

Minutes Regular Meeting of Mayor and Council – July 27, 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 - Present
Wuillermin - Present
Mayor DiDonato - Present

PRESENT ALSO

Brian Howell, Town Solicitor
Jerry Barberio, PWM/Business Administrator

Executive Session #R080-2015

#R080-2015

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. Gulig Settlement
2. Killion
3. Trash Truck Bid
4. Dahodwala: 290 N White Horse Pike water line leak
5. Surface water litigation
6. Sayer vs Hammonton
7. Atlantic City Electric Company

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 Councilman Furgione, seconded by Councilman Gribbin, the resolution is adopted.

ROLL CALL

Councilman:

Furgione - Yes
Gribbin - Yes
Pullia - Yes
Rodio – Yes
Torrissi - Yes
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 - Present

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

MOMENT OF SILENCE – MR. PATTON

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard.

APPROVAL OF MINUTES

Executive Session – 6/22/15

Regular Meeting – 6/22/15

Special Meeting – 7/13/15

Motion by Councilman Gribbin, seconded by Councilman Rodio, the minutes are approved.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Torrissi - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

Councilman Gribbin reported on FEMA designation by President Obama

Jim Eberwine EMC Absecon – National Weather Service Presentation

Retirement Presentation-Gloria Schiernbeck

COMMITTEE REPORTS

Administration - Councilman Gribbin

Report on Administration Action Items (renew liquor license & set lookback period affordable care act)

Report on Administration Committee Meeting

Report on Mainstreet Events

Business & Industry- Councilman Furgione

Report on Blueberry Festival

Reminder Upcoming Events

Report on Chamber of Commerce Information Guide

Education - Councilman Torrissi

Report on Board of Education Meeting and School Roof

Quality of Life - Councilman Pullia

Report on Quality of Life Committee Meeting

Report on National Night Out

Report on Mt. Carmel Festival

Public Works & Transportation- Councilman Rodio

Report on State Tournament to be held in Hammonton

Report on Action Item which will appear under Engineer Report

Defer Highway Department Report to PWM/BA

Mayor DiDonato took this opportunity to thank Scott Rivera and the entire Highway Department for their help in preparing the Hammonton Lake Park for the State Tournament.

Councilman Gribbin reported on swim championship event.

Water & Sewer – Councilman Wuillermin

Report on Boyer Avenue Drip Irrigation Project Status

Improvements to Lincoln Avenue facility are complete

In response to Councilman Gribbin request, Councilman Wuillermin advised residents that a non-profit group will continue to visit property owners to advise on water conservation per NJ DEP permit requirements.

ENGINEER REPORT

PUBLIC WORKS ACTION ITEMS:

1. Charles Berenato Site Plan, 2nd Road (ARH #11-10031):

The applicant has requested an inspection by the Quality of Life Committee related to the site improvements for issuance of a Temporary Certificate of Occupancy. On Saturday, July 25th a site inspection was completed by the Committee. Although not all of the site improvements are not completed at this point, it is felt that the site is safe for public access particularly for the type of business that exists at this site. There were also some minor revisions to the site plan requested by the owner which was reviewed with the Committee.

Motion by Councilman Pullia, seconded by Councilman Furgione, approve the request for issuance of a Temporary Certificate of Occupancy if satisfactory to the Town's Construction Office, however the project site Performance Bond will remain in effect until the remaining site improvement items are satisfactorily addressed. Also, also all escrow fees must remain in place until project Performance Bond is released. Any existing bills must be satisfied.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Torrissi - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

SEWER AND WATER ACTION ITEMS:

2. Sanitary Sewer Force Main 480 9th Street (ARH #11-5000):

Applicant has decided to re-do their existing septic system. Therefore, Mr. Vettese requested this action item be removed from agenda.

PUBLIC WORKS INFORMATION ITEMS:

Hammonton Bike Path Extension (ARH #2014.0309):

At the last Council meeting the ARH design proposal (dated June 16, 2014 totaling \$15,500.00) was authorized subject to meeting Council onsite. Since the meeting has been scheduled, ARH will be moving forward with obtaining field information for this project. Once the field information is obtained 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.

On Saturday, July 25th a field inspection along the area of the proposed bike route was conducted as requested by Council.

14th Street Roadway Improvements (ARH #2015.0303):

ARH has obtained all field work and the base plans have been prepared. Additionally, base plans have been sent to all utility companies requesting they verify and/or provide the location of all utilities within the project limit. ARH is currently in the process of completing the preliminary design for this project. Once the preliminary design is complete we will be reaching out to the County to discuss the project impacts as related to the bridges along 14th Street. We have initial contacts and discussed same with the County.

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 will keep Council informed of further progress.

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 – Deemed Administratively Complete, awaiting review comments
- Bureau of Water System Engineering – Awaiting to hear administratively complete/comments
- Atlantic County – Awaiting comments

ACER Engineering completed the GPR study along the section of Valley Avenue where the section of concrete encased pipe was believed to be installed. The initial results of the test were as follows:

- It appeared that due to the high groundwater table and the depth of the sanitary sewer main that a clean image of the area of the sanitary was not visible during the initial field investigation.

- The representative from ACER Associates was taking the recorded data back to their office to review on a higher resolution computer.
- They will provide a copy of their findings to our office and the Town.

We notified Root 24 Hours of the project award to their company to complete the cleaning and video of a portion of the Valley Avenue sanitary main. They are presently finalizing their documents. We will notify the Town when that work will be scheduled.

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

The major components for Wells #1 & #3 have been completed and they could be operated on an emergency basis if needed. There is some minor plumbing and electrical work that must be completed within the building itself. The Superintendent will be a water sample to ensure compliance within the NJDEP Safe Drinking Water Standards.

SOLICITOR REPORT

Towing

Cell Towers

Abandoned Property: Amendment to Property Maintenance Ordinance

New Jersey Transit

Traditions at Blueberry Ridge – On Site Drainage

Airport Ground Lease – UCC Filing

Tax Appeals

COAH/Immunity/Expert/NIBR

Distillery

Airport Restaurant

Aerobic Box

Cedar Branch/White Horse Pike Easement

Rental of 3rd Floor Space at Town Hall-South Jersey Cultural Alliance

PWM/BUSINESS ADMINISTRATOR REPORT

Storm Response and FEMA/Presidential Declaration

Hazard Mitigation Plan

Bulky Pickup Aug 3-7

Brush Pickup August 10-14

TOWN CLERK REPORT

1. Approve Sick leave of absence without pay Steve Taylor from May 6-Aug 23
2. Approve Tyler Maccarella Fire Co 2 member
3. Authorize waiver of construction and other fees for Fire Co. #1 addition to building
4. Authorize Town Clerk to schedule a Special Meeting for August 10 at 6 pm

Motion by Councilman Gribbin, seconded by Councilman Torrissi, approve Town Clerk Report items 1-4.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia – Yes (recused on item 3 only)

Rodio – Yes

Torrissi - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

APPROVE BILL LIST & PURCHASE ORDERS

Motion by Councilman Gribbin, seconded by Councilman Torrissi, the purchase orders and bills are approved.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Torrissi - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

NEW BUSINESS

Introduction Ordinance #011-2015 – 3 Way Stop Grape Street

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)j;

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 Councilman Pullia, seconded by Councilman Gribbin, the ordinance is taken up and passed first reading and given legal publication.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Torrissi - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Introduction Bond Ordinance #012-2015 Various Capital Improvements

Ordinance #012-2015

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$570,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, 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 Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") 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 \$600,000, including the aggregate sum of \$30,000 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 \$570,000 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. 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 and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds and Notes</u>	<u>Period of Usefulness</u>
a) Purchase of two trash trucks	\$503,000	\$477,850	5 years
b) Purchase of a hot box for patch	\$40,000	\$38,000	5 years
c) Purchase of a plow truck	<u>\$57,000</u>	<u>\$54,150</u>	5 years
TOTALS:	<u>\$600,000</u>	<u>\$570,000</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. 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. 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 Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town 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(a) of this bond ordinance are not current expenses. They are all improvements or purposes that the Town 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 5 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 Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$570,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$120,000 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 Town hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Town hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the Town to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Town hereby declares the intent of the Town 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 Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

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 Town 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 Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the ARule@) for the benefit of holders and beneficial owners of obligations of the Town 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 Town fails to comply with its undertaking, the Town 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 Town 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 Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Town 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.

Motion by Councilman Rodio, seconded by Councilman Wuillermin, the ordinance is taken up and passed first reading and given legal publication.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

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

Mayor DiDonato declared the motion carried.

Introduction Ordinance #013-2015 Amend Property Maintenance Code – Abandoned Property

Motion by Councilman Wuillermin, seconded by Councilman Gribbin, the ordinance is taken up by title only and passed first reading and given legal publication.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R081-2015 Renew Liquor Licenses

R#081-2015

RESOLUTION OF THE TOWN OF HAMMONTON,
ATLANTIC COUNTY, NEW JERSEY,
AUTHORIZING THE ISSUANCE OF ABC LICENSES
BEGINNING JULY 1, 2015 AND EXPIRING JUNE 30, 2016

WHEREAS, it is a requirement of NJ ABC that in the matter of the authorization and issuance of license of the sale of Alcoholic Beverages, a resolution must be adopted, which resolution shall specifically determine and name the person, firm or corporation adjudged by such resolution to be entitled to such license as adjudged to be issued, and further such resolution must also fix the name and the licensed premises;

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC AND THE STATE OF NEW JERSEY that it is hereby specifically determined and declared that the following named persons and corporation, if any, be and they are hereby adjudged to be entitled to a license of the class hereinafter specified to sell alcoholic beverages at or on the premises for a term of one year as herein fixed and described to wit:

0113 32 014 011 Intermex Inc.
t/a Fiesta Mexicana Restaurant
Location: 327-12th St.

0113 33 011 005 Hammonton Discount Liq & Bar
t/a Railroad Bar & Grill
Location: 18 Railroad Ave.

0113 32 005 006 GK of Palana Inc.
t/a Pike Wines & Liquors
Location: 111 N White Horse Pike

0113 33 024 006 Café San Rocco Inc.
t/a Rocco's Town House
Location: 21 N Third St.

0113 33 010 003 Hammonton Joey Corp.
t/a Maplewood Inn
Location: 470 S. White Horse Pike

0113 33 019 007 E.J.'s Westend Inc.
t/a West End Grill
Location: 201 -12th St.

0113 33 020 003 Hammonton Fortunas Inc.
t/a Illiano's Restaurant
Location: 705-12th St.

0113 33 007 003 Filomena Boccella
t/a The Olde Central
Location: 15 N. Egg Harbor Road

0113 33 028 006 Lynne Lucca
None
Location: Pocket

0113 33 001 006 Kerri Brooke Caterers Inc.
t/a same
Location: 755 S White Horse Pike

0113 33 003 012 Apple New Jersey LLC
t/a Applebees Neighborhood Grill
Location: 47 S White Horse Pk
Hammonton, NJ 08037

0113 32 002 003 Tomar Assoc. Inc.
t/a Caldini's Fine Wine, Liquors & Deli
Location: 101 E. 15th St.

0113 32 012 006 Westwind Assoc Inc.
t/a Joe Canal's Discount Liquor
Location: 240 S. White Horse Pike

0113 33 021 003 Silver Coin Diner Inc.
t/a Silver Coin Diner & Rest. Inc.
Location: 10 S. White Horse Pk.

0113 33 022 014 La Palmita Liquors LLC
t/a none
Location: pocket

0113 33 008 003 Frog Rock Golf & Country Club
t/a same
Location: 420 Boyer Ave.

0113 44 015 011 Aryan Liquors
t/a Town Food & Liquor
Location: 333 S. Egg Harbor Rd.

0113 31 026 001 Guiseppe Garibaldi Lodge
t/a Sons of Italy
Location: 427 N. Third St.

BE IT FURTHER RESOLVED that the Mayor and Council approve additional renewals to this resolution contingent upon all legal requirements being met and approved by the Municipal Clerk.

#R082-2015 Authorize Green Day Event

RESOLUTION #082-2015

RESOLUTION AUTHORIZING AND ENDORSING
HAMMONTON GREEN DAY FESTIVAL AND GREEN WEEKEND

WHEREAS, Hammonton's Green Committee and MainStreet Hammonton have promoted and continue to promote the Town of Hammonton with scheduled events in the downtown business district; and

WHEREAS, these organizations have forged positive relationships with other key organizations and institutions in Hammonton, particularly the Hammonton Education Foundation, St. Joseph's High School, the Hammonton Lions Club, and the Hammonton High School Green Earth Club, and

WHEREAS these positive working relationships have helped to establish the annual Green Weekend as an eagerly-anticipated staple among Hammonton's annual celebrations, featuring a multi-faceted recycling event (Recycling Central) and a well-coordinated town-wide yard sale on Saturday, culminating with the Green Committee's Green Day Festival on Sunday, and

WHEREAS, Mayor and Council has and continues to support the efforts of these organizations to promote the Town of Hammonton and particularly their efforts at ensuring the environmental, economic, and cultural sustainability of the Town,

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY that the Town of Hammonton authorizes and endorses the Hammonton Green Day Festival and associated Green Weekend activities scheduled to take place September 19 and 20, 2015 as follows:

Recycling Central to take place from 9:00 a.m. till 12:00 noon, 9/19
Town-wide yard sales to take place from 9:00 a.m. till 2:00 pm, 9/19
Green Day Festival to take place from 12:00 noon till 4:00 p.m. at 328 Vine Street (St. Joseph School), 9/20
Close Vine Street and School House Lane between Third and Bellevue from 9:30 a.m. - 4:30 p.m. on September 20.

BE IT FURTHER RESOLVED that the Town of Hammonton will provide municipal services required for this event including police assistance.

BE IT FURTHER RESOLVED that the Clerk is authorized to submit the Hold Harmless and Town of Hammonton Certificate of Insurance to Atlantic County for use of their parking lot located at 310 Bellevue Avenue, and same to St. Joseph's High School for the use of their grounds for the Green Day Event.

#R083-2015 Mayor and Council Approve 2014 Audit

#R083-2015
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the **Annual Report of Audit for the year 2014** has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Findings and Questioned Costs" or "Findings and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Findings and Questioned Costs" or "Findings and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Town of Hammonton, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

#R084-2015 Approve Corrective Action Plan

RESOLUTION #084-2015
TOWN OF HAMMONTON
CORRECTIVE ACTION PLAN

Corrective Action Plan of the Town of Hammonton, County of Atlantic, State of New Jersey, for the year 2013.

WHEREAS, in accordance with the requirements of the Division of Local Government Services, at the completion of the audit, the local government unit shall prepare a Corrective Action Plan to address each audit finding in the current year audit report; and

WHEREAS, the Corrective Action Plan of the Town of Hammonton for the 2014 Report of Audit is as follows:

Finding No. 2014-1:

Condition:

A calculation of the actuarially calculated Other Post Employment Benefits (OPEB) obligation for the future cost of dental and vision insurance coverage to be paid by the Town for retired employees was not obtained.

Recommendation: That the Town obtain the actuarially calculated Other Post Employment Benefits (OPEB) obligation for the future cost of dental and vision insurance coverage to be paid by the Town for retired employees.

Corrective Action: This required disclosure is mandated by an accounting disclosure standard adopted by the Governmental Accounting Standards Board (GASB) Statement No. 45. In New Jersey, municipalities and counties report and budget under regulatory accounting practices and therefore are not required to "book" OPEB future obligations. The Town carries its medical health insurance with the State Health Benefits Program (SHBP). The

required disclosure, with which the Town complies, only references where information can be found on the SHBP and is not required to include any future obligation. The dental and vision insurance coverage is contracted through a private carrier and only represents less than 10% of the Town's total annual SHBP obligation. The Chief Financial Officer and the Town Accountant have exhausted numerous possibilities to have these calculations prepared at no cost to the taxpayers without success. Therefore, since there is no financial impact on the Town for not obtaining the actuarially calculated obligation for its future cost of dental and vision insurance coverage for retired employees, the Town will continue to evaluate the cost/benefit of budgeting taxpayer funds in future budget years in order to solely comply with a financial disclosure requirement that has no financial impact on the Town's current operations.

BE IT RESOLVED, that the Corrective Action Plan is approved by the Governing Body of the Town of Hammonton; and

BE IT FURTHER RESOLVED, that one certified copy of this resolution be filed with the Division of Local Government Services.

#R085-2015 Authorize Various Refunds

#085-2015

A RESOLUTION OF THE MAYOR AND COUNCIL
OF THE TOWN OF HAMMONTON
AUTHORIZING VARIOUS REFUNDS

BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that the following refunds are authorized as approved by the respective Department Heads of the Town of Hammonton:

Defender Security Co.	Permit fee	\$ 50.00
Moss Mill Properties	Business Registration	\$ 35.00
Mt. Carmel Society	Permit fee	\$135.00

#R086-2015 Award Contract Airport Resource Consultant

RESOLUTION #R086 - 2015
RESOLUTION APPOINTING AN AIRPORT RESOURCE CONSULTANT

WHEREAS, N.J.S.A. 19:44A-20.4 provides for an Open and Fair Process through Requests for Proposals, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) requires that the Resolution authorizing the award of contracts for "Professional Services", must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Hammonton, County of Atlantic and State of New Jersey, as follows:

That **Cultural Resource Consultants** is hereby appointed as **Airport Resource Consultant** for the Town of Hammonton until project completion.

That Airport Consultant has agreed to provide requested services at a total cost of **\$14,000.00**.

That the Airport Consultant shall be available as consultant to the Officials of the Town of Hammonton and render such assistance as may be necessary during contract term.

That this contract is awarded as a "Professional Service", under the provisions of the Local Public Contracts Laws and the New Jersey Local Unit Pay to Play Law.

That the attached certification showing availability of funds and specifying the exact line item

appropriations which shall be charged is incorporated herein and attached hereto as though set forth herein in verbatim.

#R087-2015 Reject Bid Purchase Trash Truck

RESOLUTION #087-2015
REJECT BID TRASH TRUCK

WHEREAS, the Town of Hammonton received bids for the purchase of a trash truck on June 10, 2015 in accordance with the provisions of the New Jersey Local Public Contracts Law; and

WHEREAS, the only bid received was from Bergey's Trucks in the amount of \$309,850.00; and

WHEREAS, it is the recommendation of the PWM and Department Head of Public Works that the bid be rejected.

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 purchase of trash truck is rejected due to amount bid not being available in Town of Hammonton budget.

#R088-2015 Tax Resolution

#R088-2015

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	Kelly	31 Alexander Dr.	695.80	Tax	refund Corelogic tax exempt	Rosie
2802-14.01	Gullo	101 Bellevue	513.00	w/s	refund meter and setter	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.

#R089-2015 Extend Tax Payment Due Date to 25 days from date of mailing

#R089 -2015
RESOLUTION

WHEREAS, the 2015-2016 preliminary tax bills will be mailed late due to a delay in receiving the established tax rate from county;

WHEREAS, we cannot determine an exact date as to when the bills will be mailed;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Hammonton to authorize and direct the tax collector to extend the due date of the August quarter taxes to 25 days from the date of mailing.

#R090-2015 Support NJDOT Update No Passing Zones Route 30 (NO ACTION - hold for more information)

#R091-2015 Amend Budget for Police Body Camera Grant

#R 091-2015

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 **\$5,442.00 from the Statewide Insurance Fund to purchase police body cameras**, and wishes to amend its Budget to include this amount as 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 \$5,442.00** 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 Statewide Insurance Fund Police Body Cameras Grant

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

#R092-2015 Amend Capital Budget

**#R092-2015
TOWN OF HAMMONTON**

CAPITAL BUDGET AMENDMENT

WHEREAS, the local capital budget for the year 2015 was adopted on the 18th day of May, 2015; and

WHEREAS, it is desired to amend said adopted capital budget;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Town of Hammonton, County of Atlantic, that the following modification to the adopted capital budget of the Town of Hammonton be made:

General Capital Fund

<u>Purpose</u>	<u>Adopted Capital Budget</u>	<u>Revised Total</u>	<u>Debt Authorized</u>	<u>Capital Improvement Fund</u>
Purchase of Two Trash Trucks	\$ 275,000	\$ 503,000	\$ 477,850	\$ 25,150
Purchase of a Hot Box for Patch	40,000	40,000	38,000	2,000
Purchase of a Plow Truck	<u>55,000</u>	<u>57,000</u>	<u>54,150</u>	<u>2,850</u>
	<u>\$ 370,000</u>	<u>\$ 600,000</u>	<u>\$ 570,000</u>	<u>\$ 30,000</u>

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services.

#R093-2015 Set Measurement Period – Affordable Care Act

#R093-2015

**A RESOLUTION SETTING A MEASUREMENT PERIOD
FOR DETERMINING BENEFIT ELIGIBILITY
FOR THE NATIONAL AFFORDABLE CARE ACT**

WHEREAS, in 2015 the Town of Hammonton is subject to all regulations within the National Affordable Care Act; and

WHEREAS, the Town of Hammonton Payroll Department will need to monitor employee hours, for those employees who are not hired with health benefits, on a weekly basis to assure that no employee's hours exceed 130 on a monthly basis; and

WHEREAS, the National Affordable Care Act requires actual hours worked and hours paid for vacation, sick, holiday or other time off to be included in the total hours calculations; and

WHEREAS, exceedance in hours will result in a fine to the Town of Hammonton; and

WHEREAS, the National Affordable Care Act allows employer's to set a "Measurement Period" which the Payroll Department may determine benefit eligibility;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY AS FOLLOWS:

1. A standard Measurement Period (also known as the "look back" period) shall be set beginning October 1st and ending September 30th annually to accommodate NJ State Health Benefit and other plans open enrollment period (October) and ACA minimum 3 month enrollment requirement (Administrative Period).
2. The first standard Measurement Period for the Town of Hammonton shall begin retroactively from October 1, 2014 and end September 30, 2015.
3. For newly hired employee's, the initial standard Measurement Period shall begin following the date of hire and continue for 12 months.
4. Seasonal Employees or NJ CSC Temporary Appointments (employment for 6 months or less) are exempt from National Affordable Care Act.
5. The Payroll Department is the authority authorized to monitor and re-schedule employee's hired without offer of benefits so that the hours worked in one months period are in compliance with the National Affordable Care Act. Monitoring will occur on a week by week basis.
6. The Clerk is authorized to update the Town of Hammonton Employee Handbook to reflect the changes herein.

Motion by Councilman Gribbin, seconded by Councilman Rodio, resolutions 81-93 are adopted with the exception of #R90 which is held for additional information.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia – Yes (recused on resolution 81 only)

Rodio – Yes

Torrissi - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Authorize Bid – 2 Trash Trucks

Motion by Councilman Rodio, seconded by Councilman Pullia, authorize bid of 2 trash trucks.

ROLL CALL

Councilman:

Furgione - Yes

Gribbin - Yes

Pullia - Yes

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

Mayor DiDonato declared the motion carried.

PUBLIC HEARD
Fred Melendez

Mr. Melendez questioned how a Spanish Speaking Individual calling 911 would be handled?

Mr. Nick DeStefano, former dispatcher, advised there is a state mandate under 911 that enables a translator of various languages to attend the 911 call.

Mr. Melendez asked council to consider, when they are ready to hire a Deputy Clerk, that the individual be bi-lingual.

MEETING ADJOURNED

Motion by Councilman Furgione, seconded by Councilman Torrissi, the meeting is adjourned. Motion carried.

April Boyer Maimone, Clerk