

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON SEPTEMBER 5, 2012 AT THE MUNICIPAL BUILDING, 16 WALLKILL AVE., HAMBURG, NJ

CALL TO ORDER:

In accordance with the Open Public Meetings Act, with regards to notices, the regularly scheduled Meeting of the Hamburg Mayor and Council is called to order at 7:30 p.m., September 5, 2012 with a flag salute.

ROLL CALL:

Mayor Marino requested a roll call:

Councilman Barr	Councilwoman Oehler
Councilman Krasnomowitz	Councilman Kelly
Councilman Law	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, 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".

August 6, 2012 Regular Meeting Minutes

Motion by Councilman Krasnomowitz, seconded by Councilwoman Oehler to approve the August 6, 2012 Regular Meeting Minutes of the Mayor and Council.

Roll Call:

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

APPROVAL OF BILLS:

As there are no additions or deletions to the bill list, motion by Councilman Barr, seconded by Councilman Krasnomowitz 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 Law, seconded by Councilwoman Oehler to close to the public. All in favor.

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

Roll Call:

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

ORDINANCES:

Ordinance # 09 – 2012- 2nd Reading

AN ORDINANCE TO AMEND CHAPTER 183-STREETS AND SIDEWALKS –OF THE CODE OF THE BOROUGH OF HAMBURG TO PROHIBIT THE CONSTRUCTION, PLACEMENT OR ERECTION OF DEVICES, STRUCTURES OR EQUIPMENT FOR RECREATIONAL ACTIVITIES ON PUBLIC STREETS.

Motion by Councilwoman Oehler, seconded by Councilman Krasnomowitz for Attorney Clemack to read the Ordinance by title. All in favor.

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 August 6, 2012 meeting and published as provided by law.

PUBLIC HEARING

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

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

RESOLUTIONS:

No. 2012-31 – Procedural Manual (to be discussed under Mayor)

ATTORNEY HOUR:

1. Correspondence from the Tax Assessor regarding questions on certain parcels of property. Attorney Clemack informed the Council that the tax assessor brought to his attention that since 1997, there is property located in Hamburg but being taxed in Hardyston. Hamburg should be receiving some division of the tax property. Attorney Clemack will contact the tax assessor for further discussion on this matter on how to proceed.

EXECUTIVE SESSION RESOLUTION: *No Executive Session*

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.

ENGINEERING:

1. 2011 Road Resurfacing Project – Payment Application #1 - \$161,970.55

Council is in receipt of a payment application #1 in the amount of \$161,970.55 for the 2011 road resurfacing project.

Motion by Councilman Krasnomowitz, seconded by Councilman Law to approve said payment.

Roll Call:

- Ayes: Barr, Krasnomowitz, Law, Oehler, Sena
- Nays: None

Abstain: None
Absent: Kelly

2. Orchard Street Drainage Improvements – Payment Application #3 - \$88,281.60
Council is in receipt of a payment application #3 in the amount of \$88,281.60 for the Orchard Street Drainage Improvements.

Motion by Councilman Barr, seconded by Councilman Law to approve said payment.

Roll Call:

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

3. Rt. 23 Water Main Project

Mayor Marino stated that the water main project for Rt. 23 has gone out to bid for October, will not be involving the DOT as it will not be on the highway, and hopefully will be completed before winter.

MAYOR'S AGENDA:

1. Best Practice Worksheet – Best Practice Worksheet will be submitted as per DCA regulation. Mayor Marino reiterates that the Best Practices Worksheet was completed and Hamburg is in full compliance.

2. Hamburg Housing Rehabilitation Program -Draft Policy and Procedural Manual.

Mayor Marino stated that the rehabilitation program, the small cities grant, is back in effect within the Borough as there is now money available in the grant to do so.

Motion by Councilman Krasnomowitz, seconded by Councilman Law to approve the draft policy and to approve Resolution # 2012-31 adoption of Procedural Manual. All in favor.

3. Correspondence from Hardyston Township regarding Inter-Connection of Public Water System
Mayor Marino discusses with the Council correspondence from Hardyston regarding the possibility of Hamburg selling water to them. At the moment Water Superintendent Jerry Kastner is not recommending to do so until Well #3 is repaired and refurbished. A memo from the BPW regarding this was given to each Council member for their review. Mayor Marino would like to support the BPW on this and continue discussions.

Motion by Councilman Law, seconded by Councilwoman Oehler to continue on with the upgrade of Well #3 as recommended by the BPW. All in favor.

4. Correspondence from Jan Wright regarding the New York City Marathon on November 4, 2012. Former Police Chief Jan Wright is participating in the New City Marathon and asking for a financial donation with the money going to assist families and training officers for the National Center for Missing and Exploited Children.

Motion by Councilman Barr, seconded by Councilman Law to give \$100.00 as a donation. All in favor.

5. Hamburg Day

Mayor Marino commended all about the great steps taken for Hamburg Day. All departments, Recreation, Fire, EMS, Municipal, Road, Police, did a great job for the day to run so smoothly. The entertainment was terrific, the games, food, vendors, and people attending; everyone and everything was great and everything ran ok. Of course there were a few issues to correct: the bathrooms kept locking, and it would be nice to have a playground. But, all in all, it was a great day.

COMMITTEE REPORT

COUNCILMAN SENA

1. FINANCE / TAX DEPARTMENT

2. The Tax Collector’s report for July 2012 showed a total of \$995,500.68 being collected.

Council is in receipt of a Resolution to redeem third party tax sale certificate #12-002 in the amount of \$79,941.56 for Block 7, Lot 22.

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

3. POLICE COMMISSIONER

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

Monthly report August

The August 2012 monthly report for the Police Department showed 985 calls of service, including 147 investigative reports, 10 arrests, 9 motor vehicle accidents, and 101 motor vehicle summonses issued.

Director Yahm stated that the SLAP team is in the process of painting the downstairs ceiling and walls. By the end of the month he hopes to have the cabinet upgrades done also. The officers requested new uniforms so will begin changing over their uniforms with their uniform allowance budget, so by April 2013 this will be in place. The clothing fundraiser for Jr. Police raised \$250.00 and went very smoothly, with little effort on the department’s part. At the moment, Director Yahm is interviewing 12 or so candidates out of 130 plus applications received for the two open positions in the department. He has also received FBI security clearance and stated only one other person in the county has this clearance.

Motion by Councilwoman Oehler, seconded by Councilman Law to close to Director Yahm. All in favor.

4. BOARD OF HEALTH

Next meeting to be held on October 9, 2012

COUNCILMAN KELLY:

No report given

- 1. BUILDING AND GROUNDS
- 2. WATER QUALITY
- 3. BOARD OF PUBLIC WORK
- 4. SOLID WASTE ADVISORY

COUNCILWOMAN OEHLER

3. RECREATION

Councilwoman Oehler also reiterates that Hamburg Day was a success and the day went very smoothly, that the rec committee worked very hard to put the day together with all the events, vendors, and games. She thanked everyone for their help.

COUNCILMAN LAW:

1. FIRE COMMISSIONER - OEM

There were 15 calls for the month, with a total of 30.98 man hours.

3. RECYCLING AND SANITATION

Councilman Law informed the Council that on September 22nd from 9 AM – 3 PM in Wharton, there will be a recycling day benefit for barnyard animals.

COUNCILMAN KRASNOMOWITZ:

1. OFFICE ADMINISTRATION

Shared Service notices from Hardyston Township regarding the Littell Center and Recreational Services Councilman Krasnomowitz said that hopefully now that summer is over and things will be settling down, talks with Hardyston regarding the Littell Community Center and Recreational Shared Services could resume again.

2. CONSTRUCTION DEPARTMENT

Construction report for July 2012

Councilmember Krasnomowitz advised that there were 8 permits issued, 2 certificate of occupancy, and 0 certificates of approvals with a total of \$761.00 collected in fees for the month of July.

Councilman Krasnomowitz compared the total fees from July 2011 and July 2012 and as there was a decrease in the fees was not very encouraged with the building growth.

3. LAND USE BOARD

The meeting was cancelled as there is no activity.

4. INSURANCE

Councilman Krasnomowitz stated that informational notices were received that The Morville Insurance Agency has teamed up with Bollinger Insurance.

**Councilman Krasnomowitz also attended Hamburg Day and commended the Rec Committee for a great day they put together and how many activities they had going on. People kept asking him how much everything cost and he kept answering "free" and they were surprised that everything was free!

COUNCILMAN BARR

2. ROAD DEPARTMENT

Councilman Barr brings up that the equipment that is stored at the pavilion needs some sort of protection during the winter months, so he is looking into that with the foreman.

3. HISTORIC COMMISSION / HISTORIC SOCIETY

Councilman Barr said that changes were made on the welcome signs with Geddis Signs and hopefully in the Spring 2013 they will be ready to be put in place. Councilman Barr is also working on the street signs.

Councilman Barr stated that the Historic Commission is working on a draft of making Main Street a historic street.

The Historic Society is dedicating the Hamburg High School, built in 1912, but open in 1913, with a marker.

**Councilman Barr also reminded everyone about the Fire Dept. golf outing that will be taking place on September 24th and that they still had openings for golfers.

**Councilman Barr also stated what a beautiful day Hamburg Day was and what a success it was. He did get some information on the playground equipment so hopefully by the Spring of 2013 that could be installed at the fields.

PUBLIC PORTION:

Motion by Councilman Barr, seconded by Councilwoman Oehler 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.

Jerry Reina – Village Drive – crossing guard – was always positioned at Rt. 94 and Wallkill Ave and this school year is now at Gov. Haines and Rt. 23, and feels this is a waste of taxpayers' money as there is no one to cross. He also questioned the 20 hour training course for crossing guards and knows of two substitute guards that have not had the training. Attorney Clemack does not know off hand about the hours needed for

training. Mayor Marino stated that the Director is in charge and that Mr. Reina will need to take up the matter with him.

Tom Thiessen – Main Street – stated that once a week he has to go to various businesses to find out who is blocking the driveway space of his building so that he is able to get out of his garage. He is asking if the town can strip the road in addition to putting up the signs, which seem to be confusing and not effective. Council agrees. Road Dept. Foreman will get prices for stripping and be in contact with Councilman Barr. If necessary, a phone vote will be taken on the cost so that another month does not have to pass before action is taken on the matter.

Mr. Thiessen also asked if the newsletter could be mailed to rental units as it only goes to landlords. After some discussion, Council decided that it would be too costly to do a separate mailing, especially when it is on the website and the newsletter is available at town hall.

Director Yahm advised the Council that the Police Dept. will be participating in the prescription drug drop-off program, handled by the DEA, September 29th through October 1st from 10 AM – 1 PM at the Police Dept.

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

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

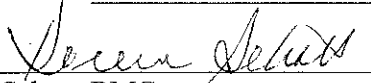
1. NJLM – Information on Pre Conference registration. (8/15/12)
2. NJLM Business meeting at the 97th Annual League Conference (8/15/12)
3. Notice regarding COAH and the Appellate Court Restrains (8/15/12)
4. From the State of NJ – DOT FY 2012 State Aid Programs (8/10/12)
5. Notice regarding the DEP Waiver rule ((8/10/12)
6. DEP –NEWS Release regarding NJ Clean Vessel Act. (8/10/12)
7. Email from Greg Gorman requesting support to Ban Fracking Waste in NJ.(8/1/12)
8. Informational correspondence from Tax Assessor to State of NJ regarding Tax Map progress (8/15/12)
9. NJLM – League of Professional Development Seminar (
10. From Sussex County Health Screening Clinic Schedule for 2012 8/24/12)
11. From JCPL notice of hearing – tariff and rate schedule (8/24/12)
12. Correspondence from Tax Assessor to attorney regarding several properties in Hamburg and or Hardyston. (8/24/12)
13. Letter to Public Defender regarding Pension Status (8/24/12)
14. Letter to Prosecutor regarding Pension Status (8/24/12)
15. From Sussex County letter of thanks for the food collected during Hamburg Day 8/24/12)

ADJOURNMENT

Motion by Councilman Barr, seconded by Councilman Law to adjourn the meeting at 8:08 PM. All in favor.

Date Approved: 10-1-12

Date Released: 10-1-12



 Doreen Schott, RMC
 Municipal Clerk

Submitted by Kathy Garrett