

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON JANUARY 6, 2014 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 | Councilman Kelly |
| Councilman Krasnomowitz | Councilman Garrett |
| Councilman Burd | 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 2, 2013 Regular Meeting Minutes

Motion by Councilman Garrett, seconded by Councilman Krasnomowitz to approve the December 2, 2013 Regular Meeting Minutes of the Mayor and Council.

Roll Call:

- Ayes: Barr, Garrett, Krasnomowitz, Sena
- Nays: None
- Abstain: Burd, Kelly
- Absent: None

December 2, 2013 Executive Meeting Minutes

Motion by Councilman Krasnomowitz, seconded by Councilman Garrett to approve the December 2, 2013 Executive Meeting Minutes of the Mayor and Council.

Roll Call:

- Ayes: Barr, Garrett, Krasnomowitz, Sena
- Nays: None
- Abstain: Burd, Kelly
- Absent: None

APPROVAL OF BILLS:

The following bills were added to the bill list:

ECO Cleaning in the amount of \$790.00; Hardyston Construction in the amount of \$2710.00; DeLage Landen Financial Services in the amount of \$337.55; TJ's Pizza for \$380.80 and Munidex, Inc. for \$396.90.

Motion by Councilman Garrett, seconded by Councilman Krasnomowitz to add those bills to the bill list for payment. All in favor.

Motion by Councilman Krasnomowitz, seconded by Councilman Kelly 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 Garrett to close to the public. All in favor.

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

Roll Call:

Ayes: Barr, Burd, Garrett, Kelly, Krasnomowitz, Sena
 Nays: None
 Abstain: None
 Absent: None

ORDINANCES:

None

RESOLUTIONS:

Resolution # 2014- 01

CASH MANAGEMENT PLAN (Read by title only).

**BOROUGH OF HAMBURG
 2014 Cash Management Plan
 Resolution # 2014 – 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 6, 2014.

Doreen Schott
Municipal Clerk

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

Roll Call:

- Ayes: Barr, Burd, Garrett, Kelly, Krasnomowitz, Sena
- Nays: None
- Abstain: None
- Absent: None

Resolution # 2014 – 02

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

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

Roll Call:

- Ayes: Barr, Burd, Garrett, Kelly, Krasnomowitz, Sena
- Nays: None
- Abstain: None
- Absent: None

TAX ASSESSOR – Maureen Kaman

Motion by Councilman Krasnomowitz, seconded by Councilman Garrett to open the meeting to Maureen Kaman to give an update on Revaluation. All in favor.

Ms. Maureen Kaman gave an update on the revaluation, stating that all properties in town were inspected and letters did go out. The company that was hired, ASI, handled everything, from inspections to scheduling and meeting with residents who had questions. She did not receive a lot of emails but if and when she did, they were addressed quickly. If there were any complaints, Ms. Kaman also handled them quickly to resolve the resident’s concerns. She did state that the condo values may be an issue as those did come down a lot. May 1st are tax appeals but she is not really expecting a great amount.

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to close to Maureen Kaman. All in favor.

ATTORNEY HOUR:

1. Electronic Sign Bid- Receipt of bid from Butler Sign Co.

Attorney Clemack stated one bid from Butler Sign Company was received in the amount of \$23,992.00. The Certification of funds was received along with a 10% certified check and Consent of Surety, if desired the Council could award the bid to Butler Sign.

Councilman Barr asked if designs will be submitted, stating that he has not seen the pictures or the specs for the sign so he would like to hold off on this. Attorney Clemack stated that at the October 2013 meeting this was presented to the council, Councilman Barr said that he had missed that meeting. Councilman Burd advised being a new member he would also like to see the design. Council discusses the design and specs of the sign. Road Dept. would do the base. Doreen Schott clarified that the frame would be red...

Clarification on the size of the text was also asked for, if it could be different sizes if desired. Councilman Barr discussed the frame design. He would like something more decorative, possibly having the logo in a different spot. Mayor Marino discusses accepting the bid this evening as we have a time frame of 60 days to accept and discuss with the contractor making changes to the outside frame. Councilman Krasnomowitz added that he trusts Councilman Barr's judgment on design issues and as long as we have the time, see what could be done and wait until the February meeting to award. Councilman Kelly does not see any harm in waiting one month for clarification on the issues at hand. Councilman Barr states that he is not against accepting the bid tonight but he will contact the company to see if there is a nicer design they could do for the sign and if so, if there would be an additional cost. The issue is the frame of the sign – that it is just a box.

After a brief discussion, Motion by Councilman Kelly, seconded by Councilman Barr to table the award of the bid on the electronic sign for one month to get additional information on the details of the design. All in favor.

2. Subordination Agreement: Small Cities Grant for Block 1, Lot 10 in the amount of \$10,046.00.

Attorney Clemack presented a Subordination Agreement, Small Cities Grant, for Block 1, Lot 10, in the amount of \$10,460.00. This is a Postponement of Mortgage, which stays on the property until the property is sold.

Motion by Councilman Krasnomowitz, seconded by Councilman Kelly to accept the Postponement of Mortgage for Block 1, Lot 10 in the amount of \$10,460.00. All in favor.

EXECUTIVE SESSION RESOLUTION:

Attorney Clemack will offer 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.

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:

None

MAYOR'S AGENDA:

Cross River Fiber – Request for meeting presentation

Mayor Marino stated that Cross River Fiber would like to come before the Council to present their material again (they were before the Council at the September 2013 Workshop Meeting). Mayor Marino spoke to the

Mayor of Vernon who has said that Vernon has endorsed the project. Councilman Sena said that unless the other communities support this, it is useless. After a brief discussion, Council agrees to hear the presentation.

Motion by Councilman Garrett, seconded by Councilman Barr for Cross River Fiber to come to the February meeting to give their presentation. All in favor.

Appointment - Deputy Emergency Management

Mayor Marino makes the appointment of Kevin Decker as Deputy Emergency Management.

Motion by Councilman Barr, seconded by Councilman Kelly to accept the appointment of Kevin Decker as Deputy Emergency Management. All in favor.

Local Emergency Planned Committee (LEPC) membership appointments.

Mayor Marino advised that as part of the County requirements of Office of Emergency Management, he appoints the following persons to the Hamburg Local Emergency Planning Committee (LEPC)- Chairman Keith Sukennikoff, OEM; Kevin Decker, OEM; Paul Marino, Mayor; Councilman Dan Barr, OEM Commissioner; Doreen Schott, Municipal Clerk; Mike Schneider, DPW; Bill Oehler, Fire Chief; Joyce Oehler, EMS Captain; Wayne Yahm, Police Director; David McNulty, Police Department; Roger Jinks, Hamburg Board of Ed.; Bill DeBoer Sr., DeBoers Auto, Business owner of Hamburg; Dr. Dennis Fielding, Medical Physician of Hamburg.

The purpose of the committee is to address potential hazardous materials incidents, and has been expanded to include terrorism preparedness and serve as the Citizen Corps Council. They will be meeting approximately four (4) times a year.

Motion by Councilman Barr, seconded by Councilman Kelly to accept the committee as listed above. All in favor.

PROFESSIONAL SERVICE AGREEMENTS

The following Professional Service Agreements were presented for execution. A spread sheet to Council Members indicated a synopsis for the service performed. The service provided by each is remaining the same as in past years. Contracts to be executed.

- Richard J Clemack 2014 contract
- Nelson Consulting Group 2014 contract
- Hatch Mott MacDonald 2014 contract
- Nisivoccia & Company 2014 contract
- John L Kraft 2014 contract
- Morville Agency 2014 contract
- Dr. Fielding 2014 contract
- James P. Sloan 2014 contract
- Alicia Ferrante 2014 contract
- Weiner Lesniak Glenn Kienz 2014 contract

Motion by Councilman Barr, seconded by Councilman Burd to accept the Professional Service Agreements and execute the contracts. All in favor.

Employees – Snow – State of Emergency

Mayor Marino clarified, with regards to Borough employees and inclement weather conditions or emergency situation, especially State of Emergency, that it is their option to not come in to work but they will be required to use their own time – personal or vacation time. Road Dept. and Police Dept. are automatic First responders

Resolution 2014-03

WHEREAS, should there arise the situation of inclement weather conditions or emergency situation, especially a State of Emergency, Borough Employees have the option to not come in to work that day; and

WHEREAS, Borough Employees choosing to not come to work will be required to use a personal day or vacation day, and

WHEREAS, Road Department and Police Department employees are considered First Responders, so they will be exempt from this.

THEREFORE, BE IT RESOLVED, in the case of bad weather or a State of Emergency, non-essential Borough employees have the option to stay home and to use a personal day or vacation day in lieu of coming to work.

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

Roll Call:

Ayes: Barr, Burd, Kelly, Krasnomowitz

Nays: None

Abstain: Garrett, Sena

Absent: None

SCMUA Credit

Mayor Marino informed the Council that Hamburg will be receiving a credit of \$161,861.00, which will cover the 1st quarter bill for 2014. He thanked the BPW and DPW for their quick thinking and taking action when needed, also stating that repairs were done on the sewer lines. Councilman Kelly said that Water Superintendent Jerry Kastner acts on things very quickly and we see the results. Councilman Garrett also said that John Ruschke and Mike Schneider handle problems quickly and efficiently.

Special Elections

Mayor Marino discussed payment to the Clerk and Deputy Clerk for the Special Elections that took place in August and October. It was first thought that the state would be covering all costs associated with the Special Election inclusive of employee’s salaries for those hours worked outside their regular work day. Clarification was made and the state did not reimburse for the extra hours worked, they already been paid by the town.

COMMITTEE REPORT

COUNCILMAN SENA

1. FINANCE / TAX DEPARTMENT

The Tax Collector’s report for November 2013 showed a total of \$1,825,644.78 being collected.

2. ROAD DEPARTMENT

Councilman Sena stated that full time retirement papers for a Road Dept. worker were submitted as of December 31, 2013. He would like to advertise with a one day ad for a full time worker. Present part-time workers can apply also. A committee consisting of Mayor Marino, Councilman Sena, and Road Dept. Foreman Mike Schneider will review the applications and advise the Council of their choice.

Motion by Councilman Sena, seconded by Councilman Garrett to advertise for a full time Road Dept. opening and approve the committee to review the applications before the February Council meeting. All in favor.

Councilman Sena stated that a part time person will need to be replaced also.

Councilman Sena advised the Council that the alternator in the BPW truck was rewound so the truck is back on the road again. The salt supply of 100 tons is almost gone so another 150 tons will be delivered. The new truck will be coming in late February. Christmas tree pickup is going on until the end of January.

3. BOARD OF HEALTH

Councilman Sena advised that with the new members on the Board of Health, it is now a full board. The

reorganization meeting will be held on Tuesday, January 14, 2014.

The Rabies Clinic was held on December 12, 2013 with 26 Cats and 123 Dogs being vaccinated. Councilman Sena thanked all who helped at the clinic, stating that it was very successful and it went smoothly.

COUNCILMAN GARRETT

Councilman Garrett said that he enjoyed going to the Board of Education meetings and learned a lot. Robert Jones was appointed for one year. The Board approved a new floor for the gym and will be testing for asbestos. The Board also approved the use of their fields for Wallkill Valley Little League baseball from March 1-June 30.

1. BUILDING AND GROUNDS

Councilman Garrett said that work on the building on Wallkill Ave was at a standstill at the moment due to the weather as it is too cold to cut the vinyl to replace the siding until it warms up.

2. WATER QUALITY

January 9th is the Re-organization meeting.

3. BOARD OF PUBLIC WORKS

BPW will be meeting on January 8th for their Re-organization meeting.

COUNCILMAN BURD

1. SOLID WASTE

Councilman Burd advised that he will make phone calls to find out what is going on so he could report on it.

2. SANITATION AND RECYCLING

Marguerite Nemeth will be contacting Councilman Burd regarding the grant for recycling.

3. GRANTS

Correspondence from North Jersey Housing and Planning – Status Report

4. BOARD OF EDUCATION

Councilman Burd stated the Re-organization meeting will be held on Tuesday, the 7th. He added the school will be going with a wood floor for now at a cost of \$105,000.00 with a 60 year life expectancy. The Board also gave the approval for energy efficient lighting.

COUNCILMAN KELLY

1. RECREATION

Recreation Re-organization meeting will be Tuesday, the 21st.

2. COURT

Councilman Kelly stated that Court is going on tomorrow, January 7th and will be attending.

COUNCILMAN KRASNOMOWITZ:

1. OFFICE ADMINISTRATION

2. CONSTRUCTION DEPARTMENT

Construction Report November 2013

Councilmember Krasnomowitz advised that there were 16 permits issued, 2 certificates of occupancy, and 16 certificates of approvals with a total of \$3532.00 collected in fees for the month of November.

3. LAND USE BOARD

Councilman Krasnomowitz informed the Council that the Board meets on Monday, the 13th but at the moment there is not a lot of activity going on. A Year End Summary for Land Use Board was given to all Council members.

4. INSURANCE

Council was given the Safety Committee Meeting Report from Statewide, saying that it was a good insurance report and a good job by all.

Borough Clerk Doreen Schott will check into the Ethics Class for the Borough.

COUNCILMAN BARR

1. FIRE COMMISSIONER – OEM

Councilman Barr stated that he will be meeting with Fire, EMS, and OEM Depts. next week.

An EMS Membership application was received from Jessica Stagg. A background check was completed and returned favorable.

Motion by Councilman Barr, seconded by Councilman Garrett to accept the application of Jessica Stagg for EMS. All in favor.

An application for Raffle License #556 was received from the PTA Sussex Tech, using Fire House March 29, 2014.

Motion by Councilman Barr, seconded by Councilman Garrett to approve Raffle License #556 for the PTA Sussex Tech, using the Fire House on March 29, 2014. All in favor.

An application for Raffle License #557 was received from Blue Knights, using the Fireman’s Pavilion on October 19, 2014.

Motion by Councilman Barr, seconded by Councilman Garrett to approve Raffle License #557 for Blue Knights, using the Fireman’s Pavilion on October 19, 2014. All in favor.

2. POLICE COMMISSIONER

Councilman Barr informed the Council that Jane Fahrenfeld in the Police Dept. was injured in a sledding accident. A Part Time Appointment of Megan Sena as a Police Records Clerk is necessary to help out in her absence.

Motion by Councilman Barr, seconded by Councilman Kelly to approve Megan Sena as a Police Records Clerk.

Roll Call:

Ayes: Barr, Burd, Garrett, Kelly, Krasnomowitz

Nays: None

Abstain: Sena

Absent: None

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

The monthly report will be given next month.

Director Yahm reported there was a burglary in town, unable to give further details, but stated that the person has been apprehended.

The DARE program should be starting this month.

Motion by Councilman Barr, seconded by Councilman Garrett to close to Director Yahm. All in favor.

Councilman Krasnomowitz discussed the recent motorcycle incident that happened in Ogdensburg at a function, citing that he would like to see the Borough named as additional insured on the Certificate of

Insurance that the Blue Knights will be submitting for their function at the Fireman's Pavilion. Councilman Barr stated that he will contact the applicant and obtain the certification.

3. HISTORIC COMMISSION / HISTORIC SOCIETY

Council received a copy of the Main Street Historic District Nomination Report. Councilman Barr said they will be meeting on January 29th.

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.

Sheila Frayko – Board of Education Liaison- thanked Councilman Garrett for a good year and said it was a pleasure working with him.

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

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

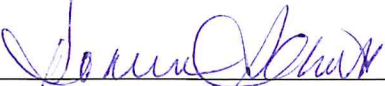
1. From SCMUA Adopted 2014 Rate Schedule (12/6/13)
2. US Bankruptcy Court – Getty Petroleum Marketing (12/6/13)
3. Mayors Advisory (12/6/13)
4. Service Electric broadband cable amended Tariff (12/6/13)
5. CP Engineers Licensed Site Remediation Professional Services (12/10/13)
6. NJ League of Municipalities Newly elected, Re-elected or Experienced Municipal Officials, (12/10/13)
7. Year end Land Use Board Summary (12/13/13)
8. Statewide Insurance Fund – Order of settlement (12/13/13)
9. NJLM 22nd Annual Mayor's Legislative Day (12/13/13)
10. Tyree Environmental Corp – Sub-Slab Soil Gas Sampling at Former Getty Station (12/13/13)
11. SCMUA Sewage Treatment Services – Estimated Charge (12/13/13)
12. Notice of foreclosure 19 Meadow Lake Drive (12/17/13)
13. Correspondence from Tax Assessor to Sussex Cty Tax Administrator (12/2/2013)
14. Notice of Foreclosure 30 Orchard Street (12/20/2013)
15. SC Water Quality Minutes (12/20/2013)
16. Notice of No Further action underground oil tank (12/20/2013)
17. Resolution from Pohatcong to implement a water tax to fund loss of land equity (12/20/2013)
18. SC Planning Board Minutes (12/20/2013)
19. From SC Mental Health Board to attend SC Forum on Mental Health (12/27/2013)
20. Notice of Foreclosure Lot 45 (c019) Block 22 (12/27/2013)
21. Notice of Foreclosure Lot 2, Block 20 (12/27/2013)
22. SCMUA Annual Charge FY 2014 (12/27/2013)
23. Notice for Open Public Comment Period FFY 14 Drinking Water Priority System (12/31/2013)
24. JCP&L Completed 2013 Equipment Upgrades (12/31/2013)
25. From Sussex County resolution supporting economic study of Sussex County and Surrounding Region. (12/31/2013)

ADJOURNMENT

Motion by Councilman Barr, seconded by Councilman Garrett to adjourn the meeting at 8:33 PM. All in favor.

Date Approved: 2/3/14

Date Released: 2/3/14



Doreen Schott, RMC
Municipal Clerk

Submitted by Kathy Garrett