

Minutes Regular Meeting of Mayor and Council – January 23 , 2017  
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

Giralo - Present

Gribbin - Present

Pullia - Present

Rodio - Present

Torrissi - Present

Mayor DiDonato - Present

PRESENT ALSO

Michael Malinsky, Town Solicitor

Jerry Barberio, PWM/Business Administrator

Executive Session #R015-2017

#R015-2017  
TOWN OF HAMMONTON  
AUTHORIZING EXECUTIVE SESSION

WHEREAS, while the Sen. Byron M. Baer Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) requires all meetings of Hammonton Town Council to be held In public, N.J.S.A. 10:4-12(b) sets forth nine types of matters that may lawfully be discussed in "Executive Session," i.e. without the public being permitted to attend, and

WHEREAS, Hammonton Town Council has determined that the below listed issue(s) is/are permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance and shall be discussed during an Executive Session to be held on this Resolutions Adopted Date Indicated Below at **6:00 P.M.**, and

WHEREAS, the exception(s) to public meetings set forth in N.J.S.A. 10:4-12(b) are listed below, and next to each exception is a box within which the number of issues to be privately discussed that fall within that exception shall be written, and after each exception is a space where additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written.

0 Any matter which, by express provision of Federal law, State statute or rule of **court shall be rendered confidential** or excluded from public discussion." The **legal citation** to the provision(s) at issue is: \_\_\_\_\_ and the nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

0 Any matter in which the release of information **would impair a right to receive funds from the federal government.**" The nature of the matter(s), described as specifically as possible without undermining the need for confidentiality is:

0 Any material the disclosure of which constitutes an **unwarranted invasion of individual privacy** such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or in the case of a minor or incompetent, guardian) shall request in

writing that the same be disclosed publicly.” The nature of the matter(s), described as specifically as possible without undermining the need for confidentiality is:

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Any **collective bargaining agreement**, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body.” The collective bargaining contract(s) discussed are between the Town and:

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Any matter involving the **purchase lease or acquisition of real property** with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed.” The nature of the matter(s), described as specifically as possible without undermining the need for confidentiality is:

Amend Chapter 175-Solicitor advised on necessary amendment to chapter 175 for proposed lease  
Lease Town Owned Property-Solicitor advised on the ordinance for lease of town owned property  
Airport Lease Agreement-Solicitor advised on the new wording to airport lease agreement

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Any tactics and techniques utilized in **protecting the safety and property of the public** provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.” The nature of the matter(s), described as specifically as possible without undermining the need for confidentiality is:

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Any **pending or anticipated litigation** or contract negotiation in which the public body is or may become a party. Any matters falling with the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.” The nature of the discussion(s), described as specifically as possible without undermining the need for confidentiality,

Wawa Project-Solicitor advised on status of Wawa Project  
DeRose vs. Hammonton-Solicitor updated on the status of lawsuit  
Williams vs. Cospito-Solicitor updated on the status of lawsuit

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**Any matter involving the employment**, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.” Subject to the balancing of the public’s interest and the employee’s privacy rights under South Jersey Publishing Co. v. New Jersey Expressway Authority, 124 N.J. 478, the employee(s) and nature of the discussion, described as specifically as possible without undermining the need for confidentiality is:

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Any deliberation of a public body occurring after a public hearing that may result in **the imposition of a specific civil penalty** upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

**WHEREAS**, the length of the Executive Session is estimated to be **60 minutes** after which the public meeting of the Town Council shall reconvene and action may be taken;

**NOW, THEREFORE, BE IT RESOLVED** that Hammonton Town Council will go into Executive Session for only the above stated reasons;

**BE IT FURTHER RESOLVED** that the Town Council directs the Town Clerk to make ten (10) photocopies of this resolution immediately after it passes and to distribute those photocopies to the public in attendance prior to the Executive Session commencing.

**BE IT FURTHER RESOLVED** that the blank spaces within this form of resolution are to be filled out in conformity with a Consent Judgment (w/ Hammonton Town only) and Memorandum of Understanding dated October 26, 2009 that arose out John Paff v. Absecon Custodian, et al, Docket No. ATL-L-3392-08.

**BE IT FURTHER RESOLVED** that the Town Council hereby declares that its discussion of the aforementioned subject(s) will be made public at a time when the public's interest in disclosure is greater than any privacy or governmental interest being protected from disclosure. For each of the above items, the estimated date by which such disclosure can be made and/or the occurrence that needs to take place before disclosure can be made are listed below (attach separate sheet if necessary)

<b>Subject of Discussion</b>	<b>Estimated Date</b>	<b>Necessary Occurrence</b>
Wawa	When project complete	
DeRose vs Hammonton	When suit settled	
Williams vs Cospito	When suit settled	
Amend Chapter 175	When amendment adopted	
Lease Town Property	When lease signed	
Airport Lease	When lease signed	

**BE IT FURTHER RESOLVED** that the minutes of this Executive Session shall become available to the public within 14 days of this meeting or at noon 2 business days before Council's next Regular Meeting, which ever is shorter. The Clerk is authorized to release the portion of the minutes that may be made available to the public per Consent Judgment filed October 26, 2009 Docket No. L-3392-08 which states that the Custodian of Records may release Public and Non Public Minutes to the Public prior to formal approval of Council.

Motion by Councilman Giraldo, seconded by Councilman Furgione, the resolution is adopted.

ROLL CALL

Councilman:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

RESUME REGULAR MEETING-ROLL CALL

Councilman:

Furgione - Present

Giraldo - Present

Gribbin - Present

Pullia - Present

Rodio - Present

Torrissi - Present

Mayor DiDonato - Present

PRESENT ALSO

Michael Malinsky, 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

Jesse Ramirez

Ms. Ramirez questioned the wording on the amendment to Chapter 204 Peddlers, Solicitor and Transient Merchants to which the Mayor and Council responded.

APPROVAL OF MINUTES

Executive Session - December 19, 2016

Regular Meeting – December 19, 2016

Re-Organization – January 5, 2017

Motion by Councilman Giraldo, seconded by Councilman Torrissi, the minutes are approved.

ROLL CALL

Councilman:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

Hearing Ordinance #001-2017 Amend Chapter 204

Ordinance #001-2017

AN ORDINANCE AMENDING Chapter 204  
of the Code of the Town of Hammonton entitled  
“Peddlers, Solicitor and Transient Merchants”

WHEREAS, after input of the Municipal Clerk and review of the Mayor and Council, it has been determined that Chapter 204 of the Code of the Town of Hammonton requires updates to conform with the new available options for selling products, edibles or services within the Town; and

WHEREAS, the following amendments have been deemed necessary to continue to serve the public interest;

WHEREAS, Chapter 204-4 of Article I shall be amended as follows: All vending units shall not be permitted to be in use and shall be off the streets and sidewalks of the Town of Hammonton during the period from 9:00 p.m. to 7:00 a.m. daily. All door to door sales shall be conducted between the hours of 9:00 a.m. and 7:00 p.m.

WHEREAS, Chapter 204, Article III, Section 204-13, “Title”, is amended to read “Peddlers, Hawkers, Vendors, Solicitors, Canvassers, Food Trucks, Door to Door Vendor and Seasonal Sales Vendors”.

WHEREAS, Chapter 204, Article III, Section 204-15, “Definitions”, is amended to add FOOD TRUCK VENDOR– Any person, whether or not a resident of the Town of Hammonton who travels in a

self sustained food truck to be parked at a specific location (pre-approved by the Town Clerk and Police Chief) to sell food, approved by Board of Health, to patrons.

WHEREAS, Chapter 204, Article III, Section 204-15, "Definitions", is amended to add DOOR TO DOOR VENDOR - Any person, whether or not a resident of the Town of Hammonton who travels on foot and/or by vehicle to visit private homeowners to discuss or hand out information that may result in a sale.

WHEREAS, Chapter 204, Article III, Section 204-16, "Fixed Location Sales Prohibited; exception." Repealed.

WHEREAS, Chapter 204, Article III, Section 204-17, "License Required", is amended to include Food Truck Vendor and Door to Door Vendor.

WHEREAS, Chapter 204, Article III, 204-19, "Application for peddler, hawker, vendor, solicitor and canvasser license", is amended to include Food Truck Vendor and Door to Door Vendor.

204-19(A) and (B) shall be amended to add the following sentence "the applicant(s) must be the registered owner of the food truck, cart, vehicle or other conveyance, the person named on Tax ID, the person named on certificate of insurance and the person conducting the sale and he/she must be present at all times. Any person who has provided false information on their application or any person who has caused another person to provide false information on their application, will be subject to a local fine of \$1,000.00

204-19(H) shall be amended to read "Current photo identification of each applicant is required."

204-19(I) is added to read "Applicant shall submit a certificate of insurance to be approved by the Town of Hammonton's Risk Management Consultant."

204-19(J) is added to read "Veteran applicant shall submit proof of his/her New Jersey Residency, State Issued Peddler License, Card #2765 Department of Defense Status DAV/PERMANENT to be subject to veteran exception status.

204-19(M) is amended to read "All vending units shall not be permitted to be in use and shall be off the streets and sidewalks of the Municipality during the period from 9:00 p.m. to 7:00 a.m. daily. Door to door sales are to be conducted between the hours of 9:00 a.m. and 7:00 p.m."

204-19(O) Detailed map with street names and Block and Lot location where food truck will be parked.

WHEREAS, Chapter 204, Article III, Section 204-20(B), "Investigation and issuance, hearing upon disapproval" is amended to read "Such investigation shall be completed *within 21 days* after receipt of such application; and said Chief shall endorse thereupon his approval or disapproval and, if disapproved, his reasons therefore, and he shall immediately notify the applicant that his application has been disapproved. The application so endorsed shall be forthwith returned to the Town Clerk. When the application is approved by the Police Chief, the applicant shall be issued a license and a parking sticker for the specified approved parking place in the case of a food truck, cart or other conveyance. When approving parking place the Police Chief shall take into consideration all laws including but not limited to those pertaining to intersections and traffic flow in the requested area. All licenses issued under Chapter 204 shall expire one year from date of issuance."

WHEREAS, Chapter 204, Article III, Section 204-21(A), "Fees", is amended to read "Registration fee. Each individual applicant, even if all working for same business, for a seasonal sales vendor license or a peddler, hawker, vendor, solicitor, canvasser, food truck and door to door license shall be required to pay a Non-Refundable fee of \$100.00 to the Town Clerk for police investigation for each person who will be utilizing license and each vehicle, food truck or other conveyance that will be used during the license term."

WHEREAS, Chapter 204, Article III, Section 204-21(B)(1), "Fees", is amended to read "License fee. The Town's *License fee* for the issuance of a license hereunder shall be as follows:

- (1) Peddler, hawker, vendor, solicitor, canvasser, food truck and door to door annual license fee: \$500.00 per person making sales and per food truck, vehicle or other conveyance used to make sales"

WHEREAS, Chapter 204, Article III, Section 204-22, "Duration of license", is amended to add food truck and door to door vendor.

WHEREAS, Chapter 204, Article III, Section 204-25, "Effect on existing licenses", is amended to read "Any license which is operating under a current license term (to expire one year from date of issuance) shall remain in full compliance under prior law until the license expires at which time a new application with all regulations contained herein must be made and approved."

WHEREAS, Chapter 204, Article III, Section 204-27(B), "Exceptions", shall read "A Veteran with proper credentials is not subject to payment of fees or location of sale restrictions but is subject to Police Investigation and all other sections herein." The veteran making application must be the registered owner of the food truck, cart or vehicle or other conveyance, the person named on Tax ID, the person named on certificate of insurance and the person conducting the sale and he/she must be present at all times. Any person using a Veteran to make application on their behalf, will be guilty of a crime in the fourth degree per to N.J.S.A. 45:24-9 and subject to a local fine of \$1,000.00.

WHEREAS, Chapter 204, Article III, Section 204-27, "Exceptions", shall be amended to include (D) Any person attending a Special Event held in the Town of Hammonton shall be exempt from the requirements herein, however, will be required to comply with any and all rules and regulations of the individual group sponsoring the event. All event coordinators and veteran attendees shall be subject to N.J.S.A. 45:24-9. The Municipal Clerk shall notify the event coordinator of this law upon Mayor and Council's approval of the special event."

WHEREAS, Chapter 204, Article II, Section 204-27 shall be amended to include (E) per N.J.S.A. 45:24-9 any licensee who shall sell or transfer such license shall be guilty of a crime of the fourth degree and punished accordingly.

WHEREAS, Chapter 204, Article III, Section 204-30 "Food Trucks Prohibited", shall be added to read "Food Trucks shall be prohibited at all times in the following Zones: HB, DT1, DT3, DT4, GW1, GW2, GW3 but shall be permitted on private property not located in those zones and on farms so long as the property owner has given their permission."

WHEREAS, Chapter 204, Article III, Section 204-31, "All Sales Prohibited", shall be added to read "All Peddlers, Hawkers, Vendors, Solicitors, Canvassers, Food Truck, and Door to Door Sales are prohibited on Municipal Owned Property."

**BE IT FURTHER RESOLVED**, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

**BE IT FURTHER RESOLVED**, that any Ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

**BE IT FURTHER RESOLVED**, that this Ordinance shall take effect following adoption and approval in the time and manner prescribed by law.

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

Mayor and Council spoke on their views of the Ordinance and one other gentleman questioned when the new law would apply to him to which council responded.

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

#### ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

#### COMMITTEE REPORTS

Administration - Councilman Torrissi

Schedule Administration Committee Meeting to discuss Chapter 204

Business & Industry - Councilman Gribbin

Reported on Mainstreet Events

Education - Councilman Giralo

Reported on Board of Education Matters

Quality of Life - Councilman Pullia

Report on New Year Committee Meetings

Report on Dog Park

Motion by Councilman Pullia, seconded by Councilman Gribbin, authorize ACCC Drone Study Hammonton Lake Bladderwort.

#### ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Public Works & Transportation - Councilman Rodio  
Defer Action Items to Engineer and PWM Report

Water & Sewer - Councilman Furgione  
Defer Action items to Engineer Report  
Updated on status of projects

ENGINEER REPORT  
SEWER & WATER ACTION ITEMS:

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

The Contractor is winding down operations for the winter months. All underground utility work has been completed. Valley Avenue has been reconstructed to base course paving in its entirety. The intersection of Valley Avenue and Broadway has been reconstructed to surface course paving as of January 13, 2017. The Contractor is currently on site performing general site cleanup and winterizing the manholes, inlets, and driveway aprons. Our office will monitor the pavement conditions throughout the course of the winter to make sure we address any areas of concern prior to final paving in early spring.

The Contractor has submitted thirty-eight (38) Change Order requests to date. The latest claim asked for an additional 14-day time extension. Our office will continue to work with Councilman Furgione to settle as many claims as possible. At the time of this meeting, we have accepted 10 of the 38 claims. No additional supporting documentation has been provided by the Contractor.

We have submitted the Contractor's sixth Request for Payment in the amount of \$630,183.35 which includes payment for previously approved Change Orders 1 and 2. We have submitted Change Orders 3 and 4, which reflect as-built quantities to date and result in a net decrease in the Contract of \$509.00

Motion by Councilman Furgione, seconded by Councilman Rodio, approve sixth payment request to Mathis Construction Co. Inc., for work completed to date as noted above in the amount of \$630,183.35. Approval of Change Orders 3 and 4 reflecting a net decrease of \$459.00.

ROLL CALL

Councilman:  
Furgione - Yes  
Giralo - Yes  
Gribbin - Yes  
Pullia - Yes  
Rodio - Yes  
Torrissi - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

**2. Valley Avenue Gas Main Replacement (ARH #11-01000):**

We were notified the first week in January of a gas main leak on Valley Avenue near the Bellevue Avenue intersection which was repaired and the pavement restored. The Gas Company then indicated that due to the age and condition of that portion of main between Bellevue Avenue and Peach Street, they are requesting to install a new main behind the southerly curblin within the limits noted above. We requested



they provide a sketch of their proposed project and note any areas of pavement lawn or sidewalk disturbance so that we could review same with the PWTC and Council. We also noted that if approved, a strict timeframe and restoration standard would be required. We will review the plan with the PWTC and provide recommendation to Mayor and Council for consideration.

Motion by Councilman Furgione, seconded by Councilman Rodio, approve SJ Gas Company to install a new gas main and with service laterals within Valley Avenue between Bellevue and Peach Street subject to the following conditions:

- The work must be started by February 4, 2017 and be completed by February 24, 2017.
- Any pavement disturbance will be completed as follows:
  - The existing pavement disturbance shall be limited to the greatest extent possible.
  - The existing pavement shall be saw cut to provide a clean rectangular opening, 1 foot beyond the actual trench opening. We will mark the limits in the field with the contractor.
  - The backfill shall be clean fill free of clay and compacted every 12" to reduce the potential for settlement.
  - Dense graded aggregate shall be used as a subbase, 10 inches thick and be properly compacted.
  - Hot mix asphalt, HMA 19 M64 total 6" thick shall be applied in 3-2" lifts and be properly compacted to match the existing base pavement surface elevation.
  - The sawcut pavement edge shall be properly sealed.
  - SJ Gas Company shall be responsible for all applications, review, inspection and police traffic control costs for this project. An application must be made to the Town Clerks office for a roadway opening permit.
  - The Town, Engineer's Office and Police Department must be notified at least 48 hours in advance of any work start.
  - SJ Gas Company will be responsible to obtain all other permits, approvals, etc. for the project completion.
  - Proper notices of the work shall be posted on doors of all properties along the project route as to when work will occur

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

**3. Well #4 Screen Replacement (ARH #11-30165/2017-0048):**

The contractor has applied for the NJDEP permit to complete the work at Well #4. During the well permit application progress, we were notified by the NJDEP, they would not allow the work on the well to be complete until the Town first acquired on NJDEP permit from the Bureau of Water Supply and Geoscience, Drinking Water section. This will delay the work for a period of time until the application is prepared, reviewed, processed and a permit issued. We informed the NJDEP of the time frame in which the well must be back on-line. The contractor has agreed to hold his price for the period of time anticipated.

We requested the NJDEP permit application fee of \$1,357.53 from Frank Zuber. We also need a letter of no jurisdiction from the Pinelands Commission for the project. The cost for ARH to complete the report and application to NJDEP, Pinelands, etc. will be \$2,050.00.

Motion by Councilman Furgione, seconded by Councilman Pullia, as follows:

1. Approval of the NJDEP permit review fee totaling \$1,357.53 payable to Treasurer State of New Jersey.
2. Approval of ARH proposal (2017-0048) to complete the report and application for Well #4 screen replacement and redevelopment along with securing a Pinelands letter of No Jurisdiction totaling \$2,050.00.

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

**4. Sanitary Sewer Hook-up DiDonato's Family Fun Center (ARH #11-01000):**

A request was made from the owners of DiDonato's Fun Center for connection to the Town's sanitary sewer line which abuts Moss Mill Road County Route #561, the property fronts 1151 S. White Horse Pike and is designated as Block 4203, Lot 5 on the Town's tax map.

We have reviewed the information related to projected sewer flow for the existing uses on-site and compared same to NJDEP standards along with additional information provided by the applicant. After discussions with the Municipal Utilities Department Superintendent and the PWTC, we would recommend that the hook-up for sanitary sewer services be approved subject to the following conditions:

- The applicant to provide a plan noting the proposed location, size and slope for sanitary sewer service lateral connection for review and approval by the MUD Superintendent and the Town's Plumbing Sub-code official.
- The applicant shall be responsible to obtain all permits required to complete the sanitary sewer service lateral connections including an Atlantic County roadway opening permit within Moss Mill Road, County Route #561, if needed.
- A grease trap consistent with Town standards must be installed for any kitchen facilities present on-site
- The sanitary sewer flow for the site is estimated to be 1,200 gallons/day, equivalent to 4 dwelling units (EDU's).
- The applicant shall pay all appropriate application, hook-up and connection fees to the Town consistent with the ordinance standards.
- The applicant shall install a meter to monitor the water use and associated sanitary sewer flow for the site.
- The sanitary sewer flows from the site will be monitored over the first and second years of use. Should the metered flow be less than the projected volume, the applicant will receive a credit for any excess payments. Likewise, if the metered flow is in excess of the projected flow, the applicant will be responsible to pay the Town an additional amount required for connection and hook-up.

Motion by Councilman Furgione, seconded by Councilman Pullia, approve sanitary sewer hook-up request subject to compliance with the conditions noted above.

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes  
Mayor DiDonato – Recused  
Deputy Mayor Gribbin - Yes

Deputy Mayor Gribbin declared the motion carried.

**PUBLIC WORKS ACTION ITEMS:**

**5. 2017 State Aid Funding (ARH #11-01000): Action taken at December 19, 2016 Council Meeting**

SOLICITOR REPORT

Approve Site Plan Bellevue Properties LLC

Motion by Councilman Giraldo, seconded by Councilman Furgione, approve site plan Bellevue Properties LLC contingent upon review and approval of all necessary boards and agencies.

ROLL CALL

Councilman:  
Furgione - Yes  
Giraldo - Yes  
Gribbin - Recused  
Pullia - Yes  
Rodio - Yes  
Torrissi - Recused  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Authorize Mayor Signature Airport Lease

Motion by Councilman Rodio, seconded by Councilman Pullia, authorize Airport Lease and Mayor's signature.

ROLL CALL

Councilman:  
Furgione - Yes  
Giraldo - Yes  
Gribbin - Yes  
Pullia - Yes  
Rodio - Yes  
Torrissi - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Introduction Ordinance #003-2017 Authorize Lease Town Property

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

ROLL CALL

Councilman:  
Furgione - Yes  
Giraldo - Yes  
Gribbin - Yes  
Pullia - Yes

Rodio - Yes  
Torrissi - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Introduction Ordinance #004-2017 Amend Chapter 175

Motion by Councilman Giraldo, seconded by Councilman Torrissi, the ordinance is taken up for and passed first reading and given legal publication.

ROLL CALL

Councilman:  
Furgione - Yes  
Giraldo - Yes  
Gribbin - Yes  
Pullia - Yes  
Rodio - Yes  
Torrissi - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

PWM/BUSINESS ADMINISTRATOR REPORT

Ranere and 3<sup>rd</sup> St. Shared Service \$7,700.00 Town Responsibility

Motion by Councilman Torrissi, seconded by Councilman Giraldo, authorize \$7,700 shared service road repair with Atlantic County and authorize Mayor to sign agreement.

ROLL CALL

Councilman:  
Furgione - Yes  
Giraldo - Yes  
Gribbin - Yes  
Pullia - Yes  
Rodio - Yes  
Torrissi - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Hire Doug Horton – Highway Department

Motion by Councilman Rodio, seconded by Councilman Furgione, hire Doug Horton, FT Truck Driver Heavy, Highway Department \$29,183.00 with benefits eff. 3/6/17.

ROLL CALL

Councilman:  
Furgione - Yes  
Giraldo - Yes  
Gribbin - Yes  
Pullia - Yes  
Rodio - Yes  
Torrissi - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

ACCC Drone Study Hammonton Lake Bladderwort (taken up under Committee Reports)

ACUA/TOH Joint Grant EV Charging Stations

Dog Park Grand Opening April 1, 2017

Anniversary 18" Snow Storm

Bulky Pick Up February 6-10

Brush Pick Up February 13-17

Holiday Feb 20<sup>th</sup> trash pick up will take place Feb 21

Brush violations suspended until Feb 17 due to storm today

#### TOWN CLERK REPORT

1. Approve Conflict Solicitor Contract
2. Accept resignation Kenneth Dulaney Fire Co 2
3. Accept new member Nathan Cram Fire Co 2
4. Accept new member Thomas Eppler Fire Co 1
5. Authorize advertise PT Clerk 1 office of Clerk, Finance, Purchasing, Administration
6. Approve Addendum Pay Increase Police Chief Contract 1/1/17 thru 1/1/18
7. Approve Contract Robert Jones Emergency Management Duties 1/1/17 thru 12/31/19

Motion by Councilman Torrissi, seconded by Councilman Gribbin, town clerk report items 1-7 are approved excluding number 4.

#### ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

#### APPROVE BILL LIST & PURCHASE ORDERS

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

#### ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia – Yes (recused on ML Ruberton bills only)

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

#### NEW BUSINESS

AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE TOWN OF HAMMONTON

BE IT ORDAINED by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey that the salaries, clothing allowance, education stipend, health insurance buyout, cell phone reimbursement, sick, vacation, personal time, hollidays, comp time and longevity shall apply to officials listed on this ordinance for 2017-2019 per Town Code and Individual Contracts. Salary Minimum and Maximums are as follows:

<u>Title</u>	<u>Minimum</u>	<u>Maximum</u>
Police Chief	\$ 110,622.00	\$ 145,000.00

BE IT FURTHER ORDAINED that the specific salary for any municipal employee shall be set forth by appropriate salary resolution.

BE IT FURTHER ORDAINED that this ordinance shall take effect after final passage and publication according to law and its provisions shall be retroactive to January 1, 2017 through December 31, 2019.

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

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R016-2017 Authorize Assessor as Agent for Tax District

RESOLUTION # 016 -2017

RESOLUTION APPOINTING ASSESSOR AS AGENT FOR TOWN OF HAMMONTON

WHEREAS, from time to time the Assessor discovers an error in calculation, transposing, measurement, computer of typographical errors in the Tax Assessments on the Tax List after the time the County Board of Taxation has certified the tax rate for the tax year; and

WHEREAS, the governing body of the Taxing District of the Town of Hammonton is desirous that every taxpayer pays their fair share of taxes; and

WHEREAS, the method of correcting such errors is to file a Petition of appeal for the current year with the Atlantic County Board of Taxation; and

WHEREAS, the error was not caused by the taxpayer.

THEREFORE BE IT RESOLVED, by the governing body of the Town of Hammonton that the Assessor is hereby authorized to act as an agent for the Taxing District and file a Petition of Appeal(s) for the **year 2017** with the Atlantic County Board of Taxation to correct such errors; and

BE IT FURTHER RESOLVED, that the Tax Assessor shall report all tax appeals filed in the taxing district to the Governing Body and the Chief Financial Officer no later than June 1<sup>st</sup> of each year;

And BE IT FURTHER RESOLVED That a certified copy of this Resolution be forwarded to the Hammonton Tax Assessor to forward to Atlantic County Board of Taxation with any such Petition of Appeal.

#R017-2017 Authorize Drug Alliance Grant

#R017-2017

GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE  
FISCAL GRANT CYCLE

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Mayor and Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Mayor and Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Atlantic;

NOW, THEREFORE, BE IT RESOLVED by the Town of Hammonton, County of Atlantic, State of New Jersey here by recognizes the following:

1. The Mayor and Council does hereby authorize submission of a strategic plan for the Hammonton Municipal Alliance Grant for fiscal year **2018** in the amount of:

DEDR	\$17,113
Cash Match	4,278
In-Kind	12,835

2. The Mayor and Council acknowledges the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.

#R018-2017 Authorize Cruisin Main Street Event

RESOLUTION #018-2017  
RESOLUTION AUTHORIZING AND ENDORSING  
CRUISIN MAINSTREET-REMEMBER FRIDAY NIGHTS EVENT

WHEREAS, MainStreet Hammonton Organization 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 MainStreet Hammonton; and

WHEREAS, Numerous Town residents have requested two Cruisin' MainStreet events each year; and

WHEREAS, Friday, May 19, 2017(rain date May 20 ) is the scheduled date for the MainStreet Hammonton Annual "Cruisin' MainStreet-Remember Friday Nights" event during the hours of 5:30 p.m. to 9:30 p.m.; and

WHEREAS, Main Street Hammonton has requested the following street closures for this event between the hours of 3:00 p.m. to 10:00 p.m.:

Central Avenue (Rt. 542) from Bellevue Avenue to Vine Street;  
N. Egg Harbor Road between Rt. 54 and Pleasant Street;  
Orchard Street Railroad Crossing;  
Front Street from Twelfth Street to Passmore Avenue; and

WHEREAS, Main Street Hammonton has requested the reservation of the following parking spaces:

West side of Rt. 54 between Third Street and West End Avenue;  
East side of Rt. 54 between Third Street and Egg Harbor Road;  
Both sides of Railroad Avenue between 12<sup>th</sup> Street and Orchard St;  
Both sides of Egg Harbor Road between Bellevue Ave. and Pleasant St; and

WHEREAS, Main Street Hammonton has requested appropriate Police Parking Control signs to be posted early in the day noting NO PARKING AFTER 4:00 p.m.; and

WHEREAS, Main Street Hammonton has requested 2 Police Officers to direct traffic at the intersections of Bellevue Avenue at Central Avenue and Bellevue Avenue at Egg Harbor Road due to increased event related pedestrian and vehicular traffic on State Route 54;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that the May 19, 2017 (rain date May 20) and the "Cruisin' Main Street" event, including the above requests for street closures, reservation of parking spaces, posting of "NO PARKING" signs and two police officers are acknowledged, approved and endorsed;

#R019-2017 Authorize Good Friday Spanish Procession

RESOLUTION # 019 -2017

RESOLUTION AUTHORIZING THE "SPANISH COMMUNITY GOOD FRIDAY PROCESSION"

WHEREAS, St. Mary of Mt. Carmel Parish/St. Joseph's Church continues to promote the Town of Hammonton with their annual "Spanish Community Good Friday Procession"; and

WHEREAS, **Friday April 14, 2017 at 4:00 p.m.** is the scheduled date for the Spanish Community Good Friday Procession; and



WHEREAS, St. Mary of Mt. Carmel Parish/St. Joseph's Church has requested assistance of the Town of Hammonton Police Department for this scheduled event and closure of the following streets in the Town of Hammonton for stations of the cross and procession:

From N. Third St.  
To French St.  
To Second St.  
To Pleasant St.  
To Tilton St.  
To French  
To N. Third St.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, that the Spanish Community Good Friday Procession is approved by the Town of Hammonton; and

BE IT FURTHER RESOLVED that the necessary certificate of insurance has been filed with the Town Clerk.

#R020-2017 Authorize Overtime Non Union Employees Snow Removal

Resolution #020-2017

Whereas, it has been determined by the Public Works and Transportation Committee with input from the Department Head of Public Works and the Public Works Manager/Business Administrator, that additional staffing during large snow removal events would benefit the residents of the Town of Hammonton as well as snow removal staff; and

Whereas, the PWM/BA has recommended non-union employees be allowed to perform snow removal for the Town of Hammonton at those times that additional staff is needed, and

Whereas, the PWM/BA has recommended non-union employees be paid for snow removal as follows:

Monday through Friday	-	1 ½ with a guarantee of 2 hours
Saturday	-	1 ½ with a guarantee of 4 hours
Sunday	-	Double time with a guarantee of 4 hours

Now Therefore, Be It Resolved by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey that non-union Town of Hammonton employees are authorized to perform snow removal during large snow events at the above rates of pay at their salary at the time of snow event; and

Be It Further Resolved, that the Department Head of Public Works and the PWM/BA are exempt from this provision per their individual contracts and job responsibilities; and

Be It Further Resolved, that the Clerk is authorized to update the Employee Handbook to reflect this approval.

#R021-2017 Authorize Various Refunds

# R021 - 2017

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:

Solar City                                      Refund Permit Fee                                      \$967.00

#R022-2017 Approve Budget Transfers

#R023-2017 Renew Statewide Insurance Fund Contract

RESOLUTION #023-2017  
STATEWIDE INSURANCE FUND  
RESOLUTION TO JOIN (RENEW) THE FUND

WHEREAS, a number of local units have joined together to form the Statewide Insurance Fund ("FUND"), a joint insurance fund, as permitted by N.J.S.A. 40A:10-36, *et seq.*; and

WHEREAS, The Town of Hammonton ("LOCAL UNIT") has complied with relevant law with regard to the acquisition of insurance; and

WHEREAS, the statutes and regulations governing the creation and operation of joint insurance funds contain elaborate restrictions and safeguards concerning the safe and efficient administration of such funds; and

WHEREAS, the LOCAL UNIT has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

WHEREAS, the LOCAL UNIT agrees to be a member of the FUND for a period of three (3) years, effective from **January 1, 2017** terminating on **January 1, 2020** at 12:01 a.m. standard time; and

WHEREAS, the LOCAL UNIT has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the LOCAL UNIT does hereby agree to join the Statewide Insurance Fund; and

BE IT FURTHER RESOLVED that to the extent required by law, the Local Unit shall provide notice of the Indemnity and Trust Agreement to the Office of the State Comptroller; and

BE IT FURTHER RESOLVED that the LOCAL UNIT will be afforded the following coverage(s) as marked "Yes":

	<u>YES</u>	<u>NO</u>
Workers' Compensation & Employer's Liability	X	<input type="checkbox"/>
Liability, Property, Crime-Faithful Performance and Fidelity,		
Inland Marine, Boiler and Machinery, Comprehensive General,		
Liability, Auto Liability, Auto Physical Damages, Pollution Liability		
And Professional Liability		

BE IT FURTHER RESOLVED that Frank Zuber (*name of member employee*) is hereby appointed as the LOCAL UNIT's Fund Commissioner and is authorized to execute the application for membership and the accompanying certification on behalf of the LOCAL UNIT; and

BE IT FURTHER RESOLVED that the LOCAL UNIT's Fund Commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying the membership in the FUND as required by the FUND's Bylaws and to deliver same to the Administrator of the FUND with the express reservation that said documents shall become effective only upon the LOCAL UNIT's admissions to the FUND following approval of the FUND by the New Jersey Department of Banking and Insurance.

Motion by Councilman Torrissi, seconded by Councilman Giraldo, resolutions 16-23 are adopted.

ROLL CALL

Councilman:

Furgione - Yes  
Giralo - Yes  
Gribbin - Yes  
Pullia – Yes (recused resolution 23 only)  
Rodio - Yes  
Torrissi - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

PUBLIC HEARD

No one desired to be heard.

MEETING ADJOURNED

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

April Boyer Maimone, Clerk