

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HAMBURG HELD ON DECEMBER 3, 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 was called to order at 7:30 p.m., December 3, 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: 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".

November 5, 2012 Regular Meeting Minutes

Motion by Councilman Kelly, seconded by Councilwoman Oehler to approve the November 5, 2012 Regular Meeting Minutes of the Mayor and Council. All in favor.

APPROVAL OF BILLS:

A deletion for the bill for Tony Sanchez in the amount of \$4100.00 will be held for clarification. Motion by Councilman Law, seconded by Councilwoman Oehler to hold the bill in the amount of \$4100.00 for Sanchez. All in favor.

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

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

Roll Call:

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

Nays: None
Abstain: None
Absent: None

ORDINANCES:

None

RESOLUTIONS:

No. 2012 – 44 – Municipal Court – Outstanding Check Balances.

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

No. 2012 – 45 – Chapter 159 – Body Armor.

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

Mayor Marino stated that this will now be a line item in the budget in the amount of \$937.83.

ATTORNEY HOUR:

1. FOP/PBA Deductions Dispute

This will be discussed in Executive Session.

2. Reevaluation Update

Attorney Clemack stated that we are at the stage of preparing a proposal to send out to companies to work with for the reevaluation to set up interviews with. The tax assessor will speak to the Council first, ideally at a workshop meeting.

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. FOP/PBA Deductions Dispute

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

ENGINEERING:

1. 2012 Water main Replacement Project – Route 23 - Bid Results

Borough Engineer John Ruschke informed the Council that once again bids were received for the Water Main Replacement Project on Rt. 23 and once again there was a big spread with the bid results. The bid was broken up with the total base and then supplements with an overall total bid, in

case the Council wanted to do part of the project separately. The bid results are as follows: P.M. Construction: \$311,556.00; John Garcia Construction: \$614,184.88; Montana Construction: \$676,888.21. Since P.M. Construction was the low bidder and as Mr. Ruschke has worked with them before and they have done work within the town before (Falcon Ridge sewer extension), Mr. Ruschke is recommending that the bid be awarded to them.

Mayor Marino asked how soon this project would be able to be started and Mr. Ruschke replied that if the weather stayed mild, they could start as soon as it was possible. He also suggested that we move forward now since we do have DOT approval and things are looking good.

Motion by Councilman Kelly, seconded by Councilman Law to accept the bid from P.M. Construction in the amount of \$311,556.00 for the 2012 Water Main Replacement Project – Route 23.

Councilman Krasnomowitz asked about how long it would take to complete once the project started and Mr. Ruschke answered approximately two weeks.

Roll Call:

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

MAYOR’S AGENDA:

1. Hamburg PTA – Request for donation for annual Tricky Tray.
 Council received a request from the Hamburg PTA for a donation for their annual Tricky Tray. Mayor Marino stated that last year’s donation amount was \$100.00.
 Motion by Councilwoman Oehler, seconded by Councilman Law to donate \$100.00 to the Hamburg PTA for their annual Tricky Tray. All in favor.

2. Correspondence from Mr. Laido regarding Main Street parking.
 This will be addressed in the public portion.

3. Council Appointments
 Mayor Marino thanked Councilman Kelly for all that he has done for the Borough and thanked him for the time he served on the Council.

**COMMITTEE REPORT
 COUNCILMAN SENA**

1. **FINANCE / TAX DEPARTMENT**
2. The Tax Collector’s report for October 2012 showed a total of \$659,217.71 being collected.

Motion by Councilman Sena, seconded by Councilman Kelly to accept the Resolution to redeem third party tax sale certificate #12-009 in the amount of \$667.34; and to accept the Resolution to redeem third party tax sale certificate #12-031 in the amount of \$1033.90. All in favor.

Motion by Councilman Sena, seconded by Councilman Kelly to accept the Resolution for overpayment for Block 10 Lot 9 in the amount of \$202.02. All in favor.

3. POLICE COMMISSIONER

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

Monthly report November 2012

The November 2012 monthly report for the Police Department showed 320 calls of service, including 9 arrests, 11 motor vehicle accidents, and 57 motor vehicle summonses issued.

Director Yahm stated that the field training for the new officers is going very well and no later than January 15th, they should be on their own. The renovations in the downstairs portion of the police station are going well and should be finished soon.

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

Resignation Special Officer Roy Souther

Council is in receipt of the Resignation Special Officer Roy Souther.

Motion by Councilman Sena, seconded by Councilwoman Oehler to accept the resignation.

Councilman Law asked if this were a full resignation and was answered yes.

All in favor.

4. BOARD OF HEALTH

Hamburg Animal Control and Pound Contract for 2013.

Motion by Councilman Sena, seconded by Councilman Law to accept the Wantage Animal Control and Pound Contract for 2013 in the amount of \$10,910.00, which represents a 2% increase in the amount charged from 2012.

Motion by Councilman Sena, seconded by Councilman Law to approve the contract as received.

All in favor.

Munidex, Inc. Annual 2013 Software Contract for animal licensing.

Council received the annual 2013 Software Contract for animal licensing.

Motion by Councilman Sena, seconded by Councilman Barr to approve the 2013 Munidex, Inc. Software Contract for animal licensing at a cost of \$388.20. All in favor.

COUNCILMAN KELLY:

3. BOARD OF PUBLIC WORK

Generator Contract – January 1, 2013 – December 31, 2013.

Councilman Kelly stated that the Council is in receipt of the generator contract from Kraft Power, which included all ten (10) generators for the town, to be maintained twice yearly of planned service. Water Superintendent Jerry Kastner reviewed the contract and together with the Board of Public Works is recommending that the Council approve the contract.

Motion by Councilman Kelly, seconded by Councilman Law to approve the Kraft Power Generator Contract for January 1 – December 31, 2013. All in favor.

Councilman Kelly also informed the Council that the BPW / Road Dept. will no longer be putting out door hangers when it comes time for water disconnections. Residents receive plenty of notice to pay their water/sewer bill, so the Board decided to eliminate this notice.

The Board is also reviewing the Ordinances and will recommend changes if needed.

COUNCILWOMAN OEHLER:

2. EMS

Councilwoman Oehler stated that there were 33 EMS calls for the month of November. She also said that the EMS building is totally in the dark when power is lost, making it difficult to respond to a call and is recommending putting in a generator in the building. Council did not realize that and will look into it.

Update on proposed new ambulance.

Councilwoman Oehler said that they are looking at an ambulance that has the same specs as Rig 1, except they would like to put on a back – up camera, drop chains, heated mirrors, and a stair chair compartment. Councilwoman Oehler also said that this would not be under a state contract.

3. RECREATION

Councilwoman Oehler informed the Council that the rec storage building is in really bad shape and the electric not working also. Discussion took place about the best way to handle this, with more discussion to follow.

COUNCILMAN LAW:

1. FIRE COMMISSIONER - OEM

There were 14 calls with a total of 76.78 man hours logged.

Councilman Law thanked Councilman Kelly for all he did for the town and for all the help he gave him when he first came on the Council.

COUNCILMAN KRASNOMOWITZ:

2. CONSTRUCTION DEPARTMENT

Construction report for November 2012

Councilmember Krasnomowitz advised that there were 12 permits issued, 0 certificates of occupancy, and 8 certificates of approvals with a total of \$3150.00 collected in fees for the month of October.

3. LAND USE BOARD

There is no meeting scheduled as there is no new business.

The Delta Gas station is open for business.

Councilman Krasnomowitz asked Road Dept. Forman Schneider to remove the soccer nets from the rec fields as soccer is finished for the season.

COUNCILMAN BARR

No updates to report

1. BOARD OF EDUCATION

2. ROAD DEPARTMENT

3. HISTORIC COMMISSION / HISTORIC SOCIETY

PUBLIC PORTION:

Motion by Councilwoman Oehler, seconded by Councilman Law 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.

Ron Garrett – Vernon Ave – asked Mr. Ruschke if there would be any night work involved with the Rt. 23 project and was answered no, it would be done during the day. Mr. Garrett also asked Councilman Kelly if the new generator was included in the Kraft Power contract and was answered yes.

Mike Schneider – Road Dept. Foreman – said that part of the rec building was also used by the Road Dept. to keep a truck in it and that the electric was upgraded last year.

Karl Brennan – EMS Captain – stated that he did not want to repair the ambulance, hoping not to have to spend money on it. The new one will cost approximately \$130,000.00 – 160,000.000. When asked about grants, Mr. Brennan replied that there was nothing available at the time. Mayor Marino suggested that we would have to bond for the purchase. Discussion included giving Attorney Clemack the specs to get it moving for the January meeting. Mr. Brennan explained that it is not under State Contract as all ambulances will have different warranties. Once awarded, we will have the ambulance in around 60 days.

M. Laido – Main Street – has had an empty apt. on Main Street for approximately 1 ½ years and believes it is due to a parking issue. He stated that there is no place for tenants to park directly in front of the building, that no one wants to walk, and wants to know what the Council will do for him. Council stated that since he has owned the building for the past 10 years, things have changed, so the Council has had to make changes also. Mr. Laido said that he should not have had a vacancy this long, his tenants should be issued parking passes or something so that he is able to rent his apt. Council feels they have to do what is best for the entire town and have done so.

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

EXECUTIVE SESSION RESOLUTION:

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

Motion by Councilman Barr, seconded by Councilwoman Oehler to enter into Executive Session at

8:27 PM. All in favor.

Council discussed the PBA & FOP

Motion by Councilman Law, seconded by Councilwoman Oehler to return to the Regular Meeting at 8:42 PM. All in favor.

Councilman Krasnomowitz asked about the remaining political signs on the road and if we were able to take them down. The town could make a complaint to the DOT.

Councilman Barr said that the guardrail on Oak Street was installed.

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

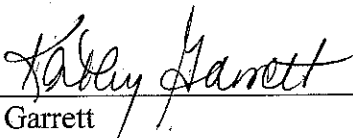
1. Copy of resolution from Land Use Board matter of Kirit Patel (11/16/12)
2. Copy of Land Use Board October minutes (11/16/12)
3. Correspondence regarding cell tower. (11/16/12)
4. Correspondence regarding fire chief's authority at fire scene. (11/29/12)
5. Correspondence regarding Project Status Bridge E-07 Franklin viaduct) (11/29/12)
6. From Sussex County information regarding form for property owners to report storm damage 911/29/12)
7. Mayors Fax Advisory – Orientation for newly elected, re-elected officials (11/29/12)
8. NJLM – 2012 – 2013 Elected Officials Handbook. (11/29/12)

ADJOURNMENT

Motion by Councilman Krasnomowitz, seconded by Councilman Law to adjourn the meeting at 8:43 PM. All in favor.

Date Approved: 1-7-2013

Date Released: 1-7-2013



Kathy Garrett
Deputy Clerk