

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON NOVEMBER 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., November 5, 2012.

SALUTE TO THE FLAG:

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".

Swearing in of Patrol Officers Dana Black and Jason Tangorra

Resolution #2012 – 40 Patrol Officer Dana Black

Motion by Councilman Law, seconded by Councilwoman Oehler to accept Resolution #2012-40.

Mayor Marino stated that Patrol Officer Dana Black is the first female officer for Hamburg and the town was looking forward to having her on the force.

Roll Call:

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

Borough Clerk Doreen Schott gave the Oath of Allegiance to Patrol Officer Dana Black who was then congratulated by the Borough Council.

Resolution # 2012 – 41 Patrol Officer Jason Tangorra

Motion by Councilman Law, seconded by Councilwoman Oehler to accept Resolution #2012-41.

Roll Call:

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

Borough Clerk Doreen Schott gave the Oath of Allegiance to Patrol Officer Jason Tangorra who was then congratulated by the Borough Council.

October 1, 2012 Regular Meeting Minutes

Motion by Councilman Kelly, seconded by Councilwoman Oehler to approve the October 1, 2012 Regular Meeting Minutes of the Mayor and Council. All in favor.

October 15, 2012 Meeting Minutes

Motion by Councilman Law, seconded by Councilwoman Oehler to approve the October 15, 2012 Meeting Minutes of the Mayor and Council. All in favor.

APPROVAL OF BILLS:

There are two additions to the bill list: to Russell Law for the reimbursement for the recycling cleanup day in the amount of \$314.09; Kevin Decker for the fire house bathroom cleaning in the amount of \$440.00.

Motion by Councilman Barr, seconded by Councilman Law to add these bills to the bill list for payment. All in favor.

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

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

Roll Call:

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

ORDINANCES:

None

RESOLUTIONS:

No. 2012-39 – Recycling 2012 Tonnage Grant.

Mayor Marino stated that this is a resolution is to apply for the tonnage grant.

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

No. 201 –40 and 41 done under Patrol Officers Swearing In Resolutions completed.

No. 2012–42 – Transfer Resolution

The following resolution was offered:

WHEREAS there appears to be a surplus in the following account over and above the amount deemed necessary to fulfill the purpose of the appropriation for the balance of the year 2012:

From: <i>Water/Sewer Operating Fund S&W</i>	\$100,000.00
<i>PERS OE</i>	\$ 30.00
<i>Unemployment OE</i>	\$ 570.00
<i>Legal OE</i>	\$ 8,000.00

WHEREAS there appears to be insufficient funds in the following account to meet the demands thereon for the balance of the year 2012:

To: <i>Water/Sewer Operating Fund OE</i>	\$100,000.00
<i>PFRS OE</i>	\$ 600.00
<i>Engineering OE</i>	\$ 5,000.00
<i>Dispatch OE</i>	\$ 3,000.00

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of N.J.S.A. 40A:4-59 the surplus in the accounts heretofore mentioned by and same is hereby transferred to the accounts (excepting the appropriation for Contingent Expenses or Deferred Charges) mentioned as being insufficient to meet the current demands and therefore this resolution shall take effect.

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

No. 2012-43 – Chapter 159 Recycling Tonnage Grant

Councilman Law stated that Hamburg received \$5101.39 from recycling this year and thanked Marguerite Nemeth for a wonderful job done.

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

ATTORNEY HOUR:

1. Rescinding of Liquor License Renewal 1909-33-001-011

Liquor License 1909-33-001-011 does not have a Tax Clearance Certificate and even though it is a pocket license with no place to operate out of, the clearance is still needed. A renewal for the license was granted at the October 15th meeting and thereby it is necessary to be rescinded until Tax Clearance is received.

Motion by Councilman Barr, seconded by Councilman Krasnomowitz to rescind the Liquor License Renewal for Francis J. Hinger 1909-33-001-011. All in favor.

2. Hamburg Borough Tax Map and Revaluation update

Mayor Marino gave an update on the tax map and revaluation for the Borough. The Tax Assessor relayed that there are many properties located in Winding Brook that are coming forward for re-evaluations so Ms. Kaman is looking into that, along with Falcon Ridge and Heritage Lakes.

EXECUTIVE SESSION RESOLUTION:

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.

No Executive Session

ENGINEERING:

1. Rt. 23 Water Main Replacement Project

Borough Engineer John Ruschke discussed with the Council that he met with the DOT and it was very favorable. They will allow work to be done during daytime hours, which will save the town a lot of money. There will be lane restrictions – 10' lanes either way. The DOT will allow cold patch, so the town will not have to wait for the asphalt plants to open, we can do small areas at a time, etc. Bids for the project will be received on November 29th, 2012.

MAYOR'S AGENDA:

Mayor Marino talked about the storm and mentioned the Fire Dept., EMS, OEM, and Road Dept. and the great job that they did to help the town and residents make it through the storm. There are still issues, with 224 homes still that have no power and Diane Holder of JCP&L is aware of it. Mayor Marino said that he

calls JCP&L daily. He gave an update that 125 homes would have power back on within 24 hours.

Motion by Councilman Law, seconded by Councilwoman Oehler to open to the public with regards to the storm situation. All in favor.

Gerald Kastner, Water Superintendent – stated that the town did a wonderful job in preparing for the storm. We were very pro-active - the weekend before was spent getting ready for it. No back-up generators were used and the wells and pump stations came through ok.

Mike Schneider, Road Dept. Foreman – said that he was concerned about the wires that were still down, as there was a forecast of snow on Thursday, and he can't plow with wires down.

John Haig, Fire Dept. Chief- stated that on Hillside Ave there are still wires down across the road, there was a medical emergency there and although town personnel made it work, it was a difficult situation.

Sid Crum, OEM – stated that if there was snow, JCP&L could cut the wires for plowing. He also said that on Saturday, the Fire Dept. gave out ice and water, residents were ok, and just wanted heat.

Mayor Marino said that the Police were on every street 1 – 2 times a day. The Fire Dept. set up a warming station at the fire house on Monday, Nov. 5th, where soup and sandwiches would be served, and residents could go to get warm and charge their phones.

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

2. Road Dept. Negotiations

Mayor Marino stated that the negotiations committee for the Road Dept. has a proposal for the Council, so that will be discussed.

COMMITTEE REPORT

COUNCILMAN SENA

1. FINANCE / TAX DEPARTMENT

2. The Tax Collector's report for September 2012 showed a total of \$176,731.20 being collected.

Motion by Councilman Sena, seconded by Councilman Kelly to accept the Resolution to redeem third party tax sale certificate #12-007 in the amount of \$1477.91. All in favor.

3. POLICE COMMISSIONER

Monthly report October 2012

The October 2012 monthly report for the Police Department showed 384 calls of service, including 8 arrests, 11 motor vehicle accidents, and 40 motor vehicle summonses issued.

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

Director Yahm stated that by the end of the December, beginning of January, the new officers would be over the probationary period and on the road. He was excited about having the new officers join the department. The Sussex Elks Club made a \$75.00 donation to Jr. Police due to the volunteerism of Patrolman Chris Nichols.

Director Yahm was also hopeful that by the end of the year the lower level of the building would be completed with the renovations.

Motion by Councilwoman Oehler, seconded by Councilman Kelly to close to the Director. All in favor.

4. BOARD OF HEALTH

Councilman Sena stated that the Board of Health Reorganization meeting will be held on Tuesday, January 8, 2013.

COUNCILMAN KELLY:

Councilman Kelly thanked all the volunteers and professionals who helped throughout the storm. He felt that we were really prepared this time, having a maintenance program for the generators, etc. was beneficial also. Again, he thanked everyone involved.

COUNCILWOMAN OEHLER:

Councilwoman Oehler thanked everyone for the beautiful arrangement sent in memory of her brother and her appreciation for it.

2. EMS

There were a total of 46 calls for the month of October. For the storm, everyone was on call 24/7 and did a great job in responding as needed. Their dedication was appreciated.

3. RECREATION

A Wellness Clinic entitled "How to Know if Your Children Are on Drugs and How You Can Help Them" was scheduled to be held this Wednesday, the 7th, but Councilwoman Oehler is unsure if it is still on. She also mentioned the "Trunk or Treat" was held on October 28th at the Rec Fields, attended by approximately 68 kids, a long parade was formed, pumpkins given out, and everyone had a great time.

COUNCILMAN LAW:

1. FIRE COMMISSIONER - OEM

There were 19 calls for the month of October with a total of 107 man hours.

The Fire Department received an application for Richard Padgett Jr. Although the background check was returned favorable, he does not have a New Jersey Driver's License, and the Police Dept. is requiring that he obtain one.

Motion by Councilman Law, seconded by Councilwoman Oehler to approve the application of Richard Padgett Jr. pending obtaining a NJ Driver's License and a physical. All in favor.

3. RECYCLING AND SANITATION

Councilman Law informed the Council that on October 13th, a recycling clean-up was done with the school and they took a lot of garbage out.

Councilman Law went to the meeting for Andover Dispatching and there will be a lay-off of one full time and one part time personnel in the near future. As of right now, they are not intent on shutting down, but it is possible and they will give us six months' notice.

COUNCILMAN KRASNOMOWITZ:

2. CONSTRUCTION DEPARTMENT

Construction report for September 2012

Councilmember Krasnomowitz advised that there were 5 permits issued, 1 certificates of occupancy, and 9 certificates of approvals with a total of \$480.00 collected in fees for the month of September.

3. LAND USE BOARD

Land Use Board is meeting to give an extension to Paradise Pools.

COUNCILMAN BARR

1. BOARD OF EDUCATION

Councilman Barr stated that due to the hurricane, the Teachers Convention that is usually held in Atlantic City is not being held and the kids will be going to school those two days.

2. ROAD DEPARTMENT

Councilman Barr also thanked all departments for a job well done during and after the storm. EMS did a great job with rescues and neighbors also helped each other out.

3. HISTORIC COMMISSION / HISTORIC SOCIETY

The dedication for the marker for Hamburg High School went well. Some graduates of the school attended, along with the Mayor, who said a few words. Mike Schneider will place the marker when he is able, after the storm damage is cleared.

PUBLIC PORTION:

Motion by Councilman Law, 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.

Director Yahm - Stated that there were issues at the Sunoco Station after the storm when deliveries of gas arrived. Things did get better and more orderly, especially today, with the odd / even license plate numbers; people were very cooperative.

John Haig – Fire Chief – questioned the Andover Dispatching and that we would have to change out repeaters / equipment? He was advised that is what the 6 month notice would be for.

Mike Schneider – Road Dept. Foreman – asked if the town was done using the rec fields / pavilion now so that he could close them up. He was advised that there is soccer going on until Thanksgiving.

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

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

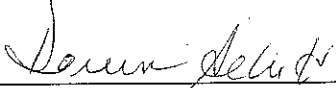
1. Copy of July 2012 Board of Health Minutes (10/12/2012)
2. Copy of June 2012 Land Use Board Minutes (10/12/2012)
3. Copy of Land Use Board resolution for Headley application (10/12/2012)
4. Notice of contact information for 4 Michael Court (10/12/2012)
5. Correspondence from Law Firm advising municipalities of OSC Report revealing the noncompliance of municipalities with the Pension system. (10/12/2012)
6. Mayors Advisory – New State Health Benefit Plan Rates (10/12/2012)
7. Information regarding “January is Radon Month” (10/12/2012)
8. NJLM – 15th annual Elected Officials Hall of Fame. (10/19/12)
9. From SCMUA – Proposed 2012 Rate Schedule (10/19/12)
10. Correspondence from Tax Assessor regarding Tax Maps (11/1/2012)

ADJOURNMENT

Motion by Councilman Barr, seconded by Councilman Law to adjourn the meeting at 8:23 PM. All in favor.

Date Approved: 12/3/12

Date Released: 12/3/12



Doreen Schott, RMC
Municipal Clerk

Submitted by Kathy Garrett