

**BOROUGH OF HAMPTON**

**REGULAR MEETING**

**October 16, 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

The following people were also present: Matt Lyons, Attorney, Alan Brower Director DPW, and William Burr, Borough Engineer.

A moment of silence was held in memory of Councilman John Drummond who passed away on September 30, 2023.

Mayor Shaner and all members of the Borough Council expressed sadness in the loss of Councilman Drummond and noted what an asset he was to the Borough and its residents. He will be missed.

The Republican Committee offered 3 names for consideration to fill the seat vacant seat on October 13, 2023 and the names were: Rob Walton, Chris Masin and Lee Hansen:

County Committee person Carroll Swenson gave a brief description of qualifications of each candidate.

Motion by Cm. Swenson, second by Cm. Rega to appoint Lee Hansen to fill the vacant seat, this appointment expires after the Certification of the 2024 General Election.

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

Borough Attorney Matt Lyons administered the Oath of Office to Lee Hansen, Cm. Wotanowski held the Bible.

**APPROVAL OF MINUTES:**

Motion by Cm. Wotanowski, second by Cm. Tampier to approve the Minutes of the September 18, 2023 Regular Meeting of the Borough Council.

**Voice vote: Abstain: Cw. Hansen**  
**All ayes, motion carried.**

**Comments and Questions from the Public:**

Karen Cunningham- Inquired as to whether there has been any further action since the presentation by the Musconetcong Watershed Association. Mayor Shaner explained that there has been no action.

**Communications:**

**Letter from Hampton Public School re: Shared Services Agreement – Noted as received, no discussion.**

**Letter from Hunterdon County Board of Commissioners to oppose the following:  
Motion by Cm. Celentano, second by Cm. Wotanowski to adopt the following Resolution:  
RESOLUTION #61-2023 OPPOSING H.R. 3372, WHICH WOULD ESTABLISH A 10-YEAR "PILOT PROGRAM  
FOR STATES TO TEST THE INCREASE OF ALLOWABLE TRUCK WEIGHT 91,000 POUNDS"**

**WHEREAS**, H.R. 3372, was introduced in the House of Representatives on May 16, 2023, and would create a program for states to 'test' 91,000-pound trucks on their roads; and

**WHEREAS**, this increase to 91,000 pounds, represents a nearly 14% increase over the current large rigs which are approximately 80,000 pounds in weight; and

**WHEREAS**, a 2023, joint study prepared by the National Association of Counties and National Association of County Engineers, found that 72,000 local bridges across the country can't safely handle 91,000-pound trucks and it would cost \$61 billion to replace them; and

**WHEREAS**, according to the USDOT, even with a 5<sup>th</sup> axle distributing the load, 91,000-pound trucks would only pay for about 55% of their damage to roads and bridges; and

**WHEREAS**, since Congress last raised truck weight weights, the number of trucks registered in the U.S. and the miles they drive have increased by 91%; and

**WHEREAS**, Hunterdon County is home to numerous small historic bridges that currently can't handle existing heavy trucks that are on the roadways; and

**WHEREAS**, existing truck traffic presents numerous challenges to Hunterdon County's 26 municipalities including its numerous, small historic downtowns; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be sent to U.S. Representative Tom Kean, U.S. Senators Robert Menendez and Cory Booker; and

**NOW THEREFORE BE IT RESOLVED**, that the governing body of the Borough of Hampton, hereby opposed H.R. 3372, and calls upon the federally elected representatives to oppose this legislation; and

**BE IT FURTHER RESOLVED**, that the Clerk of the Borough of Hampton shall send a copy of this resolution to all 26 Hunterdon County municipalities, with a request that they adopt similar resolutions in opposition to H.R. 3372.

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

**Letter from Hunterdon County Board of Commissioners requesting support of the following:  
Motion by Cm. Rega, second by Cm. Wotanowski to adopt the following Resolution.  
RESOLUTION NO. 62-2023 SUPPORTING ASSEMBLY BILL NO. 975 AND SENATE BILL NO. 2643  
SPONSORED BY ASSEMBLY MINORITY LEADER JOHN DiMAO AND SENATOR DOUG STEINHARDT,  
REQUIRING COMMERCIAL MOTOR VEHICLES TO BE EQUIPPED WITH CERTAIN GLOBAL POSITIONING  
SYSTEMS**

**WHEREAS**, bipartisan Assembly Bill No. 975 sponsored by Assemblyman John DiMaio and Assemblyman Dainel Benson would require a commercial motor vehicle operating upon the public highways of this State, to be equipped with global positioning system navigation program that provides information about upcoming highway infrastructure with low vertical clearance and weight restrictions and dynamic route directions that account for commercial motor vehicle restrictions; and

**WHEREAS**, the legislation defines a “commercial motor vehicle” as a select group of vehicles with a gross vehicle weight rating of 26,001 or more pounds, or that display a gross vehicle weight rating of 26,001 or more pounds; and

**WHEREAS**, commercial motor vehicles have restricted routes of travel that are not readily displayed on civilian navigation systems that are sometimes used by operators of commercial motor vehicles; and

**WHEREAS**, because of limited information on civilian navigation systems, commercial motor vehicle operators often unintentionally end up on restricted weight roadways or are stopped along their route by a restricted weight bridge; and

**WHEREAS**, Hunterdon County has sustained damages to roadways and bridges as a result of overweight trucks traveling on them; and

**WHEREAS**, unless identified by camera, or law enforcement personnel, Hunterdon County taxpayers are on the hook for the cost of repairs to infrastructure damaged by large trucks; and

**WHEREAS**, this legislation is also important given the number of historic bridges, culverts, and downtowns located throughout Hunterdon County that cannot accommodate large commercial vehicles and cause considerable disruption to local traffic flow; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council of the Borough of Hampton, Hunterdon County New Jersey does hereby support Assembly Bill No. 975 and Senate Bill No. 2643; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be sent to members of the 15<sup>th</sup>, 16<sup>th</sup>, and 23<sup>rd</sup> Legislative Districts; and

**BE IT FURTHER RESOLVED**, that the Borough Clerk shall send a copy of this resolution to all 26 Hunterdon County municipalities, with a request that they adopt similar resolutions in support of Assembly Bill No. 975 and Senate Bill No. 2643

**Voice Vote: No: Celentano Yes: Hansen, Rega, Swenson, Tampier, Wotanowski  
Motion carried.**

**Tax Collector Collection Report September 2023 – Noted received, no discussion.**

**Tax Collector Memo to Council re: 2 properties not sold at Tax Sale on October 12, 2023 – Noted received. No discussion.**

**Zoning Officer Third Quarter Report – Noted received, no discussion.**

## **UNFINISHED BUSINESS:**

**Lumberyard** – DPW Director Brower reported that we are waiting for certification of soil to be brought into Hampton.

**Municipal Liens** – Cm. Swenson reported that he met with Attorney Tara St. Angelo regarding the foreclosure process and showing Ms. St. Angelo the properties on the tax map. Cm. Swenson also noted that he met with the Assessor as well.

## **Reports of Committees:**

**Cm. Swenson** – DPW Director Brower reported that for leaf collection, Down to Earth tripled their prices and required a credit card to be on file for payment for the Borough to use them again this year for leaves. Mr. Brower has been in discussion with High Bridge to possibly enter into a shared services agreement to bring the leaves to their new recycling facility. Mr. Brower noted this would result in financial savings as well as time saving for Hampton. Borough Attorney Lyons noted that a long-term shared services agreement would be the best way to move forward. Mr. Brower hoped to have this in place prior to the next meeting.

**Cm. Tampier** thanked the council for attending the demonstration of the South Brance Rescue truck, and he wanted to be sure that everyone knew that the South Branch truck is in no way replacing the Fire Company, The South Branch truck is automatically alerted as a secondary unit at the scene.

DPW Director Brower also reported that the garbage truck is fixed, it came in \$4000.00 over but the whole back end of the truck needed to be repaired.

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

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

The Municipal Clerk advised the Borough Council that she would be away in Indianapolis from November 1-4, her daughter will be receiving her FFA American Degree.

Water bills were delayed due to a glitch in the transfer of readings to billing program.

The Borough Clerk advised the Borough Council that January 1, 2024 is a Monday and inquired if they would like to schedule the 2024 Reorganization meeting for that day. All members agreed that January 1, 2024, with a luncheon following would be a good way to start the new year. Therefore, the 2024 Reorganization Meeting will be held on January 1, 2024 at Noon.

Cm. Rega noted that he would like to see some type of dedication be made to a long-time friend and Councilman Drummond. All Borough Council members agreed and that will be done on January 1 as well.

## **New Business:**

**Motion by Cm. Tampier, second by Cm. Wotanowski to Introduce the following Ordinance by Title and setting Public Hearing for November 20, 2023.**

**ORDINANCE NO. 09-2023 - AN ORDINANCE TO AMEND CHAPTER 93 "ANIMALS" OF THE CODE OF THE BOROUGH OF HAMPTON**

**WHEREAS**, Chapter 93 of the Code of the Borough of Hampton regulates the licensing of dogs, removal of animal feces, and inoculation of cats; and

**WHEREAS**, the provisions of Chapter 93 are based in part on *N.J.S.A. 4:19-15.1, et seq.* which has been amended since the last revision to Chapter 93; and

**WHEREAS**, the Mayor and Council wish to revise Chapter 93-2 "Dog Licensing Requirements," Subsection C (1) and(2) "Fees, renewals, expiration date of licenses," to provide for an increase of fees; and

**WHEREAS**, the Mayor and Council also wish to revise Chapter 93-4 "Disposition of Fees," Subsection B, to clarify payments to the State of New Jersey.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Hampton, Hunterdon County, State of New Jersey, that Chapter 93 entitled "Animals" of the Code of the Borough of Hampton is hereby amended as follows:

Section 1.

**§ 93-2 "Dog Licensing Requirements;" Subsection C (1) and (2) "Fees, renewals, expiration date of licenses," is amended as follows** (additions indicated in boldface and italics "***thus***;" deletions indicated with strike-through "~~thus~~"):

- (1) The person applying for the license and registration tag shall pay the fee established in the sum of ~~\$1~~ ***\$10.00*** for the registration tag of each dog, and for each annual renewal, the fee for the license and for the registration tag shall be the same as for the original license and tag. The licenses, registration tags and renewals thereof shall expire on January 31 in each year.
- (2) In addition to the fee charged pursuant to Subsection C (1) above, any person applying for a license and registration tag shall pay:
  - (a) A fee of \$3 for any dog of reproductive age which has not had its reproductive capacity permanently altered through sterilization to be forwarded to the State Treasurer for deposit in the Animal Population Control Fund.
  - (b) An additional fee of \$0.20 to be forwarded to the State Treasurer to fund the animal sterilization pilot clinic.

**Section 2.**

**§ 93-4 "Disposition of Fees" Subsection B is amended as follows** (additions indicated in boldface and italics "***thus***;" deletions indicated with strike-through "~~thus~~"):

- B. The registration tag fee of \$1 for each dog shall be forwarded within 30 days after collection by the Borough Clerk or other designated official to license dogs to the State Department of Health and Senior Services, which Department shall forward the sum to the State Treasurer, who shall place all such moneys in a special account for use only by the State Department of Health and Senior Services in administering this article and for the prevention and control of rabies throughout the state, and such account is hereby declared to be a trust fund not subject to legislative appropriation. At the end of the third fiscal year following the adoption of this article, and at the end of each fiscal year thereafter, there shall be withdrawn from this trust fund and transferred to the general funds of the state any amount then in such fund which is

in excess of the total amount paid into such fund during the last two fiscal years next preceding.

C. *Pursuant to § 93-2 Subsection C (2) (a) (b), an additional \$3.20 is being forwarded to the State of New Jersey as follows:*

*(a) A fee of \$3 for any dog of reproductive age which has not had its reproductive capacity permanently altered through sterilization to be forwarded to the State Treasurer for deposit in the Animal Population Control Fund.*

*(b) An additional fee of \$0.20 to be forwarded to the State Treasurer to fund the animal sterilization pilot clinic for each dog in Section (a) above.*

**Section 3.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**Section 4.** If any section, phrase or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction for any reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**Section 5.** This Ordinance shall take effect upon final passage and publication according to law.

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

**All ayes: Motion carried.**

**Borough Engineer Burr discussed the options for awarding the contract for the East Grand Street Improvement Project with the Borough Council. After the discussion it was determined that it would be best to move forward with the following:**

**Motion by Cm. Rega, second by Cm. Wotanowski to allow Crossroads to withdraw their bid and to adopt the following Resolution Awarding the East Grand Street Bid to the second lowest bidder Top Line, Certification of Funds was received from CFO:**

### **RESOLUTION NO, 63-2023**

#### **RESOLUTION APPROVING BID REVIEW AND RECOMMENDATION OF COLLIERS ENGINEERING & DESIGN, FOR PROFESSIONAL SERVICES IN CONNECTION WITH THE BOROUGH OF HAMPTON EAST GRAND STREET IMPROVEMENT PROJECT**

**WHEREAS**, pursuant to Resolution No. the Mayor and Council of the Borough of Hampton approved and awarded a Contract with Colliers Engineering & Design (“Colliers”) under the terms and conditions in their proposal, for the professional engineering services associated with East Grand Street Improvement Project; and

**WHEREAS**, bids were advertised to be received and opened on October 10, 2023, for the Borough of Hampton East Grand Street Improvement Project; and

**WHEREAS**, three (3) bids were received by the Borough’s Municipal Clerk as follows:  
and

<u>Contractor</u>	<u>Total Bid</u>
Crossroads Paving	\$202,694.57
Top Line Construction, Corp.	\$281,612.56
Reivax Contracting Corp.	\$303,032.60

**WHEREAS**, Colliers has submitted a Bid Review and Recommendation dated October 10, 2023, revised October 16, 2023 (attached hereto as Exhibit “A”); and

**WHEREAS**, the low bid was submitted by Crossroads Paving, in the sum of \$202,694.57, total Bid; and

**WHEREAS**, subsequent to the receipt of bids, Crossroads Paving submitted correspondence, dated October 13, 2023, requesting their bid be withdrawn due to there being multiple errors which would cause significant financial hardship to perform the work for the current bid price; and

**WHEREAS**, the second low bid was submitted by Top Line Construction Corp., in the sum of \$281,612.56, Total bid; and

**WHEREAS**, Colliers has recommended that the bid is in conformance with the Bid Specifications and recommends the award of contract to Top Line Construction Corp.; and

**WHEREAS**, the Borough Council has reviewed the recommendations made by Colliers and the Borough Attorney on said bids; and

**WHEREAS**, the Borough of Hampton Chief Financial Officer has certified that availability of funds in the amount of \$281,612.56 per CAF # 44-903 (attached hereto as Exhibit “B”), which shall be charged against budget line item No. C-04-215-55-667-299, in the amount of \$281,612.56.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hampton, County of Hunterdon, State of New Jersey, as follows:

1. Collier’s recommendation of the bid of Top Line Construction Corp. for Professional Services for the East Grand Street Improvement Project is approved in an amount not to exceed \$281,612.56.
2. The Borough acknowledges Crossroads bid withdrawal based on the fact that they will incur financial hardships if required to perform the work in their current bid and is therefore disqualified from future bidding on the same project pursuant to the Local Public Contracts Law.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Mayor and Clerk of the Borough of Hampton, Hunterdon County, New Jersey, are hereby authorized and directed to execute any documents necessary to effectuate the October 10, 2023, revised October 16, 2023 recommendation.

**ADOPTED** at a regular meeting of the Mayor and Council of the Borough of Hampton, County of Hunterdon, State of New Jersey held on October 16, 2023.

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

**Motion by Cm. Swenson, second by Cm. Rega to accept, with regret, the following Resolution No. 64-2023**

**RESOLUTION NO. 64-2023**

**RESOLUTION ACCEPTING RESIGNATION OF TAX COLLECTOR**

**WHEREAS**, Diane Laudenbach, Tax Collector has submitted a letter of resignation from her position due to retirement effective as of November 30, 2023 after 27 years of dedicated service; and

**BE IT RESOLVED** by the Borough Council of the Borough of Hampton, Hunterdon County, that the Borough Council accepts with regret the resignation submitted and sincerely appreciates the many years of service provided by Diane Laudenbach for the Borough and its' residents. This resignation is effective November 30, 2023.

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

Cm. Swenson inquired as to how soon the Borough can advertise to fill this position.

Borough Clerk Leidner advised the Borough Council Members that there is a current staff member that is a Certified Tax Collector and would like to be considered for the position.

After a discussion it was decided that due to the short amount of time to fill the position the Personnel Committee would meet with the interested staff person. Once that meeting was complete the Personnel Committee would then ask the Borough Clerk to advertise the position if necessary. The Borough Clerk was also instructed to RICE Notice that employee for the next Borough Council Meeting.

**Motion by Cm. Swenson, second by Cm. Rega to adopt the following Resolution No. 65-2023  
RESOLUTION N. 65-2023**

**RESOLUTION TO AWARD CONTRACT  
FOR BLOSSOM ROAD IMPROVEMENT PROJECT PURSUANT TO PUBLIC BIDDING THROUGH  
THE MORRIS COUNTY COPPERATIVE PRICING COUNCIL  
TO CIFELLI & SONS GENERAL CONTRACTING, INC.**

**WHEREAS**, the Borough plans to improve Blossom Road with new concrete curbing; and  
**WHEREAS**, the Borough has appropriate monies to construct the improvements on Blossom Road; and

**WHEREAS**, the Borough plans on utilizing Cifelli & Sons General Contracting, Inc. ("Cifelli & Sons") through its membership in the Morris County Cooperative Pricing Council ("MCCPC"); and

**WHEREAS**, the Borough of Hampton requested a proposal for Blossom Road Curb Improvements; and

**WHEREAS**, Cifelli & Sons are qualified contractors and have been found to be in compliance with the terms of MCCPC; and



**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hampton, County of Hunterdon, State of New Jersey, that the Borough shall utilize Cifelli & Sons for the improvements on Blossom Road through the Borough's membership in the MCCPC as follows subject to Borough Attorney review and receipt of available funds by the CFO:

1. Remove/replace 1,720 L.F. of old bituminous curb with concrete vertical curb on Blossom Road for a total of \$ 81,700.00;
2. Reconstruct existing "E" inlet at the intersection of Charlestown Road and Blossom Road using same casting for a total of \$ 5,500.00;
3. Remove/replace four (4) slabs of heaved concrete sidewalk at 7 S.Y. on Charlestown Road for a total price of \$ 1,228.50;
4. Remove/replace 15 L.F. of concrete curb with restoration on South Street for a total of \$712.50.

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

**Motion by Cm. Tampier, second by Cm. Wotanowski** authorizing the Mayor and Borough Clerk to sign the **Memorandum of Understanding** between New Jersey Motor Vehicle Commission's CAIR Program and Hampton Borough.

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

Borough Clerk Leidner and Borough Attorney Lyons explained that Statewide Insurance requires the Borough to check to be sure that all Fire Company volunteers and CDL holders have a current drivers license. This agreement allows the borough Clerk to go into a system to check driver license status only.

**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 November 21, 2023.

Abstain: Tampier

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

**Bills and Claims:** Motion by Cm. Wotanowski, second by Cm. Celentano to authorize the CFO to pay bills listed on the October 16, 2023 Bill list and to pay bills between meetings.

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

**Adjournment:** Motion by Cm Swenson second by Cm. Wotanowski to adjourn the Regular Meeting of the Hampton Borough Council. Voice Vote: All ayes, motion carried.

The meeting adjourned at 8:32p.m.

Respectfully submitted,

Linda Leidner, RMC  
Municipal Clerk