

Mayor Marino advised the Council that a college girl was hired to help out in the office a few days a week.

COMMITTEE REPORT

COUNCILMAN SENA

1. FINANCE / TAX DEPARTMENT

The Tax Collector's Report for May 2013 showed a total of \$1,777,327.58 being collected.

Motion by Councilman Sena, seconded by Councilman Garrett to accept the Resolution to redeem third party tax sale certificate 12-019 in the amount of \$18,246.29. All in favor.

2. ROAD DEPARTMENT

Surplus Vehicle bid – Gov Bid Auction scheduled for July 13, 2013 through July 17, 2013 (1998 GMC Truck)

The auction for the vehicle is scheduled for July 13 – 17th.

3. BOARD OF HEALTH

Councilman Sena said that it looked like a new restaurant will be going in at the Hamburg Corner Shops, but someone else said the shop was being cleared out.

COUNCILMAN GARRETT

1. BOARD OF EDUCATION

Councilman Garrett said the school is working on a 5 year building plan for buildings and grounds and the IT plan is going very well. They were working on the DARE program also. There were 3 – 3 year seats up on the Board and 1- 1 year seat. The Board went through a lengthy contract negotiation for Food Services for a \$.10 raise on the lunches.

2. WATER QUALITY

The meeting was cancelled.

3. BOARD OF PUBLIC WORKS

The meeting was cancelled.

COUNCILWOMAN OEHLER

Ambulance Update

Councilwoman Oehler presented to the Council the proposals on truck radios for the new ambulance. One is from Spectrum at a cost of \$5054.49 and the other from Metro at a cost of \$3310.00. In comparing the two: The Police use Metro but Councilwoman Oehler did not have the opportunity to talk to Director Yahm about them; the Fire Dept. and EMS already have Spectrum so we can program them and this would be less

of a cost if repairs are needed. All do the same thing – high band and low band frequencies, programming is expensive, we are buying the name and to go with Spectrum, there would be a continuity of equipment. Motion by Councilman Barr, seconded by Councilman Garrett to go with the Spectrum radio for the EMS ambulance at a cost of \$5054.49.

Roll Call:

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

2. RECREATION

Councilwoman Oehler said the Miss Hamburg contests went very well. The winner of the contest was Daria Ferdine. Little Mr. was Malaki Thomas and Little Miss was Sofia Crane. Hamburg Day is August 25th and so far there are seven vendors signed up. The Recreation Board would like to see some benches around the walking path and maybe some garbage cans, especially for Hamburg Day. They thought about doing a fundraising for the benches, with the person's name on the slat, etc. More discussion will follow.

3. GRANTS

Fire Dept. Chief Charlie Zweigle wanted to get help for a grant for an emissions program. Councilman Garrett said that an EMS member has knowledge of this and he will be given her name.

COUNCILMAN LAW

3. RECYCLING AND SANITATION

Councilman Law received a resolution from Andover Township regarding Senate Bill #2528, which is proposing an exemption for Solid Waste generators for schools, etc. . If this is single source, Councilman Law said that it would be impossible to get grant money, justify reports, and garbage would have to go to a recycling center where the garbage would have to be hand-picked and separated, thereby costs skyrocketing. Councilman Law would like to adopt the resolution.

Motion by Councilman Law, seconded by Councilman Krasnomowitz to adopt Resolution All in favor.

Councilman Law stated that as of June, Dot Kays has served for 60 years as a crossing guard and thanked her for her years of service.

COUNCILMAN KRASNOMOWITZ:

1. OFFICE ADMINISTRATION

Overview of telephone system proposed by Princeton Hosted Solutions from Jeff Stabile.

Councilman Krasnomowitz stated that Jeff Stabile was unable to make the meeting so this will be tabled. If there were any questions about the submitted report from Jeff, to email questions to Borough Clerk Doreen Schott and they will be addressed at next month's meeting.

Proposal from Skylands Consulting Group – Borough of Hamburg Website(s)

Councilman Krasnomowitz stated that the proposal from Skylands to set up the website for two sites, the Police Dept. and Municipal Building, is \$1000.00, with an annual fee of \$698.00.

Motion by Councilman Krasnomowitz, seconded by Councilwoman Oehler to accept the proposal from Skylands Consulting Group at \$1000.00 to set up and maintain the website for an annual fee of \$698.00. Councilman Garrett asked who does it now and was told Doreen Schott. The Borough email will not change.

All in favor.

2. CONSTRUCTION DEPARTMENT

Construction Report 5/1/2013 – 5/31/2013

Councilmember Krasnomowitz advised that there were 21 permits issued, 1 certificates of occupancy, and 8 certificates of approvals with a total of \$7230.00 collected in fees for the month of May.

Councilman Krasnomowitz stated that the report numbers are higher than usual, which is very encouraging.

3. LAND USE BOARD

Land Use will be meeting on Monday, June 10th at 7:30 PM.

COUNCILMAN BARR.

1. FIRE COMMISSIONER / OEM

2. POLICE COMMISSIONER

Motion by Councilman Barr, seconded by Councilman Law to open the meeting to Police Director Wayne Yahm. All in favor.

Monthly Report for May and June

The May 2013 monthly report for the Police Department showed 437 calls of service, including 9 arrests, 16 motor vehicle accidents, and 31 motor vehicle summonses issued.

The June 2013 monthly report for the Police Department showed 500 calls of service, including 11 arrests, 16 motor vehicle accidents, and 54 motor vehicle summonses issued.

Director Yahm informed the Council that he has received six letters for the matron position and has narrowed it to ten resumes for the officers' positions. Next Tuesday, the 9th, the Police Committee will be doing the interviews, hoping to have the applicants before the Council in late July, early August.

Director Yahm stated that there have been minor radio issues and he will be bringing in a company to resolve the problem.

When asked about the R U OK program, Councilman Barr answered, stating that it is still in effect, started by former Police Chief Greg Kresge and also Betsy Edsall. Councilman Barr explained how the system works, adding that we should again advertise to our seniors to sign up for the program. Councilman Krasnomowitz stated that it should go into the newsletter, on the website and on Facebook.

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

Welcome Signs

The Welcome Signs are in the process of being made, with some minor changes to them. The marker for the rec fields is also being done. There was only a change in the format. Landscaping is also being done.

PUBLIC PORTION:

Motion by Councilman Sean, 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.

Kathy Haig-Linwood Ave- would like to plant flowers by the plaque at the rec fields as the girls are working towards a badge. She also informed the Council that they purchased a bench for the rec fields; they just need to know where to place it and how it is going to be put into the ground.

Mrs. Songer-brehmer-21 Vernon Ave-asked about the quality of water, and its hardness, and does not have a water softener. She was told that there is a lot of lime in the water as Hamburg sits on a lot of rock.

Jeff Carroll – 20 Bluffs Court – sent correspondence to Mayor Marino regarding the paving on Gingerbread Castle Road and Wheatsworth Road. He voiced his disappointment that the paving could not have been continued from Wheatsworth. He is also one of the five members of the Association for the Fairways. Mayor Marino responded, saying that he could not respond to Mr. Carroll as he did not leave a number to do so. He also was disappointed that he did not know that Hardyston was paving as Hamburg would have tried to also pave, as discussed under the Engineer Report. The catch basin, right at the beginning of the

development, if you go too fast, you can bottom out your car. Mayor Marino is trying to resolve the problem and Mr. Ruschke is checking into this also.

Louis and Patricia Ebert -14 Bluffs Court- complimented the Mayor and Council and also the Police Director for their job performance. Mr. Ebert stated that they have had problems with the old and new developer but are trying to resolve them also. Mayor Marino asked that Mr. Ebert relay to their association that our rec fields are not a dog park.

John Haig – Linwood Ave- stated that at one time, there was talk about raising the clock in the intersection on a pedestal, and wondered if that were still in the plans. Mayor Marino said to do so would cost a lot of money and although it seemed it may have been necessary at one time, it does not need to be raised at this time.

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

Personnel Policy

Mayor Marino informed the Council that he, Councilman Krasnomowitz, and Borough Clerk Doreen Schott have been revising the personnel policy, putting the road dept. into the office. It will be discussed at a Workshop meeting, with the changes, and then adopted. No special meeting is needed.

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

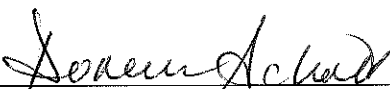
1. From the State NJ DEP Physical Connection Permit for Fairways at Wallkill River Clubhouse Pool renewal (6/26/2013)
2. Notice of foreclosure action on 29 Heritage Lane. (6/26/2013)
3. Notice of foreclosure 14 Falcon Ridge Way (6/26/2013)
4. Copy of Andover Resolution opposition to Senate Bill 2528 (6/26/2013)
5. County of Sussex, Sussex County Skylands Ride public hearing. (6/27/2013)
6. Mayor’s Advisory – Special Election Costs (6/27/2013)

ADJOURNMENT

Motion by Councilman Garrett, seconded by Councilwoman Oehler to adjourn the meeting at 8:54 PM. All in favor.

Date Approved: 8/5/13

Date Released: 8/5/13



Doreen Schott, RMC
Municipal Clerk

Submitted by Kathy Garrett