

BOROUGH OF HAMPTON

REGULAR MEETING

August 21, 2023

Mayor Todd Shaner called the Regular Meeting of the Hampton Borough Council to order at 7:30p.m. and gave the Open Public Meetings Act Statement. The notice of this meeting was advertised in the Hunterdon Democrat on January 12, 2023. 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
		Doug Rega	Carroll Swenson
		Jeff Tampier	Rob Wotanowski

Absent: John Drummond (Excused)

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

APPROVAL OF MINUTES:

Motion by Cm. Wotanowski, second by Cm. Rega to approve the Minutes of the July 17, 2023 Regular Meeting of the Borough Council.

Voice vote: All ayes, motion carried.

Comments and Questions from the Public:

Rick Allen, Hampton Fire Company – Spoke regarding the celebration planned for Bob Gibson’s 100th Birthday. The State Police are very involved and there will be at least 13 Fire Companies in the parade.

Communications:

Email request from Thomas Dallessio from the Musconetcong Water Association to discuss a Water Vision Plan. – Tom Dallessio and MWA President Richard Cotton were in attendance. A packet of information was distributed to Council Members and Mr. Dallessio and Mr. Cotton both spoke briefly about their mission and goals. Both mentioned that the Musconetcong Water Association is eager to work with the Borough to meet future goals along the watershed.

Letter from the NJDOT re: Applications for the 2024 Safe Routes to School Program due November 17, 2023 – No discussion.

Copy of Resolution adopted by the Hunterdon County Commissioners opposing the removal of \$200 million for the Municipal Health Benefit Cost Relief from the State Budget. No discussion.

Tax Collector Collection Report July 2023 Received

UNFINISHED BUSINESS:

Ordinances for Public Hearing and Adoption:

Motion by Cm Rega, second by Cm. Wotanowski to open the Public Hearing on the following Ordinance 04-2023:

BOND ORDINANCE NO. 04-2023 – PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF HAMPTON APPROPRIATING \$155,300 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$147,535 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HAMPTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Hampton, in the County of Hunterdon, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$155,300, and further including the aggregate sum of \$7,765 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$147,535 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) <u>Streets and Roads</u>			
1) The replacement of equipment, including, but not limited to a backhoe and a lawnmower and further including all related costs and expenditures incidental thereto.	\$85,100	\$80,845	15 years
2) The replacement of the retaining wall at Borough Hall, including all work and materials necessary therefor and incidental thereto.	\$2,700	\$2,565	10 years
	\$2,000	\$1,900	10 years

3) Snow plow upgrades, including, but not limited to, the replacement of plow lights and blades and further including all work and materials necessary therefor and incidental thereto.			
b) Fire Department			
1) The acquisition of turn out gear, including all related costs and expenditures incidental thereto.	\$19,800	\$18,810	5 years
2) The replacement of equipment, including, but not limited to portable/mobile radios and further including all related costs and expenditures incidental thereto.	\$10,200	\$9,690	5 years
3) The replacement of rescue/extraction tools, including all related costs and expenditures incidental thereto.	\$10,200	\$9,690	15 years
c) Rescue Squad			
1) The acquisition of turn out gear coats and pants, including all related costs and expenditures incidental thereto.	<u>\$25,300</u>	<u>\$24,035</u>	5 years
Total	<u>\$155,300</u>	<u>\$147,535</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later

than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 11.28 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$147,535, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$2,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to

payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Voice Vote: All ayes, motion carried.

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

Motion by Cm Rega, second by Cm. Celentano to close the Public Hearing on Ordinance 04-2023:

Voice Vote: All ayes, motion carried.

Motion by Cm. Celentano, second by Cm. Rega to adopt Bond Ordinance No. 04-2023.

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

Absent: Drummond

All ayes: Motion carried.

Motion by Cm. Wotanowski, second by Cm. Celentano to open the Public Hearing on the following Ordinance 05-2023:

BOND ORDINANCE NO. 05-2023 – PROVIDING FOR THE EAST GRAND STREET IMPROVEMENT PROJECT IN AND BY THE BOROUGH OF HAMPTON, APPROPRIATING \$300,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$81,324 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HAMPTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Hampton, in the County of Hunterdon, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$300,000, including a grant from the State of New Jersey Department of Transportation in the amount of \$218,676 (the "State Grant"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the cost of the improvement or purpose in Section 3(a) hereof since the improvement or purpose is being partially funded by the State Grant.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$81,324 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the East Grand Street Improvement Project, including, but not limited to, drainage improvements, curbing, sidewalk repairs and replacements, milling, base repairs, the replacement of ADA curb ramps, paving, striping and restoration and further including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in

the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$81,324, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$60,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or, if other than the State Grant, to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Voice Vote: All ayes, motion carried.

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

Motion by Cm Wotanowski, second by Cm. Celentano to close the Public Hearing on Ordinance No. 05-2023:

Voice Vote: All ayes, motion carried.

Motion by Cm. Celentano, second by Cm. Rega to adopt Bond Ordinance No. 05-2023.

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

Abstain: Rega Absent: Drummond

All ayes: Motion carried.

Motion by Cm Rega, second by Cm. Wotanowski to open the Public Hearing on the following Ordinance 06-2023:

BOND ORDINANCE NO. 06-2023 – PROVIDING FOR VARIOUS IMPROVEMENTS TO THE WATER UTILITY IN AND BY THE BOROUGH OF HAMPTON, APPROPRIATING \$105,600 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$105,600 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HAMPTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of Hampton, in the County of Hunterdon, New Jersey (the "Borough"). For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$105,600. No down payment is required as the purposes authorized herein are deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the several improvements or purposes, negotiable bonds are hereby authorized to be issued in the principal amount of \$105,600 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) The replacement of the Robin Hill pressure reducing valve, including all related costs and expenditures incidental thereto.	\$27,600	\$27,600	15 years
b) The replacement of equipment, including, but not limited to, a backhoe and further including all related costs and expenditures incidental thereto.	\$73,600	\$73,600	15 years

c) The acquisition of inventory supplies, including, but not limited to, pipes, fittings and other related supplies and further including all related costs and expenditures incidental thereto.	\$3,700	\$3,700	15 years
d) The acquisition of an air gun for the shop, including all related costs and expenditures incidental thereto.	\$700	\$700	15 years
Total:	<u>\$105,600</u>	<u>\$105,600</u>	

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as self-liquidating purposes of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$105,600, but that the net debt of the Borough determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$2,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Borough pursuant to N.J.S.A. 40A:2-44(c).

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Voice Vote: All ayes, motion carried.

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

Motion by Cm Wotanowski, second by Cm. Celentano to close the Public Hearing on Ordinance No. 06-2023:

Voice Vote: All ayes, motion carried.

Motion by Cm. Wotanowski, second by Cm. Rega to adopt Bond Ordinance No. 06-2023.

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

Absent: Drummond

All ayes: Motion carried.

Motion by Cm Wotanowski, second by Cm. Celentano to close the Public Hearing on Ordinance No. 07-2023:

BOND ORDINANCE NO. 07-2023 - PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$125,000 FOR THE FOSS AVENUE PROJECT IN AND BY THE BOROUGH OF HAMPTON, AND AUTHORIZING THE ISSUANCE OF \$125,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THEREOF

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HAMPTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance has heretofore been authorized to be undertaken by the Borough of Hampton, in the County of Hunterdon, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the supplemental amount of \$125,000, such sum being in addition to the \$300,000 appropriated therefor by Bond Ordinance #08-2022 of the Borough, finally adopted September 19, 2022 (the "Original Bond Ordinance"). Pursuant to N.J.S.A. 40A:2-11(c), no additional down payment is provided for the cost of the improvement or purpose in Section 3(a) of this bond ordinance since the improvement or purpose in the Original Bond Ordinance was being partially funded by a State of New Jersey Department of Transportation Grant in the amount of \$153,000.

Section 2. In order to finance the additional cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$125,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is the Foss Avenue Project, including all work and materials necessary therefor and incidental thereto, as described in the Original Bond Ordinance.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$272,000, including the \$147,000 authorized by the Original Bond Ordinance and the \$125,000 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$425,000, including the \$300,000 appropriated by the Original Bond Ordinance and the \$125,000 appropriated herein.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time

subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$125,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$85,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, \$60,000 was estimated for these items of expense in the Original Bond Ordinance and an additional \$25,000 is estimated therefor herein.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to

provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Voice Vote; all ayes. Motion carried.

Mayor Shaner opened the Public Hearing.

A resident inquired about paving the teacher's parking lot at the school. The school will be paving the lot.

Motion by Cm Wotanowski, second by Cm. Celentano to close the Public Hearing on Ordinance No. 07-2023:

Voice Vote: All ayes, motion carried.

Motion by Cm. Wotanowski, second by Cm. Tampier to adopt Bond Ordinance No. 07-2023.

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

Absent: Drummond

All ayes: Motion carried.

Lumberyard – A quote for the completion of this remediation project was received from Engineering and Land Planning but needs further review by the CFO and Borough Attorney. This will be placed on the September 18, 2023 Agenda.

Municipal Liens – Discussion was held and the Borough Council members agreed to begin moving forward with foreclosures on Block 25 Lot 5, Block 24 Lot 29.02, Block 21 Lot 2.026 and Block 21 Lot 2.028.

Reports of Committees:

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

Cm. Tampier – Reported that a meeting was held with Hampton School Administrator Mr. Kerr and Board Members to re-examine a Shared Service Agreement. It is a work in progress.

MUNICIPAL CLERK'S REPORT:

No report.

New Business:

The following Ordinance was Read by Title and Public Hearing and Adoption will be held on August 2:

The following Ordinance NO. 08-2023 was Read by Title and Public Hearing and Adoption will be held on September 18, 2023:

Motion by Cm. Celentano, second by Cm. Wotanowski to approve the following Ordinance on First Reading and to set Public Hearing for September 18, 2023:

ORDINANCE NO. 08-2023 AN ORDINANCE BY HAMPTON BOROUGH IN HUNTERDON COUNTY, NEW JERSEY, AMENDING CHAPTER 205, ENTITLED "SOLID WASTE" OF THE HAMPTON BOROUGH MUNICIPAL CODE

It was explained that this Ordinance was discussed at a previous meeting to authorize the South Branch Emergency Squad and the Fire Company to place an extra trash container due to extra personnel and hours.

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

Motion by Cm. Wotanowski, second by Cm. Rega to adopt the following Resolution No. 54-2023

RESOLUTION 54-2023

RESOLUTION TO EXTEND THE GRACE PERIOD FOR THE THIRD QUARTER TAXES DUE AUGUST 1, 2023

WHEREAS, N.J.S.A. 54:4-66.3 provides that the third installment of the current year taxes shall not be subject to interest until the twenty-fifth calendar day after the date that the tax bill was mailed or otherwise delivered, and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Hampton, County of Hunterdon and State of New Jersey that the third quarter installment of real estate taxes for 2023 have an extended grace period until August 31, 2023. If payment is not received by August 31, 2023, interest on the third quarter installment will be charged interest from August 1, 2023.

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

Motion by Cm. Rega, second by Cm. Wotanowski to adopt the following Resolution No. 55-2023

RESOLUTION NO. 55-2023

RESOLUTION AUTHORIZING SALE OF SURPLUS PROPERTY VIA PUBLIC AUCTION

WHEREAS, N.J.S.A.40A:11-36 permits a municipality to sell personal property not needed for public use via public auction; and

WHEREAS, the Borough of Hampton has determined that the items listed in the attached exhibit represent the municipal property that they would like to attempt to sell via public auction; and

WHEREAS, the N.J.S.A.:11-2 allows municipalities to purchase any goods or services under any contract or contracts for such goods or services entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, Municibid has been awarded Contract T-2581 from the State by the Division of Purchase and Property in the Department of the Treasury for the provision of internet-based auctioneering services in order to dispose of public property; and

WHEREAS, the Borough of Hampton desires to utilize the services provided by Municibid, in accordance with the terms and conditions of their State Contract for purposes of expanding the visibility of their auction.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Hampton, Hunterdon County, New Jersey, that it hereby authorized the following:

1. Public Auction of the items listed in the attached exhibit in accordance with the Local Public Contracts Law.
2. Use of State Contract T-2581 for the provision of internet-based auctioneering services.

List of DPW Surplus Items

1. 2003 Ferris 61" Zero Turn Mower Serial #1675 Model # IS 3000
2. 2006 Ferris Model IS 3000 61" Zero Turn Mower Serial #5376
3. Eager Beaver Asphalt Roller Model #SRH150W
4. Toro Snow Blower Model #38650 Serial #250020660
5. Stihl Backpack Blower Br550 Serial #26676689
6. 3 Chainsaws of various ages all made by Stihl
7. Stihl Cut off saw Gas Powered.

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

Absent: Drummond

All ayes: Motion carried.

Motion by Cm. Rega, second by Cm. Wotanowski to adopt the following Resolution No. 56-2023

RESOLUTION NO. 56-2023

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 \$25,000.00 from the State of New Jersey and wishes to amend its 2023 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 2023 in the sum of \$25,000.00 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:

Stormwater Assistance Grant, and

BE IT FURTHER RESOLVED, that a like sum of \$25,000.00 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:

Stormwater Assistance Grant:

Other Expenses

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

Absent: Drummond

All ayes: Motion carried.

Motion by Cm. Wotanowski, second by Cm. Celentano to approve the Application for Membership to the New Jersey Firemen's Association for Gary W. Magyar, Jr. and for the Municipal Clerk to sign the application.

Abstain: Rega, Tampier

Voice vote: All ayes, motion carried.

RAFFLE LICENSE FOR APPROVAL:

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

Raffle License Application received from the Hampton Fire Company Ladies Auxiliary to hold an Off Premise Merchandise Raffle on September 19, 2023.

Abstain: Rega, Tampier

Voice vote: All ayes, motion carried.

Motion by Cm. Wotanowski, second by Cm. Rega to approve the following Raffle License Application:

Raffle License Application received from the Church of St, Ann to hold a50/50 Raffle on December 16, 2023.

Voice vote: All ayes, motion carried.

PARK APPLICATION FOR APPROVAL:

Motion by CM. Tampier, second by Cm. Wotanowski to approve and waive fees for the following Park Rental:

Park Rental Application received for a surprise party to be held on Saturday September 9, 2023 for a longtime firefighter.

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

Absent: Drummond All ayes: Motion carried.

Bills and Claims: Motion by Cm. Wotanowski, second by Cm. Rega to authorize the CFO to pay bills listed on the August 21, 2023 Bill list and to pay bills between meetings.

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

Absent: Drummond

All ayes: Motion carried.

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 8:24p.m.

Respectfully submitted,

Linda Leidner, RMC
Municipal Clerk