

## **BOROUGH OF HAMPTON**

### **REGULAR MEETING**

**June 28, 2022**

Council President Wotanowski called the Regular Meeting of the Hampton Borough Council to order at 7:30p.m. Council President Wotanowski gave the Open Public Meetings Act Statement. The notice of this meeting was advertised in the Hunterdon Democrat on June 23, 2022. The notice was posted on the public bulletin board and is on file in the Office of the Municipal Clerk.

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

The following people were also present: Alan Brower, CPWM, Matt Lyons, Attorney, Kathy Olsen, CFO

Motion by Cm. Wotanowski, second by Cm. Celentano to approve the Minutes of the following meeting of the Borough Council.

Minutes of the May 15, 2022 Regular Meeting.

**Voice vote: All ayes, motion carried.**

### **Comments and Questions from the Public:**

#### **Communications:**

Tax Collector Report – April 2022 – Received, no discussion.

Municipal Court Report – May 2022 – Received, no discussion.

#### **Unfinished Business:**

**Parking Ordinance-** This Ordinance is still being created.

**School Study** – Cm. Celentano reported that one Grant Application fell through, another Grant Application has been filed, so the process is still moving forward.

**Lumberyard** – No update.

#### **Reports of Committees:**

**Cm. Swenson:** Had nothing to report on water, however CFO Kathy Olsen reported that the I Bank Loan closed on 6/23/2022.

**Cm. Tampier:** Had nothing to report, however, DPW Director Alan Brower reported that the outstanding POSHA items are just about complete. Much of it was training. Mr. Brower noted that there is a 30-page report that he is working on to satisfy the PEOSHA requirements.

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

### **MUNICIPAL CLERK'S REPORT:**

Minutes: June 28, 2022

Borough Clerk Leidner inquired as to whether the Borough Council would be ok with the records that are required to be kept being stored off site, instead of having every single document scanned. The reason for the inquiry was to get a better idea as to how to move forward with record retention, our records room is out of space. Many records will never be requested, so instead of scanning every sheet of paper, the records stored off site would be accessible as needed.

Ms. Leidner also reported that she has been working with Edmunds and we are moving along with the move from Vital to Edmunds with Taxes, Water and Animal Licensing.

**NEW BUSINESS:**

**Motion by Cm. Swenson, second by Cm. Rega to approve the following Ordinance on First Reading and to set Public Hearing for July 18, 2022.**

**BOND ORDINANCE NO. 04-2022 – PROVIDING FOR VARIOUS IMPROVEMENTS FOR THE WATER UTILITY IN AND BY THE BOROUGH OF HAMPTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$67,580 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$67, 580 BONDS OR NOTES OF THE BOROUGH TO FINANCE THEREOF**

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

**Motion by Cm. Rega, second by Cm. Swenson to approve the following Ordinance on First Reading and to set Public Hearing for July 18, 2022.**

**BOND ORDINANCE NO. 05-2022 – PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF HAMPTON, COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$323,667 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$307,484 BONDS OR NOTES OF THE BOROUGH O FINANCE PART OF THE COST THEREOF**

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

**Motion by Cm. Swenson, second by Cm. Rega to approve the following Ordinance on First Reading and to set Public Hearing for July 18, 2022.**

**CAPITAL ORDINANCE NO. 06-2022 – CAPITAL ORDINANCE OF THE BOROUGH OF HAMPTON WATER UTILITY, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE MAKING OF IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF HAMPTON WATER UTILITY AND APPROPRIATING THEREFOR THE SUM OF \$51,000 FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH OF HAMPTON’S WATER UTILITY**

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

**Motion by Cm. Celentano, second by Cm. Swenson to adopt the following Resolution No. 43-2022:**

**RESOLUTION NO. 43-2022**

**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 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 and Club 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 Club License be issued for the term 2022/2023 to the following as described by Licensee Name and License Type

License Name: Hampton Fire Company A Non Profit Corporation of NJ

Trade Name: Hampton Fire Company

License Type: Club License

License Number: 1013-31-004-002

License Term: 2022/2023

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: Celentano, Swenson, Wotanowski**

**ABSTAIN: Rega, Tampier**

**Motion carried.**

**Motion by Cm. Rega, second by Cm. Celentano to adopt the following Resolution No. 44-2022:**

#### **RESOLUTION NO. 44-2022**

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 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 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 Plenary Retail Consumption License be issued for the term 2022/2023 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: Celentano, Rega, Swenson, Tampier, Wotanowski**  
**All ayes: Motion carried.**

**Motion by Cm. Celentano, second by Cm. Swenson to adopt the following Resolution No. 45-2022:**

#### **RESOLUTION NO. 45-2022**

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 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 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 for the term 2022/2023 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 vote: AYE: Celentano, Rega, Swenson, Tampier, Wotanowski**

**All ayes: Motion carried.**

**Motion by Cm. Rega, second by Cm. Celentano to adopt the following Resolution No. 46-2022:**

**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT  
RESOLUTION NO. 46-2022**

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 2020 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: Celentano, Rega, Swenson, Tampier, Wotanowski  
All ayes: Motion carried.**

**Motion by Cm. Tampier, second by Cm. Rega to adopt the following Resolution No. 47-2022:**

### **RESOLUTION 47-2022**

**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 2022 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 2022 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: Celentano, Rega, Swenson, Tampier, Wotanowski**

**All ayes: Motion carried.**

#### **PARK RENTAL APPLICATIONS FOR APPROVAL:**

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

Park Rental Application received from Jaimy Housman to hold a Celebration of Life, on July 9, 2022.  
Approx. 60 Participants. Fees received.

Park Rental Application received from Jeannine Clark to hold a Family Party on Saturday, July 16.  
Approx. 60 Participants. Fees received.

Park Rental Application received from Hampton Fire Company to hold a Duck Race on October 1, 2022.  
Fees waived.

Voice Vote, all ayes. Motion carried.

Application received from Musconetcong Watershed Association for use of the Borough Park has been rescinded.

#### **RAFFLE LICENSES FOR APPROVAL:**

**Motion by Cm. Celentano, second by Cm. Wotanowski to approve the following Raffle License:**

Raffle License Application received from the Hampton Fire Company Ladies Auxiliary to hold an Off Premise Merchandise Raffle on August 18, 2022.

Voice Vote: All ayes, Motion carried.

**Motion by Cm. Swenson, second by Cm. Celentano to approve the following Raffle Licenses:**

Raffle License Application received from the Hampton Fire Company Ladies Auxiliary to hold a Duck Race on Saturday, October 8, 2022.

Raffle License Application received from the Hampton Fire Company Ladies Auxiliary to hold an On Premise 50/50 on Saturday October 8, 2022

**Roll call vote: AYE: Celentano, Swenson, Wotanowski**

**ABSTAIN: Rega, Tampier**

**Motion carried.**

**Bills and Claims:** Motion by Cm. Celentano, second by Cm Rega to approve the CFO to pay bills as presented on the bill list of June 28, 2022 and to authorize the CFO to pay bills between meetings.

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

**All ayes: Motion carried.**

**Motion by Cm. Celentano, second by Cm. Rega to adopt the following Resolution No. 48-2022 authorizing Executive Session:**

#### **RESOLUTION NO. 48-2022**

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. 40:4-12B5; 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:

#### **Potential Lease or Sale of Property**

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.

Borough Attorney Matt Lyons announced that no action will be taken as a result of the Executive Session.



The meeting was closed to the public at 8:07pm for Executive Session for the purpose of Potential Lease or Sale of Property.

Motion by Cm. Wotanowski, second by Cm. Celentano to close the Executive Session at 8:29pm.  
Voice vote, all ayes. Motion carried

The meeting was reopened to the public at 8:29pm.

**Adjournment:** Motion by Cm Swenson second by Cm Celentano to adjourn the Regular Meeting of the Hampton Borough Council. Voice Vote: All ayes, motion carried. The meeting adjourned at 8:30p.m.

Respectfully submitted,

Linda Leidner, RMC  
Municipal Clerk