

**MINUTES OF THE WORKSHOP MEETING OF THE MAYOR AND COUNCIL OF THE  
BOROUGH OF HAMBURG HELD ON MARCH 21, 2011 AT THE MUNICIPAL  
BUILDING, 16 WALLKILL AVE., HAMBURG, NJ**

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**CALL TO ORDER:**

Mayor Marino called the meeting to order at 7:30 p.m. and opened with a salute to the flag.

**ROLL CALL:**

Mayor Marino requested a roll call:

Councilmember Barr

Councilmember Sena

Councilmember Kelly

Councilmember Oehler

Councilmember Krasnomowitz

Councilmember Law

Mayor Marino

Also Present: Doreen Schott

**STATEMENT OF CERTIFICATION:**

Clerk advised:

Adequate notice of this meeting has been provided to the public and the press January 06, 2011 by delivering to the press and posting at the Municipal Building a copy of the "Annual Notice of Meetings" pursuant the provisions of the "Open Public Meetings Act".

**1. ORDINANCE**

**Ordinance # 07-2011 – 2<sup>nd</sup> Reading**

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK**

Motion by Councilmember Barr, second by Councilmember Krasnomowitz for Mayor Marino to read the Ordinance for second reading and public hearing. All in favor

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMINTS  
AND TO ESTABLISH A CAP BANK**

Motion by Councilmember Barr, second by Councilmember Krasnomowitz to open the meeting to the public for any questions or comment they may have with regards to the ordinance prior to adoption of same. All in favor. This ordinance was introduced on first reading at the March 7, 2011 meeting and published as requested by law.

**PUBLIC HEARING**

Hearing no comment from the public, motion by Councilmember Barr, second by Councilmember Law to close to the public. All in favor

Motion by Councilmember Barr, second by Councilmember Law to adopt the ordinance as presented.

**ROLL CALL:**

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

Nays: None

Abstain: None

Absent: None

## 2. INTRODUCTION OF BUDGET

Motion by Councilmember Krasnomowitz, second by Councilmember Law to open the meeting to Chief Financial Officer Amy Maronpot and Mr. Bill Schroeder of Nisivoccia and Company.

Mr. Schroeder advises that they are proposing an increase in the budget 3.4 points which brings the tax rate from .889 in 2010 to .923 for 2011. At a \$100,000.00 assessed house the 3.4 points is equal to \$34.00 a year of municipal increase or \$2.83 dollar increase per month and \$46.00 a year increase on a \$134,000.00 assessed value which is the medium assessed house in Hamburg. As noted on the Preliminary Projected 2011 Tax Rate report 1.2 points of the 3.4 point increase is due to increased pension costs.

Mr. Schroeder advises that in order to get to the 2% cap and to make this budget work he had to take out the \$83,000.00 that he usually puts in the Capitol Improvement Fund. The Surplus Fund balance availability dropped about \$94,000.00 putting us \$194,000.00 below the expended cap. Once again the problem with the town budget is not the expenditures but it is with the revenue we receive.

Mayor Marino discusses the possibility that with the Governors Tool Kit proposal we could see the employee contribution to health care cost go to 5% and he questions whether we should adopt the budget prior to knowing what the state is going to do. Mr. Schroeder advises that he would not hold up on adopting the budget and would not estimate any amount monies that might be received. If the state does mandate say, a 5% contribution in July, then we would start collection of that money immediately and it would be available for next year's budget.

Mayor Marino discusses the Building and Grounds budget which shows \$14,178.00 as a projected amount for 2011. He advises that he would like to see the following work done; Truck room floor redone approximate cost 7,000.00, Apron in front of Fire Department Bays approximate cost \$17,000.00 and resurfacing the parking lot and landscaping around the Christmas tree approximate cost of \$10,000.00 for a total cost of approximately \$35,000.00. Mr. Schroeder advises that we can do an ordinance for all that and only need 5% down if we do not have enough in the capitol improvement fund. We presently have \$105,000.00 in the fund from last year of which \$75,000.00 would go to the DOT grant leaving around \$35,000.00.

The Borough has been ordered to perform a revaluation and Mr. Schroeder advises that falls under a Special Emergency and we would have 5 years to pay back.

Councilman Sena questions why the increase in salary budget for crossing guards from \$12,411.00 in 2010 to projected \$19,058.00. CFO advises that she will review it; they may have added a 2% increase to the "projected 2010 amount of \$18,593.00 and that the amount can probably be adjusted now that they have the realized amount spent.

Council discusses the proposed shared service agreement with Sussex County for fire Marshall Services to include inspections of all life hazard uses within the borough. There is presently a balance of \$37,000.00 in the LEA fund which would stay with the borough should we go with an inter local and that money can be used to offset the fire department budget as long as it is used for fire prevention. Council members discuss the potential shared service agreement and the positive and negative issues. The main concern is safety when it comes to these life hazard uses and the inspections the county would be providing but the borough also realizes that they be giving up a revenue potential in the amount \$7,000.00 - \$8,000.00 yearly. This inter local would not include the

smoke detector and residential inspections as this aspect of the department would still be kept in house. Mr. Schroeder advises that if we kept the expenditures same but used part of the \$37,000.00 as revenue it would lower the taxes for the borough.

Council discusses several issues relative to the budget. The open space fund as of 12/31/2010 has \$55,000.00 in the fund balance. We will be getting \$150,000.00 for a Municipal Aid Grant and will have to put in \$75,000.00 which we will do by ordinance and although we have not yet received the exact amount of money we will be getting for recycling. We are anticipating a little less than last year

### **Water Budget**

William Schroeder advises that this year the water budget is ok but is worried about the future and feels the governing body needs to give thought to raising the water sewer rates. Mayor advises that we have lowered the rates two times; the last time was in 1998. We have been spending a lot of money from the surplus in the past years and have done a lot of upgrades and repairs to the whole system. Major work was done on the system when the intersection project was underway and we have done work on pump stations; this year we will be working on the Bank Street Pump Station and on Route 23. The Mayor advises that go back to a 5 year plan where projects are identified by importance on what needs or will need to be repaired or replaced. Jerry Kastner and John Ruschke will give the Board of Public Works a 5 year plan, this allowing the surplus to build up. Mr. Schroeder advises that this is a good plan, however at the end of the year the fund balance in the water budget will be down to \$1,300,00.00 where several years ago we were at double that. Mr. Schroeder discusses his plan for this year's budget. We will be using approximately \$806,000.00 of fund balance which leaves a hole of \$216,000.00 so if everything stays the same as last year we will see the fund balance go down by \$216,000.00. Presently the utility has approximately one million dollars in capital improvement fund and even with the anticipated projects we should still be left with somewhere around \$500,000.00+ dollars. Mr. Schroeder recommends that we raise our revenue \$216,000.00 to cover expenses and a \$216,000.00 increase would equate to a 16.7% in rates, Mr. Schroeder proposes to spread this out over a couple of years so it is not a great increase to residents in one year but rather a smaller increase over several years. Discussion continues regarding the amount to be raised and whether it pertains to water and sewer or just water. Clarification will be made by the CFO and auditor and they will do an analysis and report back to the council. If the rates do get raised then an ordinance will have to be done.

Mayor advises that we have a workshop in April to further discuss and tie all loose ends and then we can anticipate to adopt the budget at the May 2, 2011 regular meeting and if warranted we can amend.

Motion by Councilmember Barr, second by Councilmember Law to introduce the 2011 Municipal Budget for the Borough of Hamburg

### **ROLL CALL**

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

Motion by Councilmember Law, second by Councilmember Oehler to close to Mr. Bill Schroeder and Amy Maronpot. All members in favor.

### 3. Application – Social Affairs Permit

Application from Hamburg Fire Department – Comedy Show April 23, 2011 7:00 p.m. – 11:00 p.m.  
Motion by Councilmember Oehler, second by Councilmember Law to approve the Social Affairs Permit. All members in favor

### 4. EDU Allocation

At the recommendation of the Board of Public Works, approval to grant one additional EDU to 80 Orchard Street, Block 2, Lot 9 with conditions. Mayor advises that this will be tabled as the owner of the lot is not ready to begin work. Motion by Councilmember Kelly, second by Councilmember Oehler to table the motion. All members in favor.

### 5. Water Meter Replacement

Mayor advises that there are some discrepancies in the water billing and he wants a meeting with Regina Flammer, Chris Kelly, Rich Krasnomowitz, Jerry Kastner, Mike Schneider and himself on Monday, March 28, 2011 at 10:30 am. to discuss procedures and reporting. Mayor advises that there will be another meeting immediately following at 11:00 to discuss the waiver for the cell tower on the recreation property

### 6. Court Sessions

Mayor advises that there is an issue with the court. Councilman Law advises that the court is back logged due to cases and they will need to have another trial night on what would regularly be a first appearance night so the prosecutor will have to be brought in. Councilman Law feels it is a fair amount to pay him 1/12 of his salary if he needs to come in another night for court, he also has prep work to do. The prosecutor would be paid \$860.00 for the night of work. Councilmember Kelly questions if by doing this if it would clear the back log. Councilmember Barr asks if the prosecutor has agreed to this amount of compensation. Councilman Law advises that he will be putting in a alot of extra time on preparing for the extra night and that average lawyers get paid \$300.00 per hour, he has checked with surrounding towns and found that if paid by retainer for municipal work they get between \$150.00 and \$190.00 an hour with an average of \$165.00 an hour, basing a 5 hour court night plus tripling amount of work associated with trial night. Councilman Law makes a motion to pay the prosecutor an additional \$860.00 for the additional court night. Mayor Marino advises that there are many salary workers in town. The prosecutor is an appointed salary position and the way the policy of the town is presently set up he should come in that extra night with no extra compensation. Mayor advises that it will have to be looked into, if the case load is that great, will an increase in salary be requested next year and then if again an extra night is necessary would he then request additional pay for that. Council discusses that the large amounts of tickets being written are leading to this type of back log.

Motion by Councilman Law to make a onetime emergency payment to the prosecutor in the amount of \$860.00 to clear the back log of court cases, seconded by Councilmen Barr. Councilmen Krasnomowitz asks if this is something that can be weeded out over the next few months and then we would not have to spend this money. Councilman Law advises that it will not help as with the bad economy the court is becoming busier. He feels that if we do not do this we will be well over a year before clearing this case load.

#### ROLL CALL

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

Nayes: None  
Abstain: None  
Absent: None

### **Recreation Field Committee**

Mayor advises that Rich Krasnomowitz, Mark Sena and Joyce Oehler will be the committee for the recreation fields with Russell Law as an alternate. Items to address:

1. Time of operation – when to open, close gate
2. Use of walking path (i.e.: bikes, skateboards etc)
3. Moderate the Wallkill Valley baseball and soccer use, possibly using it as a secondary use.

Councilman Barr advises that he was approached about possibly using it for flag football. Councilman Kelly discusses locking the entrance gate at night or just posting signs of when the park is open. Concern is having people in there and not having easy access to find them, members fear that by not locking it you can have vehicles driving all over and ruining the fields with vehicles as was done on Wheatsworth. Council discusses that the police will have to establish a routine which will mandate regular patrols of the area.

### **EXECUTIVE SESSION RESOLUTION:**

Attorney Clemack will offer the following resolution to enter into executive session later.  
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 as provided by law;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council advises the public that formal action may be taken this evening on the matters discussed in closed session or on other matter.

### **PUBLIC PORTION:**

Motion by Councilman Barr, second by Councilman Oehler to open the meeting to the public for any questions or comments they might have with regard to the good and welfare of the Borough

Mr. Michael Lardio owner of 7-11 Main Street addresses the council. Mr. Lardio advises that he owns a store front and 2 apartments and 2 garages on Main Street and has an issue with tenant parking. He advises that presently one garage is being used by a tenant and the other he rents out as storage but there is still a problem if there is more than one tenant with a car per apartment. Mayor explains why the ordinance was changed to make no parking on Main Street which was due to the potential for a serious accident. Mayor and council advise that this is an ongoing problem with that area as there is just not enough parking and that the issue of parking permits have been addressed but as of yet not sure if the town will opt for that as it could lead to other problems. Town wants to keep the parking lots available for Main Street business parking and does not want these areas to be

filled with 24 hour tenant parking. Council advises that for his case he should clear out the second garage space and make sure that any rental agreement states parking for one car per unit. Council recognizes that this is a known problem, and it is not one with an easy solution. If the tenants were allowed to park on Main Street all day then the businesses complain that people wanting to come to their stores cannot find parking on Main Street. The council has also had a resident on Linwood ask if his family members can use the lot on Linwood for parking as his own home does not have enough parking area. Councilman Sena advises that possibly the town could obtain an accurate count of what the potential rental on Main Street would be if all potential rentals were utilized. Council recognizes that presently the new parking areas do not get much use and are left vacant most of the time.

Mayor and Council advise that they are trying to find a solution that will be fair and equitable for all and there is a committee in place and they are working on a solution.

Motion by Councilmember Barr, second by Councilmember Oehler to close the meeting to the public. All members in favor.

**ADJOURNMENT**

Motion by Councilmember Kelly, second by Councilmember Barr to adjourn the meeting. All members are in favor.

Date approved: 5/2/11

Date Released: 5/2/11

Doreen Schott, RMC  
Municipal Clerk