BOROUGH OF HAMPTON

REGULAR MEETING July 12, 2021

Mayor Shaner called the Regular Meeting of the Hampton Borough Council to order at 7:30p.m. Mayor Todd 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.

Mayor Shaner presented Rob Vance with a Plaque thanking him for his 50 years of service to the residents of the Borough of Hampton as the Tax Assessor and the members of the Borough Council wished Mr. Vance well as he enters this new chapter in his life.

Motion by Cm. Drummond, second by Cm. Wotanowski to approve the Regular Minutes and Executive Session Minutes of the June 14, 2021 Regular Meeting and May 24, 2021 Executive Session.

Voice Vote. All ayes, motion carried.

Comments and Questions from the Public:

Pam Bailey- Musconetcong Watershed Association representative reported that the Musconetcong Watershed Association is placing a sensor station in the river that runs through Hampton Borough Park. They are looking for citizen volunteers to learn how the sensor is maintained and how to obtain data from the sensor for reporting. This sensor monitors dissolved salts, temperature and depth.

Communications:

Thank you notes received from the Hampton School Scholarship Recipients for High GPA at Voorhees High School – Austin Celentano and Alba Paz-Sanchez.

Zoning Officer Report – 2nd Quarter 2021

Court Report –June 2021

Tax Collector Report-June 2021

Unfinished Business:

Public Hearing and Adoption of the following Ordinances:

Motion by Cm. Rega, second by Cm. Wotanowski to open the Public Hearing on Ordinance No. 01-2021.

Voice Vote, all ayes. Motion carried.

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

ORDINANCE AUTHORIZING THE SALE OF A BOROUGH OWNED PROPERTY LOCATED AT 12 MacKENZIE ROAD

WHEREAS, the Borough of Hampton is the record owner of a property located at 12 MacKenzie Road, Block 17, Lot 9; on the Tax Map of the Borough of Hampton ("Property"); and **WHEREAS**, N.J.S.A. 40A:12-13(a) authorizes a municipality to enter into an open public sale at auction to the highest bidder for property that is not needed for public use; and

WHEREAS, the Borough has determined the Property is not needed for public use, and that the Property should be sold by open public sale at auction to the highest bidder; and

WHEREAS, N.J.S.A. 40A:12-13(a) requires the Borough to advertise the sale of the Property in the newspaper and hold a public auction.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Hampton as follows:

SECTION 1. The Mayor of the Borough of Hampton and other necessary Borough officials are hereby authorized to enter into a public sale of a property owned by the Borough at 12 MacKenzie Road, Block 17, Lot 9; in accordance with N.J.S.A. 40A:12-13(a) and to take all reasonable, necessary and lawful steps to effectuate the sale of the property, including execution of the appropriate deed and transfer documents.

SECTION 2. The Borough shall advertise the sale of the Property in a newspaper circulating in the Borough by two insertions at least once a week during two consecutive weeks, the last publication to be not earlier than seven days prior to such sale.

SECTION 3. The terms of sale shall be as follows:

- a. Bidding will be done by way of live auction on August 3, 2021, at 11AM, at the Hampton Borough Municipal Building, 1 Wells Avenue, Hampton, NJ, to be taken in \$100 increments,
- b. Minimum bid price:
 - 12 MacKenzie Road, Block 17, Lot 9

\$97,500.00

- c. The winning bid must be accompanied by a deposit made payable to the Borough of Hampton in the form of cash, bank check, or cashier's check in the amount of 10% of the total bid. Pending closing, this deposit will be held by the Borough in a non-interest bearing escrow account with the total deposit to be credited to the purchase price at closing. Full payment of the purchase price must be received within 30 days of the date of the acceptance of the bid.
- d. Any person bidding on behalf of a corporation or limited liability company must either submit a copy of a resolution of the corporation/company or a letter on corporate stationery, signed by an officer of the corporation, authorizing the bidder to bid on the properties on the corporation's behalf. A person bidding on behalf of a partnership or using a trade name must submit a copy of the certificate of trade name and a letter of authorization from the other partners.
- e. The successful bidder shall pay prorated real estate taxes for the balance of the current year as of the date of closing of title.
- f. In the event that the successful bidder fails to close title to the Property, the bidder shall forfeit all deposit monies made to the Borough. No refunds whatsoever will be made by the Borough in the event that the successful bidder fails to complete the purchase of the Property within thirty (30) days from the acceptance of the bid.
- g. The Property is being sold "AS IS" "WHERE IS." The Property will be sold subject to

existing encumbrances, liens, easements, zoning ordinances, other restrictions of record, such facts as an accurate survey would reveal and any present or future assessments for the construction of improvements benefiting the Property, including the Borough's Affordable Housing Settlement and the provisions of said settlement pertaining to this parcel. A survey of the Property may be conducted by any prospective bidder, at its discretion, as part of its due diligence; the bidder is responsible for conducting any and all inspections and testing of the Property at its own cost and expense. No representation is made by the Borough as to the utility, usability or environmental condition of the Property, except as otherwise set forth herein.

- h. The deed given by the Borough to the Property will be a Quitclaim Deed. No title contingencies or conditions are permitted.
- i. The sale shall be subject to adjournment or cancellation by the Borough Council.
- j. The sale shall be subject to restrictions of record and local ordinances.
- k. The Borough shall retain the right to reject all bids.

SECTION 4. In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected

SECTION 5. All ordinances or parts of ordinances deemed to be inconsistent with this ordinance are hereby repealed.

SECTION 6. This ordinance shall become effectively immediately upon final adoption and publication in accordance with the laws of the State of New Jersey.

Seeing no comments or questions form the Public, Mayor Shaner closed the Public Hearing on Ordinance No. 01-2021.

Motion by Cm. Drummond, second by Cm. Swenson to adopt Ordinance No. 01-2021.

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

Parking Ordinance - No updates.

School Study – A discussion was held among the Mayor and Borough Council regarding the possibility of holding a Public Session to explain the Municipal Budget and Hampton School Budgets to the residents of Hampton. Also to give the residents the opportunity to voice their concerns and opinions as to whether the Borough of Hampton should continue to have a local school or to have the students sent to another district. By presenting and comparing all of the numbers there can be more of an understanding of costs to help the Borough better understand what the future will look like financially.

It was decided that the September 27 meeting would be the best meeting to invite the Hampton School Administrators and School Board members as well as members of the public.

The Municipal Clerk was instructed to send a letter to the Hampton School Administrators and School Board Members to invite them to join in the discussion. The Borough Attorney advised that if all members of the Hampton School Board choose to attend the meeting it will have to be advertised as a joint meeting.

This Meeting was held in Person following all Covid Guidelines.

Reports of Committees:

Cm. Swenson deferred to Alan Brower who reported on the wells

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

Cm. Drummond deferred to Alan Brower who reported that we are waiting for the 3 quotes for soil removal at the Lumberyard property.

Municipal Clerk's Report – No report.

New Business:

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

RESOLUTION NO. 57-2021 – APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE EAST GRAND STREET IMPROVEMENT PROJECT

NOW, THEREFOREE, BE IT RESOLVED that 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-2022-East Grand Street Improvement Project-00298 to the New Jersey Department of Transportation on behalf of the Borough of Hampton.

BE IT FURTHER RESOLVED that 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 execution of the grant agreement.

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

Motion by Cm. Drummond, second by Cm. Wotanowski to approve the following Applicant's for Membership in the NJ State Firemen's Association: Timothy R. Phelan and Warren A. Gabriel, III.

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

Park Rental Applications: NONE

Raffle License Applications: NONE

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 July 12, 2021 and to authorize the CFO to pay bills between meetings.

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

This Meeting was held in Person following all Covid Guidelines.

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 7:55p.m.

Respectfully submitted,

Linda Leidner, RMC Municipal Clerk

Minutes: July 12, 2021