

Minutes Regular Meeting of Mayor and Council – July 25, 2016
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 – Entered during council meeting
Pullia - Present
Rodio - Present
Torrissi - Present
Mayor DiDonato - Present

PRESENT ALSO

Michael Malinsky, Town Solicitor
Jerry Barberio, PWM/Business Administrator

Executive Session #R091-2016

#R091-2016
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 (9) 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.

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“(1) 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 _____;

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“(2) 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 _____;

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“(3) 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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“(4) 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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“(5) 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: _____;

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“(6) 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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“(7) 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,

1. Bellevue Property LLC vs Town of Hammonton Solicitor received contract amendments from Bob Bucknam, Esquire. Solicitor responded to Mr. Bucknam with additional amendments that Mayor and Council had discussed and that Mr. Bucknam did not include in the revised contract. Solicitor will report further when he hears from Mr. Bucknam.
2. Hawks Lease Agreement Solicitor forwarded amended contract to William Donio, Board of Education Solicitor as approved by Hawks representatives. Solicitor to advise further when he receives a response from Mr. Donio.
3. Hammonton Wastewater Treatment Plant vs. NJ DEP Solicitor received draft settlement agreement which he presented to Public Works and Utility Committee and reviewed this evening with Mayor and Council.
4. Joseph Maimone vs. Town of Hammonton Clerk recused for this portion of executive session. Business Administrator took minutes. Solicitor advised Mayor and Council of the terms of the proposed settlement agreement.

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“(8) 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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“(9) 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)

Subject of Discussion	Estimated Date	Necessary Occurrence
1. Bellevue Property LLC	When matter resolved	
2. Hawks Lease Agreement	When matter resolved	
3. WWTP vs NJ DEP	When matter resolved	
4. Maimone vs Hammonton	When matter resolved	

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 Torrissi, 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

No one desired to be heard.

APPROVAL OF MINUTES

Executive Session – June 27, 2016

Regular Meeting – June 27, 2016

Motion by Councilman Furgione, seconded by Councilman Pullia, recall June 27, 2016 bill list payment made to Eagle Theatre.

Councilman Gribbin stated he is opposed to the recall of payment because as a council person he believes each member of council is responsible to review the agenda and bill list. The bill list approval passed by 7-0 vote of council.

Mayor DiDonato stated this appeared on page 33 and appeared as one bill on one entire page by itself. He advised the check was released.

Councilman Furgione stated the authorization of payment should have been in the form of a resolution of council, and not on the bill list.

Councilman Gribbin advised the public of the Destination Marketing Organization's contribution to the Town and that he and Councilman Furgione serve on this committee.

Councilman Furgione advised he was unable to attend the last committee meeting and disagreed that the DMO is vital to the Town. He read a paragraph from the original resolution authorizing last years payment.

Councilman Pullia stated Eagle Theatre has not provided their budget to Council as required in the agreement.

Michael Malinsky, Solicitor, per Mayor request, advised on the issue. He stated Mayor and Council authorized a resolution \$65,000 based on a professional service contract that could be interpreted as authorizing an annual payment or not authorizing an annual payment. He advised the rules of council state an action can be brought up for reconsideration at the following council meeting. However, Eagle Theatre would have an argument that the motion passed 7-0. He advised of how this should be handled in the future.

Mayor DiDonato advised since 1992 the Mayor's and Council's have approved an annual payment to Mainstreet that appears only on the bill list.

Councilman Pullia takes exception to the insinuation that he is not a hard worker.

Councilman Rodio reminded everyone of what Bellevue Avenue looked like 12 years ago and stated that our downtown is doing well because of Council's support.

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - No

Pullia - Yes

Rodio - No
Torrissi - Yes
Mayor DiDonato – No

Mayor DiDonato declared the motion carried.

Mayor DiDonato asked if Council would like to now entertain a motion to authorize an expenditure for the Town Solicitor to attempt to retrieve the payment made to Eagle Theatre.

Motion by Councilman Torrissi, seconded by Councilman Gribbin, authorize below resolution #R091A-2016 for the 2016 payment to Eagle Theatre and do not authorize Solicitor to take legal measures to retrieve payment made to Eagle Theatre.

RESOLUTION #R091A-2016

A RESOLUTION ADDRESSING ECONOMIC DEVELOPMENT IN THE TOWN OF HAMMONTON

WHEREAS, the governing body of the Town of Hammonton recognizes that the Atlantic County economy has and will continue to be negatively impacted by the closure of several Atlantic City casinos; and

WHEREAS, the governing body believes that, in order to sustain Hammonton's positive revitalization efforts, a coordinated economic development plan shall be necessary; and

WHEREAS, some of the residential, commercial and industrial properties in Hammonton have experienced a physical deterioration as a result of the inability of their owners to properly maintain same; and

WHEREAS, New Jersey permits implementation of a residential rehabilitation and commercial rehabilitation and new construction incentive programs in the form of a tax abatement program; and

WHEREAS, much of the Town's downtown revitalization can be attributed to the exponential growth of its arts community; and

WHEREAS, the governing body desires to capitalize and expand upon those successes and, as permitted by New Jersey Law (*N.J.S.A. 40:48-1(30)*), fund a local arts entity with a broad geographic reach to advertise to the Delaware Valley and the entire State of New Jersey Hammonton's advantages including its open space, its geographic proximity to Philadelphia, Atlantic City and New York City and all points in between, its favorable tax structure, its thriving downtown and its traditional focus on family and education including its public and parochial schools and its affiliation with Stockton University, all of which have served as economic drivers.

NOW THEREFORE BE IT RESOLVED that Mayor and Council authorize approval of a Resolution authorizing funding via a professional services contract in the amount of \$65,000.00 of a broad-based advertising program through the vehicle of a non-profit 501-C3 arts entity (The Eagle Theater) focused on attracting visitors to Hammonton and in turn stimulating economic growth and attracting new residents and businesses to build upon the successes of the last decade and N.J.S. 40:48-1(30); and

BE IT FURTHER RESOLVED that the authorization of payment is for year 2016.

ROLL CALL

Councilman:
Furgione - No
Giralo - No
Gribbin - Yes
Pullia - No
Rodio - Yes
Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

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

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

Mayor DiDonato publicly thanked our police officers who do a tremendous job and asked the public to reach out to a police officer to thank them for their hard work.

Presentation – National Night Out - Lt. Fiorentino and Mrs. Young

Valley Avenue Project Presentation – Mark Hermann of ARH Town Engineer

Mrs. Crane

Mrs. Crane questioned when will the remainder of Valley Avenue be completed?

Mayor DiDonato advised he was in favor of completing the entire roadway, however, he did not have support for same.

Andrew

Andrew is concerned with the portion of Valley Avenue that will not be constructed.

Hearing Transfer Bellevue Wines and Liquors from Pocket to Place

Motion by Councilman Torrissi, seconded by Councilman Furgione, the hearing on the transfer of liquor license is now open to the public. Motion carried.

No one desired to be heard.

Motion by Councilman Furgione, seconded by Councilman Torrissi, the hearing on the transfer is now closed. Motion carried.

Action-Resolution #092-2016 Transfer Bellevue Wines and Liquors from Pocket to Place

#R092-2016

WHEREAS, an application has been filed for a pocket to place transfer of Plenary Retail Distribution License 0113-44-004-009 Bellevue Wines and Liquors;

WHEREAS, the submitted application form is complete in all respects, transfer fees have been paid, and the license has been properly renewed for the current license term;

WHEREAS, a police background check has revealed the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds and the licensed business and all additional financing obtained in connection with the licensed business;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Town of Hammonton does hereby approve the transfer of the aforesaid Plenary Retail Distribution License from pocket to place location 1-12th Street at Railroad Avenue, Hammonton, NJ 08037, and does hereby direct the Town Clerk to endorse the license certificate as follows: "this license, subject to all its terms and conditions, is hereby transferred to _____ from pocket to 1-12th Street, Hammonton, NJ 08037 effective July 26, 2016.

Motion by Councilman Torrissi, seconded by Councilman Gribbin, the resolution is 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.

Adjourn Ordinance #012-2016 Inclusionary Development Zone to August 15 Council Meeting

**ORDINANCE #12-2016
INCLUSIONARY DEVELOPMENT ZONE (IDZ)**

The Zoning Map is amended to designate Block 1201, Lots 5 & 5.01 as the Inclusionary Development Zone ("IDZ").

Section 175-142 is amended to add the IDZ Inclusionary Development Zone, to the ordinance.

There is hereby added a Section 175- 158.1. Inclusionary Development Zone.

Section A. Purpose and Intent.

1. The Town of Hammonton recognizes the need for affordable housing that can be offered as rentals for the target population who require smaller, more reasonably priced accommodations such as one-, two- and three-bedroom living facilities. It is the intent of this Ordinance to create a realistic opportunity for the construction of a portion of the low-and moderate-income housing obligation of the Town of Hammonton under New Jersey's Fair Housing Act, N.J.S.A. 52:27D-301 et. seq.; the rules of the New Jersey Council on Affordable Housing, N.J.A.C. 5:93-1 et. seq. (the "Rules"); and the Mount Laurel Doctrine.

2. This ordinance shall apply specifically to the existing rental development along 12th Street (Route 54) on Block 1201, Lots 5 & 5.01 (the "Property"), as shown on the concept plan prepared by Duffy Dolcy McManus & Roesch, dated October 15, 2015 ("Concept Plan"), attached as Exhibit "A".

3. This Ordinance acknowledges that 52 apartments currently exist on the Property, and that it is the intent of this Ordinance to control development on the Property for an additional 84 rental units (as defined herein) for a total no greater than 136 rental units. This Ordinance creates a IDZ implementing the Concept Plan referenced above, designed to increase an existing rental development to a total of up to 136 rental units, with a 15% set-aside of any new units that are constructed to be designated as affordable rentals that will be governed by controls on affordability that will terminate in accordance with the applicable Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq. ("UHAC") requirements and the Rules.

Section B. General Provisions. Because this Ordinance provides specialized regulations for housing types, land use, improvements, site planning, and building design within the IDZ, the standards and requirements of this Ordinance supersede and replace all conflicting provisions in the Town of Hammonton Developmental Ordinance and Zoning Ordinance, except for the stormwater management regulations found in Article XVII of the Town of Hammonton Land Development Ordinance. All ordinances of the Town of Hammonton that are inconsistent with the provisions of this Ordinance are superseded by the provisions of this Ordinance.

Section C. Permitted uses.

The following uses are permitted in the IDZ Zoning District.

1. All uses permitted in the H-B Highway Business Zoning District.
2. Dwelling Unit/Apartment, Multiple –Family.

Section D. Accessory uses.

The following accessory uses are permitted in the IDZ Zoning District.

1. All accessory uses permitted in the H-B Highway Business Zoning District.
2. In multi-family development, accessory uses may include:
 - a. Private, passive or active recreational facilities, including, but not limited to, a community building.
 - b. Stormwater facilities.
 - c. Signage subject to Section 175-161(D)(4).
 - d. Fences and hedges subject to Sections 175-98 and 175-137
 - e. Parking subject to the New Jersey Residential Site Improvements Standards (“RSIS”).
 - f. Other accessory uses and structures normally considered incidental to apartment and/or multifamily buildings, i.e., refuse enclosures, sheds for maintenance equipment and HVAC units.
 - g. Except as set forth herein, all accessory uses and structures shall be permitted within the setback areas for principal buildings and comply with Section 175-87.

Section E. Signs. Signs for the multi-family residential development shall conform to Section 175-161D (4), except that sign setbacks shall be no less than 15 feet from a right of way.

Section F. Bulk standards related to non-residential development shall be the same as those established in the H-B Highway Business Zoning District.

Section G. Bulk standards related to multi-family residential development:

1. Maximum residential density. 12 dwelling units per gross acre. This Ordinance acknowledges that there are currently 52 existing apartment units on the Property. The maximum number of new units permissible in the zone is 84 units. The total maximum number of all units shall be no greater than 136 units.

- | | | |
|----|---|---|
| 2. | Maximum impervious coverage: | 75% |
| 3. | Minimum front yard setback for principal buildings: | 65 feet |
| 4. | Minimum side yard setback for principal buildings: | 40 feet |
| 5. | Minimum rear yard setback for principal buildings: | 20 feet |
| 6. | Minimum parking setback: | 10 feet (between buildings and parking areas) |
| 7. | Maximum building height: | 45 feet or 3 stories |
| 8. | Minimum space between buildings: | No building shall be closer than 50 feet to any other building. |

9. Common open space. 15% of the gross tract area. All common open space shall be set aside as permanent common open space to be owned and/or maintained by the property owners or the management entity of the multifamily buildings.

10. Recreation area. A clubhouse or community building with a minimum size of 2,800 sf. and a tot lot shall be provided. Additional recreational activities may be provided. All recreational activities shall be subordinated to the residential character of the development, and no advertising shall be permitted. Architectural elevations and floor plans shall be provided at the time of application for site plan review for the clubhouse or community building.

11. On-site parking and site access.

- a. Parking shall be regulated by New Jersey Residential Site Improvement Standards (RSIS).
- b. On-site parking facilities shall be limited to passenger vehicles of permanent residents and their guests. Storage of trucks, boats, trailers, etc., shall be prohibited.
- c. Design controls applicable for on-site parking facilities are set forth in the site plan and subdivision regulations found in §175-118 except that in order to maintain the character of the existing community curbing is not required.
- d. Sidewalks shall be provided to reasonably connect the residential units to the parking area and shall be consistent with the Concept Plan.
- e. A secondary ingress/egress shall be provided on Commence Way.
- f. Community Building. Parking spaces shall be no closer than 5 feet to the building. The drive aisle shall be no closer than 15 feet to the street line except for the access driveway.

12. Landscaping. Landscaping shall conform to §175-136.

13. Lighting. Lighting shall conform to §175-112, which includes the requirement to design lighting to prevent glare upon surrounding properties.

14. Refuse storage. The refuse storage areas shall be suitably located and screened and arranged for access and ease of collection and shall not be part of, restrict or occupy any parking aisle. Refuse storage structures may be erected in the side and rear yard areas only, and the required setback shall be 1/2 that required for principal buildings.

15. Buffer. The buffer area shall be provided in accordance with the requirements of Section 175-91, except that storm drainage facilities may be located within the buffer area. The buffers shall be located along all side and rear lot lines. The width of the buffer shall be a minimum of 20 feet.

16. Building Design. The design of the new buildings and units shall be a similar in appearance and style as the rendering attached as Exhibit "B".

17. Affordable Housing Requirements.

- a. Fifteen percent (15%) of all new units constructed shall be provided as affordable housing units. The affordable housing units shall be constructed as rentals.
- b. Affordable units shall comply with the New Jersey Barrier-Free Subcode accessibility requirements, N.J.A.C. 5:23.7, as required by the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301, et seq.
- c. The affordable housing units shall be developed and rented in accordance with the applicable UHAC and COAH regulations adopted as of the date of the adoption of this Ordinance.
- d. The affordable housing units shall be dispersed in various buildings throughout the multi-family development. The affordable units shall be phased consistent with N.J.A.C. 5:93-5.6(d).
- e. Consistent with UHAC, the developer (or its agent) may act as the administrative agent to be responsible for the administering of the affordable housing program and reporting to the Municipal Housing Liaison or the Town's designated affordable housing entity.
- f. Controls on affordability shall expire in accordance with the applicable UHAC and COAH regulations adopted as of the date of the adoption of this Ordinance.

Section H. Rehabilitation Requirements for Existing Five (5) Buildings.

1. In conjunction with the new construction of the multi-family residential development contemplated under this Ordinance provision, the five (5) existing multi-family residential buildings shall be rehabilitated to conform as much as practicable in light of the requirement for the elimination of cost-generative features. The rehabilitation of the existing buildings shall be phased with the new construction. For purposes of this ordinance, rehabilitation shall mean cosmetic and architectural design features to the existing buildings

exterior that complement the new construction style. The five (5) existing buildings after rehabilitation shall look substantially similar to the elevation attached hereto as Exhibit "C".

2. The existing five (5) buildings on the Property shall be rehabilitated in accordance with the following phasing schedule:

New Building Certificate of Occupancy (CO) Issued	Required Completion of Rehabilitation of Existing Five (5) Buildings
Building #1	0
Building #2	1 of the existing buildings completed
Building #3	3 of the existing buildings completed
Building #4	5 of the existing buildings completed

A Certificate of Occupancy shall not be issued for any of the new buildings constructed unless and until the corresponding number of existing buildings, in accordance with the chart above, have been completely rehabilitated. Notwithstanding the foregoing, deviations from the phasing schedule shall be permitted upon application to the Planning Board for good cause, so long as the rehabilitation of the existing buildings is completed before the last Certificate of Occupancy is issued for the new construction.

Section I. Cost-Generation and Development Review Process.

The Planning Board shall conduct its review of any multi-family residential development application in the IDZ Zoning District in accordance with N.J.A.C. 5:93-10 et. seq.

Motion by Councilman Giraldo, seconded by Councilman Furgione, the hearing on Ordinance 12-2016 is adjourned to the Regular Meeting of August 15, 2016.

ROLL CALL

Councilman:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Hearing Ordinance #013-2016 Amend Chapter 241 Brush

ORDINANCE # 013 - 2016

AN ORDINANCE TO AMEND CHAPTER 241, ARTICLE II AND ARTICLE III
OF THE GENERAL ORDINANCES OF
THE TOWN OF HAMMONTON

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC AND STATE OF NEW JERSEY AS FOLLOWS:

SECTION 1. **Chapter 241, Article II, Section 241-18 is amended to add the following term:**

BRUSH

Branches and twigs not to exceed three (3) inches in diameter, five (5) feet in length and fifty (50) pounds in weight that can be handled by one person. Brush does not include trees.

SECTION 2. **Chapter 241, Article II, Section 241-19(B) is amended to read as follows:**

§241-19(B) The Town of Hammonton shall not be responsible for the disposal of trade waste, construction debris, hazardous waste, or waste related to the transfer of ownership of a residential property or the change of occupancy by a residential tenant thereof. It shall be the responsibility of the property owner and/or tenant to arrange, in those circumstances, for a solid waste collection contractor to remove the aforescribed waste. Any person, association, partnership, company, corporation, or property owner violating this §241-19(B) shall be subject to one or more of the following penalties:

1. **For the first offense and second offense, a fine of \$75.00; and**

2. **For a third or subsequent violation, a fine of up to \$1,000, imprisonment for a period not to exceed ninety (90) days or a period of community service not to exceed ninety (90) days.**

SECTION 3. Chapter 241, Article 2, Section 241-20(A)(8) is amended to read as follows:

§241-20(A)(8) Brush shall only be placed for collection in a single pile not exceeding four (4) feet in height, six (6) feet in length, and six (6) feet in width. Any person, association, partnership, company, corporation, or property owner violating this §241-20(A)(8) shall be subject to one or more of the following penalties:

1. **For the first offense and second offense, a fine of \$75.00; and**
2. **For a third or subsequent violation, a fine of up to \$1,000, imprisonment for a period not to exceed ninety (90) days or a period of community service not to exceed ninety (90) days.**

SECTION 4. Chapter 241, Article 2, Section 241-20(A)(11) is amended to read as follows:

Bulk items (as defined in this Chapter) shall not be collected with the regular weekly collection but may be collected in accordance with a schedule as determined by the Overseer of Highways for the Town of Hammonton. The Town reserves the right to refuse collection of bulk materials which, in its opinion, are excessively heavy or cumbersome including, but not limited to, motor engine blocks, automobile bodies or portions thereof, truck bodies or parts, carpets and other similar materials. No refrigerator shall be placed for collection unless and until the door of the refrigerator and/or freezer has been completely removed from the hinges and the lock has been rendered inoperable. In no event shall any person or entity cause to be placed for collection any item in violation of this subsection, nor shall any person or entity cause to be placed for collection in excess of three (3) bulky items for any single collection. Any person, association, partnership, company, corporation or property owner violating this Section 241-20(A)(11) shall be subject to one or more of the following penalties:

1. **For the first offense and second offense a fine of \$75, in addition to a fine of \$50 per bulky item in excess of three (3) bulky items, if any; and**
2. **For a third or subsequent violation, a fine of up to \$1,000, imprisonment for a period not to exceed ninety (90) days or a period of community service not to exceed ninety (90) days.**

SECTION 5. Chapter 241, Article II, Section 241-28 is amended to read as follows:

§241-28(C) The violations and penalties set forth in this Section 241-28 are inapplicable to violations of Section 241-19(B), Section 241-20(A)(8) and Section 241-20(A)(11), as these sections already contain separate penalties for a violation.

SECTION 6. Chapter 241, Article III, Section 241-30 the term "BRUSH" is amended to read as follows:

BRUSH

Branches and twigs not to exceed three (3) inches in diameter, five (5) feet in length and fifty (50) pounds in weight that can be handled by one person. Brush does not include trees.

SECTION 7. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of the inconsistency.

SECTION 8. If any section, sentence, or other part of this Ordinance is adjudged unconstitutional or invalid, that judgment shall not affect, impair, or invalidate the remainder of this Ordinance, but shall be limited in its effect to the specific section, sentence or other part of this Ordinance directly involved in the controversy in which the judgment shall have been rendered.

SECTION 9. This Ordinance shall take effect immediately upon final adoption and publication as required by law.

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

No one desired to be heard.

Motion by Councilman Rodio, seconded by Councilman Giraldo, the hearing is closed, the ordinance is passed second reading and 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.

Hearing Ordinance #014-2016 Amend Chapter 226 Sewer Connection

ORDINANCE #014 - 2016

AN ORDINANCE TO AMEND CHAPTER 226, ARTICLE 1
OF THE GENERAL ORDINANCES OF
THE TOWN OF HAMMONTON

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC AND STATE OF NEW JERSEY AS FOLLOWS:

SECTION 1. Chapter 226, Article 1, Section 226-10 is amended to read as follows:

§226-10(D) Any owner required to be connected to the sewage facilities of the Town of Hammonton pursuant to §226-28, that fails to connect to such facilities within the time frame set forth in §226-30, shall be charged annual sewer rates in accordance with §226-10(A-C) above. It is determined to be in the public interest that all owners required to connect to the sewage facilities of the Town of Hammonton contribute towards the cost of maintaining and operating such sewage facilities.

SECTION 2. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of the inconsistency.

SECTION 3. If any section, sentence, or other part of this Ordinance is adjudged unconstitutional or invalid, that judgment shall not affect, impair, or invalidate the remainder of this Ordinance, but shall be limited in its effect to the specific section, sentence or other part of this Ordinance directly involved in the controversy in which the judgment shall have been rendered.

SECTION 4. This Ordinance shall take effect immediately upon final adoption and publication as required by law.

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

No one desired to be heard.

Motion by Councilman Furgione, seconded by Councilman Giraldo, the hearing is closed, the ordinance is passed second reading and 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.

COMMITTEE REPORTS

Administration - Councilman Torrissi

Deputy Town Clerk

Resolutions for consideration:

Set date for tax sale

Labor attorney contract

Extend tax bills to Aug 26 water/sewer bills due Aug 1 with 10 day grace period

Police vehicles to be auctioned
Administration committee meeting August 10 at 9 am
Business registration license due by August 1

Business & Industry - Councilman Gribbin

Report on Upcoming Peach Event
All Mainstreet and Eagle Theatre Members were present at June council meeting but were not requested to speak
Resolution for approval of Fringe Festival
Relocation of business Country Clutter former business Sadies
Thanked all small businesses for investing in downtown
Reported on successful 4th of July Susquecentennial Event

Education - Councilman Giraldo

Report on Board of Education Meeting
Retirement of Superintendent Blachford
July Council Salary donated to Good Samaritan Soup Kitchen

Mayor DiDonato stated council should refrain from advising of donation of salaries.

Quality of Life - Councilman Pullia

Report on 16th of July Event
July 4th fireworks rescheduled to October 2
National Night Out Event heard earlier
Stockton College Ribbon Cutting Ceremony

Public Works & Transportation - Councilman Rodio

Two action items for public works under engineer report
Defer Highway Department items to PWM/BA Report

Water & Sewer - Councilman Furgione

Defer action items to engineer report
Update on Lincoln Street project
Repair water leak
Fire Hydrant Repair-recoup insurance costs
Report on Water Meter Replacement approximately 12 properties have not replied, asked for their cooperation

ENGINEER REPORT

SEWER & WATER ACTION ITEMS:

1. LTCWMP Report I&I (ARH #11-50142):

We met with representatives from the Pinelands Commission and Town Council on May 11th. It was indicated that the Town must provide a report to the Commission which provides details on the following:

- Update on sanitary sewer replacement project that have been completed within the last few years.
- Sanitary sewer projects presently under construction.
- List of most critical areas for sanitary sewer replacement.
- Schedule to complete some additional cleaning and video of most critical lines.
- Provide modifications to schedule contained in the original I&I study report provided to Pinelands.
- Provide suggested revisions to LTCWMP originally agreed to between the Town and the Pinelands Commission for consideration including the installation of additional drip irrigation at the Boyer Avenue site.

Upon discussion with the Sewer Committee Chairman, it was indicated that the Town will complete the response to Pinelands and seek assistance from our office as needed. We will advise the Pinelands Commission within the monthly reports.

We would request approval from Council on the work completed to date, in preparation for and attendance at meeting with Pinelands Commission Staff and Town Representatives in May of this year and provide summary memo of discussions. Also for the preparation of monthly effluent distribution report and work progress reports to Pinelands Commission. The cost for these tasks would be \$3,180.00.

Motion by Councilman Furgione, seconded by Councilman Rodio, approver work completed to date as noted above for a cost of \$3,180.00. Any additional work will be completed as requested by the Town at the appropriate time.

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 Utility Replacement (ARH #11-30159):

Construction on the project began at the intersection of Broadway and Valley Avenue on July 13, 2014. Traffic control is in place and daily road closures are in effect. The Contractor is currently working on installing the sanitary sewer main. Once the sanitary sewer installation has progressed through the intersection and north on Valley, the Contractor will return and install the storm sewer and water main. Weekly project meetings have been scheduled with the first meeting occurring on July 20, 2016. We are investigating the possibility of having the NJEIT loan cover the cost to provide uniformed police officers to assist with traffic control, and we are still awaiting the final loan numbers from the NJEIT.

As discussed with the PWTC at prior meetings, there are two (2) outstanding items related to this project that we are requesting action on from Council which are as follows:

1. Approval for the remaining portion of the ARH design proposal totaling \$27,750.00 and issuance of a purchase order for same.
2. Issuance of a purchase order for the construction management portion of the project total \$131,250.00 as approved earlier this year.

Motion by Councilman Furgione, seconded by Councilman Rodio, approve two (2) ARH outstanding items as noted above and issuance of the purchase order for same.

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 ACTION ITEMS:

3. First Road/Chew Road Drainage Improvements Phase I-B (ARH #11-60207.05):

The contractor has completed the drainage and restoration work for the site. We have completed discussions with the contractor and finalized the project as-built construction quantities. A final payment voucher was prepared for payment consideration. As discussed last meeting, the final contract amount resulted in a slight increase of \$1,850.00 from the original contract.

Motion by Councilman Rodio, seconded by Councilman Pullia, approve final payment invoice to Perna Construction, LLC in the amount with \$9,800.00 resulting in a final contract value of \$36,350.00. The release of the payment would be subject to the contractor providing a project Maintenance Bond in an amount equal to \$5,452.50 which will be in effect for a period of two (2) years from July 27, 2016.

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. Octagon Oil Property – Central Avenue & Vine Street (ARH #11-01060):

As a result of the meeting with Henry Weigel of our staff and the Town PWTC and as per their request, Henry has prepared a proposal noting the completion of various investigation and reporting tasks for the above noted property. As discussed, the NJDEP requested the Town retain the services of a Licensed Site Remediation Professional (LSRP) to develop a closure plan for the above noted site. A copy of the ARH proposal to complete the tasks for that site is attached for Council's consideration.

Motion by Councilman Rodio, seconded by Councilman Furgione, approve ARH proposal in the amount of \$3,800.00 dated July 20, 2016 to complete the various initial tasks of evaluation related to the Central Avenue/Vine Street parking lot parcel.

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 INFORMATION ITEMS:

Pleasant Mills Road 3 Bay Garage Replacement (ARH #11-30163.01):

The plans and specifications have been completed, reviewed, and advertised to receive bids on Wednesday, August 10, 2016 at 10:00 a.m. A pre-bid site visit has been set for Wednesday, July 27th at 10:00 a.m. for interested contractors. Once the bids are received, we will review same with the PWTC and if acceptable, recommend award at the August 15th Council meeting.

SOLICITOR REPORT
Hammonton WWTP vs NJ DEP

Motion by Councilman Furgione, seconded by Councilman Rodio , approve settlement agreement and authorize Mayor DiDonato to sign same.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Joseph Maimone vs. Town of Hammonton

Motion by Councilman Torrissi, seconded by Councilman Giralo, approve settlement agreement subject to execution by plaintiff.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Update Lease Agreement Hawks Organization and Board of Education

Solicitor forwarded amended contract to William Donio, Board of Education Solicitor as approved by Hawks representatives. Solicitor to advise further when he receives a response from Mr. Donio.

Mayor DiDonato requested Councilman Giralo, of the Education Committee, to follow up with Mr. Donio so the consideration of approval can be placed on next Board of Education Meeting agenda.

Airport Hangar Lease – No response from Mr. Brown (Action Taken Under PWM/BA Report)

Resolution #R111-2016 Authorize Tax Title Lien

#R 111- 2016

RESOLUTION OF MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON AUTHORIZING THE SALE OF A
TAX SALE CERTIFICATE HELD BY THE TOWN OF HAMMONTON

WHEREAS, the Town of Hammonton acquired a Tax Sale Certificate on December 23, 2013, for Block 5502, Lot 18 under Certificate Number 13-368; and

WHEREAS, the Town of Hammonton desires to assign the previously mentioned tax sale certificate, more specifically identified in Schedule "A" set forth below, at a private sale as provided for in N.J.S.A. 54:5-113 et seq.; and

WHEREAS, Mayor and Town Council of the Town of Hammonton at its regular meeting of July 25, 2016, approved this Resolution authorizing the sale of the Tax Sale Certificate at a private sale.

NOW, THEREFORE, be it resolved by the Mayor and Town Council of the Town of Hammonton, County of Atlantic and State of New Jersey that the Tax Collector, Rosemarie Jacobs, be authorized to sell at a private sale, the Tax Title Lien set forth in Schedule "A" below.

SCHEDULE "A"

Block/Lot	Certificate	Name	Amount
5502/18	13-368	Jones, Edna D.	\$18.79

Motion by Councilman Torrissi, seconded by Councilman Giraldo, 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.

Introduction Ordinance #015-2016 Authorize Sale Town Owned Property

ORDINANCE #015 - 2016

AN ORDINANCE OF THE TOWN OF HAMMONTON AUTHORIZING THE SALE OF TOWN OWNED LAND

WHEREAS, Lot 18 of Block 4104 is owned by the Town of Hammonton and is not needed for public purposes; and
WHEREAS, it is in the best interest of the Town to sell such land to generate revenue, reduce taxes and reduce liabilities; and

WHEREAS, N.J.S.A. 40A:12-13.2 provides in pertinent part that whenever any municipality intends to sell real property which is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvements thereon, the municipality must accord contiguous property owners the right of first refusal to purchase such land; and

WHEREAS, the Town proposes to offer such right to all contiguous owners and to sell such lands to the highest bidders among the contiguous owners as authorized by N.J.S.A. 40A:12-13; and

WHEREAS, if no contiguous owner offers to purchase such property, then the property shall be opened to full public bidding.

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

The Town Clerk is authorized, subject to the conditions set forth herein, to offer for sale by public auction all of the Town's right, title and interest in and to the following lot pursuant to the provisions of N.J.S.A. 40A:12-13:

Block 4104, Lot 18 – Hillman Avenue – at a minimum amount of \$5,000.00.

The minimum bid for the lot is set forth above. No bid less than the minimum amount set forth will be considered.

The Town Solicitor is authorized to notify by letter the contiguous owners of record in accordance with the current tax assessments and to advise each such contiguous owner of the lot being offered for sale and that such contiguous owner may bid for such lot in accordance with the terms and conditions set forth herein. The Town Clerk is directed to advertise the

sale in a newspaper circulating in the Town by two (2) insertions at least once a week during two (2) consecutive weeks, the last publication to be not earlier than seven (7) days prior to the date of the public sale.

The property set forth above is not necessary for public municipal purposes and the best interest of the public shall be served in selling said property by public sale to the highest bidder at or above the minimum price set forth above with Town Council reserving the right to accept or reject or otherwise remove any lot from sale. The public sale shall take place on Monday, September 26, 2016, at 10:00 AM at the municipal building located at 100 Central Avenue, Hammonton, NJ 08037. Bids shall be received by the Town Clerk in accordance with the procedures to be announced by the Town Clerk. A deposit by certified check, bank check or money order made payable to the Town of Hammonton in an amount not less than ten percent (10%) of the bid must be paid by the successful bidder at the time of the sale. The balance of the bid amount shall be paid at closing which shall occur not later than forty-five (45) days following acceptance of the bid by Town Council. The Clerk may by announcement made at the time and place scheduled for the public sale adjourn the sale to another date and time and such announcement shall be deemed adequate notice to all interest parties.

The lot set forth above shall be first offered to the contiguous property owners at the minimum price set forth above and shall be sold to the highest bidder from among the adjoining property owners.

Any person bidding on behalf of a corporation or company must submit a copy of a Resolution of the corporation or company authorizing the bidder to bid on the property on behalf of the corporation or company. A person bidding on behalf of a partnership or using a trade name must submit a copy of the certificate of trade name and a letter of authorization from the other partners, if any.

All bids shall be referred to Town Council for review and final approval pursuant to N.J.S.A. 40A:12-13 and the Town reserves the right to accept the highest bid or to reject any and all bids for any property. The deposits with respect to any unsuccessful bid and any rejected bid shall be returned.

The successful bidder shall be responsible for the cost of preparation of the deed of conveyance and any related documents for the transfer of title, not to exceed \$250.00. The balance of the purchase price, together with costs of preparation of the deed of conveyance and related documents for the transfer of title must be paid by certified check, bank check or money order made payable to the Town of Hammonton and provided to the Town of Hammonton within ten (10) days of the date of sale. The successful bidder shall be responsible for the recording of the deed and for the cost of such recording.

A bargain and sale deed without covenants shall be delivered at the office of the Town Clerk on or before forty-five (45) days after Council approval of the sale. The Mayor and Town Clerk are hereby authorized to execute said deed and other conveyance documents and the Town Attorney is authorized to prepare such deed and documents.

In addition to the terms and conditions set forth herein, the successful bidder agrees to the imposition of the following conditions by the Town:

In the event that the successful bidder fails to close title, the bidder agrees to forfeit to the Town any and all monies deposited with the Town.

The Town does not warrant or certify title to the property and in no event shall the Town be liable for any damages to the successful bidder if title is found defective or marketable for any reason, and the bidder waives any and all rights and damages or by way of liens against the Town, the sole remedy of the bidder being the right to receive a refund prior to closing of title of the deposit paid. It is the right of the successful bidder to examine title prior to closing. In the event of closing and a later finding of a defect of title, the Town shall not be required to refund any money or correct any defect in title and shall not be held liable for damages. Acceptance of an offer to purchase shall constitute a binding agreement by the bidder and the successful bidder shall be deemed obligated to comply with the terms and conditions contained herein.

The deed of conveyance shall be subject to all matters of record which may affect title, what an accurate survey would reveal, the Ordinances of the Town of Hammonton, and the reservation of an easement for all natural constructive drainage systems, swales, pipes, drains, inlets, waterways and other easements, if any, on the land and a continued right of maintenance and flow thereof. The Town shall be without obligation to provide access, public or private, or to provide any improvements.

The land being conveyed is an undersized lot and may not be developed separately for residential or other purposes and, if applicable, must be merged with the contiguous land owned by the bidder. The deed of conveyance shall contain a restriction governing the subject property that, if applicable, neither it nor the property with which it is consolidated shall thereafter be subdivided. The deed will also contain a further covenant that neither the purchaser nor any

future owner or potential developer of the lot may ever in any manner, directly or indirectly, assert a claim against the Town of Hammonton based upon the inability to develop or use the lot including, but not limited to, a claim for inverse condemnation or damages of any kind.

The Town makes no warranties whatsoever regarding said lands and assumes no responsibility for environmental conditions, known or unknown, regarding said lands. The bidder shall be responsible for the exercise of due diligence in determining the condition of the land, including but not limited to, the determination of any title conditions, environmental conditions, zoning and development restrictions and any other condition or restriction that might impact the use of the land.

The Town Clerk, the Mayor and the Town Attorney are authorized to prepare and execute any and all documents necessary and to take any and all such actions as may be required to effect the transaction set forth herein.

The Town Clerk shall file with the Director of Local Government Services in the Department of Community Affairs, sworn affidavits verifying the publications of the advertisements required by N.J.S.A. 40A:12-13(b).

Bidding may be made by an individual, corporation or other entity. Bids may also be submitted by a prospective purchaser's attorney, real estate agent or broker or other duly authorized representative. However, no commission shall be paid by the Town of Hammonton to any real estate agent or broker or other representative in connection with any sale.

The sale of such lands is subject to applicable New Jersey Law concerning the disposition of municipal real estate and all other applicable laws and ordinances of the State of New Jersey and the Town of Hammonton.

All potential sales are subject to final approval by Town Council. This includes the right of Town Council to remove a property from the sale list at any time and to terminate any sale up to the time of the issuance of a deed to the purchaser. If terminated, any monies paid by a successful bidder will be refunded.

The Town reserves the right to waive any and all defects, informalities and irregularities in any bid. The Town further reserves the right to reject all bids in each instance where the highest bid is not accepted and to, in its discretion, re-advertise the property for sale. No bid shall be considered finally accepted until confirmed by Town Council.

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

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced in and passed the first reading at a meeting of Town Council of the Town of Hammonton, County of Atlantic and State of New Jersey held on July 25, 2016, and said Ordinance will be further considered for final passage and adoption at a public hearing to be held at the Municipal Building located at 100 Central Avenue, Hammonton, NJ 08037, on August 15, 2016, at 7:00 PM or as soon thereafter as the matter may be reached.

Motion by Councilman Gribbin, seconded by Councilman Pullia, 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.

PWM/BUSINESS ADMINISTRATOR REPORT
Bulky and Brush Ordinance Revisions Slideshow Presentation
Airport Hangar RFQ/RFP

Motion by Councilman Rodio, seconded by Councilman Pullia, authorize Purchasing Agent to prepare Airport Hangar RFQ/RFP.

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Introduction Ordinance #016-2016 Emergency Purchase Radio GPS Police Department

ORDINANCE #016- 2016

AN ORDINANCE OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO *N.J.S.A. 40A: 4-53* FOR THE PURPOSE OF PURCHASING REPLACEMENT POLICE RADIOS, GLOBAL POSITIONING SYSTEM AND COMMUNICATION IMPROVEMENTS IN THE TOWN OF HAMMONTON POLICE DEPARTMENT DUE TO CURRENT EQUIPMENT NOT BEING COMPATIBLE WITH ATLANTIC COUNTY AND OTHER GOVERNMENT EQUIPMENT NECESSARY FOR THE SAFETY, HEALTH AND WELFARE OF THE PUBLIC

BE IT ORDAINED by the Mayor and Town Council of the Town of Hammonton, in the County of Atlantic and State of New Jersey, that pursuant to *N.J.S.A. 40A:4-53* (ch.48, P.L. 1956 as amended by Ch.144, P.L. 1965 and Ch.38, P.L. 1969), the sum of \$18,000.00 is hereby appropriated for the purchase of Police Radios, Global Positioning System and Communication Improvements, all deemed a special emergency appropriation as defined and provided for in *N.J.S.A. 40A:4-55*.

The authorization to finance the appropriation shall be provided for in the succeeding annual budgets by the inclusion of at least one-fifth (1/5th) of the amount authorized pursuant to this act (*N.J.S.A. 40A:4-55*).

Motion by Councilman Rodio, seconded by Councilman Pullia, the ordinance is taken up for and passed first reading and given legal publication and authorize letter to Board of Education recommending necessary upgrades as well.

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Ordinance for Muffled Brakes (sent to Solicitor for review)

Bulky Pickup August 1-5

Brush Pickup August 8-12

TOWN CLERK REPORT

1. Approve new member Fire Co 1 Savannah Asencio

2. Authorize Clerk to advertise for Deputy Municipal Clerk

Motion by Councilman Giraldo, seconded by Councilman Torrissi, approve Town Clerk Report items 1 and 2.

ROLL CALL

Councilman:

Furgione - Yes

Giraldo - 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 Rodio, the bill list and purchase orders are approved.

ROLL CALL

Councilman:

Furgione - Yes

Giraldo – Yes (recused on water rebate only)

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

NEW BUSINESS

ORDINANCES FOR INTRODUCTION

(Ordinances introduced under Solicitor Report and PWM/BA Report earlier this evening)

RESOLUTIONS

#R093-2016 DARE Grant

#R093-2016

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 2016 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.

#R094-2016 Authorize Assignment Tax Sale Block 2502 Lot 17

#R094-2016

RESOLUTION AUTHORIZING THE ASSIGNMENT OF TAX SALE BLOCK 2502 LOT 17

WHEREAS, the Town of Hammonton is the present holder of a tax sale certificate for property known and designated as Lot 17 in Block 2502, said property adjacent to lands now owned by Raymond & Michelle Effinger; and

WHEREAS, Raymond and Michelle Effinger have requested the assignment of the Tax Lien Certificate and is willing to pay the amount required for redemption of the Tax Sale Certificate by payment of all outstanding taxes due to the Town of Hammonton; and

WHEREAS, the statutes of the State of New Jersey permit the assignment of Tax Sale Certificate by private sale.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Town of Hammonton in the County of Atlantic and State of New Jersey that an assignment to Raymond & Michelle Effinger of the Tax Sale Certificate for Lot 17 in Block 2502 is hereby authorized in accordance with the Laws of the State of New Jersey and by the full payment of all outstanding taxes due the Town of Hammonton.

BE IT FURTHER RESOLVED, that Rosemarie Jacobs, Tax Collector is hereby authorized to execute any and all documents per this resolution.

#R095-2016 Award Professional Service – Labor Attorney

RESOLUTION #R095- 2016
RESOLUTION APPOINTING A LABOR ATTORNEY FOR THE YEAR 2016

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; and

WHEREAS, the previously anticipated legal expenses has exceeded the professional contract awarded by Resolution #004-2016 set at a maximum value of \$5,000.00; and

WHEREAS, the Purchasing Agent has advertised for Qualifications for Labor Attorney for remainder of year 2016;

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 **Stephen Barse of Gruccio Pepper DeSanto & Ruth** is hereby appointed as **Labor Attorney** for the Town of Hammonton for a term of one (1) year.

That Labor Attorney has agreed to provide legal services at a rate of **\$150.00 per hour** at a total anticipated annual cost for services rendered **not to exceed \$12,500.00**. This includes the \$5,000.00 previously authorized and an additional anticipated amount of \$7,500.00. Before the total of \$12,500.00 is reached, the Purchasing Agent is authorized to seek RFQ's for the Labor Attorney position during the term of this contract.

That the Labor Attorney shall be available as consultant to the Officials of the Town of Hammonton and render such legal 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.

#R096-2016 Authorize Fringe Festival and Road Closure

RESOLUTION #096-2016
RESOLUTION AUTHORIZING AND ENDORSING
NEW JERSEY FRINGE FESTIVAL EVENT

WHEREAS, August 5, 2016 through August 7, 2016 is the scheduled date for the New Jersey Fringe Festival Event; and

WHEREAS, the following road closures have been requested for of the event during this timeframe:

Second Street (from Bellevue Ave. to Vine St.)
From August 5, 2016 at 4:00 p.m. continuously through August 7, 2016 at 7:00 p.m.

WHEREAS, the event and road closure request have been reviewed and approved by the Police Chief.

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 August 5-7, 2016 Fringe Festival Event and Road Closures is approved including police traffic patrol and trash pickup;

BE IT FURTHER RESOLVED the approval is contingent upon posting of insurance certificate with the Municipal Clerk.

#R097-2016 Authorize Green Day Festival and Road Closure

RESOLUTION #097-2016

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, 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 as follows:

Recycling Central to take place from 9:00 a.m. till 12:00 noon, 9/17
Town-wide yard sales to take place from 9:00 a.m. till 2:00 pm, 9/17
Green Day Festival to take place from 12:00 noon till 4:00 p.m. at 328 Vine Street (St. Joseph School), 9/18
Close Vine Street & School House Lane between 3rd and Bellevue from 9:30 a.m.-4:30 p.m. on 9/18

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.

#R098-2016 Extend Tax Due Date to August 26, 2016

#R098 -2016
RESOLUTION

WHEREAS, the 2016-2017 preliminary tax bills will be mailed late due to a delay in receiving the established tax rate from county;

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 for the third quarter taxes to be due on August 26, 2016;

BE IT FURTHER RESOLVED that payments received after August 26, 2016 will be with interest;

BE IT FURTHER RESOLVED that this extension does not affect payment due date of Utility Billings which will remain August 1, 2016 with a ten day grace period.

#099-2016 Certify Receipt of Annual Audit

#R099-2016
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 2015** 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.

#R100-2016 Audit Corrective Action Plan

**RESOLUTION #100-2016
TOWN OF HAMMONTON
CORRECTIVE ACTION PLAN**

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 2015** Report of Audit is as follows:

Finding No. 2015-1:

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.

#R101-2016 Interim Financing Trust Loan Program

#R101-2016

RESOLUTION OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF ITS NOTE RELATING TO THE INTERIM FINANCING TRUST LOAN PROGRAM OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST, TO BE ISSUED IN THE PRINCIPAL AMOUNT OF UP TO \$3,500,000, AND PROVIDING FOR THE ISSUANCE AND SALE OF SUCH NOTE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH NOTE BY THE TOWN IN FAVOR OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST, ALL PURSUANT TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST INTERIM FINANCING TRUST LOAN PROGRAM.

WHEREAS, the Town of Hammonton (the “Local Unit”), in the County of Atlantic, New Jersey, has determined that there exists a need within the Local Unit for the design, permitting, construction, construction management and the administration of various roadway Improvements to Valley Avenue, Broadway and various other Roadways in Town and utility improvements, including, but not limited to water, sewer, sanitary and storm water, curbing replacements, handicap rams and roadway improvements, including acquisition and installation of all equipment and materials and all work necessary therefore or Incidental thereto (collectively, the “Project”), and it is the desire of the Local Unit to obtain financing for such Project through participation in the financing program (the “Environmental Infrastructure Financing Program”) of the New Jersey Environmental Infrastructure Trust (the “Trust”);

WHEREAS, the Local Unit has determined to temporarily finance the acquisition, construction, renovation or installation of the Project prior to the closing with respect to the Environmental Infrastructure Financing Program, and to undertake such temporary financing with the proceeds of an interim loan to be made by the Trust (the “Interim Loan”) to the Local Unit, pursuant to the Interim Financing Trust Loan Program of the Trust (the “Interim Financing Program”);

WHEREAS, in order to (i) evidence and secure the repayment obligation of the Local Unit to the Trust with respect to the Interim Loan and (ii) satisfy the requirements of the Interim Financing Program, it is the desire of the Local Unit to issue and sell to the Trust the “Note Relating to the Interim Financing Trust Loan Program of the New Jersey Environmental Infrastructure Trust” in an aggregate principal amount of up to \$3,500,000 (the “Note”);

WHEREAS, it is the desire of the Local Unit to authorize, execute, attest and deliver the Note to the Trust pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), and other applicable law; and

WHEREAS, Section 28 of the Local Bond Law allows for the sale of the Note to the Trust, without any public offering, and N.J.S.A. 58:11B-9 allows for the sale of the Note to the Trust without any public offering, all under the terms and conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

Section 1. In accordance with Section 28 of the Local Bond Law and N.J.S.A. 58:11B-9, the Local Unit hereby authorizes the issuance, sale and award the Note in accordance with the provisions hereof. The obligation represented by the Note has been appropriated and authorized by bond ordinance #011-2016 of the Local Unit, finally adopted by the Local Unit at a meeting duly called and held on May 16, 2016, at such times a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions hereof, (i) the final principal amount of the Note (subject to the maximum limitation set forth in Section 4(a) hereof), and (ii) the dated date of the Note.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Note by the parties authorized pursuant to Section 4(h) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Note shall be as follows:

- (a) the principal amount of the Note to be issued shall not exceed \$3,500,000;
- (b) the maturity of the Note shall be upon the issuance of permanent financing;
- (c) the interest rate of the Note shall be set by the Trust;
- (d) the purchase price for the Note shall be par;
- (e) the Note shall be subject to prepayment prior to its stated maturity in accordance with the terms and conditions of the Note;
- (f) the Note shall be issued in a single denomination and shall be numbered "CFP-201_-" or such other denomination as may be requested by the Trust;
- (g) the Note shall be issued in fully registered form and shall be payable to the registered owner thereof as to both principal and interest in lawful money of the United States of America; and
- (h) the Note shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 5. The Note shall be substantially in the form attached hereto as Exhibit A.

Section 6. The law firm of McManimon, Scotland & Baumann, LLC is hereby authorized to arrange for the printing of the Note, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust for the Interim Financing Program, to arrange for same.

Section 7. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Secretary of the Local Unit, as applicable, in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit and after further consultation with the Trust and its representatives, agents, counsel and advisors, to be executed in connection the issuance and sale of the Note and the participation of the Local Unit in the Interim Financing Program, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery of the Note and the participation of the Local Unit in the Interim Financing Program.

Section 8. This resolution shall take effect immediately.

Section 9. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Local Unit, David Zimmer, Executive Director of the Trust, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

#R102-2016 Rescind Renewal of GB Liquors for Special Ruling

R#102-2016

RESOLUTION OF THE TOWN OF HAMMONTON,
ATLANTIC COUNTY, NEW JERSEY,
AMENDING #R081-2016 RENEWAL OF LIQUOR LICENSES 2016/2017 LICENSE TERM

WHEREAS, Resolution #081-2016, adopted on June 27, 2016, authorized the renewal of various liquor license in the Town of Hammonton including GB Liquors LLC; and

WHEREAS, NJ ABC has requested the renewal of GB Liquors be rescinded until they receive the required Special Ruling at which time Mayor and Council may re-consider renewal of license for 2016-2017 license term;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey, that #R081-2016 is amended to rescind the renewal of the following which was effective 7/1/16:

License Number

0113 33 018 009 GB Liquors LLC
t/a GB Liquors LLC
Location: (pocket)

#R103-2016 Accept Clean Communities Grant

#R 103-2016

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 from the State of New Jersey for **the 2016 Clean Communities Grant in the amount of \$42,581.90**, 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 **2016 Budget in the sum of \$42,581.90**, 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:

2016 Clean Communities Grant

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

#R104-2016 Accept Click It or Ticket Grant

#R 104-2016

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 Click It of Ticket 2016 Seat Belt Mobilization**, 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 **2016 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:

2016 Click It or Ticket Seat Belt Mobilization

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

#R105-2016 Accept Green Communities Forestry Management Plan Grant

#R 105-2016

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 from the State of New Jersey for **the Green Communities Forestry Management Plan Grant in the amount of \$3,000.00**, 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 **2016 Budget in the sum of \$3,000.00**, 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:

2016 Green Communities Forestry Management Plan Grant

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

#R106-2016 Authorize Various Refunds

R106 - 2016

A RESOLUTION OF THE MAYOR AND COUNCIL

RESOLUTION AUTHORIZING INTERLOCAL SERVICES AGREEMENT
WITH ATLANTIC COUNTY IMPROVEMENT AUTHORITY

WHEREAS, the Town of Hammonton has opted to participate in the ACIA Housing Rehabilitation Program; and

WHEREAS, in order to participate in the program, the Town of Hammonton must enter into an interlocal service agreement with the Atlantic County Improvement Authority.

NOW, THEREFORE, BE IT RESOLVED that the Agreement by and between the Atlantic County Improvement Authority and the Town of Hammonton which is attached hereto, is approved and the Chief Elected Official and Municipal Clerk are authorized to sign said agreement.

#R110-2016 Reject Recycling Bids

RESOLUTION #R110-2016
REJECT RECYCLING BIDS

WHEREAS, the Town of Hammonton received bids on June 29, 2016 for recycling services as follows:

Bidder	Year 1	Year 2	Year 3
ACUA	\$198,000.00	CPI Adjustment	CPI Adjustment
Waste Mgt of NJ	\$302,868.00	\$308,928.00	\$315,108.00

WHEREAS, costs of bids exceeded anticipated budgetary allowances for in house recycling at \$158,290 and there was a fatal error.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON that above listed bids for recycling services are rejected.

Motion by Councilman Gribbin, seconded by Councilman Torrissi, resolution 93-110 are approved.

ROLL CALL

Councilman:
Furgione - Yes
Giralo – Yes (recused on 109 only)
Gribbin - Yes
Pullia - Yes
Rodio - Yes
Torrissi - Yes
Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

PUBLIC HEARD

Rock Colasurdo

Mr. Colasurdo questioned the \$65,000 issued to Eagle Theatre as well as other aspects of the agreement.

Joseph Caruso

Mr. Caruso questioned the bulky ordinance.

Mayor DiDonato stated if you are a resident the Town will pick up 3 items per month. Residents may also obtain a dump permit from the tax office to bring allowable items to the transfer station.

MEETING ADJOURNED

Motion by Councilman Giraldo, seconded by Councilman Gribbin, the meeting is adjourned. Motion carried.

April Boyer Maimone, Clerk