

**BOROUGH OF HAMPTON**

**REGULAR MEETING**

**July 13, 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 Pubic 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.

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

The following people were also present: Matt Lyons, Borough Attorney, Kathy Olsen, CFO, and Rick Allen, Fire Chief.

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

Minutes of the June 15, 2020 - Regular Meeting  
Minutes of the June 15, 2020 – Executive Session Meeting  
Voice Vote All ayes: Motion carried.

**Comments and Questions from the Public:**

**Fire Chief Rick Allen** inquired as to whether the Mayor and Borough Council has any questions or concerns regarding the fire company. There were none. Cm. Drummond thanked Fire Chief Allen for the very successful July 4<sup>th</sup> Parade.

Mayor Shaner moved the Landscape Design/ Bamboo Ordinance discussion to this portion of the meeting. Mr. Hurley of the Hampton Borough Planning Board was in attendance to answer any questions the council members had regarding this proposed ordinance. Mr. Hurley indicated that there was a question regarding the property line set back. Mr. Lyons, Borough Attorney requested that all portions of the ordinance become applicable after adoption of the ordinance. Mr. Lyons and Mr. Hurly will work together on applying the proper section numbers into the ordinance. The ordinance will be introduced at the next meeting of the Hampton Borough Council.

**Communications:**

**Email from Guliet Hirsch, Attorney for Jacob Haberman requesting discussion** and action taken regarding the 2019 Water System Evaluation & AWWA Water Audit submitted by David Chandra of Suburban Consulting.

David Chandra of Suburban Consulting reviewed the 2019 Water System Evaluation and AWWA Water Audit with the Borough Council. Mr. Chandra also reviewed the Recommendations located on page 13

through 16 of the referenced report. Recommendation #1 Locating leaks has been an ongoing process. Recommendation #2 Customer water meter replacements have been budgeted for this year for 250 meters. Recommendation #3 – Water system distribution map is a work in progress. Recommendation #4 there are 2 distinct areas that need evaluation Musconetcong River Road and Lois Lane, which may result in being a Capital Improvement Project. Also, Bell Avenue needs to be evaluated as well. Recommendation #5 Continue system mapping to assist with leak detection. This is ongoing as well.

Mr. Chaundra noted that the Borough has been consistently working on the recommendations at hand. These items take time and it is important to note that progress is being made in the required areas.

Mr. Patrick Brennan Engineer from Maser Consulting Engineers gave a bried report on the progress of Well #5 and Well #4.

**NJABC Notification that Zedash Enterprises (Club 31) has requested a temporary Expansion of Premises to enable outdoor service of Alcoholic Beverages.**

Borough Clerk Leidner explained that she spoke to the owner and this would be just food and beverages, the entertainment would not be included in the expansion. Allison Witt, Zoning Officer has not yet received the Application for Temporary Food Establishment Expansion.

**Memo from Maser Consulting re: Bid Summary/Contract Award Recommendation for the Main Street Improvement Project-Sections I,II & III\*\***

Patrick Brennan, Engineer from Maser consulting explained that we received 8 bids for this project.

Motion by Cm. Swenson, second by Cm. Drummond to adopt the following resolution, Certification of Funds was received from the CFO.

**RESOLUTION NO. 75-2020**

**RESOLUTION TO AWARD CONTRACT FOR MAIN STREET IMPROVEMENT PROJECT  
PURSUANT TO PUBLIC BIDDING TO TOP LINE CONSTRUCTION CORP.THE MAYOR AND  
COUNCIL OF THE BOROUGH OF HAMPTON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY**

**WHEREAS**, the Borough of Hampton did advertise for and accept bids for the Main Street Improvement Project – Sections I, II & III, within the Borough; and

**WHEREAS**, on Wednesday, July 8, 2020, bids were received from a total of eight (8) bidders;

**WHEREAS**, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and upon recommendation of the Borough Engineer, Top Line Construction Corp. has been determined to be the lowest responsible bidder; and

**WHEREAS**, a certificate of available funding has been presented;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hampton, County of Hunterdon, State of New Jersey, that a contract be awarded to Top Line Construction Corp. in the total amount of \$513,047.63 including 165,483.09 (Section I), \$190,023.27 (Section II) and \$157,541.27 (Section III) for the Main Street Improvement Project, and that the Mayor and Borough Clerk of the Borough of Hampton are hereby authorized, respectively, to execute and attest to an agreement with Top Line Construction Corp. pursuant to the bid specifications, and subject to approval by the Borough Attorney.

**TAKE NOTICE**, that the foregoing Resolution was adopted by the Mayor and Council of the Borough of Hampton, County of Hunterdon, at a regular meeting held on July 13, 2020.

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

**Zoning Officer – Second Quarter Report** – Mayor Shaner noted that this report was received, there was no further discussion.

**Old Business:**

Motion by Cm. Baker; second by Cm. Drummond to authorize the Mayor to open the Public Hearing on the following Ordinance 05-2020.

Voice Vote: all ayes, motion carried.

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

Motion by Cm. Drummond; second by Cm. Baker to adopt the following Ordinance.

**BOND ORDINANCE NO. 05-2020**

**BOND ORDINANCE STATEMENT AND SUMMARY**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Borough of Hampton, in the County of Hunterdon, State of New Jersey on July 13, 2020 and the 20 day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full bond ordinance are available at no cost and during regular business hours, at the Municipal Clerk’s office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: “BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF HAMPTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$248,940 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$236,493 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF”

Purposes:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
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a) **Streets and Roads:**

(i) Various road improvements, consisting of the Blossom Road Project and the Church Street Project, as more fully described on lists on file in the Office of the Clerk, which lists are hereby incorporated by reference

as if set forth at length, installation of curbing on Dutch Hill Road, tarring and chipping of Valley Road and Dutch Hill Road, driveway repairs for the Department of Public Works and the acquisition of street signs and 2-way handheld radios, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.

	\$162,700	\$154,375	10 years
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(ii) Acquisition of catch basin tops and backs, a generator with a light attachment, a tool cabinet for the shop and a tractor bucket, including all related costs and expenditures incidental thereto.

	<u>\$10,300</u>	<u>\$9,975</u>	15 years
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TOTAL:	<u>\$173,000</u>	<u>\$164,350</u>	
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b) **Buildings and Grounds:**

(i) Acquisition and installation of fire doors at Borough Hall, a man door for the firehouse entrance and concrete aprons for the Department of Public Works garage, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.

	\$10,350	\$9,833	15 years
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(ii) Acquisition of lights for the Department of Public Works garage, including all related costs and expenditures incidental thereto.	<u>\$1,250</u>	<u>\$1,187</u>	10 years
TOTAL:	<u>\$11,600</u>	<u>\$11,020</u>	

c) **Parks:**

(i) Acquisition of lumber for the repair of picnic tables, including all related costs and expenditures incidental thereto.	\$750	\$712	5 years
(ii) Acquisition of a LED light for the pavilion, including all related costs and expenditures incidental thereto.	<u>\$900</u>	<u>\$855</u>	10 years
TOTAL:	<u>\$1,650</u>	<u>\$1,567</u>	

d) **Finance/Taxes/ Clerk:**

Acquisition of a Finance, Tax and Dog Program, including all related costs and expenditures incidental thereto.	<u>\$25,200</u>	<u>\$23,940</u>	5 years
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e) **Fire Department:**

(i) Acquisition of turnout gear, including all related costs and expenditures incidental thereto.	\$27,150	\$25,793	5 years
(ii) Acquisition of pagers, including all related costs and expenditures incidental thereto.	<u>\$2,240</u>	<u>\$2,128</u>	10 years



HUNTERDON, NEW JERSEY, APPROPRIATING \$56,200 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$56,200 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF”

Purpose:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
a) Various improvements to the water utility, including the acquisition of a Ross valve for Well #4 and a trailer mounted man lift for water tower repairs, inspection of and repairs to the water tower and the new Water Finance Program, including all related costs and expenditures incidental thereto.	\$50,450	\$50,450	15 years
b) Acquisition of video cameras for the well houses, including all related costs and expenditures incidental thereto.	\$1,250	\$1,250	10 years
c) Acquisition of water meters, including all related costs and expenditures incidental thereto.	<u>\$4,500*</u>	<u>\$4,500**</u>	15 years
TOTAL:	<u>\$56,200</u>	<u>\$56,000</u>	

\*Supplements the \$22,000 appropriated by Ordinance #4-14, finally adopted July 14, 2014, the \$20,000 appropriated by Ordinance #10-18, finally adopted September 24, 2018 and the \$49,500 appropriated by Bond Ordinance #02-19, finally adopted June 10, 2019 (“Bond Ordinance #2-19”).

\*\*Supplements the \$49,500 authorized by Bond Ordinance #2-19.

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Appropriation: \$56,200

Bonds/Notes Authorized: \$56,200

Grants Appropriated: N/A

Section 20 Costs: \$2,000

Useful Life: 15 years

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

**Absent: Wotanowski**

**All Ayes: Motion carried.**

**Police Shared Service Contract for managed Crossing Guard Services** – Cm. Rega recommended that the Council move forward on approving this contract with school putting the re-opening plans in place for in person learning. It was determined that 3 Crossing Guards are needed.

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

**RESOLUTION NO. 76-2020**

**RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK  
TO EXECUTE THE AGREEMENT BETWEEN HAMPTON BOROUGH AND THE TOWN OF CLINTON FOR A  
MANAGED CROSSING GUARD SHARED SERVICES AGREEMENT**

**BE IT RESOLVED** by the Council of the Borough of Hampton that the Mayor and Municipal Clerk are hereby authorized to execute the agreement between the Borough of Hampton and the Town of Clinton for a managed Crossing Guard Shared Services Agreement.

**BE IT FURTHER RESOLVED** that this Resolution shall become effective upon the approval of the Council of the Borough of Hampton.

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

**All Ayes: Motion carried.**

**REPORTS OF COMMITTEES:**

**Cm. Swenson** reported that the revisions to the Tax Maps that were previously discussed have been made, however, the Borough Council should consider creating a subcommittee to work on the vacation of alleys.

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

**New Business:**

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

**RESOLUTION #70-2020**

**RESOLUTION: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Foss Avenue Improvement Project – Section II project.**

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the Borough of Hampton formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2021-Foss Avenue Improvement Project – Se-00576 to the New Jersey Department of Transportation on behalf of the Borough of Hampton.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Hampton and their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

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

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

**RESOLUTION #71-2020**

**Dedication by Rider**

**A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION  
BY RIDER FOR PARKING OFFENSES ADJUDICATION ACT (POAA)  
REQUIRED BY N.J.S.A. 39:4-139.9**

**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 reasonably accurate estimates in advance; and,

**WHEREAS**, N.J.S. A. 39:4-139.9 provides for receipt of Parking Offenses Adjudication Act by the municipality to provide for the operating costs to administer this act; and,

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Parking Offenses Adjudication Act are hereby anticipated as revenue and are hereby appropriated for the purpose for which said revenue is dedicated by statute or other legal requirement:

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Hampton, County of Hunterdon, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Parking Offenses Adjudication Act, N.J.S.A. 39:4-139.9.
2. The Clerk of the Borough of Hampton, County of Hunterdon is hereby directed to forward two certified copies of this resolution to the Direction of the Division of Local Government Service

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

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

**RESOLUTION #72-2020**

**RESOLUTION FOR INCREASING BID THRESHOLD**

**WHEREAS**, the recent changes to the Local Public Contracts Law gave local contracting units the ability to increase their bid threshold up to \$44,000; and

**WHEREAS**, N.J.S.A. 40A:11-3a, permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

**WHEREAS**, N.J.A.C. 5:34-5 et seq. established the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Kathy Olsen possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et seq.; and

WHEREAS, the Borough of Hampton desires to take advantage of the increased bid threshold;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Hampton, in the County of Hunterdon, in the State of New Jersey, hereby increases its bid threshold to \$44,000.00.

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

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

**HAMPTON BOROUGH  
HUNTERDON COUNTY, NEW JERSEY  
RESOLUTION NO. 73-2020**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget and,

WHEREAS, said Director may also approved the insertion of an item of appropriation for an equal amount, and,

WHEREAS, the Borough has received \$4,000.00 from the State of New Jersey and wishes to amend its 2020 budget to include this amount as a revenue.

**NOW THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Hampton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2020 in the sum of \$4,000.00 which is now available as a revenue from:

Miscellaneous Revenues

Special Item of General Revenue Anticipated with Prior Written  
Consent of the Director of Local Government Services:

Public and Private Revenues Off-Set with Appropriations:

Clean Communities Program, and

**BE IT FURTHER RESOLVED**, that a like sum of \$4,000.00 is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from the 2.5% Cap

Public and Private Programs Off-Set by Revenues:

Clean Communities Program:

Other Expenses

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

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

**RESOLUTION NO. 74-2020**

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 well being 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

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 Vote: Aye: Baker, Drummond, Rega, Swenson, Tampier  
All Ayes: Motion carried.**

**Motion by Cm. Rega, second by Cm. Baker 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. 02-2020 to be held on August 28, 2020.**

**Roll Call Vote: Aye: Baker, Drummond, Rega, Swenson**  
**Abstain: Tampier**  
**Motion carried.**

**Motion by Cm. Baker, second by Cm. Drummond** to approve the CFO to pay bills as presented on the bill list of June 15, 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 8:08p.m.

Respectfully submitted,

Linda Leidner, RMC  
Municipal Clerk