

**HAMPTON TOWNSHIP COMMITTEE
MINUTES
APRIL 10, 2012**

THE MINUTES HAVE NOT BEEN FORMALLY APPROVED AND ARE SUBJECT TO CHANGE OR MODIFICATION AT THE NEXT REGULARLY SCHEDULED MEETING.

FLAG SALUTE: Mayor P. Yetter led the Flag Salute at 7:01 PM

ROLL CALL: Committeeman D. Coranoto, Committeeman D. Hansen, Committeeman K. Gourlay, and Mayor P. Yetter. **Also Present:** Township Administrator E. Klose. **Absent:** Committeeman T. Dooley.

STATEMENT- Mayor Philip Yetter stated that the meeting was being held in compliance with the provisions of P. L. 1975, Ch. 231, Secs. 4 & 13 the Sunshine Law, adequate notice of the meeting has been published in the New Jersey Herald being the Sunday and Daily editions as to time, place, and date, and is posted in the usual location of posted notices in the municipal building.

CONSENT AGENDA – Mayor Philip Yetter stated that all items with an Asterisk (*) are considered routine and non-controversial by the Committee and will be approved by one motion. There will be no separate discussion of these items unless a citizen or Committee Member requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

- **Minutes** – March 27, 2012

- **Correspondence**

1. Township Administrator E. Klose – Letter to Sheriff Michael Strada
Re: Hampton Day SLAP Team Clean Up
2. NJLM Legislative Bulletin – March 2012
3. Hampton Township Zoning Board of Adjustment – April 5, 2012
Agenda; March 1, 2012 Minutes

- **Reports**

1. Hampton Township Construction Official – Permit Activity Report
March 2012
2. Tax Collector's Report – March 2012

- **Resolutions**

1. Hampton Township Resolution Opposing Senate Bills 1451 and 1452

APPROVAL OF THE CONSENT AGENDA

Committeeman D. Coranoto requested that Correspondence #2 be removed from the Consent Agenda for further consideration.

A MOTION was made by Committeeman D. Coranoto and seconded by Committeeman K. Gourlay, with all members in favor, to approve the Consent Agenda as listed above with the item referenced removed for further consideration.

Correspondence #2: NJLM Legislative Bulletin – March 2012- Committeeman D. Coranoto referenced several pending Bills that were highlighted in the March issue of the NJLM Legislative Bulletin. He expressed concern about the potential impact that these laws could have on local governments and NJ residents if passed. Committeeman D.

Coranoto stated that township officials will be closely monitoring the progress of A189, A1336, A2287, and A229.

A **MOTION** was made by Committeeman D. Coranoto and seconded by Committeeman D. Hansen, with all members in favor, to accept Correspondence #2 on the Consent Agenda.

REGULAR AGENDA

RESOLUTIONS

A **MOTION** was made by Committeeman D. Coranoto and seconded by Committeeman D. Hansen, with all members in favor, to table the following resolution until the next regularly scheduled Township Committee Meeting scheduled on April 24, 2012.

**GREEN TOWNSHIP JOINT COURT RESOLUTION – RESOLUTION
APPROVING THE BUDGET COST ALLOCATION FOR THE TOWNSHIPS
OF GREEN, FREDON, HAMPTON AND THE BOROUGH OF ANDOVER
(THIS RESOLUTION WAS TABLED AT THE MARCH 27, 2012 MEETING)**

A **MOTION** was made by Committeeman D. Hansen and seconded by Committeeman D. Coranoto, with all members in favor, to adopt the following resolution.

**HAMPTON TOWNSHIP RESOLUTION SUPPORTING A-2717
EXTENDING THE TIME PERIOD FOR MUNICIPALITIES TO
COMMIT TO EXPEND COLLECTED DEVELOPMENT FEES AND
PAYMENTS-IN-LIEU OF CONSTRUCTION AFFORDABLE UNITS**

WHEREAS, P.L. 2008, c. 46 established a four (4) year timetable for municipal housing trust dollars to be “committed for expenditure, or risk forfeiture to the State”; and

WHEREAS, the 2008 Act did not define the term “committed for expenditure” and deferred to the Council on Affordable Housing (COAH) to promulgate regulations as to the requirements to be met for “committee” as well as a timetable for expenditures; and

WHEREAS, neither COAH nor the Department of Community Affairs (DCA) has adopted, nor proposed, the regulations pursuant PL 2008, c. 446; and

WHEREAS, hundreds of municipalities submitted spending plans to COAH, of which only a fraction of these plans were reviewed by the agency, and most of these municipalities have not been provided any guidance on their spending plans; and

WHEREAS, at the time of 2008 Act, COAH was prepared to adopt its “3rd round regulations” establishing municipal obligations under the “Fair Housing Act”; and

WHEREAS, COAH’s 3rd round regulations were highly controversial and fundamentally flawed, and subsequently set aside by the Appellate Division, and the appeal of that decision now awaits consideration by the State Supreme Court; and

WHEREAS, eight (8) years of litigation over COAH’s methodology has had a chilling effect not only on the development of affordable housing, but on the ability of local governments to commit trust fund dollars without knowledge of their respective obligations and certainty that such commitment would count towards its housing obligation; and

WHEREAS, forfeiture of trust fund dollars starting in July 2012 would be fundamentally unfair, inequitable and indefensible since neither COAH nor DCA has provided the required guidance or certainty; and

WHEREAS, these trust fund dollars should be used as intended: to subsidize the costs for municipalities in meeting their affordable housing obligations while assuring that these costs do not fall to local taxpayers; and

WHEREAS, forfeiture of these dollars, estimated by some to be as much as \$200 million, would displace this financial obligation to the taxpayers in these communities.

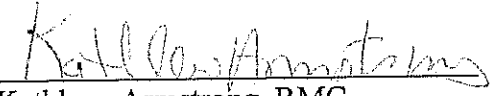
NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Hampton urges our State Legislators to **support and approve A-2717**, which will provide a four (4) year extension for municipalities to commit the municipal housing trust fund dollars; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the sponsor of A-2717, Assemblyman Anthony Bucco, Senator Steven Oroho, Assemblyman Gary Chiusano, Assemblywoman Alison McHose, members of the Assembly Housing and Local Government Committee, the New Jersey State League of Municipalities and the Office of the Governor.

CERTIFICATION

I hereby certify that the above Resolution was adopted by the Township Committee at their regular meeting held April 10, 2012, at the Hampton Township Municipal Building, Baleville, Sussex County, New Jersey.

Date: 4/10/12


Kathleen Armstrong, RMC
Township Clerk

Administrator E. Klose stated that she spoke with SCARC Director Mr. R. Letcher regarding the possibility of constructing a SCARC Home in Hampton Township. A SCARC facility would benefit SCARC residents, as well as help the township meet certain affordable housing obligation. During their conversation, Mr. Letcher explained that SCARC is currently involved in a project with another municipality. Administrator E. Klose suggested considering the matter again within the next year or two.

A MOTION was made by Committeeman K. Gourlay and seconded by Committeeman D. Hansen, with all members in favor, to adopt the following resolution

**HAMPTON TOWNSHIP DEDICATION BY RIDER RESOLUTION
REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF
LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST
BY RIDER FOR RECREATION TRUST FUND PURSUANT TO PL 1999, C. 292**

In regard to the matter referenced above, Township Administrator E. Klose stated that a Dedication of Rider would allow the Hampton Township Recreation Committee to have a Trust Rider Fund for the purpose of depositing money raised by future fundraising efforts and community events. The funds will be used for special recreation projects in the township. The Township Committee agreed by full consensus that the Trust Rider Fund would help to enhance recreation programs in the township.

A MOTION was made by Committeeman D. Coranoto and seconded by Committeeman K. Gourlay, to adopt the following resolution.

**HAMPTON TOWNSHIP
DEDICATION BY RIDER RESOLUTION
REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL
GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR
RECREATION TRUST FUND PURSUANT TO PL 1999, c. 292**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, PL 1999 c.292 allows municipalities to receive amounts for costs incurred for State Purpose, and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication of rider; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hampton, County of Sussex, State of New Jersey as follows:

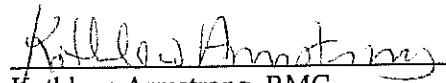
1. The Hampton Township Committee does hereby request permission of the Director of the Division of Local Government Services to pay expenditures Recreation Trust Fund as per N.J.S.A. 40A4-39.

2. The municipal clerk of the Township of Hampton is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

CERTIFICATION

I hereby certify that the above Resolution was adopted by the Township Committee at their regular meeting held April 10, 2012 at the Hampton Township Municipal Building, Baleville, Sussex County, New Jersey.

Date: 4/10/12


Kathleen Armstrong, RMC
Township Clerk

NEW BUSINESS

THE LAND CONSERVANCY OF NEW JERSEY – REVISED AGREEMENT \$9,000

Mayor P. Yetter stated that the Township Open Space Committee recently discussed revising the proposed Agreement that The Land Conservancy had submitted for consulting services. Township Administrator E. Klose stated that the revisions included using approximately \$7,500 to have the consultant update Hampton Township's Open Space Plan and another \$1,500 to complete two current projects.

A MOTION was made by Committeeman D. Coranoto and seconded by Committeeman K. Gourlay, with all members in favor, to approve the revisions referenced above to the contract between Hampton Township and The Land Conservancy for Open Space Consulting Services.

TOWN OF NEWTON – RE: DISPATCHING AGREEMENT AND WEEKLY RADIO TESTING OF HAMPTON TOWNSHIP FIRE & RESCUE, INC. EQUIPEMENT

As a follow up to an issue addressed at an earlier Township Committee Meeting regarding problematic Fire/EMS Radio Testing, the Township Committee reviewed a letter from Newton Town Manager T. Russo dated March 28, 2012. In his letter, Mr. Russo provided an explanation as to why the testing was not performed 5 out of 12 weeks and promised to have Newton Police Lt. Zappa speak with the testing operators to remind them of the proper procedures.

Committeeman D. Hansen stated that the Town of Newton conducted a weekly Radio Test for Hampton Township Volunteer Fire & Rescue, Inc. on April 9, 2012. Although Fire Radios were tested, the EMS Radios were not. Township Administrator E. Klose said that she had two recent phone conversations with Mr. Russo to discuss the issue. She reminded him that the Agreement between Hampton Township and the Town of Newton had been revised some time ago to include EMS Radios. E. Klose agreed to contact Mr. Russo again and inform him of the most recent testing omission.

A **MOTION** was made by Committeeman D. Coranoto and seconded by Committeeman D. Hansen, with all members in favor, for Township Administrator E. Klose to contact Newton Town Manager T. Russo to discuss the omission of EMS Radios during the weekly Radio Testing process on April 9, 2012.

SUSSEX COUNTY ADMINISTRATOR JOHN ESKILSON – RE: SALE OF HOMSTEAD

The Township Committee reviewed a letter from Sussex County Administrator J. Eskilson regarding the sale of the Sussex County Homestead. Mr. Eskilson referred to a grassroots organization that is opposing the sale and noted that the county has information on their website pertaining to this issue and urged local officials throughout the county to review the materials.

Mayor P. Yetter noted that several municipalities have supported a resolution to have a referendum placed on the General Election Ballot in November regarding the sale of the Sussex County Homestead. The Township Committee restated their position that the Homestead provides a much needed service in the county.

Committeeman D. Coranoto explained that the Veteran's Association of New Jersey (VANJ) is searching for places around the State to house homeless veterans. They will provide funding to an entity that is able to provide this type of shelter. Committeeman D. Coranoto stated that there is a vacant building on the grounds of the Homestead that could potentially be utilized for this purpose.

OUR LADY OF MOUNT CARMEL CHURCH- ON PREMISE RAFFLE LICENSE #2012-1022 TO BE HELD ON SEPTEMBER 1, 2012

A **MOTION** was made by Committeeman K. Gourlay and seconded by Committeeman D. Coranoto, with all members in favor, to approve an On-Premise Raffle for Our Lady of Mount Carmel as referenced above.

OUR LADY OF MOUNT CARMEL CHURCH- ON PREMISE 50/50 RAFFLE LICENSE #2012-1023 TO BE HELD ON SEPTEMBER 1, 2012

A **MOTION** was made by Committeeman D. Coranoto and seconded by Mayor P. Yetter, with all members in favor, to approve a 50/50 On-Premise Raffle for Our Lady of Mount Carmel as referenced above.

BALEVILLE CONGREGATIONAL CHRISTIAN CHURCH – OFF-PREMISE 50/50 RAFFLE LICENSE #2012-1024 TO BE HELD ON JUNE 10, 2012

A **MOTION** was made by Committeeman K. Gourlay and seconded by Committeeman D. Hansen, with all members in favor, to approve a 50/50 Off-Premise Raffle for the Baleville Congregational Christian Church as referenced above.

AMERICAN LEGION BRANCHVILLE POST 157 – REQUEST FOR ANNUAL \$300.00 DONATION FOR MEMORIAL DAY PARADE

A **MOTION** was made by Committeeman D. Coranoto and seconded by Committeeman K. Gourlay, with all members in favor to approve a \$300.00 to the American Legion Branchville Pose 157 for their Annual Memorial Day Parade.

UPDATE REGARDING DRAINAGE ISSUE ON KEMAH MECCA LAKE ROAD BLK 1001 LOT 14

Township Administrator E. Klose gave an update regarding a drainage issue on Kemah Lake Road. E. Klose explained that there had been a question as to whether the township

owned an easement on property. Township Engineer D. Simmons researched the matter and made a determination that the township was never granted an easement on the property. Upon visual inspection, Township DPW Manager D. Bayles determined that the current drainage issue is due to a blockage in the pipes caused by willow tree roots.

Cameras were put down in the pipes to further assess the problem. Township Engineer Harold Pellow advised D. Bayles that the situation is problematic because the water is running into a township catch basin and it cannot drain out. Township Engineer H. Pellows suggested that township officials meet with the homeowner to discuss the township acquiring an easement on the property so that the necessary repairs can be made.

The options discussed for resolving the drainage problem included rooting out the tree root and re-evaluating the situation in 4 to 5 years. Township Administrator noted that it would still be necessary for the township to obtain an easement.

A MOTION was made by Committeeman D. Coranoto and seconded by Committeeman K. Gourlay, with all members in favor, for Township Administrator E. Klose to meet with Mayor P. Yetter, Township Attorney S. Roseman, Township Engineer D. Simmons, and the property owners involved to discuss possible methods of resolving the drainage issue on Block 1001, Lot 14. .

HAMPTON DAY FESTIVITIES

Township Administrator E. Klose announced that several special activities are being planned for Hampton Day on June 9, 2012. She added that it should be a great day for the community and asked the Township Committee to consider whether they would like to hold a fireworks display as part of the festivities. Committeeman D. Hansen suggested asking local businesses to sponsor the fireworks. Sponsors could advertise their business by placing a sign in the park.

Township Administrator E. Klose stated that she spoke with Garden State Fireworks and negotiated a price of \$3,500 for a \$4,000 fireworks display. She added that the vendor agreed not to increase the cost over last year's price. Committeeman D. Coranoto offered to try to raise \$500 toward the cost of the fireworks.

A MOTION was made by Committeeman D. Coranoto and seconded by Committeeman K. Gourlay, with all members in favor, for Committeeman D. Coranoto to approach local businesses in attempt to raise \$500 to offset the cost of a fireworks display on Hampton Day.

DISCUSSION

Committeeman D. Hansen stated that Hampton Township Volunteer Fire & Rescue, Inc. raised between \$2,700 and \$3,000 at their Annual Easter Flower Sale. The Annual Pancake Breakfast raised approximately \$700. The fire department will hold their Annual Mother's Day Sale on May 10th, 11th, 12th between the hours of 9:00 AM and 7:00 PM.

Recreation Committee Chairperson S. Rude stated that the Recreation Committee is planning to hold a Car Show on October 13, 2012, with a rain date of October 14, 2012. The Show will run from 11:00 AM through 3:00 PM. A fee of \$15 will be charged for entering a car into the show. The money raised will be applied to the fundraising efforts for Mike Biron's Field of Dreams Project.

At a recent meeting with Recreation Committee representatives, Mr. C. Devries, who represents a local car club, offered to organize the Car Show. Chairperson S. Rude noted that the Recreation Committee will be responsible for advertising the event.

A MOTION was made by Committeeman D. Hansen and seconded by Mayor P. Yetter, with all members in favor, to authorize the Township Recreation Committee to hold a

Car Show on October 13, 2012, with a rain date of October 14th, on the grounds of the Hampton Township Municipal Complex for the purpose of raising funds for the Mike Biron's Field of Dreams Project.

Committeeman K. Gourlay stated that the Mike Biron's Field of Dreams Committee would be meeting later in the week and offered to make an announcement at the meeting about the upcoming Car Show. Chairperson S. Rude thanked him for helping to get the word out.

PUBLIC SESSION

S. Rude raised concerns about an area on Parson's Road where evidence of drug paraphernalia was found by the Sussex County Sheriff's Office. S. Rude stated that the location is dark and somewhat isolated, which makes it easy gathering place for teenagers to use without being detected. Township Administrator E. Klose stated that she contacted the State Police and they are aware of the Sheriff's Report. She asked if they would increase patrols on Parsons Road and they agreed to do so. Committeeman D. Coranoto also suggested contacting the State Ranger's Office to request that they schedule patrols because the area in question is State-owned land.

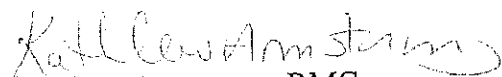
A brief discussion followed about graffiti on the train trestle near the intersection of Parsons Road and Plotts Road. Committeeman D. Hansen stated that the 2012 KRHS Class recently contacted Township Clean Communities Coordinator K. Hansen about the possibility of painting the train trestle as part of their graduation project.

PUBLIC SESSION CLOSED

ADJOURNMENT

A MOTION was made by Committeeman D. Hansen and seconded by Committeeman D. Coranoto, with all members in favor, to adjourn the meeting at 7:42 PM.

Respectfully submitted by,


Kathleen Armstrong, RMC
Township Clerk

