

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF HAMBURG HELD ON JUNE 6, 2011 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	Councilwoman Oehler
	Councilman Krasnomowitz	Councilman Law
	Councilman Sena	Mayor Marino
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 January 6, 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".

MAY 3, 2011 Regular Meeting Minutes

Motion by Councilman Law, seconded by Councilwoman Oehler to approve the May 3, 2011 Regular Meeting Minutes of the Mayor and Council.

Roll Call:

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

MAY 3, 2011 Regular Meeting Executive Session Minutes

Motion by Councilwoman Oehler, seconded by Councilman Krasnomowitz to approve the May 3, 2011 Regular Meeting Executive Session Minutes of the Mayor and Council.

Roll Call:

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

APPROVAL OF BILLS:

Mayor Marino added to the bill list: PM Construction in the amount of \$54,238.10 for the Falcon Ridge pump station.

Motion by Councilman Krasnomowitz, seconded by Councilman Law to add this to the bill list. All

in favor.

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

Motion by Councilman Krasnomowitz, seconded by Councilman Law to approve and pay the bill list with addition.

Roll Call:

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

ORDINANCE

ORDINANCE #09-2011 – 2nd Reading

AN ORDINANCE AMENDING CHAPTER 209 – WATER – OF THE CODE OF THE BOROUGH OF HAMBURG COUNTY OF SUSSEX, STATE OF NEW JERSEY TO MODIFY WATER RATES.

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

AN ORDINANCE AMENDING CHAPTER 209 – WATER – OF THE CODE OF THE BOROUGH OF HAMBURG COUNTY OF SUSSEX, STATE OF NEW JERSEY TO MODIFY WATER RATES.

Motion by Councilman Barr, seconded by Councilwoman Oehler to open the meeting to the public for any questions or comments 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 May 2, 2011 meeting and published as required by law.

PUBLIC HEARING

Hearing no comments from the public, motion by Councilman Barr, seconded by Councilman Law to close to the public. All in favor.

Motion by Councilman Law, seconded by Councilman Krasnomowitz to adopt the ordinance as presented.

DISCUSSION

Mayor Marino stated that the Council did not want to raise the water and sewer rates. There have been two decreases since the system has been in place and this is the only increase in rates. SCMUA raised its rates 26 % and repairs needed to be continued to be done on the system, so unfortunately the rate increase had to go into effect.

Roll Call:

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

ORDINANCE # 10-2011 – 2nd Reading

AN ORDINANCE AMENDING CHAPTER 164- SEWERS- OF – THE CODE OF THE BOROUGH OF HAMBURG, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO MODIFY SEWER USER FEES.

Motion by Councilman Law, seconded by Councilman Krasnomowitz for Attorney Clemack to read the Ordinance by title for second reading and public hearing. All in favor.

AN ORDINANCE AMENDING CHAPTER 164- SEWERS- OF – THE CODE OF THE BOROUGH OF HAMBURG, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO MODIFY SEWER USER FEES.

Motion by Councilman Law, seconded by Councilman Krasnomowitz to open the meeting to the public for any questions or comments 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 May 2, 2011 meeting and published as required by law.

PUBLIC HEARING

Hearing no comments from the public, motion by Councilman Law, seconded by Councilwoman Oehler to close to the public.

Motion by Councilman Krasnomowitz, seconded by Councilman Law to adopt the ordinance as presented.

Roll Call:

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

ORDINANCE # 11-2011 – 1ST Reading

CAPITAL ORDINANCE PROVIDING FOR PAVING AND IMPROVEMENTS TO WISHING WELL ROAD, GOVERNOR HAINES STREET, URBAN PLACE, PRINCE STREET AND LIME KILN ROAD IN THE BOROUGH BY THE BOROUGH OF HAMBURG, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$75,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH AND \$150,000 FROM THE DOT GRANT FOR A TOTAL APPROPRIATION OF \$225,000 TO PAY FOR THE COST THEREOF.

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

CAPITAL ORDINANCE PROVIDING FOR PAVING AND IMPROVEMENTS TO WISHING WELL ROAD, GOVERNOR HAINES STREET, URBAN PLACE, PRINCE STREET AND LIME KILN ROAD IN THE BOROUGH BY THE BOROUGH OF HAMBURG, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$75,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH AND \$150,000 FROM THE DOT GRANT FOR A TOTAL APPROPRIATION OF \$225,000 TO PAY FOR THE COST THEREOF.

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to approve the ordinance on first reading and introduction with said ordinance to be published in full and with second reading scheduled for July 6, 2011. All in favor.

Borough Engineer John Ruschke brings to the Council's attention that if there is money available from this grant that it was to be used for the paving of Bank Street and other roads. Attorney

Clemack suggested inserting the words "and other roads" after Limekiln Road. Council is in agreement.

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to amend to motion to read as follows:

CAPITAL ORDINANCE PROVIDING FOR PAVING AND IMPROVEMENTS TO WISHING WELL ROAD, GOVERNOR HAINES STREET, URBAN PLACE, PRINCE STREET AND LIME KILN ROAD AND OTHER ROADS IN THE BOROUGH BY THE BOROUGH OF HAMBURG, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$75,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH AND \$150,000 FROM THE DOT GRANT FOR A TOTAL APPROPRIATION OF \$225,000 TO PAY FOR THE COST THEREOF.

Roll Call:

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

ORDINANCE # 12-2011 – 1ST Reading

CAPITAL ORDINANCE PROVIDING FOR WATER MAIN REPLACEMENT ON RT. 23 APPROPRIATING \$200,000 IN THE BOROUGH BY THE BOROUGH OF HAMBURG, IN THE COUNTY OF SUSSEX, NEW JERSEY, THEREFOR FROM THE WATER / SEWER CAPITAL IMPROVEMENT FUND OF THE BOROUGH UTILITY TO PAY FOR THE COST THEREOF.

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

CAPITAL ORDINANCE PROVIDING FOR WATER MAIN REPLACEMENT ON RT. 23 APPROPRIATING \$200,000 IN THE BOROUGH BY THE BOROUGH OF HAMBURG, IN THE COUNTY OF SUSSEX, NEW JERSEY, THEREFOR FROM THE WATER / SEWER CAPITAL IMPROVEMENT FUND OF THE BOROUGH UTILITY TO PAY FOR THE COST THEREOF.

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to approve the ordinance on first reading and introduction with said ordinance to be published in full with second reading scheduled for July 6, 2011.

DISCUSSION

Councilman Law asked if the road was going to be paved afterwards. Mr. Ruschke stated that there will be trench restoration but they will let it settle first before any final top coat is put on.

Roll Call:

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

ORDINANCE # 13 – 2011 – 1ST Reading

Council members discuss this ordinance and Councilman Law brings to their attention holidays and what would take place then, as there is nothing mentioned in this. Councilman Sena stated that the main purpose of this was snow removal and Council was getting away from that purpose. With that said, Council members decided to leave it as is.

AN ORDINANCE AMENDING CHAPTER 203 – VEHICLES & TRAFFIC – OF THE CODE OF THE BOROUGH OF HAMBURG PROVIDING FOR ADDITIONAL NO PARKING AREAS AND ADDITIONAL REGULATIONS

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

AN ORDINANCE AMENDING CHAPTER 203 – VEHICLES & TRAFFIC – OF THE CODE OF THE BOROUGH OF HAMBURG PROVIDING FOR ADDITIONAL NO PARKING AREAS AND ADDITIONAL REGULATIONS

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 July 6, 2011.

Roll Call:

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

ORDINANCE # 14- 2011- 1st Reading

AN ORDINANCE AMENDING CHAPTER 203 – VEHICLES & TRAFFIC – OF THE CODE OF THE BOROUGH OF HAMBURG TO RESTRICT THE USE OF CERTAIN PARKING SPACES TO EMERGENCY MEDICAL SERVICE PERSONNEL

Mayor Marino stated that he was interested in having parking spaces for two EMTs, Road Dept. personnel, Police Dept. personnel and also wanted no parking in front of the bay doors at the Fire Dept.

AN ORDINANCE AMENDING CHAPTER 203 – VEHICLES & TRAFFIC – OF THE CODE OF THE BOROUGH OF HAMBURG TO RESTRICT THE USE OF CERTAIN PARKING SPACES TO EMERGENCY MEDICAL SERVICE PERSONNEL

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

Council discusses this matter and Mayor Marino stated that it still does not say exactly what he had in mind. After discussion, 1. second line was changed to No person shall park a vehicle on Block 5, Lots 6, 6X and 7, where the parking space is designated for parking by designated Borough personnel or volunteer service members.

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 July 6, 2011.

Councilman Sena asked about the resolution that needed to be passed and Mayor Marino stated that would be dealing with the parking spots and the signage would go up once the ordinance was passed.

Roll Call:

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

**** BROWNIE TROOP # 793 – Presentation**

Mayor Marino presented Brownie Troop # 793 with Certificates of Appreciation for their outstanding job of providing summer planting to the outside of the Municipal Building. Many of the girls were in attendance to receive their certificates and pictures were taken.

RESOLUTIONS:

Resolution # 2011-24 – Supporting Click It or Ticket Mobilization of May 23 – June 5, 2011.

Mayor Marino stated that the date on this resolution has already passed, that the traffic stop backs up traffic and overloads our courts. Last year money was received from a grant to cover the costs for the manpower hours but this year grant money was not received. Mayor Marino felt that our Police Dept. does a good job of enforcement without this extra stop. Councilman Krasnomowitz agrees with the Mayor, but stated that he wants to support the resolution.

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to support the resolution and allow the Police Dept. to implement in the future only should there be state funding provided.

DISCUSSION

Councilman Law asked why the State did not support their own resolution and was answered that they did but did not support it financially like they did the first year.

Mayor Marino stated that the Police used comp time to do this program. He would like the committee, himself, Councilmen Sena and Barr, to meet and discuss with Chief Wright the budgetary concerns regarding this program.

Roll Call:

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

Resolution # 2011-25 – Amendment to Open Public Records Act.

Borough Clerk Doreen Schott said that there were so many people requesting records and many of the records were able to be found on the internet. Attorney Clemack stated that the amendment also includes the format that they request also, which costs the town a lot of additional money also.

Motion by Councilman Krasnomowitz, seconded by Councilman Law to accept the resolution as offered. All in favor.

Resolution # 2011-26 – Municipal Drug Alliance Fund Dissolution.

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

LIQUOR LICENSE RENEWALS 2011 – 2012

The following applications and a no issue report from the Police Department have been received along with the appropriate State and Local Fees. Tax Clearance Certificates have been received for:

- o Marketplace Liquors 1909-33-005-006
- o Restaurant Kaya (Cravin Thai) 1909-33-003-010
- o Hamburg Krishna LLC 1909-44-002-006

Motion by Councilman Krasnomowitz, seconded by Councilman Law to authorize the Resolutions for renewal for Marketplace Liquors, Restaurant Kaya, and Hamburg Krishna LLC.

Roll Call:

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

Nays: None
 Abstain: None
 Absent: Kelly

The following application and non-issue report from the Police Department has been received along with the appropriate State and Local Fees. Tax Clearance Certificate has not been received.

o **SJR Co., LLC** **1909-33-004-004**

Motion by Councilman Barr, seconded by Councilman Law to authorize a Resolution for renewal for SJR. Co. LLC Liquor License pending the Municipal Clerk receiving Tax Clearance Certificate.

Roll Call:

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

ATTORNEY HOUR:

1. Attorney Clemack stated that the correspondence regarding confirmation of October 11th as the date to begin contract negotiations with Local 138 – arbitration matters.
2. Attorney Clemack stated that he will be having a conference meeting with the DEP and Green Acres regarding the towers on June 7th at 4 PM.

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. **Personnel – Jason Eben** (*rice notice was issued*)
2. **Contract Change Order – Rec rest room**
3. **Lorterdan - contract**

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

ENGINEERING:

1. Orchard Street Drainage

John Ruschke stated that the contractor actually started the project today, June 6th, and it would take approximately one month to install the drainage. An overlay coat of paving would be put on to give it time to settle and then put a final coat of paving on it in late summer / fall.

2. Falcon Ridge Sewer Extension

The pipe jacking under the railroad was done, which was the most difficult work of the project. The casing has been installed already also, so within 1 -2 more weeks and the project will be complete.

3. Rt. 23 Main Replacement

The Council did the Bond Ordinance on this project tonight. Mr. Ruschke would like the Council to authorize to advertise the project but to not award the project until after the second reading. Motion by Councilman Krasnomowitz, seconded by Councilman Law to authorize the Borough Engineer to prepare the documents on the Rt. 23 Water Main Replacement Project and also advertise the project. All in favor.

Councilman Krasnomowitz asked about the traffic situation as this would be going on while the drainage project on Orchard Street would also be going on. Mr. Ruschke said that one lane on Rt. 23 would probably be shut down and some traffic may be diverted on Orchard. He is hopeful that Orchard Street would be almost completed by that time.

4. 2011 Paving

Mr. Ruschke has the drawings ready so the Council can authorize the Clerk to put this project out to bid subject to availability of funds. He also said that the school approached him as they would like to have some work done and he can add this as a supplemental bid item: paving on the entrance way (the hill leading up to the school – milling and paving) and basketball court (paving). The school pays for this; there is no cost to us. The base bid will be our work and the supplemental bid will be the schools'. Mr. Ruschke explained he does the general description of the scope of the work; that the school has the option to accept and / or reject the contract supplemental bid.

Motion by Councilman Law, seconded by Councilman Barr to authorize Mr. John Ruschke to prepare the bid documents for the Borough of Hamburg and to include with those documents the supplemental bid documents for the Hamburg Elementary School for site improvements.

DISCUSSION

Councilman Sena asked who would inspect the school project. Mr. Ruschke said they would have their own inspectors.

All in favor.

5. Recreation Fields

Mr. Ruschke informed the Council that there was a change in the ADA code compliance in March and he was having problems with the contractor adhering to this change. There were no final Cos as of yet. Mr. Ruschke would like to further discuss this in Executive Session.

6. Lorterdan Properties – Well #1A

As there are still no approvals to activate and still outstanding issues, Mr. Ruschke would like to discuss this further in Executive Session.

7. Energy Grant

The Borough received a 2010 grant for \$50,000.00 for energy upgrades, including lighting, and other energy saving appliances, and also received approximately \$55,000.00 for 2011. Work should be starting soon.

MAYOR'S AGENDA:**1. Update on Key Fob situation**

Mayor Marino informed the Council that the key fob system in all three municipal buildings is not working, so the buildings are back to manual entrance. The software to get back to the key fob system would be in excess of \$10,000.00 to fix it and so he would recommend leaving it as is. The Fire Dept. will be putting in cameras for security.

COMMITTEE REPORTS:**COUNCILMAN SENA****FINANCE / TAX DEPARTMENT**

Motion by Councilman Sena, seconded by Councilman Oehler to accept the Resolution to redeem third party tax sale certificate # 10-008 in the amount of \$4565.15. All in favor.

The Tax Collector's report for April 2011 showed a total of \$571,671.91 being collected.

POLICE COMMISSIONER**Police Monthly report May 2011**

The May monthly report for the Police Department showed 1211 calls of service, including 217 investigative reports, 14 arrests, 18 motor vehicle accidents, and 167 motor vehicle summonses issued.

Councilman Sena stated that according to an email he received from the Police Chief, as of July 1st, there will be a vacancy of a Police Officer in the department as Patrolman Tim Maglio was accepting a position in another town. Mayor Marino stated that there would not be the hiring of another officer until after their contract negotiations. Councilman Sena also said that Special Officer Roy Southard has been recertified in his firearms certification. Council discusses the amount of overtime paid out while Officer Southard was not working here. Before any decisions are made, Council would like to speak to the Chief first. Councilman Barr would like to move on forward with the hiring of Kevin Kiel as a Special Officer also. Council discusses the cost associated with this, but decided that even though it will cost approximately \$1000.00 for a uniform and dr. testing, the amount of money he will be able to save the department in overtime costs will be well worth it.

Motion by Councilman Barr, seconded by Councilman Law to approve the hiring of Kevin Kiel as a Special Officer for The Borough of Hamburg.

Roll Call:

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

Council received an email from Chief Wright (Sergeant Aaronson) regarding the procedures of transporting prisoners. This email from Sergeant Aaronson to Chief Wright says that the County has new procedures in place where we now have to guard a prisoner should we transport him / her to the hospital whereas in the past the Sheriff's Office would have done so. Councilman Krasnomowitz asked if we could use a special and who will be responsible for the medical costs. He would also like to know what the other towns have to say about this. Mayor Marino would like

a resolution sent to the Freeholds and Sheriff's Dept. stating the opposition of the plan. Attorney Clemack will prepare the resolution to be sent to the Freeholders, the Sheriff's Dept. and all municipalities.

Motion by Councilwoman Oehler, seconded by Councilman Sena to endorse this resolution. All in favor.

COUNCILMAN KELLY:

Report given by Mayor Marino

3. BOARD OF PUBLIC WORKS

Mayor and Council received a recommendation from the BPW to authorize Mountain View Landscaping & Construction to power wash the water tanks in the amount of \$5400.00.

Motion by Councilman Barr, seconded by Councilman Law to approve the authorization of Mountain View Landscaping & Construction for the power washing of the three water tanks, including the removal of mildew stains, apply mildew inhibitor, all labor, machines, and materials needed to complete the job are included in this estimate.

DISCUSSION

The dirt around the tanks has not yet been started. Councilman Krasnomowitz would like to see the town receive the certificate of insurance and workman's compensation insurance certificate from the company before any work is started.

All in favor.

COUNCILWOMAN OEHLER:

1. RECREATION

The Miss Hamburg, Little Mr./ Miss Hamburg contests will be held on June 26th at 1 PM at the Hamburg School.

3. OEM / EMS LIASON

The EMS Dept. took a resident MS patient to Montrose NY for a transport. Captain Karl Brennan is keeping an eye out for another rig as the smaller rig is beginning to cost a lot of money in repairs. This will be a purchase for the near future. He is also looking into computers for the rigs, as The State will be making this mandatory also eventually. A new computer costs approximately \$6-7000.00 while a used one is half that cost.

COUNCILMAN LAW:

1. FIRE COMMISSIONER

Councilman Law informed the Council that the Fire Dept. would like to take a rescue truck and one ambulance to Gooch's Garlic Run on June 15th. This year it will be held in Newark. Councilman Sena asked if one is taken out of town, will the one left here be in good enough condition to respond to calls and was answered yes.

Motion by Councilman Barr, seconded by Councilman Law to open to the public. 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 Councilman Barr to approve said request contingent upon a letter from the Fire Dept.

Roll Call:

Ayes: Barr, Krasnomowitz, Law, Oehler, Sena

Nays: None
 Abstain: None
 Absent: Kelly

COUNCILMAN KRASNOMOWITZ:

1. OFFICE ADMINISTRATION

Fire Official Position and Hardyston Township Proposal

Councilman Krasnomowitz stated that our Fire Official resigned as of May 31st. Two proposals were presented: one with Hardyston and one with the County of Sussex. Councilman Krasnomowitz said that he liked the proposal from Hardyston; that it was similar to the Construction agreement – it will be prorated at \$8000.00 from now until the end of the year, and, once the fees have been satisfied, the remaining will be returned to Hamburg. There is no data base set up and this will have to be done. Mayor Marino agrees with Councilman Krasnomowitz and believes this would be the best for Hamburg also. Councilman Krasnomowitz stressed that some of our inspections were not up to date so that the fees that were collected could amount to a greater amount for the Borough. He also is in favor of the shared services agreement with Hardyston because of the favorable outcomes of the other shared services that we share with Hardyston and believes this could work for us in the same capacity as well. If we are not completely happy at the end of the seven months, we can change it. The Fire Dept. will also benefit from this. Mayor Marino voiced his concerns about going with the Sherriff's Dept. after some of the information that was previously shared under Councilman Sena's report.

Motion by Councilman Krasnomowitz, seconded by Councilman Barr to adopt the Shared Services agreement between with Hardyston Township and Hamburg Borough for our Fire Official Position.

Roll Call:

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

ORDINANCE – 1st READING

Ordinance #16-2011

AN ORDINANCE TO AMEND CHAPTER 116 - FIRE PREVENTION - OF THE GENERAL CODE OF THE BOROUGH OF HAMBURG DESIGNATING THE HARDYSTON TOWNSHIP BUREAU OF FIRE PREVENTION AS THE LOCAL ENFORCING AGENCY

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

AN ORDINANCE TO AMEND CHAPTER 116 - FIRE PREVENTION - OF THE GENERAL CODE OF THE BOROUGH OF HAMBURG DESIGNATING THE HARDYSTON TOWNSHIP BUREAU OF FIRE PREVENTION AS THE LOCAL ENFORCING AGENCY

Motion by Councilman Krasnomowitz, 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 July 6, 2011.

Councilman Sena asked if the fee schedule aligned up and Councilman Krasnomowitz answered they were exactly the same.

Roll Call:

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

2. CONSTRUCTION DEPARTMENT

Construction Activity Report April

Councilmember Krasnomowitz advised that there were 16 permits issued, 0 certificates of occupancy, and 14 certificates of approvals with a total of \$3084.00 collected in fees for the month of April.

Councilman Krasnomowitz stated that according to the numbers listed, there is activity going on, which is promising that the economy is picking up.

COUNCILMAN BARR

1. BOARD OF EDUCATION

2. ROAD DEPARTMENT

Motion by Councilman Barr, seconded by Councilman Law to open the meeting to Road Dept. Foreman Mike Schneider. All in favor.

Discussion begins on the purchase of equipment of lawn mowers and / or back hoes.

Motion by Councilman Barr, seconded by Councilman Sena to open the meeting to CFO Amy Maronpot. All in favor.

Ms. Maronpot states that there is financing available for the tractor with the curring head and back hoe from Bassani Power equipment at a cost of \$31,640.00. The Bassani Power Club Cadet, at a cost of \$16,487.00(with an additional \$6000. for attachments), is an estimate for the lawn mower only. Council discusses with M. Schneider and Mr. Ruschke what is really necessary for the town and what these machines will be used for.

After much discussion, motion by Councilman Barr, seconded by Councilwoman Oehler to approve the purchase of the Bassani 31 HP Power Club Cadet, without attachments, at a cost of \$16,487.00.

DISCUSSION

Councilman Krasnomowitz feels that it is a lot of money for a lawnmower and it is "in between" of what we really do need. Councilman Law stated that we can not compare this to the 60" blade lawnmower, there will be a great savings on the manpower, and this is able to do a lot more. Mr. Ruschke asked if this machine came with turf tires and was answered that it was believed so.

Roll Call:

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

CFO Ms. Maronpot suggested sharing the cost between water, recreation fields, and open space.

Motion by Councilman Barr, seconded by Councilwoman Oehler to close the meeting to Mike Schneider and Amy Maronpot. All in favor.

PUBLIC PORTION:

Motion by Councilman Law, seconded by Councilman Barr 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:

4. Personnel – Jason Eben (*rice notice was issued*)
5. Contract Change Order – Rec rest room
6. Lorterdan - contract

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

Motion by Councilman Barr, seconded by Councilman Law to enter into Executive Session at 9:40 PM. All in favor.

Discussion concerning Mr. Jason Eben, Lorterdan, and Zinno Construction.

Motion by Councilman Krasnomowitz, seconded by Councilwoman Oehler to return to the Regular Session. All in favor.

Motion by Councilman Krasnomowitz, seconded by Councilwoman Oehler that Lorterdan is given 90 days to complete all work necessary to obtain a DEP permit for the project. If they fail to do so, the Attorney can institute penalties. All in favor.

Motion by Councilman Krasnomowitz, seconded by Councilman Law that, with regards to Zinno Construction, #2- installation of additional earthwork and sidewalk and ADA compliance to take a credit cost of approximately \$16,000.00; change order #3 for the commercial sink at a cost of \$2,287.00, in which the Council will give the contractor 2 weeks to complete. Failure to do so may result in the termination of contract. All in favor.

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

1. From Sussex County Ordinance to amend the fare schedule for Skylands Rides (5/5/11)
2. From State of NJ notification regarding Underground Storage Tank Removal Fund Closure (5/5/11)
3. Hamburg School Board of Education notice. (5/6/11)
4. Notification of 2011 Clean Communities Notification of \$5,009.52
5. New Jersey Housing and Mortgage – Home Keeper Program (5/6/11)
6. “Celebrate without alcohol” newsletter
7. Correspondence from PETAMEDICS – Animal control service and animal ambulance service. (5/6/11)
8. Certificate and Report of School Taxes for FY 2011-12 from Hamburg School. (5/11/11)
9. NJ Business & Industry Association Seminar (5/12/2011)
10. Workman’s comp case update – Worden (5/13/2011)
11. May 2011 Legislative Bulletin (5/13/2011)
12. Flight 93 national Memorial (5/19/ 2011)
13. From State of New Jersey Water Supply Permitting report (5/13/2011)
14. From State of New Jersey Asbestos Monitoring Waiver Program (5/19/2011)
15. Public Hearing Notice – Sussex County Transit (5/19/2011)
16. Hardyston Township Resolution – revise requirement for medical service delivery. (5/20/2011)
17. Vernon Township resolution Fair Distribution of State Aid for Education. (5/25/2011).
18. From US Census Bureau – copy of “Profile of General Population and Housing Characteristics: 2010 “ (6/2/1011)
19. NJ DEP notification of Permit Application Well No. 1 test results. (6/2/2011)
20. Mayors Advisory – Recent Interest Arbitration Award (6/2/1011)

ADJOURNMENT

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

Date Approved: 7-6-11

Date Released: 7-6-11



 Doreen Schott, RMC
 Municipal Clerk

Submitted by Kathy Garrett