

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON JUNE 4, 2012 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 Kelly	Councilman Law
Councilman Sena	Mayor Marino

Absent : Councilman Krasnomowitz

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, 2012 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".

May 7, 2012 Regular Meeting Minutes - Motion to Approve

Motion by Councilman Kelly, seconded by Councilwoman Oehler to approve the May 7, 2012 Regular Meeting Minutes of the Mayor and Council. All Council members present in favor.

May 7, 2012 – Executive Session Minutes – Motion to Approve

Motion by Councilman Barr, seconded by Councilman Law to approve the May 7, 2012 Executive Session Meeting Minutes of the Mayor and Council. All Council members present in favor.

APPROVAL OF BILLS:

As there are no additions or deletions to the bill list, motion by Councilman Law, seconded by Councilwoman Oehler to open to the public with regards to the bill list only. All in favor.

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

Motion by Councilman Law, seconded by Councilwoman Oehler to approve and pay the bill list as presented.

Roll Call:

Ayes: Barr, Kelly, Law, Oehler, Sena

Nays: None

Abstain: None

Absent: Krasnomowitz

CORRECTIVE ACTION PLAN and Resolution # 2012-21 approving Corrective Action Plan

Mayor and Council are in receipt of the Corrective Action Plan and Resolution #2012-21 as prepared by the Chief Financial Officer Amy Maronpot.

Motion by Councilman Law, seconded by Councilman Barr to accept as prepared.

Roll Call:

Ayes: Barr, Kelly, Law, Oehler, Sena

Nays: None
Abstain: None
Absent: Krasnomowitz

ORDINANCES:

Ordinance # 08- 2012

CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE OF A 2012 JOHN DEERE BACKHOE IN THE BOROUGH BY THE BOROUGH OF HAMBURG, IN THE COUNTY OF SUSEX, NJ APPROPRIATING \$40,000.00 THEREFORE FROM THE CAPITAL IMPROVEMENT FUND AND \$27,150 FROM THE WATER SEWER OPERATING ACCOUNT

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

CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE OF A 2012 JOHN DEERE BACKHOE IN THE BOROUGH BY THE BOROUGH OF HAMBURG, IN THE COUNTY OF SUSEX, NJ APPROPRIATING \$40,000.00 THEREFORE FROM THE CAPITAL IMPROVEMENT FUND AND \$27,150 FROM THE WATER SEWER OPERATING ACCOUNT

Motion by Councilman Barr, seconded by Law to approve the ordinance on first reading and introduction with said ordinance to be published in full with second reading scheduled for July 2, 2012.

Roll Call:

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

RESOLUTIONS:

Resolution # 2012 – 21 authorizing Corrective Action Plan was done under “Corrective Action Plan” above.

LIQUOR LICENSE RENEWALS 2012 – 2013

The following applications and a non- issue report from the Police Department have been received along with the appropriate State and Local Fees. Tax Clearance Certificates have been received for:

- **Hamburg Krishna LLC 1909-44-002-006**
- **Marketplace Liquors 1909-33-005-006**

Motion by Councilman Barr, seconded by Councilman Law to authorize the Resolution for renewal for: Hamburg Krishna LLC -1909-44-002-006; Marketplace Liquors -1909-33-005-006. All in favor.

The following applications and non- issue report from the Police Department have been received along with the appropriate State and Local Fees. Tax Clearance Certificates **have not** been received for:

- **Restaurant Kaya 1909-33-003-101**
- **SJR Co. LLC 1909-33-004-004**

Motion by Councilman Law, seconded by Councilwoman Oehler to authorize a Resolution for renewal for the following pending the Municipal Clerk receiving Tax Clearance Certificates for: Restaurant Kaya - 1909-33-003-101; SJR Co. LLC-1909-33-004-004. All in favor.

Attorney Clemack asked if there were any objections or negative reports from the Police and Borough Clerk Doreen Schott responded that there were none.

ATTORNEY HOUR:

Police Contract – Memorandum of Agreement to be executed.

EXECUTIVE SESSION RESOLUTION: None

ENGINEERING:

1. K Hovnanian Bond Release Request -
Performance Bond No 111 2750 4972
Performance Bond No 111 2750 4956

This will be tabled pending documentation from the engineer.

Mayor Marino questioned the milling / paving on Orchard Street. It was stopped in the middle of Edsall St. and the contractor followed the drainage path. Also, Orchard Street paving did not come all the way to Wallkill. John Ruschke will be contacted ASAP to take care of the situation. Mayor Marino believed that the entire streets of Edsall St. and Orchard St. would be paved.

Mayor Marino reiterated that DOT was contacted last month about the project on Rt. 23 and the paving. Letters were written to the State legislators about it but it seems as we need to get back in touch with them again, along with Debbie Hirt as progress has been made on the issue.

MAYOR'S AGENDA:

1. JR. Girl Scout Group # 793

Mayor Marino presented Girl Scout Troop # 793 with Certificates of Community Service for their outstanding job of summer planting at the Hamburg Municipal Complex. The scouts shook hands with Councilman Kelly and had their pictures taken on the dais with Mayor Marino and the Council.

2. Thank you letter from fire department to Mayor, Council and DPW.

Mayor Marino received a thank you letter from the fire dept. for the use of the borough truck so that they could clean out storage facilities. They were very appreciative.

3. Request from Clerk to appoint Marguerite Nemeth as Alternate Deputy Registrar.

Borough Clerk requested that Marguerite Nemeth be appointed Alternate Deputy Registrar in order to have sufficient cover at Borough Hall at all times.

Motion by Councilman Barr, seconded by Councilman Law to approve said request. All in favor.

4. Board of Public Works appointment.

Mayor Marino received a verbal resignation from the Board of Public Works member Dan Shane due to personal reasons. Mayor Marino also stated there is also a recommendation from Board of Public Works to remove Dan Shane from the Board from lack of attendance. Attorney Clemack stated that since Mr. Shane never signed his Oath, the Mayor can revoke his appointment.

Motion by Councilman Barr, seconded by Councilman Law to revoke the appointment of Dan Shane from the Board of Public Works. All in favor.

Mayor Marino received a letter from Vincent Busteded, a resident for over 25 years that would be interested in serving on the board.

Motion by Councilman Law, seconded by Councilman Barr to accept the Mayor's appointment of Vincent Busteded to the Board of Public Works. All in favor.

5. Memorial Day Services

Mayor Marino thanked all those who participated in the Memorial Day services, at the cemetery and at the monument in front of Town Hall. Mykala Crowell read the Gettysburg Address and John Courtwright sang.

COMMITTEE REPORT

COUNCILMAN SENA

1. FINANCE / TAX DEPARTMENT

Motion by Councilman Sena, seconded by Councilman Kelly to accept the Resolution for tax refund for Block 3 Lot 6 in the amount of \$3,128.25. All in favor.

Motion by Councilman Sena, seconded by Councilman Barr to open to Police Director Yahm. All in favor.

Director Yahm gives the following report:

Monthly report for May 2012

The May 2012 monthly report for the Police Department showed 938 calls of service, including 169 investigative reports, 6 arrests, 7 motor vehicle accidents, and 31 motor vehicle summonses issued.

Mr. Yahm said the new car is in service, with the radar, lights, etc. working now. As was an issue with the current shotgun not fitting in the car, a new one had to be ordered, so two rifles were traded in so the cost was minimal.

Director Yahm also mention there was interest in starting a bike patrol program for some of the larger functions i.e.: Hamburg Day, etc. Two bikes were donated and two officers will be trained.

Another program of interest is the Fatal Vision Goggles Program, by September, Director Yahm is hoping to have instituted for the Jr. Police and School. Training is an 'on hands' training and cost is approximately \$800.00 for the program.

Accurate Forming would like to have a drug training program for their staff at the end of the month and Director Yahm will take care of that.

He is also re-vamping the downstairs of the building at a cost of approximately \$5-6000.00.

The light bar on the Dodge was not working. Metro Communications said the wiring at the control box was incorrect and took care of the problem quickly. Mr. Yahm would like to use them now as a vendor instead of Spectrum.

June 13th at 6:30 PM is the Jr. Police graduation.

The torch run is this coming Friday, June 8th.

The Police cars did not have working medical kits in all the vehicles so new kits were ordered just yesterday. Sergeant Aronson is the only officer that is an EMT; all officers have the emergency training for officers.

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

2. BOARD OF HEALTH

The next meeting will be held on Tuesday, July 10, 2012.

COUNCILMAN KELLY:

3. BOARD OF PUBLIC WORK

Recommendation from Board of Public Works to remove Dan Shane from the Board. (Under Mayor)

COUNCILWOMAN OEHLER:

2. EMS

Councilwoman Oehler stated that there were 35 calls for the month of May and 176 total year to date calls for EMS.

Once again, she received a letter from the Blue Knights about Goochie's Garlic Run that will meet on June 20th at 5-5:30 PM at Rockaway Mall.

Motion by Councilwoman Oehler, seconded by Councilman Law to allow one ambulance out-of-town to attend Goochie's Garlic Run on June 20th. All in favor.

3. RECREATION

Councilwoman Oehler reminded everyone that the Miss Hamburg Contests will be held on June 23rd at 1:30 PM at the Hamburg School. Hamburg Day will be held August 19th at the new fields. The rec commission has a lot planned so far that day, along with the canine unit from the Police Dept., and a volleyball game between the Police and EMS/Fire Depts. More information will follow.

Councilwoman Oehler presented Virginia Jones, our Senior Citizen of the Year for the 2012 Sussex County Senior of the Year Award.

Motion by Councilwoman Oehler, seconded by Councilman Barr to recommend Virginia Jones for the 2012 Sussex County Senior of the Year Award. All in favor.

COUNCILMAN LAW:

1. FIRE COMMISSIONER - OEM

There were 14 fire calls for the month, totaling 93.6 man hours. The Board of Health was able to get into the kitchens at the pavilion and fire house and both passed satisfactory.

3. RECYCLING AND SANITATION

The recycling report was filled out and sent in but Councilman Law does not have confirmation that it was received. He informed the Council that he would like to ask Marguerite Nemeth to be the recycling coordinator for us as she did it for her previous town.

COUNCILMAN KRASNOMOWITZ: No report given

1. OFFICE ADMINISTRATION

2. CONSTRUCTION DEPARTMENT

3. LAND USE BOARD

4. INSURANCE

COUNCILMAN BARR

1. BOARD OF EDUCATION

Graduation is June 14th.

2. ROAD DEPARTMENT

Councilman Barr discussed with the Council the chipper for the Road Dept., to be purchased from Northeastern Arborist Supply, part of the Bergan County Co-op State contract, at a cost of \$28,161.00.

Motion by Councilman Barr, seconded by Councilwoman Oehler to approve the State contract of \$28,161.00 to purchase a chipper from Northeastern Arborist Supply.

Councilman Law asked if we would be offering mulch to the residents and Councilman Kelly answered that he believed we would be putting the mulch in the park for them to take.

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

Mr. Schneider stated that with the chipper, they would like to make a pile of mulch for the residents to take.

Motion by Councilman Barr, seconded by Councilman Kelly to close to Mike Schneider. All in favor.

Roll Call:

Ayes: Barr, Kelly, Law, Oehler, Sena

Nays: None

Abstain: None

Absent: Krasnomowitz

Councilman Barr discusses the Road Dept. staff -one worker is out on long term disability, one retired, one injured, and one left, leaving Mr. Schneider very short staffed. Mr. Jason Reardon, who presently works part-time on call here and is a certified mechanic, would be willing work full time for \$16.00 an hour, but this is over the contract wage. A conference call was held with the union representative and shop steward

and they are willing to sign a written wavier agreeing to this higher wage. Mr. Schneider stated that Mr. Reardon lives in Lake Neepaulin.

Motion by Councilman Barr, seconded by Councilwoman Oehler to hire Jason Reardon at \$16.00 an hour as a member of the Road Dept.

Roll Call:

Ayes: Barr, Kelly, Law, Oehler, Sena

Nays: None

Abstain: None

Absent: Krasnomowitz

Mr. Reardon will start full time pending receipt of the written waiver from the union.

3. HISTORIC COMMISSION / HISTORIC SOCIETY

Councilman Barr stated that the Historic Society will be placing a marker this year commemorating the 100 year anniversary of the Hamburg High School, which is the older original building of the school.

The Historical Commission submitted nominations for Historic sites in NJ in danger of extinction; Lime Kilns, Wheatsworth Mill and Gingerbread Castle and they made the top 10 endangered list in NJ.

Councilman Barr was now hopeful that the State will pay more attention to the Lime Kilns, as the trees and growth are taking over and destroying more of the Lime Kilns all the time. Some of the trees are marked for cutting, so it’s a step forward. The roof on the Wheatsworth Mill is in desperate need of replacement as the building is 206 years old. Councilman Barr is hopeful that there will be attention to the two sites.

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

Councilman Barr extended good luck to all running in the election.

Motion by Councilman Barr, seconded Law to take a few minutes recess to review the Police Memorandum of Agreement which indicates a change from the past PBA to FOB. All in favor.

Motion by Councilwoman Oehler, seconded by Councilman Sena to return to the Regular Meeting. All in favor.

Motion by Councilman Barr, seconded by Councilwoman Oehler for Mayor Marino to execute the memorandum of agreement. All in favor. This is subject to Exhibit A, the salary schedule as prepared per the Borough as per the agreement of the bargaining unit. Officer Nichols has to sign.

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

1. Notice of Hearing Date for Bankruptcy Court – Getty Petroleum Marketing Inc. (5/4/12)
2. Correspondence from general code announcing new service and support for code book.
3. From Jersey Central Power and Light correspondence regarding decorative lighting and fees. (5/8/12)
4. From Jersey Central Power and Light correspondence regarding “24/7 Power Center” (5/8/12)
5. MetLife – Information regarding term and whole life insurance.

6. From County of Sussex correspondence regarding annual public hearing on Senior Citizen and Disabled Residents Transportation Assistance Program. (5/8/12)
7. From the League of Women Voters of Sussex County Afternoon Social to Honor Freeholder Susan Zellman. (5/11/2012)
8. From the New Jersey Legislature correspondence regarding support for Energy Tax Receipts Bill. (5/11/2012)
9. From Sussex County Chamber of Commerce notification of "Select a Beautification Project" a monthly award. (5/15/2012)
10. Letter from State Legislative Offices to DOT regarding the water main repair project in the Borough. (5/14/2012)
11. Correspondence from State of NJ, DOT, and response regarding the letter sent about the Route 23 work proposed and the Hamburg water main project. (5/17/2012)
12. Information from General Code and their services
13. Copy of April 2012 Land Use Board Minutes (5/17/2012)
14. Copy of resolution from Land Use Board for Kirit Patel application. (5/17/2012)
15. Mayors Advisory ; Supreme court decision Seals vs. Morris County (5/17/2012)
16. From Sussex County notice of 2012 Open Space Applications (5/23/12)
17. From State of NJ notification of 2012 Transportation Enhancement Program (5/23/12)
18. Correspondence from Tax Assessor to county regarding revaluation update (5/24/12)
19. Letter from Dot Boehme regarding Littell Community Center (5/24/12)
20. Listing of Tax Assessor of outcome of Tax Appeals (5/24/12)

ADJOURNMENT

Motion by Councilman Barr, seconded by Councilman Sena to adjourn the meeting at 8:27 PM. All in favor.

Date Approved: _____

Date Released: _____

Doreen Schott, RMC
Municipal Clerk

Submitted by Kathy Garrett