

Minutes Regular Meeting of Mayor and Council –August 24 , 2015
Town Hall Council Chambers, 100 Central Avenue
Executive Session 6:00 P.M.
Public Session 7:00 P.M.

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilman:

Furgione - Present

Gribbin - Present

Pullia - Present

Rodio – Present

Torrissi - Absent

Wuillermin - Present

Mayor DiDonato - Present

PRESENT ALSO

Brian Howell, Town Solicitor

Jerry Barberio, PWM/Business Administrator

Executive Session #R094-2015

#R094-2015

BE IT RESOLVED, by the Mayor and Common Council of the Town of Hammonton that, in accordance with the “Open Public Meetings Act,” an Executive Session is authorized on this below adopted date, for the purpose of discussing and/or acting upon:

1. Disciplinary Discussion – Utility Department Temporary Employee
2. S.J. Gas Remediation
3. COAH
4. Personnel: Vacancies
5. Third Floor Lease
6. Bid Challenge – Various Town Streets
7. Rental Registration Ordinance Update

BE IT FURTHER RESOLVED, that the minutes of any matters discussed in Executive Session shall be released to the public as soon as reasonably possible after Mayor and Council conclude that the basis for exclusion of the public ceases to exist.

Motion by Councilperson Gribbin, seconded by Councilperson Furgione, resolution 94 is adopted.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Torrissi - Absent

Wuillermin - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

RESUME REGULAR MEETING-ROLL CALL

Councilman:

Furgione - Present

Gribbin - Present

Pullia - Present

Rodio – Present

Torrissi - Absent

Wuillermin - Present

Mayor DiDonato - Present

PRESENT ALSO

Brian Howell, Town Solicitor

Bob Vettese of ARH, Town Engineer

Jerry Barberio, PWM/Business Administrator

PUBLIC NOTICE

Notice of this meeting has been posted and given to official newspapers. Please familiarize yourselves with the fire exits to the right and rear of the Council Chambers. Please do not proceed beyond the front benches without invitation from the Mayor to do so. Also, each person who wishes to address Council will be allotted 5 minutes.

PLEDGE OF ALLEGIANCE

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard.

MOMENT OF SILENCE – SAM CURCIO

APPROVAL OF MINUTES

Executive Session – July 27, 2015

Regular Meeting – July 27, 2015

Special Meeting – August 10, 2015

Motion by Councilperson Gribbin, seconded by Councilperson Furgione, the minutes are approved.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Torrissi - Absent

Wuillermin - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

Oath of Office – Officer Charles Sbarra

Presentation ACO – Bob Vettese Town Engineer

No one from the public desired to be heard.

Motion by Councilman Wuillermin, seconded by Councilman Rodio, authorize Mayor DiDonato to sign amended ACO and forward information to water/sewer users concerning status.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Torrissi - Absent

Wuillermin - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Presentation Stockton “Get Fit Initiative”-Eileen Conran-Folks and Ginna Petrillo

Presentation Wharton State Forrest - Chris Jage

Upon completion of the presentation, Mr. Barberio questioned is this a proposed or new plan?

Rob Arrowmiller - Wharton State Forrest Patrol

Mr. Arrowmiller advised the plan is a new approach to manage an existing plan. They recognize motorized recreation is a legitimate way to enjoy our state forests.

Al Valentino – Firefighter

Mr. Al Valentino - Firefighter stated he supports the proposed plan which will enable more efficient firefighting.

Councilman Gribbin questioned how many miles of roads within the Wharton State Forrest are located in the Town of Hammonton’s boundaries?

Mr. Arrowmiller responded approximately 20-25 miles

Councilman Wuillermin questioned if the plan is an attempt to limit the amount of traffic on the roadways in the Wharton State Forrest?

Mr. Arrowmiller responded no.

Mr. Barberio questioned if other state park services have similar access plans?

Mr. Arrowmiller responded that Bell Plain has a similar access plan which also allows access to seasonal hunters.

Mayor DiDonato questioned will those accessible roads be opened throughout the year or on a limited basis and who will enforce the plan?

Mr. Arrowmiller responded the plan will be enforced by State Park Police and some roadways will not be accessible. He further advised that this is a draft plan and public concerns will be taken into consideration.

Councilman Gribbin questioned why would Medford Lakes Municipality pass a resolution against this plan?

Mr. Arrowmiller stated he believes that some people have received the false information about the proposed plan and that may have attributed to Medford Lakes decision.

Councilman Furgione questioned how would one know if the public is on the wrong forest roadway?

Mr. Arrowmiller agreed the plan itself is not going to stop every person but there will be markings at the entrance of the roadways.

Councilman Furgione questioned what percentage of motorists are not following the rules currently?

Mr. Arrowmiller agreed most people visiting the forest are doing so within the regulations and there is a small percent not following the regulations.

Councilman Wuillermin was concerned that if someone mistakenly gets off track in the forest, the first time that they know they have done so will be when they are ticketed.

Mr. Arrowmiller stated he would imagine that the officers will take into consideration that the person made an honest mistake.

Councilman Furgione questioned if the maps will be made available to everyone who may wish enter the Wharton State Forrest?

Mr. Arrowmiller stated there will be signage at each entry spot advising where to obtain a map and the map will also be available online. However, it is still strongly recommend that those enjoying the forest also have a compass or GPS with them.

Councilman Pullia questioned what has changed that caused this proposal as he's been in the Wharton State Forrest for several years and does has not seen any substantial difference in the landscape, to which no response was received.

Mayor DiDonato stated he will open this discussion to the public but asked that they keep their questions and comments to 2 minutes each as Council has an agenda that must be continued this evening.

Andy DeMarco

Mr. DeMarco posed concerns with the lack of transparency. He stated that he is opposed to the proposed plan and suggested this plan is an action of only a few.

Jason Howell

Mr. Howell stressed that the recreational activities that those opposed to the proposed plan are currently enjoying can still be enjoyed by them with this plan. He went on record as being in favor of the plan.

Rhonda Brater

Ms. Brater stated is opposed to the plan and questioned the presence of a contractor she encountered in the area.

Curt Discilly

Mr. Discilly stated that the proposed plan does limit access to the forest and he is opposed to the plan. He agreed with Councilman Pullia in that the roads have been in the same disrepair for more than 30 years. He is also concerned that should this plan move forward, a more stringent plan may be forthcoming in the near future.

Joe Zimble

Mr. Zimble thanked Mayor DiDonato for allowing the organized professional public input. He continued that he has lived, hunted, fished, farmed, logged and conducted other activities in the forest for over 30 years. He also agreed that the forest is no different now than it was 30 years ago. He has always had to deal with harsh roads and deep puddle conditions. He stated, on behalf of those present this evening, that we want to work with the professionals here this evening. However, they are opposed to the proposed plan that will close over 200 miles of access and roadways. He does not believe that there is the amount of damage spoken of in the report made this evening. He questioned does the grant funding require the closure of these roadways? And will the plan close the roads to hunters?

Mr. Arrowmiller responded the grant funding does not require the closure of roadways and the hunting season will begin in late October instead of September.

Mr. Zimble suggested Wharton State Forrest officials should focus on the people who are not following the current regulations as not to inhibit all.

Mr. arrowmiller advised that some roadways have been and will be closed due to safety issues.

Councilman Furgione stated Mayor and Council appreciate the information presented to them this evening but feels this is not an issue for Hammonton's Governing Body to decide. He suggested the Wharton State Forrest officials find a large enough room so that they may advertise their intentions and include everyone from the public who wishes to have input in the proposed plan.

Mr. Zimble stated he believes a bigger problem that Wharton State Forrest officials should be taking into consideration at the present time is the taking of the acquifer and not replenishing it.

Mr. Arrowmiller, responding to an earlier questioned he believes the contractor who was seen at the Wharton State Forrest is most likely someone collecting information to submit a bid for another project.

Prior to closing the public input session, Mayor DiDonato stated that the Wharton State Forrest protected by the New Jersey Pinelands Commission. He does not see any sense in protecting it, if no one will be able to enjoy it.

Hearing Ordinance #011-2015 Amend Chapter 271

Ordinance #011-2015

AN ORDINANCE AMENDING Chapter 271 Vehicles and Traffic of the Code of the Town of Hammonton

BE IT ORDAINED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, State of New Jersey that Chapter 271 is amended with the addition of section 271-24(a) "Three-way stop intersections designated" and include the following intersection:

Packard Street and Grape Street

BE IT FURTHER ORDAINED that Kevin J. Dixon, PE, PP, CME of Dixon Associates Engineering LLC has conducted a professional investigation and has determined that this intersection meets the criteria established in N.J.S.A. 39:4-197(a);

BE IT FURTHER ORDAINED that, all ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED that this ordinance shall take effect after final passage and publication according to law.

Motion by Councilperson Pullia, seconded by Councilperson Gribbin, the ordinance is taken up for second reading and public hearing. Motion carried.

No one desired to be heard.

Motion by Councilperson Pullia, seconded by Councilperson Gribbin, the hearing is closed, the ordinance is passed second reading and adopted.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Torrissi - Absent

Wuillermin - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Hearing Ordinance #013-2015 Amend Property Maintenance Code

Solicitor to prepare

Motion by Councilperson Wuillermin, seconded by Councilperson Furgione, the ordinance is held until September Regular Meeting.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Torrissi - Absent

Wuillermin - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

COMMITTEE REPORTS

Administration - Councilman Gribbin

Spoke on 2 Adm Comm Action Items “Animals and Public Assemblies”

Hammonton Center recently upgraded medicare nursing home ratings

Reminded on upcoming events: Cruisin Main Street, Townwide Yardsale, 3rd Thursday

Congratulate all involved in National Night Out Event success

Business & Industry- Councilman Furgione

Report on Chamber of Commerce Meeting

Advised on new business openings

Advised on upcoming events: Fall Festival

Advised on next School Board Meeting

Quality of Life - Councilman Pullia

Welcomed Stockton plans

Report on Community Garden, upcoming Green Day Event

Lake Quality Meeting concerning Hammonton Lake will be scheduled soon

Public Works & Transportation- Councilman Rodio

Deferred action items to Engineer report

Defer Public Works items to PWM

Brush Pickup

Councilman Rodio advised public that the Town of Hammonton expanded brush pickup resulting from the June 23rd Storm will now be discontinued. The next scheduled brush pickup for the month of September will be as per Town Code. He thanked all residents for their cooperation in handling any major projects on their own. Residents may continue to bring brush to Hammonton Transfer Station and do not need to obtain a permit for same.

Water & Sewer – Councilman Wuillermin

Spoke on ACO completion

Update on Boyer Avenue Drip Irrigation Project

ENGINEER REPORT

PUBLIC WORKS ACTION ITEMS:

1. Hammonton Bike Path Extension (ARH #2014.0309):

As authorized by Council, ARH has moved forward with obtaining field information for this project. Once the field information is gathered we will be able to prepare the base plans and continue with the design and permitting of this project.

Please note since this project has NJDOT FY2014 funding there is a deadline to have the project bid and awarded on or before December 2015. Our office will be requesting an extension from NJDOT to ensure we have adequate time to complete the design and permitting of this project, since there are a number of variables that could affect the design and permitting time line. NJDOT typically grants one six (6) month extension which we feel should be more than enough time complete the design, obtain all permits and bid this project.

Motion by Councilperson Rodio, seconded by Councilperson Pullia, authorize ARH to prepare a letter to NJDOT requesting a six (6) month extension to complete the required design, approvals, permitting bid, award, etc. for Bike Path project.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Torrissi - Absent

Wuillermin - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

2. First Road/Chew Road Drainage Improvements (ARH #11-60207):

We completed the design for Phase 1-A portion of the project. A copy of the design plans were forwarded to the County to seek their approval for the roadway opening within Chew Road County Route #559 and issuance of a permit. We also requested Root 24 hours Inc. to return to the site to complete a follow-up video to review the condition of pipe in the area of the root mass. We did receive an e-mail from the County related to approval of the design. The roadway opening permit will not be issued until the contractor is selected and the Certificate of Insurance and project bonds are provided.

Motion by Councilperson Rodio, seconded by Councilperson Wuillermin, authorize ARH to finalize the bid document and seek price quotes for the Phase 1A project construction.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Torrissi - Absent

Wuillermin - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

SEWER AND WATER ACTION ITEMS:

3. Lincoln Avenue Water Department Building Replacement (ARH #11-30155.06):

We are in the process of completing the project base plans for the Pleasant Mills Road site 3 Bay Garage replacement and gathering field information for the Boyer Avenue site. We have sought price quotes from two architects for the building replacement plans and related building improvements for the Pleasant Mills Road site which we will discuss further with the PWTC.

The attorney for SJ Gas has provided a draft of an addendum to the 2007 agreement between SJG Gas and the Town of Hammonton for review. We have reviewed that addendum and provided a few minor comments for consideration. The Solicitor could provide a further update related to this matter.

Once the SJ Gas reimbursement funding is in place, the bids for the Chemical Building replacement and various site improvements at Lincoln Avenue could be scheduled.

We reviewed the request from GZA, Environmental Consultant for SJ Gas Company to place monitoring equipment on the Lincoln Avenue Water Tank with the PWTC. This will allow them to obtain base line data of the tank's movement prior to the site remediation effort.

Motion by Councilperson Wuillermin, seconded by Councilperson Rodio, approve GZA to install monitoring devices on the Lincoln Avenue Water Tank in order to obtain base line data on tank movements at no cost to the Town.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Torrissi - Absent

Wuillermin - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

4. Well #1 & Well #3 – Volatile Organic Compounds (VOC's) (ARH# 11-30155.03):

There will be a Public Hearing related to Amended ACO on Monday, August 24, 2015 at 7:00 p.m. This is a requirement for project close-out to finalize the construction documents. We are requesting an extension related to various Force Majeure items including:

- Treatment vessel accident delay
- Cold weather delay

The agreed upon revised substantial completion date under the first amendment to the ACO was July 1, 2015. The amended final completion date proposed will be August 15, 2015. The wells are presently available for use on an emergency basis. Water samples were taken and Anthony is waiting for the results of same. Additional water samples will be collected as prescribed by the NJDEP.

Item 4 was taken up under Dispense With Regular Order of Business.

5. Pratt, Packard, Grape & Second Street Utility Replacement (ARH #11-40046):

The Contractor is substantially complete with all areas of this project. A minor punch list was issued and the Contractor is currently in the process of completing these items.

Our office is in the process of preparing final quantities change orders for the various loans associated with this project. Once the change orders are prepared we will need to review the Town's stance on any claims associated with this project. As a reminder, our office previously provided the Town a reduced list of claims for their review/comment dealing with Packard, Grape & Second Streets. We will be providing a similar summary for Pratt Street for consideration.

In conjunction with the NJDOT Municipal Aid funding program, we requested price quotes to complete pavement cores along Pratt Street. The low price quote was received from Craig Testing Laboratories, Inc. of Mays Landing, NJ whose price was \$850.00.

Motion by Councilperson Wuillermin, seconded by Councilperson Rodio, award the pavement core project for Pratt Street to Craig Testing Laboratories, Inc. of Mays Landing, NJ for a cost of \$850.00.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Torrissi - Absent

Wuillermin - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

6. 14th Street Roadway Improvements (ARH #2015.0303):

Initial design work is completed and we reviewed the proposed design with the PWTC.

Using the \$190,000.00 allocated from the NJDOT should allow for the reconstruction of the worst section of roadway extending 700'± from the pipe crossing to the concrete culvert. An alternate bid would be requested to complete some other areas of roadway repair.

The plans will be submitted to the NJDOT by early September and if approved, we would receive bids for October. We will keep Council informed of further progress.

Motion by Councilman Rodio, seconded by Councilman Pullia, authorize ARH to advertise for bids for 14th Street Roadway Improvements.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes
Pullia - Yes
Rodio – Yes
Torrissi - Absent
Wuillermin - Yes
Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

PUBLIC WORKS INFORMATION ITEMS:

FY2016 NJDOT Applications (ARH #11-40041):

NJDOT has announced they will be accepting funding applications for Municipal Aid, Bikeways, and Safe Streets to Transit. Our office will be working with PWTC and the Public Works Committee Chairman to determine which projects the Town would like to apply for funding. Please note applications are due on Tuesday October 20, 2015.

SEWER AND WATER INFORMATION ITEMS:

Valley Avenue Utility Replacement (ARH #11-30159):

Plans & specification were previously submitted to all permit agencies as well as NJEIT. The following is a status of all submissions:

Cape Atlantic Soil Conservation – Approval Received
Treatment Works Approval – Approval Received
Bureau of Water System Engineering – We should be receiving an approval shortly
Atlantic County – Awaiting comments

The Town received letter from NJEIT dated August 4, 2015 that reviewed the submitted design drawings and specifications. The letter contains a number of comments that need to be addressed by September 5, 2015. Council will need to decide how and if they would like to move forward with this project for this year's funding cycle.

1. If Yes, we need to finalize the following issues:

- a. Authorize the remainder of the ARH Design Proposal.
- b. Need to discuss the desired improvements along Broadway so we can meet with the County and discuss any comments and/or concerns they have.
- c. How do they want to fund the Construction Administration/Inspection? (i.e. Planning & Design funds or via the NJEIT Construction Loan).
- d. ARH will address the NJEIT letter dated August 4, 2015 by 9/5/15.
- e. ARH will address the NJEIT letter dated April 27, 2015 by 9/5/15.

2. If No, ARH will notify NJEIT that the Town will not be pursuing funding for this project during this funding cycle.

The contractor Root24 Hours has started the pipe cleaning part of the project followed by the video portion. The work should take about 1.5 weeks weather permitting. We will keep Council informed of the results.

The Town received two letters from the NJEIT. One was an Environmental Level 1 review and the other a technical review. The NJEIT requires that the Town is responsible for advertising the decision for the Environmental Level 1 review and for making the planning and decision documentation available for possible review and comments. This notice appeared in the August 12th edition of the Gazette. There will be a 30 day public comment period related to their findings.

As related to the technical review comments, the Town must respond back to the Trust regarding the questions raised by September 5, 2015. As requested by the PWTC, we will seek an extension to the response time until October 16th. The NJEIT has indicated that the Town could be eligible to receive the following funds for the project as part of a low interest loan:

- Proposed Loan Project No. 0113001-011 ~ \$1,780,739.00 (water and related work).
- Proposed Loan Project No. S340927-09 ~ \$4,239,100.00 (sanitary, storm and related work).
-

Council will need to make a determination as to how to proceed with the project funding in the near future.

AT&T Equipment Relocation Lincoln Avenue (ARH #11-30156):

The Solicitor is finalizing the lease agreement between AT&T and the Town to be consistent with other Town leases. This agreement will also include the location of AT&T Communications equipment to the front portion of the Water Department Building.

Metro PCS Equipment/Antennae Replacement Lincoln Avenue (ARH #11-30162):

The Solicitor will be discussing lease agreement modifications as recently presented to T-Mobile and their representative for the Lincoln Avenue site.

Verizon Antenna, 4th Street Water Tower (ARH #11-30157):

The Solicitor has been in discussions with representatives from Verizon related to completing a lease agreement for installation of communications antenna and emergency generator at the 4th Street Water Tower site as discussed with the PWTC and MUD Superintendent. Progress related to that agreement must be made before Verizon will complete any additional revisions to the design plans.

SOLICITOR REPORT

#R102-2015 S.J. Gas Remediation

#R102-2015

**RESOLUTION AUTHORIZING ADDENDUM TO
SOUTH JERSEY GAS REMEDIATION AGREEMENT**

Whereas, South Jersey Gas Company and the Town of Hammonton are parties to an Agreement dated August 2, 1007 regarding environmental conditions existing upon Block 2515, Lots 1, 3, 4 and 5 on the Town of Hammonton Tax Map; and

Whereas, one provision of that Agreement provided that the Town may be entitled to additional compensation in the event that Town –owned facilities were impacted by the remediation activity; and

Whereas, the parties have reached an Agreement as to the monetary impact to the Town facilities and the additional administrative costs associated therewith.

Now, Therefore, Be it resolved on this 24th day of August 2015 that Mayor and Council approve the Mayor's execution of an Agreement whereby South Jersey Gas shall compensate the Town as follows:

- a. \$1,625,586.90 for the remediation project's impact on certain Town facilities
- b. \$484,350.00 for other administrative, remedial, professional and off-site improvements

Motion by Councilperson Wuillermin, seconded by Councilperson Gribbin, resolution 102 is adopted and Mayor DiDonato is authorized to execute the addendum.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Torrissi - Absent

Wuillermin - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Abandoned Property Ordinance (addressed under Dispense With Regular Order of Business)

Affordable Housing Status

Pulte

Distillery

#R103-2015 Award Bid – Various Roadway Improvements

RESOLUTION #103-2015

RESOLUTION AWARDING BIDS FOR VARIOUS ROADWAY IMPROVEMENTS

WHEREAS, the Town of Hammonton received bids for Various Roadway Improvements in accordance with the provisions of the New Jersey Local Public Contracts Law on August 4, 2015 as follows:

AE Stone	\$218,000.00
Arawak	\$232,700.00

WHEREAS, Arawak Bid Representative raised an issue with an addendum of an addition of a total page; and

WHEREAS, the Town Solicitor has reviewed and determined that the issuance of a total page was a “non fatal error”;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY THAT the bid for Various Roadway Improvements is awarded to AE Stone in the amount of \$218,000.00.

Motion by Councilperson Pullia, seconded by Councilperson Rodio, resolution 103 is adopted.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Torrissi - Absent

Wuillermin - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

MAYOR REPORT

Report on Airport Building for State Police

Congratulate the “Hot Shots” Team and Sam Rodio Jr. on their win

Good luck Lindsey Giannini in Miss America Pageant

PWM/BUSINESS ADMINISTRATOR REPORT

Atlantic County Mutual Aid Assistance Agreement (Referred to Quality of Life Committee)

30 Central Ave. UST (Policastro) update

Police Chief Request Ordinance Change for No Parking/Limited Time Parking

Advertise for 2 Temporary CDL Truck Drivers

Motion by Councilperson Rodio, seconded by Councilperson Pullia, authorize clerk top advertise for 2 Temporary CDL Truck Drivers.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Torrissi - Absent

Wuillermin - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Advertise for 6 Temporary Laborers Install Sod and Leaf Season \$12.00 hour no benefits

Motion by Councilperson Wuillermin, seconded by Councilperson Rodio, authorize clerk to advertise 6 temporary laborers at \$10.00 per hour.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Torrissi - Absent

Wuillermin - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Bulky Week Sept 8-12

Brush Week Sept 14-18

Crop Duster Height

Atlantic County Request Hammonton's Emergency Management Team for Assistance with Papal Visit

TOWN CLERK REPORT

1. Accept resignation Kyle Ambrozaitis eff Aug 14, 2015
2. Hire Ryann Finn and Ernest Geroni as part time permanent Public Safety Telecommunication Operators each at 20 hours per week, \$15.00 per hour, no benefits.
3. Accept resignation Alix Macri Junior Firefighter Fire Co. #2
4. Authorize fine David Ferrigno Temporary Utility Employee \$200 on final pay check for radio lost while in his possession
5. Informational Item: Ryan Witzak Police Officer reached MMI for worker compensation claim and was discharged by workers comp effective 7/22/15. A meeting with Chief Jones and Mr. Barberio Administrator, was held and after careful consideration it was determined that the Town of Hammonton Police Department cannot accommodate the permanent work restrictions placed on the officer. I will bring any necessary action items to council in the near future..

Motion by Councilperson Gribbin, seconded by Councilperson Rodio, Town Clerk Report Items 1-4 are adopted.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes
Torrissi - Absent
Wuillermin - Yes
Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

APPROVE BILL LIST & PURCHASE ORDERS

Motion by Councilperson Gribbin, seconded by Councilperson Rodio, approve August Bill List and Purchase Orders.

ROLL CALL

Councilman:
Furgione - Yes
Gribbin - Yes
Pullia - Yes
Rodio – Yes
Torrissi - Absent
Wuillermin - Yes
Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

NEW BUSINESS

Introduction Ordinance #015-2015 Amending Chapter 82 entitled “Animals”
Ordinance # 015 -2015

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON
AMENDING CHAPTER 82 of the Code of the Town of Hammonton entitled “Animals”

WHEREAS, the Municipal Clerk and Administration Committee have recommended certain amendments to Chapters 82 to enable efficient enforcement of the code as well as the humane treatment of domestic dogs or other animals residing in the Town of Hammonton; and

WHEREAS, the Mayor and Council of the Town of Hammonton have reviewed the recommendation and are agreeable to the amendment;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON AS FOLLOWS:

Chapter 82-5 (A) License and Registration Fees Any person obtaining a (3 year) dog license in the Town of Hammonton shall pay \$26.40 (local fee), \$3.60 (state registration tag fee), and \$9.00 (state non spayed or neutered dog fee) . (Add) Any person obtaining a (1 year) dog license in the Town of Hammonton shall pay \$15.80 (local fee), \$1.20 (state registration tag fee), and \$3.00 (state non spayed or neutered dog fee).

Chapter 82-37 Inclement Weather (is added) No pet residing in the Town of Hammonton shall be kept outdoors during extreme weather conditions. Inclement weather for the purpose of this article is any weather temperatures below 30 degrees or exceeding 80 degrees with adequate food and water.

Chapter 82-37(A) Domestic Animals in Vehicles (is added) Pets shall not be kept inside a vehicle or other enclosure in severe heat or cold (no less than 45 degrees nor more than 70 degrees).

Chapter 82-38 Tethering of Dogs (is added)

- A. Dogs may be tethered only under the following circumstances:
1. The tether must be at least fifteen (15) feet long and have an operative swivel on both ends and be attached to a properly fitted collar or harness.
 2. The collar used for tethering may not be a choke chain collar, slip collar or pronged harness.
 3. The tether must allow the dog access to proper shelter, sufficient food and sufficient water.
 4. The tether may not be used in any area where it may be tangled around an object, such as, but not limited to, a tree, pole, fence or stake.
 5. The tether cannot inhibit the movement of the animal's limbs or cause injury, harm, entanglement or strangulation of the dog.
 6. The tether must restrain the dog within the bounds of the owner's or custodian's property.
 7. The tether must terminate no less than five (5) feet from any fence, pool, wall, vehicle, sidewalk or roadway, or other object or obstruction upon which the animal might harm itself.
 8. Dogs may be tethered for no more than six (6) consecutive hours in any twenty-four hour period of time and never between sunset and sunrise.
 9. If there are multiple dogs, each dog shall be tethered separately and in such manner that the tethers shall not become entangled with each other.
 10. No dog shall be tethered at a vacant structure or premises for any purpose when it is not monitored by a competent adult who is present at the property for the duration of such tethering.
 11. No dog that is sick or injured shall be tethered.
- B. When a violation of this provision occurs, an animal control officer or law enforcement officer is authorized to document the circumstances, and obtain evidence.

C. In the case where a resident keeps their domestic dog or animal inside a fence, the fence shall be at least 4 feet in height and the area where the domestic dog or animal resides shall be at least 5'X10'.

BE IT FURTHER ORDAINED that, the remaining portions of chapter 82 shall remain in full force and effect.

BE IT FURTHER ORDAINED that, all ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED that this ordinance shall take effect after final passage and publication according to law.

Motion by Councilperson Gribbin, seconded by Councilperson Rodio, the ordinance is taken up for and passed first reading and given legal publication.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Absent

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Introduction Ordinance #016-2015 Amending Chapter 85 entitled "Assemblies, Public"

Ordinance # 016 -2015

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON
AMENDING CHAPTER 85 of the Code of the Town of Hammonton entitled "Assemblies, Public"

WHEREAS, the Municipal Clerk and Administration Committee have recommended certain amendments to Chapters 85 to enable efficient processing for those seeking to hold a public assembly, procession, or other gathering; and

WHEREAS, the Mayor and Council of the Town of Hammonton have reviewed the recommendation and are agreeable to the amendment;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON AS FOLLOWS:

Chapter 85-3 License and Registration Fees (replace in its entirety) All applications shall be filed with the Town Clerk with a permit fee of \$10 (except in the case of fraternal, religious or eleemosynary). All applications shall be referred to the Administration Committee as well as the Chief of Police for review and approval. Upon receiving approval of Administration Committee and Chief of Police as well as compliance with all other aspects of this chapter, the Clerk shall issue the permit.

(Add) Chapter 85-3 (A) License exemption Requests for public events/assemblies involving road closures that must be approved by the Mayor and Council are exempt from applying for and paying the permit fee. However, the group or person(s) must still comply with all other requirements of this chapter.

Chapter 85-4 Insurance (replace in its entirety) The applicant shall file a Certificate of Insurance with the Clerk per Town of Hammonton insurance requirements.

BE IT FURTHER ORDAINED that, the remaining portions of chapter 85 shall remain in full force and effect.

BE IT FURTHER ORDAINED that, all ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED that this ordinance shall take effect after final passage and publication according to law.

Motion by Councilperson Furgione, seconded by Councilperson Gribbin, the ordinance is taken up for and passed first reading and given legal publication.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Absent

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R095-2015 Authorize Halloween Parade

RESOLUTION #095- 2015

RESOLUTION AUTHORIZING AND ENDORSING
KIWANIS CLUB HALLOWEEN PARADE

WHEREAS, Kiwanis Club of Hammonton has and continues to promote the Town of Hammonton with scheduled events in the downtown business district; and

WHEREAS, Mayor and Council has and continues to support the efforts of Kiwanis Club of Hammonton; and

WHEREAS, October 28, 2015 is the scheduled date for the Annual Kiwanis Club Halloween Parade (rain date to be October 29, 2015);

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, STATE OF NEW JERSEY, that the Kiwanis Club Halloween Parade is acknowledged and endorsed with the following streets being closed:

N. Egg Harbor Road from Rt. 54 to Fairview Avenue from 6:00 – 7:00 pm
Rt. 54 (Bellevue) from N. Egg Harbor Road to Third St. from 7:00 – 9:00 pm

#R096-2015 Authorize Tree Lighting Event

RESOLUTION # 096-2015
RESOLUTION AUTHORIZING AND ENDORSING
MAINSTREET HAMMONTON TOWN TREE LIGHTING EVENT

WHEREAS, Saturday, December 5th is the scheduled date for the MainStreet Hammonton Town Tree Lighting Event from 5 pm- 9pm. at the intersection of Bellevue and Central (request road closure Central Avenue between Bellevue and Vine 9am-10 pm); and

WHEREAS, Saturday, December 5th, has been scheduled as the date for the MainStreet Hammonton carriage rides from 6:00 to 9:00 pm with the request of permitting the carriage route to begin at 310 Bellevue Ave and to then turn right onto School House Lane and permit us on this presently one way route and agree to the route listed below:

Carriage Route December 5th
Rides will begin in front of 310 Bellevue Avenue.
Proceed down Bellevue and turn right onto School House Lane
Proceed down School House Lane and turn right onto Vine Street
Proceed down Vine Street and turn right onto 3rd Street.
Proceed down 3rd Street and turn right onto Bellevue Avenue and return to 310 Bellevue.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, STATE OF NEW JERSEY, that the MainStreet Hammonton Town Tree Lighting Event and Carriage Ride Event is acknowledged and endorsed with road closures, no parking, and police assistance; and

BE IT FURTHER RESOLVED the below listed roadway closure is approved:

#R097-2015 Authorize National Cooperative Alliance

Resolution #097-2015

Whereas, the Mayor and Council of the Town of Hammonton have investigated the benefits of entering into a National Cooperative Alliance; and

Whereas, National Joint Powers Alliance has been determined to be the National Coop who can accommodate the needs of the Town of Hammonton; and

Whereas, the Town of Hammonton and NJPA desire to enter into a “Joint Exercise of Powers Agreement” for the purpose of accessing available purchasing contracts for goods and services from each other which can be most advantageously done on a cooperative basis; and

Whereas, the attached agreement is contingent upon approval of NJ DCA;

Now, Therefore, Be it resolved by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey, that the Mayor is authorized to sign agreement with NJPA contingent upon approval of NJ DCA.

#R098-2015 Authorize Downtown Trick or Treat

RESOLUTION # 098-2015
RESOLUTION AUTHORIZING AND ENDORSING
MAINSTREET HAMMONTON DOWNTOWN TRICK OR TREAT EVENT
WITH ROAD CLOSURES

WHEREAS, Saturday, October 17 (rain date October 24) is the scheduled date for the MainStreet Hammonton Downtown Trick or Treat Event from 1:00pm – 3:00 p.m.; and

WHEREAS, Mainstreet Hammonton is requesting the following road closures and police assistance for this event during the hours of 11am- 4pm at

Central Avenue between Bellevue Ave. (Rt. 54) and Vine Street

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, STATE OF NEW JERSEY, that the MainStreet Hammonton Downtown Trick or Treat Event is approved with road closures and police assistance specifically crossing assistance at intersections on Bellevue Avenue; and

#R099-2015 Approve Tax Resolution

#R099-2015

WHEREAS, Rosemarie Jacobs, Tax Collector, has approved and made amendments to utility and/or tax accounts as follows:

B&L	NAME	ADDRESS	AMOUNT	ACCT.	REASON	PER
1803-11.34	Kelley	31 Alexander Dr	5,311.28	Tax	tax exempt remove bill	Rosie
2803-18	Ruberton	111 Vine St	532.43	Tax	town uses parking lot	Rosie
3706-4	LLC	999 S, Grand St	333,357.62	Tax	Refund Davidson Legal Group due to tax court judgement	Rosie
4703-7	Cirillo	232 Middle Rd	332.80	Tax	Refund tax exempt	Rosie
2302-1 51	Renzi	51 Michael Rd	1,807.77	Tax	Refund lien holder FNA	Rosie
2416-16	Lombardo	214 N Washington	2,507.07	Tax	Refund lien holder FNA	Rosie
2516-1	CPT	214 Passmore	1,192.81	Tax	Refund lien holder FNA	Rosie
2709-18	Branin	330 Fairview	2,546.68	Tax	Refund lien holder FNA	Rosie
3701-6	Rios	428 S. E.H.R.	485.05	Tax	Refund lien holder FNA	Rosie
4001-9.04	Kasilowski	832 Moss Mill	3,395.57	Tax	Refund lien holder FNA	Rosie
5402-7						
7Q	JSM	750 Laurel	3,093.06	Tax	Refund lien holder FNA	Rosie

WHEREAS, if any above referenced are not approved by Mayor and Council, a retraction will take place.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Hammonton that the Tax Collector's actions are approved.

#R100-2015 Amend Budget Accept Drive Sober Grant

#R 100-2015

WHEREAS, N.J.S. 40A4-87 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 approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Town has received notice of a grant award in the amount of **\$5,000.00 from the State of New Jersey for Drive Sober or Get Pulled Over Labor Day Crackdown**, and wishes to amend its Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests that the Director of the Division of Local Government Services approve the insertion of an item of revenue in the **2015 Budget in the sum of \$5,000.00** which is now available as a revenue from:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations:

2015 Drive Sober or Get Pulled Over Labor Day Crackdown

BE IT FURTHER RESOLVED, that the Town Clerk forward a certified copy of this resolution to the Director of Local Government Services.

#R101-2015 Authorize Release of JIF Funds

#R101-2015

RESOLUTION AUTHORIZING THE RELEASE OF \$6,375.88 IN SURPLUS FROM THE TOWN OF HAMMONTON'S SHARE OF THE AGGREGATE EXCESS LOSS CONTINGENCY FUND

WHEREAS, the Atlantic County Municipal Joint Insurance Fund (hereafter referred to as the FUND) has been organized pursuant to *N.J.S.A. 40A:10-36 et. seq.*; and

WHEREAS, the FUND is duly constituted as a Municipal Self Insurance Fund to provide insurance coverage to its member municipalities; and

WHEREAS, the FUND has established an Aggregate Excess Loss Contingency Fund pursuant to NJAC 11:15-2.23; and

WHEREAS, in accordance with NJAC 11:15-2.21, the FUND is authorized to release surplus from its Closed Years Fund upon approval from the Department of Banking & Insurance & Department of Community Affairs; and

WHEREAS, should the FUND authorize the Release of Surplus from it Closed Years Fund, each member receiving a share of the surplus has the option of using the surplus as an offset against their next assessment billing, receiving the surplus as a direct payment, or placing a portion of their surplus in the FUND's Aggregate Excess Loss Contingency Fund; and

WHEREAS, several members, including the Town of Hammonton, have placed a portion of their Surplus from amounts released in prior years, into the Aggregate Excess Loss Contingency Fund; and

WHEREAS, based upon the un-audited balance as of April 30, 2015 Financial Review, the Town of Hammonton had an accumulated balance of approximately \$46,089.00 in the Aggregate Excess Loss Contingency Fund; and

WHEREAS, the Fund Commissioner from the Town of Hammonton has sent a written request to the Fund Administrator's office asking that \$6,375.58 of their available balance be released from the Aggregate Excess Loss Contingency Fund;

NOW THEREFORE BE IT RESOLVED, by the Town of the Hammonton that the Fund Treasurer is hereby authorized to release \$6,375.58 from the Town of Hammonton's balance in the Aggregate Excess Loss Contingency Fund in the form of a lump sum payment for the 2015 Fund year to the Town of Hammonton.

Motion by Councilperson Gribbin, seconded by Councilperson Rodio, resolutions 95-101 are adopted.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia – Yes (recused on 99 only)

Rodio – Yes

Torrissi - Absent

Wuillermin - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

PUBLIC HEARD

No one desired to be heard.

Councilman Gribbin wished Lindsey Gianinni Good Luck in Miss America Pageant

Councilman Pullia advised everyone of the upcoming Puerto Rican Civic Assn event.

Mayor DiDonato advised he attended a park bench dedication Kenny Grasso and Sonny Silipino.

MEETING ADJOURNED

Motion by Councilperson Furgione, seconded by Councilperson Gribbin, the meeting is adjourned.
Motion carried.

April Boyer Maimone, Clerk