

MINUTES OF THE RESCHEDULED REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON FEBRUARY 5, 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 Krasnomowitz

Councilman Burd

Mayor Marino

Councilman Garrett

Councilman Sena

Absent: Councilman Kelly

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 on January 6, 2014 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".
Notice of the rescheduled February 3, 2014 meeting has been provided to the public and press on February 3, 2014 by delivering to the New Jersey Herald and the Sunday Herald and posting at the Municipal Building a copy of the Special Meeting Notice pursuant the provisions of the "Open Public Meetings Act."

January 1, 2014 Re Organization Meeting Minutes

Motion by Councilman Garrett, seconded by Councilman Krasnomowitz to approve the January 1, 2014 Re Organization Meeting Minutes of the Mayor and Council. All in favor.

January 6, 2014 Regular Meeting Minutes

Motion by Councilman Krasnomowitz, seconded by Councilman Garrett to approve the January 6, 2014 Regular Meeting Minutes of the Mayor and Council. All in favor.

APPROVAL OF BILLS:

Motion by Councilman Sena, seconded by Councilman Garrett to delete the following bills: International Salt - \$16,000.00; and to add the following: International Salt for \$6100.84 and NJ Veterinary Public Health for \$399.00. All in favor.

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

Motion by Councilman Sena, seconded by Councilman Garrett to approve and pay the bills with additions.

Roll Call:

Ayes: Barr, Burd, Garrett, Krasnomowitz, Sena

Nays: None

Abstain: None

Absent: Kelly

ORDINANCES:

Ordinance # 01-2014 – 1st Reading

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

CALENDAR YEAR 2014 – ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40aL4-4.5.14)

Motion by Councilman Krasnomowitz, seconded by Councilman Burd to approve the ordinance on first reading and introduction with said ordinance to be published in full with second reading scheduled for March 3, 2014.

Roll Call:

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

RESOLUTIONS:

None

PRESENTATION

Presentation by Mr. Fred Brody and Mike Sevret from Cross River Fiber to propose the use of the public right of way in order to attach or install telecommunication fiber optic cable to existing utility poles and conduits.

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to table this presentation until the March Council meeting. All in favor.

ATTORNEY HOUR:

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

Attorney Clemack presented the receipt of bid from Butler Sign for acceptance, saying that certification of funds have been received along with a 10% certified check and Consent of Surety. The amount of bid was \$23,992.00.

Attorney Clemack offered the following resolution:

#2014-06

WHEREAS, the Borough of Hamburg has found it necessary to purchase a municipal message sign, and

WHEREAS, sealed bids were received on December 11, 2013 for the municipal message sign, and

WHEREAS, Butler Sign Co., 582 Fairfield Road, Wayne, NJ 07474 was the low bidder at a total of \$23,922.00, and

WHEREAS, Butler Sign Co. has submitted Certification of funds along with a 10% certified check and Consent of Surety.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Hamburg do hereby award the bid for the municipal message sign to Butler Sign Co.

BE IT FURTHER RESOLVED that the appropriate municipal officials are hereby authorized to sign the necessary documents to effectuate this agreement, and that notice of award be submitted to Butler Sign Co. Motion by Councilman Krasnomowitz, seconded by Councilman Sena to accept the resolution as offered.

Roll Call:

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

3. Electronic Sign Bid – Updated Layout Design

Motion by Councilman Krasnomowitz, seconded by Councilman Burd to accept the amendment on the design of the sign from Butler Sign.

Roll Call:

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

ENGINEERING:

MAYOR'S AGENDA:

Proclamation: 2014 Sussex County St. Patrick's Day Parade Grand Marshal Father Bill Collins.
Mayor Marino read by title the Proclamation for the Father Bill Collins as Grand Marshal for the 2014 Sussex County St. Patrick's Day Parade. Council voted to give a plaque with the proclamation to be presented to Father Collins by Councilman Barr at the dinner.
Motion by Councilman Barr, seconded by Councilman Krasnomowitz to give a plaque to Father Bill Collins as Grand Marshal in the 2014 Sussex County St. Patrick's Day Parade, presented to him by Councilman Dan Barr.
All in favor.

Appointment –Assistant Fire Chief-Jamie McCurry

Mayor Marino announced the name of Jamie McCurry as Assistant Fire Chief.

Appointment – 2nd Deputy Office of Emergency Management Coordinator – John Haig

Mayor Marino announced the name of John Haig as 2nd Deputy Office of Emergency Management Coordinator.
Motion by Councilman Barr, seconded by Councilman Krasnomowitz to accept the appointments as offered.
All in favor.

US Gov Bid – 95 Ambulances - \$6450.00 and 2006 Ford Trailer \$3000.00. Monies have been received.
Mayor Marino stated that the ambulance and trailer were put up for bid on GovBid, bids received, sold, and money received for the two.

~~On Main Street, there have been complaints of speeding on the street, which will be addressed, but also business owners would like to see better signs showing Main Street shops. Councilmen Barr and Garrett will work on those signs.~~

COMMITTEE REPORTS

COUNCILMAN BARR

1. FIRE COMMISSIONER – OEM

Fire Department Application – Richard Padgett, background check was completed.

Councilman Barr stated this application will be tabled for the time being as the residency requirements have not yet been fulfilled.

EMS Report Calls for 2013

EMS Report Calls for January 2014

Council reviewed the submitted report of EMS calls for 2013 and January 2014, noting that there were 77 mutual aid calls alone into Hardyston for 2013 and 10 for 2014. Councilman Sena questioned what time of day these calls took place, as they have Sparta covering their town. Councilman Barr said that most of the calls are generated from Crystal Springs. Councilman Sena just wanted to make sure that it was brought to Hardyston's attention should we enter into negotiations with them. Councilman Barr also stated that Hardyston Police come to Hamburg to help out on calls so each town is always helping out each other. Councilman Garrett added that there are two paid ambulances in Sparta.

OEM Request – Purchase of enclosed trailer

Council is in receipt of a request from Keith Sukennikoff, OEM Coordinator, to purchase a 6X12 enclosed

trailer for various uses for OEM, but could also be used by the Police for their equipment should they need to close off roads, etc. It would be purchased using money from the sale of the old OEM trailer, so the money will not be coming out of the OEM budget. This is also under State Contract and the approximate purchase price would be \$4274.50, probably slightly higher as this was quoted in November 2013.

Motion by Councilman Barr, seconded by Councilman Garrett to approve the purchase of the trailer using FEMA money at a purchase price of approximately \$4274.50 under State Contract. All in favor.

Mayor Marino stated that it would be probably be stored by the Police Station for convenience purposes.

2. POLICE COMMISSIONER

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

Police Monthly Report for December 2013 and January 2014

Monthly Report December 2013

The December 2013 monthly report for the Police Department showed 565 calls of service, including 10 arrests, 10 motor vehicle accidents, and 35 motor vehicle summonses issued.

Monthly Report January 2014

The January 2014 monthly report for the Police Department showed 616 calls of service, including 7 arrests, 11 motor vehicle accidents, and 32 motor vehicle summonses issued.

Director Yahm speaks about the Hamburg School regarding the one way traffic / road closure during school hour's signs. He said the signs are being researched and the wording with regards to delayed openings / early dismissals especially.

DARE is being changed to DARE-NJ Program and will be starting in March at the school and will run for 10 weeks thru to May. Sergeant Nichols will be going for the training.

Memorandum from Wayne Yahm regarding purchase of 2014 Ford Police Interceptor Utility Base Vehicle.

Council members have the information for the new patrol vehicle and it is the recommendation to go with a 2014 Ford Police Interceptor Utility Base Vehicle. The said package would also include a computer and radio installation, be "Police Ready" for a total package of approximately \$38,184.00. The only item that will be needed will be a video camera. This is under State Contract. The markings and decals will have to be put on. Mr. Yahm said that a game plan for the financing will be needed and nothing will be auctioned off. When asked, Mr. Yahm also stated that the surrounding towns are using these SUVs and getting away from the sedans. Councilman Sena asked about the possibility of leasing. Councilman Garrett asked about the mutual aid of police into Hamburg from Hardyston and Franklin. Mr. Yahm replied that it was several times a week and reciprocal- and pretty even.

Council members decided to wait until Finance could be brought into the discussion.

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

3. HISTORIC COMMISSION / HISTORIC SOCIETY

Councilman Barr informed the Council that the Designation of Main Street was tabled due to concerns of the residents and more research will be done on it.

COUNCILMAN KRASNOMOWITZ:

1. OFFICE ADMINISTRATION
2. CONSTRUCTION DEPARTMENT

Construction Activity Report 12/1/2013-12/31/2013
 Monthly report December 2013

Councilmember Krasnomowitz advised that there were 12 permits issued, 1 certificates of occupancy, and 9 certificates of approvals with a total of \$1541.00 collected in fees for the month of December.

3. LAND USE BOARD

No meeting this month.

4. INSURANCE

Statewide Insurance 2014 Assessment.

Statewide Insurance notification of 2014 Fund Year Coverage Change.

Councilman Krasnomowitz stated that the insurance costs for the Borough for the upcoming year 2014 in the amount of \$125,688.38, which is a \$3616.38 increase over last year, which is a minimal increase. Councilman Krasnomowitz also stated that there are no decreases in coverage for the town from last year.

COUNCILMAN BURD

2. SANITATION AND RECYCLING

The tonnage reports are being sent in, with a deadline date of March 1st. The town receives money for the amounts that are submitted.

There is a Dr. Pepper and Snapple grant- Keep America Beautiful and Marguerite Nemeth is submitting this grant to obtain recycling retainers- due the end of February.

Councilman Burd asks of the Council their ideas of clothing bins being placed in areas of town. The company would pay us according to how much is collected. Mayor Marino said that he would be concerned that it would become a garbage dump. Councilman Garrett said that a location would be a problem -- that a lot of Fire Departments are involved in doing this but we don't have a location to do it. Council members agree.

3. GRANTS

Councilman Burd presented information regarding eCIVIS, a company that acts as a search engine for all grants available and upon an agreement executed with towns, will forward same information on a daily basis. He stated that he knows there are a lot of grants out there for us to receive money to better the town and we could make a deal with the grant writer of the company, but this would cost additionally. Each department would be responsible for writing the grant that would pertain to their department. The cost is \$495.00 per year and a 3 year contract is needed. More information and research is needed before contracting with them, so there will be further discussion.

4. BOARD OF EDUCATION

Councilman Burd relayed that there is a vacant seat on the Hamburg School Board as Donna Mangine is leaving. There was asbestos found in the wooden floor of the gym, so unfortunately a company will now have to be brought in to do core samples, etc., turning the project into up to \$200,000.00 because of this. On the Walkkill Valley Board, the superintendent is leaving and a special meeting is being held on February 12th to discuss hiring.

COUNCILMAN KELLY

No Report Given due to Absence

- 1. RECREATION
- 2. COURT
- 3. OPEN SPACE
- 4. NEWSLETTER

Information for 2014 Spring Newsletter is requested by February 20, 2014.

COUNCILMAN GARRETT

- 1. BUILDING AND GROUNDS

Memorandum regarding the delivery of Salt to the Hamburg Pavilion Area.

Councilman Garrett informed the Council that the lock / bolt on the entrance gate to the pavilion was tampered with when the delivery of salt was made to the pavilion but this has been addressed.

Correspondence from Hardyston regarding Hamburg Recreation Park Maintenance.

Council is in receipt of the letter from Bob Schultz from Hardyston regarding the maintenance of the recreation fields. Councilman Garrett relayed that they have all the necessary equipment to work on the fields and will do so at no charge to us – all we need to do is purchase the clay for the infields. Council is in agreement. Motion by Councilman Garrett, seconded by Councilman Krasnomowitz to have Hardyston perform maintenance on the recreation fields at no cost to the Borough. All in favor.

Estimate from Hayenhjelm Electric Co. LLC regarding estimate for Roadway Sign.

An estimate from Hayenhjelm Electric was submitted for the wiring of the sign at the municipal building in the amount of \$1600.00.

Motion by Councilman Garrett, seconded by Councilman Barr to approve said estimate for the installation of the necessary electrical wiring for the sign. All in favor.

Councilman Garrett also discussed the masonry work for the sign and had three quotes for the base: from Engineer John Ruschke at \$6100.00; Contractor Dennis Fitzgerald submitted a quote of \$3140.00 and Tri-County Masonry submitted a quote of \$3200.00. It was the recommendation of Councilman Garrett to accept the quote of Dennis Fitzgerald.

Motion by Councilman Garrett to accept the quote of \$3140.00 from Dennis Fitzgerald for the construction of the base for the sign at the municipal building.

Roll Call:

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

Wallkill Ave Building

The new garage doors on the building are on and look great. As soon as the weather breaks, the siding will be completed.

Ceiling in the meeting room

Councilman Garrett discussed the ceiling tiles in the meeting room and how they were pulling away from the ceiling. He will get estimates on sheet rock and paint to re-do the ceiling.

Christmas Decorations on Main Street

Councilman Garrett would like to put the lighted decorations on Main Street this year, stating he believes the poles are capable of doing so. Council was in agreement and so he will talk to Mike Schneider more about this, finding out about costs from JCP&L also.

2. WATER QUALITY

Did not make the meeting due to work schedule conflict.

3. BOARD OF PUBLIC WORKS

Memorandum from Tax Office noting Sewer Billing Corrections.

BPW had their re-organization meeting and Jerry Truppi is now Chairman with Bob Krysiak as Vice-Chairman. The Board discussed the 5-Year Plan for the town, of which we are ahead of schedule, and are working on water replacements. This year we will work on getting a generator for Well #2. Regina Flammer sent out letters to property owners whose bills will be showing an added EDU(s) due to corrections made from the recent

reevaluation.

Contracts for Gerald Kastner and Mike Schneider

Councilman Garrett presented the annual contracts for Gerald Kastner as Water Superintendent and Chief Transmission Operator for 2014 and the contract for Mike Schneider as Assistant Transmission Operator and Plant Operator for 2014, stating these contracts will be sent to Finance for review and financial updates. Motion by Councilman Garrett, seconded by Councilman Barr to accept the contracts as presented. All in favor.

COUNCILMAN SENA

1. FINANCE / TAX DEPARTMENT

The Tax Collector's report for December 2013 showed a total of \$229,452.22 being collected.

Motion by Councilman Sena, seconded by Councilman Garrett to accept Resolution #2014-04 to authorize the tax collector to issue a refund to Kenneth C. Lamarca in the amount of \$2,066.87 for Block 17, Lot 18 (C2201) for the tax year 2013. All in favor.

2. ROAD DEPARTMENT

Councilman Sena said that the salt delivery came from the Morris County Co-op and was to make the delivery prior to 2:30 PM, but since there is such a high demand for the salt, they were coming whenever and dumping it wherever. They did pay a 10% penalty for this mistake.

Road Dept. Applicants

Applications from 50 applicants were received. Mayor Marino, Councilman Sena and Mike Schneider met to review the applications and decided to hire in-house, applicant Dave Snyder, who had started as a part time worker in July 2013. He has already had a background check, lives here in Hamburg, and has worked for the town since July 2013.

Motion by Councilman Sena, seconded by Councilman Barr to hire Dave Snyder for full time in the Road Department, pending the passing of a physical.

Roll Call:

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

3. BOARD OF HEALTH

Board of Health had their Re-organization and Linda Adams is Chairwoman with Paula Marino as Vice-Chairwoman. Megan Sena and Paula Marino took their Oaths of Office and one more member is needed for a full board. Christine Whitehead of the Sussex County Board of Health is the inspector once again.

PUBLIC PORTION:

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

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. Litigation -Daniel Farruggio v. Borough of Hamburg
- 2. Notice of Grievance - Police
- 3. Notice of Appeal – Hinger v Borough of Hamburg

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 Councilman Garrett to accept the resolution as offered. All in favor.

Motion by Councilman Krasnomowitz, seconded by Councilman Burd to enter into Executive Session at 8:45 PM. All in favor.

Discussion concerning Litigation - Litigation -Daniel Farruggio v. Borough of Hamburg; Notice of Grievance – Police; Notice of Appeal – Hinger v Borough of Hamburg.

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

Attorney Clemack offered the following:

In the matter of Hinger v. The Borough of Hamburg, in the ABC matter, Be It Resolved, the Borough Attorney authorized to propose a settlement to the Administrative Law Judge pursuant to the terms discussed in Executive Session.

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to accept as given. All in favor.

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

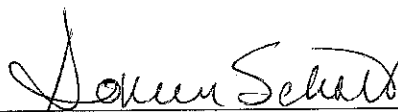
- 1. Notice of Intent to Foreclose 25 Bank Street. (1/10/2014)F
- 2. Notice of Ground Water Classification Exemption Update – Ames Rubber (1/10/2014)
- 3. Declaration of Environmental Restrictions Recertification Ames Rubber Corporation (1/10/2014)

ADJOURNMENT

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

Date Approved: 3/3/14

Date Released: 3/3/14



 Doreen Schott, RMC
 Municipal Clerk

Submitted by Kathy Garrett