

BOROUGH OF HAMPTON

REGULAR MEETING MINUTES

September 14, 2020

This meeting was held in person and was open to the Public.

Mayor Shaner called the Regular Meeting of the Hampton Borough Council to order at 7:30p.m. Mayor Shaner gave the Open Public Meetings Act Statement. . This meeting was held in compliance with the Open Public Meetings Act. The Annual Notice was adopted on January 6, 2020 and was published in the Hunterdon Democrat on January 09, 2020. The Annual Notice has been posted on the public bulletin board and has been filed in the Office of the Municipal Clerk.

Mayor Shaner asked all to rise for the flag salute.

After the flag salute Mayor Shaner asked to observe a moment of silence to remember those who were lost on September 11, 2001.

Roll Call:	Present:	Mayor Shaner	Bob Baker
		John Drummond	Doug Rega
		Carroll Swenson	Jeff Tampier
		Rob Wotanowski	

The following people were also present: Richard Cushing, Borough Attorney, Alan Brower, DPW Director, and Kathy Olsen, CFO.

Cm. Rega made a motion to approve the following minutes as presented, second by Cm. Swenson:

Minutes of the August 10, 2020 - Regular Meeting
Voice Vote All ayes: Motion carried.

Comments and Questions from the Public:

Fire Chief Rick Allen reported that the Fire Company has responded to 93 fire calls so far this year. Mr. Allen also reported on the amounts received through EF Recovery.

Borough Clerk Leidner inquired if the Fire Company will be hosting the Halloween Parade. Chief Allen noted that as long as it is allowed the annual parade will be held on Halloween, Saturday October 31. Mr. Allen also noted that alternate plans are in place should the Governor not allow Trick or Treating due to Covid-19 concerns.

Communications:

None

Old Business:

Second Reading & Public Hearing of the following Ordinances:

07-2020 – ORDINANCE TO REPEAL FORMER SECTION 157-83, BUFFERS AND SECTION 157-25 SECTION C OF THE LAND DEVELOPMENT CODE OF THE BOROUGH OF HAMPTON

Motion by Cm. Baker, second by Cm. Drummond to open the Public Hearing on Ordinance no. 07-2020.

Roll Call Vote: Aye: Baker, Drummond, Rega, Swenson, Tampier, Wotanowski

All Ayes: Motion carried.

There were no comments or questions from the public. Mayor Shaner closed the Public Hearing.

Motion by Cm. Baker second by Cm. Wotanowski to open the Public Hearing on Ordinance 08-2020.

08-2020 – ORDINANCE TO AMEND CHAPTER 235 WATER UTILITY OF THE CODE OF THE BOROUGH OF HAMPTON

ORDINANCE #08-2020

**ORDINANCE AMENDING CHAPTER 235 WATER UTILITY OF THE CODE OF
THE BOROUGH OF HAMPTON**

WHEREAS, the Borough of Hampton has recommended an increase to customers’ base water rates;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Hampton that Chapter 235 entitled “Water Utility” of the Code of the Borough of Hampton (“Code”) is hereby amended, in part, as follows:

SECTION 1 Amending Section 235-7 – Fees; connections. Paragraph A is hereby deleted in its entirety and replaced as follows: (additions indicated in boldface and italics *thus*; deletions indicated with strike-through ~~thus~~):

§ 235-7. Fees; connections

A. Water use fees.

(1) Effective July 1, 2020, the following water use fees apply for residential water use:

- a. The minimum charge for residential water use up to 4,000 gallons shall be \$92.25 per quarter. The charge for residential water use above 4,000 gallons and up to 10,000 gallons shall be \$110.50 per quarter.*
- b. The charge for additional residential water furnished above 10,000 gallons shall be \$8.90 per 1,000 gallons.*

SECTION 2. Water Main Connection Charges Subsection G, repealed September 27, 2004, by Ordinance No. 14-04, will be added as follows:

G. Oversize tap charges. If a connection charge is due in accordance with subsection F of these regulations and the tap therefore exceeds ¾ inch, the following schedule of charges shall be applicable:

<i>Water Main Connection Tap (Inches)</i>	<i>Charge</i>
<i>1</i>	<i>\$1,100.00</i>
<i>1.5</i>	<i>\$1,500.00</i>
<i>2</i>	<i>\$1,700.00</i>

Remaining size connection fees shall be calculated through engineering fees and estimates.

SECTION 3. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. This Ordinance shall take effect on July 1, 2020 and upon final passage and publication according to law.

Roll Call Vote: Aye: Baker, Drummond, Rega, Swenson, Tampier, Wotanowski
All Ayes: Motion carried.

There were no comments or questions from the public. Mayor Shaner closed the Public Hearing.

Motion by Cm. Swenson, second by Cm. Baker to Adopt Ordinance No. 08-2020.

Roll Call Vote: Aye: Baker, Drummond, Rega, Swenson, Tampier, Wotanowski
All Ayes: Motion carried.

Lumberyard Property – Proposal from Engineering & Land Planning to complete required testing for remedial actions.

Motion by Cm. Rega, second by Cm. Baker to authorize the Mayor to execute the proposal from Engineering and Land Planning to complete required testing for remedial actions.

Roll Call Vote: Aye: Baker, Drummond, Rega, Swenson, Tampier, Wotanowski
All Ayes: Motion carried.

Police Shared Services – Crossing Guard Status. Borough Clerk Linda Leidner explained that she and Chief Kubinak of the Town of Clinton Police Department, interviewed candidates for the position. Once the initial background checks come back the names will be presented to the Borough Council for appointment.

DPW Director Alan Brower offered to have one of the DPW employees be trained with the new crossing guards so that they can provide backup in case of an emergency. The members of the Borough Council agreed that this would be a great idea.

Cm. Baker, Cm. Tampier & Cm. Rega had no reports at this time.

New Business:

Introduction of the following Ordinance:

Motion by Cm. Drummond; second by Cm. Baker to approve the following Ordinance 09-2020 to be read by title and setting Public Hearing for September 28, 2020:

09-2020 – BOND ORDINANCE PROVIDING FOR A SUPPLEMENTAL APPROPRIATION OF \$30,000 FOR THE CONSTRUCTION OF A BACKUP WELL IN AND BY THE BOROUGH OF HAMPTON, IN THE COUNTY OF

HUNTERDON, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$30,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Roll Call Vote: Aye: Baker, Drummond, Rega, Swenson, Tampier, Wotanowski
All Ayes: Motion carried.

Motion by Cm. Baker, second by Cm. Swenson to adopt the following resolution:

RESOLUTION NO. 79-2020 – RESOLUTION REQUESTING GOVERNOR MURPHY TO RECONSIDER HIS EXECUTIVE ORDER NO. 177 AND ALLOW INDIVIDUALS TO VOTE IN PERSON IF THEY CHOOSE TO DO SO

RESOLUTION NO. 79-2020

WHEREAS, on August 14, 2020, Governor Phil Murphy signed Executive Order No. 177, requiring that every active registered voter be mailed a vote-by-mail ballot for the November General Election; and

WHEREAS, while the Hunterdon County Freeholder Board does not have jurisdiction overseeing elections, the Board has received numerous emails and phone calls from concerned residents about an all vote-by-mail November General Election; and

WHEREAS, voting is a sacred democratic right that has been secured through social movements, protected in the courts, and preserved on the battlefield by American veterans, and voters have a right to expect confidence in their choice of voting; and

WHEREAS, the Hunterdon County Clerk and Hunterdon County Board of Elections have and continue to do an outstanding job of educating voters about the vote-by-mail process including offering extensive resources on social media; and

WHEREAS, Hunterdon County Clerk Mary H. Melfi wisely called upon Governor Murphy to give voters the choice of in-person or vote-by-mail voting for the November General Election several weeks ago; and

WHEREAS, if it has been deemed safe for individuals to wait in long lines at Wal-Mart, the New Jersey Motor Vehicle Commission, grocery stores, and to gather at the Jersey shore then surely it is safe enough for voters to cast their ballots in person should they chose to do so; and

WHEREAS, Dr. Anthony Fauci, America's leading expert on infectious diseases has stated that in-person voting is permissible with the proper protocols in place; and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Hampton, Hunterdon County, New Jersey calls upon Governor Murphy to reconsider his executive action and to allow for individuals to vote in-person should they chose to do so; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Senate President Steve Sweeney, Senate Minority Leader Tom Kean, Assembly Speaker Craig Coughlin, Assembly Minority Leader Jon Bramnick, and members of the 15th, 16th, and 23rd Legislative Districts.

Voice Vote: All ayes, motion carried,

Motion by Cm. Baker, second by Cm. Drummond to adopt the following resolution:

RESOLUTION NO. 80-2020 – GOVERNING BODY CERTIFICATION OF ANNUAL AUDIT
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT
RESOLUTION NO. 80-2020

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C 5:30-6.5, and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Hampton, hereby states that it has complied with N.J.A.C. 5:30-6.5, and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Roll Call Vote: Aye: Baker, Drummond, Rega, Swenson, Tampier, Wotanowski
All Ayes: Motion carried.

Motion by Cm. Baker, second by Cm. Rega to adopt the following resolution:

RESOLUTION NO. 81-2020 – REFUND OF PARK RENTAL FEE DUE TO COVID-19 CONCERNS

REFUND OF PARK RENTAL FEE DUE TO COVID-19 CONCERNS

WHEREAS, Chris Butler submitted a Park Rental Application on behalf of the Terry Butler Memorial Scholarship fund and paid the necessary fees to hold its annual 5K Race Baby and using the Borough Park on October 4, 2020, and

WHEREAS, due to health concerns due to the COVID-19 Pandemic it would be in the best interest of all involved to cancel to event.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Hampton, County of Hunterdon and State of New Jersey, that a check in the amount of \$225.00 be issued to Chris Butler,

Terry Butler Scholarship Foundation, PO Box 537, Hampton, NJ 08827 by the Chief Financial Officer refund the Park Rental Fees collected.

Roll Call Vote: Aye: Baker, Drummond, Rega, Swenson, Tampier, Wotanowski
All Ayes: Motion carried.

CREATION OF SCHOOL STUDY SUB-COMMITTEE – Members of the Borough Council discussed the need to create a committee that will begin to do research into what steps need to be taken to help take the financial burden off the residents of the Borough of Hampton that is caused by the rising school taxes created by the Hampton Public School. The committee will be made up of 3 council members, possibly the Tax Assessor and Kathy Olsen, CFO. Mayor Shaner will reach out to the school to set up a meeting with the Superintendent, Business Administrator and Principal to ascertain what their thoughts are for the future of the school and to try and get a better understanding as to why the tax increase was so high for two years in a row.

REPORTS OF COMMITTEES

Cm. Swenson: Alan Brower, Water Operator, reported that Dave Chanda from Suburban Consulting will start the project of mapping the water system which is a requirement of the Asset Management Plan.

Cm. Drummond reported that the Main Street construction project has started. Top Lie began at Valley Road and is moving towards the Firehouse replacing sidewalks and driveways to make them ADA compliant.

Patrick Brennan, Borough Engineer noted that some areas of sidewalks, driveways and curbing will be left as is if they are intact.

Cm. Drummond also inquired as to whether the Borough should look into selling some of the properties that are owned by the town and get them back on the tax rolls. The members of the Borough Council agreed that this is definitely something that should be looked into.

Cm. Wotanowski reported that William Fleck has started work on his Eagle Project at the Veteran's Park and there is still a lot left to do. Mr. Brower and Mr. Allen met with Mr. Fleck on Saturday to help figure out a problem with a slope in the back of the property, some modifications need to be made to the original plans to adjust for the slope.

Cm. Wotanowski also reported that the Musconetcong Watershed Association sent a letter requesting support from the Borough of Hampton and surrounding Municipalities. They are looking to obtain a grant to address bacterial contamination from homes that have septic systems in the Musconetcong River Watershed area. The members of the Borough Council requested that Nancy Lawler from the MWA attend the next meeting so that the members could ask question regarding this request. Cm. Wotanowski will reach out to Ms. Lawler.

Cm. Baker, Cm. Tampier & Cm. Rega had no reports at this time.

Motion by Cm. Baker, second by Cm. Rega to approve the following Raffle License Application:

Application for a Raffle License from the Hampton Fire Company Ladies Auxiliary for an off Premise Raffle No. 04-2020 to be held on October 15 2020 and Raffle License No. 05-2020 to be held November 12, 2020.

Voice Vote: All ayes.

Motion carried.

Motion by Cm. Rega, second by Cm. Wotanowski to approve the CFO to pay bills as presented on the bill list of September 14, 2020 and authorizing the CFO to pay bills between meetings.

Roll Call Vote: Aye: Baker, Drummond, Rega, Swenson, Tampier, Wotanowski

All Ayes: Motion carried.

Adjournment: Motion by Cm Swenson, second by Cm. Baker to adjourn the Regular Meeting of the Hampton Borough Council. Voice Vote: All ayes, motion carried. The meeting adjourned at 8:37p.m.

Respectfully submitted,

Linda Leidner, RMC
Municipal Clerk