

This Meeting was held in Person following all Covid Guidelines.

BOROUGH OF HAMPTON

REGULAR MEETING

June 14, 2021

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. The notice of this meeting was advertised in the Hunterdon Democrat on January 14, 2021. The notice was posted on the public bulletin board and is on file in the Office of the Municipal Clerk.

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

The following people were also present: Kathy Olsen, CFO, Matt Lyons and Alan Brower, DPW Director.

Motion by Cm. Wotanowski, second by Cm. Rega to approve the Minutes of the May 24, 2021 Regular Meeting and May 24, 2021 Executive Session.

Voice Vote. All ayes, motion carried.

Comments and Questions from the Public:

Pam Bailey, Musconetcong River Council – explained that the Musconetcong River is named on the National Registry as a Naturally Scenic River and the Musconetcong Watershed Association is requesting permission to place a sign near Hampton Borough Park noting this recognition. Ms. Bailey explained that the Musconetcong Watershed Association will pay for and install the sign, however they are requesting permission to do so.

Motion by Cm Wotanowski, second by Cm. Celentano to authorize the Musconetcong Watershed Association to install a sign near the Hampton Borough Park under the guidance of the Director of Public Works Alan Brower.

Voice Vote. All ayes, motion carried.

Tom Carpenter, 196 Route 31 N – noted that he submitted a letter of concern addressed to the Mayor and Borough Council regarding a sunken manhole on Route 31 in front of his residence. Mr. Carpenter wanted to go on record because this manhole has caused tire blowouts and accidents. When the cars hit the manhole it causes drivers to lose control and is very dangerous.

It was explained to Mr. Carpenter that this issue has been reported to the NJDOT by both the Borough Clerk and DPW Director. Mr. Brower noted that the NJDOT was out at the site today measuring the manhole.

Mr. Carpenter also noted the loud noise created by Jake brakes and recommends an Ordinance against the use of this type of brakes. He also recommends the removal of a tree at the end of Bowlby Street due to sight distance concerns.

Vicki Molloy from Concord Energy was in attendance at the meeting to explain this cost saving program to the Mayor and Borough Council members. The program is for municipalities only, not for residents.

The timeline for this program is-

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Invitation to participate by end of June. Bidding is done by July 15, August 17 would be the acceptance of the award of contract by Concord Energy and the savings program will begin with the October meter read. Electricity contracts can only be implemented for 2 years at a time. The Borough can choose to opt out at any time. Many municipalities in Hunterdon County are a part of this program.

Motion by Cm. Swenson, second by Cm. Rega to have Hampton Borough to join in the aggregation of Electrical Supply through Concord Energy and to authorize the Mayor and Borough Clerk to execute the agreement.

Roll call: Aye: Celentano, Drummond, Rega, Swenson, Tampier, Wotanowski
All ayes, motion carried.

Ashley DeGrandis from Engineering and Land Planning Associates was in attendance to explain the Administrative Consent Order as it pertains to the Lumberyard Property

Ms. DeGrandis explained where the Borough stands currently in the remediation process along with the steps moving forward. The Administrative consent Order that needs to be executed by the Mayor includes:

Implementation of Schedule

Public Participation Plan

Payment of Outstanding Fees

Ms. DeGrandis explained that once this document has been signed a NJDEP Enforcement Officer will be assigned to the site.

There was concern regarding the NJDEP Remediation Fees of \$12,310 that are due to the State. Borough Attorney Matt Lyons explained that the fees go back many years and the state has not waived these fees over the years.

Motion by Cm. Swenson, second by Cm. Drummond to authorize the Mayor and Borough Clerk to execute the Administrative Consent Order, contingent on receiving the Certification and availability of Funds from the Chief Financial Officer.

Roll call: Aye: Celentano, Drummond, Rega, Swenson, Tampier, Wotanowski
All ayes, motion carried.

Rick Allen, Fire Chief – Chief Allen noted that on August 14, 2021 at 11:00 there will be a celebration honoring Fighter Pilot Eddie Simpson at the memorial park and Main Street will be shut down for a couple of hours. More information to follow.

Painting of the Firehouse Floors will begin on Monday.

Communications:

Letter from The Board of County Commissioners re: Shared Service Co-op of Electric Supply Service from Concord Energy- Reply needed by June 18, 2021. – This was discussed under Comments and Questions from the Public.

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Court – Monthly Distribution Report May 2021 – No discussion.

Tax Collector Report – April & May 2021 – No discussion.

Unfinished Business:

Public Hearing and Adoption of the following Ordinances:

Motion by Cm. Drummond, second by Cm. Rega to authorize the Mayor to read the following Ordinance by Title.

ORDINANCE NO. 06-2021 – AN ORDINANCE BY HAMPTON BOROUGH IN HUNTERDON COUNTY, NEW JERSEY, PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESS WITHING ITS GEOGRAPHICAL BOUNDRIES AND AMENDING SECTION 157-51 OF THE HAMPTON BOROUGH MUNICIPAL CODE

Voice Vote, all ayes. Motion carried.

Roll call: Aye: Celentano, Drummond, Rega, Swenson, Tampier, Wotanowski
All ayes, motion carried.

Motion by Cm. Wotanowski, second by Cm. Swenson to open the Public Hearing on Ordinance No. 06-2021.

Voice Vote, all ayes. Motion carried.

Mayor Shaner opened the Public Hearing:

Pam Bailey, private citizen, noted that it would be nice to allow a retail cannabis establishment on Route 31 to generate some revenue for the Borough.

Seeing no other comments or questions form the Public, Mayor Shaner closed the Public Hearing on Ordinance No. 06-2021.

Motion by Cm. Drummond, second by Cm. Swenson to adopt Ordinance No. 06-2021.

Roll call: Aye: Celentano, Drummond, Swenson, Tampier, Wotanowski
Nay: Rega Motion carried.

Motion by Cm. Rega, second by Cm. Swenson to authorize the Mayor to read the following Ordinance by Title.

Motion by Cm. Drummond, second by Cm. Wotanowski to open the Public Hearing on the following Ordinance:

Bond Ordinance NO. 07-2021 by title and set Public Hearing and Adoption for June 14, 2021.
BOND ORDINANCE NO. 07-2021 – BOND ORDINANCEPROVIDING FOR VARIOUS IMPROVEMENTS FOR THE WATER UTILITY IN AND BY THE BOROUGH OF HAMPTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$81,295 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$81,295 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF

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Voice Vote, all ayes. Motion carried.

Motion by Cm. Drummond, second by Cm. Wotanowski to open the Public Hearing on Ordinance NO. 07-2021.

Voice Vote, all ayes. Motion carried.

Mayor Shaner opened the Public Hearing, there were no comments or questions from the public therefore, Mayor Shaner closed the Public Hearing.

Motion by Cm. Drummond, second by Cm. Swenson to adopt Ordinance No. 07-2021.

Roll call: Aye: Celentano, Drummond, Rega, Swenson, Tampier, Wotanowski

All ayes, motion carried.

Motion by Cm. Drummond, second by Cm. Rega to authorize the Mayor to read the following Ordinance by Title.

BOND ORDINANCE NO. 08-2021 –BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF HAMPTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$320,325 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$304,309 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Voice Vote, all ayes. Motion carried.

Motion by Cm. Drummond, second by Cm. Wotanowski to open the Public Hearing on Ordinance NO. 08-2021.

Voice Vote, all ayes. Motion carried.

Mayor Shaner opened the Public Hearing, there were no comments or questions from the public therefore, Mayor Shaner closed the Public Hearing.

Motion by Cm. Drummond, second by Cm. Swenson to adopt Ordinance No. 08-2021.

Roll call: Aye: Celentano, Drummond, Rega, Swenson, Tampier, Wotanowski

All ayes, motion carried.

Motion by Cm. Rega, second by Cm. Wotanowski to Introduce the following Ordinance by Title, setting Public Hearing and Adoption for July 12, 2021 and setting Public Auction for August 3, 2021

ORDINANCE NO. 01-2021 – ORDINANCE AUTHORIZING THE SALE OF BOROUGH OWNED PROPERTY LOCATED AT 12 MACKENZIE ROAD.

Roll call: Aye: Celentano, Drummond, Rega, Swenson, Tampier, Wotanowski

All ayes, motion carried.

Parking Ordinance - No updates.

School Study - No discussion.

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Reports of Committees:

Cm. Celentano, Cm. Rega, Cm. Swenson, Cm. Tampier, Cm. Wotanowski had nothing to report.

Cm. Drummond noted that the manhole issue that both Mr. Brower and Mrs. Leidner have reached out to the NJDOT regarding the issue. Mr. Brower cut the tree back on Bowlby Street to help with the line of site.

A concern was also registered from residents on Charlestown Road regarding excessive speeding on that road. Due to the fact that Charlestown Road is a County Road this is an issue that needs to be brought up to the County. All roads in the Borough have a 25mph speed limit. Charlestown Road goes from 35mph, to 30mph to 25mph.

Municipal Clerk's Report –

Reminder- The Municipal Offices will be closed from June 21-25 for Firehouse floor construction and vacation.

Municipal Clerk's Office will be closed July 1-7 for vacation.

New Business:

Motion by Cm. Swenson, second by Cm. Wotanowski to adopt the following Resolution:

RESOLUTION NO. 53-2021 – LIQUOR LICENSE RENEWAL 2021/2022 FOR SANU LIQUOR LLC/HAMPTON WINE & SPIRITS

RESOLUTION NO. 53-2021

WHEREAS, there is a need to promote safety for public gatherings in the Borough of Hampton, and

WHEREAS, the Borough Council may impose reasonable restrictions on a case by case basis to insure adequate health and safety,

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Hampton sets the following restrictions on the issuance of all Plenary Retail Consumption Licenses and Club Licenses:

If the holder of a Plenary Retail Consumption License plans to present an event featuring eight or more entertainers or which is advertised outside the limits of the Borough of Hampton and at which more than two hundred participants can reasonably be anticipated, the license holder must appear before the Borough Council at least forty-five days prior to the date of the event to demonstrate the following:

- A. That adequate provisions have been made for parking.
- B. That adequate security measures have been taken.
- C. That the premises are adequately equipped for such events in Compliance with all state and local health and fire officials.
- D. That all precautions have been taken to protect the health, safety, Comfort and wellbeing of the residents of the Borough of Hampton.

BE IT ALSO RESOLVED that nothing in this restriction is to be used to inflict any hardship on any person in the Borough of Hampton. The single purpose of this Resolution is to insure the public good, and

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BE IT FURTHER RESOLVED that persons desiring a Plenary Retail Consumption License are to sign a statement that they have read and understood this Resolution and that they consent to the imposition of this Special Condition, and

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Hampton, County of Hunterdon, State of New Jersey that a Plenary Retail Distribution License be issued to the following as described by Licensee Name and License Type:

License Name: Sanu Liquor License LLC

Trade Name: Hampton Wine & Spirits

License Type: Plenary Retail Distribution

License Number: 1013-44-005-004

BE IT FURTHER RESOLVED, that a copy of this Resolution certified to be a true copy by the Borough Clerk be forwarded to the Division of Alcoholic Beverage Control.

Roll call: Aye: Celentano, Drummond, Rega, Swenson, Tampier, Wotanowski

All ayes: Motion carried.

RESOLUTION NO. 54-2021 – LIQUOR LICENSE RENEWAL 2021/2022 FOR ZEDASH ENTERPRISES, LLC, CLUB 31

RESOLUTION NO. 54-2021

WHEREAS, there is a need to promote safety for public gatherings in the Borough of Hampton, and

WHEREAS, the Borough Council may impose reasonable restrictions on a case by case basis to insure adequate health and safety,

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Hampton sets the following restrictions on the issuance of all Plenary Retail Consumption Licenses:

If the holder of a Plenary Retail Consumption License plans to present an event featuring eight or more entertainers or which is advertised outside the limits of the Borough Hampton and at which more than two hundred participants can reasonably be anticipated, the license holder must appear before the Borough Council at least forty-five days prior to the date of the event to demonstrate the following:

- A. That adequate provisions have been made for parking.
- B. That adequate security measures have been taken.
- C. That premises are adequately equipped for such events in compliance with all state and local health and fire officials.
- D. That all precautions have been taken to protect the health, safety, comfort and wellbeing of the residents of the Borough of Hampton.

BE IT ALSO RESOLVED that nothing in this restriction is to be used to inflict any hardship on any person in the Borough of Hampton. The single purpose of this Resolution is to insure the public good, and

BE IT FURTHER RESOLVED that persons desiring a Plenary Retail Consumption License are to sign a statement that they have read and understood this Resolution and that they consent to the imposition of this Special Condition, and

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BE IT FURTHER RESOLVED by the Mayor and Borough Council of the Borough of Hampton, County of Hunterdon, State of New Jersey that a Club License be issued to the following as described by Licensee Name and License Type:

License Name: Zedash Enterprises LLC
Trade Name: Club 31
License Type: Plenary Retail Consumption License
License Number: 1013-33-003-005

BE IT FURTHER RESOLVED, that a copy of this Resolution certified to be a true copy by the Borough Clerk be forwarded to the Division of Alcoholic Beverage Control.

Roll call: Aye: Celentano, Drummond, Rega, Swenson, Tampier, Wotanowski

All ayes: Motion carried.

RESOLUTION NO. 55-2021 – RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL (MCCPC) TO RENEW THE MEMBERSHIP THEREIN FOR THE PERIOD OF OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2026

RESOLUTION NO. 55-2021

RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL (MCCPC) TO RENEW THE MEMBERSHIP THEREIN FOR THE PERIOD OF OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2026

AND TO ENTER INTO A COOPERATIVE PRICING AGREEMENT WITH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL HEREINAFTER REFERRED TO AS THE “LEAD AGENCY” FOR THE CONDUCT OF CERTAIN FUNCTIONS RELATING TO THE PURCHASE OF WORK MATERIALS AND SUPPLIES FOR THEIR RESPECTIVE JURISDICTIONS.

WHEREAS, the Morris County Cooperative Pricing Council (“MCCPC”) was created in 1974 to conduct a voluntary cooperative pricing system with municipalities, boards of education, and other public bodies located in the County of Morris and adjoining counties; and

WHEREAS, the purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process; and

WHEREAS, the Borough of Hampton desires to enter into an Agreement with the MCCPC, which is administered by Randolph Township as Lead Agency, to **renew** its membership in the MCCPC for the period October 1, 2021 through September 30, 2026.

BE IT RESOLVED, by the Borough of Hampton, County of Hunterdon, State of New Jersey as follows:

1. Mayor and Borough Council of the Borough of Hampton hereby authorizes the execution of an Agreement with the Morris County Cooperative Pricing Council by the Township of Randolph as Lead Agency dated October 1, 2021, pursuant to N.J.S.A. 40A:11-11(5). Said Agreement is for **renewal** of membership in the MCCPC for a five (5) year period from October 1, 2021, through September 30, 2026.

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2. The Hampton Borough Clerk is hereby directed to submit a copy of this adopted Resolution, along with an executed Agreement, to Randolph Township as Lead Agency of the MCCPC.
3. This Resolution shall take effect immediately upon final passage according to law.
4. All appropriate Borough of Hampton officials are authorized and directed to perform all required acts to affect the purpose of this Resolution.

Roll call: Aye: Celentano, Drummond, Rega, Swenson, Tampier, Wotanowski
All ayes: Motion carried.

Park Rental Applications:

Motion by Cm. Wotanowski, second by Cm. Rega to approve the following Park Rental Applications:

Application received from Hampton Public School to use the Hampton Borough Park on June 16 (Rain date June 17) for a 5th Grade Celebration. No fee required.

Application received from Andrea Dilts to use the Borough Park on August 15, 2021 for a Birthday Party, approx. 50-60 guests. Fees paid.

Voice Vote: Motion carried.

Raffle License Applications:

Motion by Cm. Wotanowski, second by Cm. Drummond to approve the following Raffle Applications.

Raffle License Application #06-2021, #07-2021, #08-2021, #09-2021 received from the Hampton Fire Company Ladies Auxiliary to hold off premise Merchandise Raffles on July15, August 19, September 9, and October 23 at 7:00pm.

Voice Vote: Motion carried.

Motion by Cm. Wotanowski, second by Cm. Drummond to approve the following Raffle Application.

Raffle License #10-2021 – 50/50 off Premise Raffle Received from the Hampton Fire Company Emergency Squad to be held on September 25, 2021

Roll call: Aye: Celentano, Drummond, Swenson, Wotanowski
Abstain: Rega, Tampier Motion carried.

Bills and Claims: Motion by Cm Rega, second by Cm. Wotanowski to approve the request from the Chief Financial Officer to pay the bills on the bill list of June 14, 2021 and to authorize the CFO to pay bills between meetings.

Roll call vote: Celentano, Drummond, Rega, Swenson, Tampier, Wotanowski
All ayes: Motion carried.

Motion by Cm. Celentano, second by Cm. Wotanowski adopt the following Resolution:

RESOLUTION AUTHORIZING EXECUTIVE SESSION

RESOLUTION NO. 56-2021

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WHEREAS, the Open Public Meetings Act; N.J.S.A. 10:4-6 et seq., declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

WHEREAS, the Open Public Meetings Act also recognized exceptions to the right of the public to attend portions of such meetings; and

WHEREAS, the Mayor and Council find it necessary to conduct an executive session closed to the public as permitted by the N.J.S.A. 40:4-12; and

WHEREAS, the Mayor and Council will reconvene in public session at the conclusion of the executive session;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Hampton, County of Hunterdon, State of New Jersey that they will conduct an executive session to discuss the following topic (s) as permitted by N.J.S.A. 40:4-12:

PERSONNEL

BE IT FURTHER RESOLVED that the Mayor and Council hereby declare that their discussion of the subjects identified above may be made public at a time when the Borough Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough or any other entity with respect to said discussion. That time is currently estimated to be: One Year

BE IT FURTHER RESOLVED that the Mayor and Borough Council for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

Voice Vote, all ayes. Motion carried.

The meeting was closed to the public at 8:25pm for Executive Session for the purpose of Personnel

Motion by Cm. Wotanowski, second by Cm. Rega to close the Executive Session at 8:31pm.

Voice vote, all ayes. Motion carried

The meeting was reopened to the public at 8:31pm.

The result of the Executive Session was as follows:

RESOLUTION NO. 56A-2021

Motion by Cm. Wotanowski, second by Cm. Rega to hire Jeffrey Ward as Tax Assessor with a salary of \$10,071.45. This appointment is effective immediately or per Mr. Ward's available start date.

Roll call vote: Celentano, Drummond, Rega, Swenson, Tampier, Wotanowski

All ayes: Motion carried.

Adjournment: Motion by Cm Swenson second by Cm Wotanowski to adjourn the Regular Meeting of the Hampton Borough Council. Voice Vote: All ayes, motion carried. The meeting adjourned at 8:32p.m.

Respectfully submitted,

Linda Leidner, RMC
Municipal Clerk