

Regular Meeting of Mayor and Council August 26, 2019
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

Councilperson:

Furgione - Present

Giralo - Present

Gribbin – Arrived late at 6:07 pm

Rodio- Present

Sacco - Present

Torrissi – Present

Mayor DiDonato Present

PRESENT ALSO

Michael Malinsky, Town Solicitor

Bob Vettese, Public Works Manager

Steve Barse- Town's Labor Attorney

Mark Fiorentino - Captain Police Dept Entered Closed Session at 6:45

Kevin Friel – Lieutenant Police Dept. – Entered Closed Session at 6:50

EXECUTIVE SESSION Resolution #120-2019

Motion by Council Person Rodio Second Giralo
Enter into Executive Session

Motion by Council Person Gribbin Second Giralo
Close session return to regular session, Resolution #120-2019 is adopted

RESUME REGULAR MEETING-ROLL CALL

Councilperson:

Furgione - Present

Giralo - Present

Gribbin – Present

Rodio- Present

Sacco - Present

Torrissi – Present

Mayor DiDonato Present

PRESENT ALSO

Michael Malinsky, Town Solicitor

Robert Vettese, Public Works Manager

Mark Hermann of ARH, Town Engineer

Steve Barse- Town Labor Attorney

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 heard during this time

APPROVAL OF MINUTES

Executive Minutes July 22, 2019

Council Minutes July 22, 2019

Special Minutes July 31, 2019

Motion by Council Person Sacco Second Rodio

Minutes are approved

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin – Yes

Rodio- Yes

Sacco – Yes

Torrissi – Recused was not at meetings

Mayor DiDonato – Yes

Mayor DiDonato declares motion is carried

PRESENTATION

Retirement of Police Chief Robert Jones

- Mayor DiDonato presented a plaque to Robert Jones for his time as Police Chief
- Council Person Gribbin read the plaque into the record for Police Chief Robert Jones
- Lou Pantalone from Mt. Carmel Society presented the chief with a plaque from Mt Carmel Society
- Lieutenant Kevin Friel gave presentation to Chief Jones from the Police Dept.

- Bob Schenck gave a presentation on the Clocktoberfest that will occur on Saturday October 12 from 12pm to 5pm with a rain date of Saturday October 19th. They are requesting use of the Town Hall parking lot.

DISPENSE WITH REGULAR ORDER OF BUSINESS

Approval to Appoint Kevin Friel, as provisional chief of Police for the Town Hammonton.

Motion by Council Person Torrissi Second Rodio

Approved as provisional police Chief Town of Hammonton

Roll Call

Councilperson:

Furgione – Yes

Giralo – No

Gribbin – Yes

Rodio- Yes

Sacco – Yes

Torrissi – Yes

Mayor DiDonato – Yes

Mayor DiDonato declares motion is carried

Public Hearing Ordinance #017-2019- Fixing Salaries of Certain Employees

AN ORDINANCE FIXING THE SALARIES OF
Certain Employees in the Town of Hammonton

BE IT ORDAINED by Mayor and Common Council of the Town of Hammonton, County of Atlantic, State of New Jersey, the salaries, clothing allowance, education stipend, health insurance buyout, sick time, vacation time, personal time, comp time, holidays and overtime shall apply to members for contract terms commencing January 1, 2018 per Town Code and per individual bargaining unit Contracts. Individuals shall be paid pursuant to the contract minimums and maximum salaries /Hourly Rates as per contract are as follows:

<u>TITLE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Construction/ Bldg / Fire / Plumbing / Electrical Sub Code Officers / Zoning Part time	\$14.00	\$45.00
Code Enforcement Officer Part Time	\$14.00	\$35.00

BE IT FURTHER ORDAINED the appropriate level that each employee covered under their individual or bargaining unit contract shall be paid determined by the language contained in the aforementioned contract. No prior contract language or language contained in the prior salary ordinance shall be applicable for purposes of determining the salary level of any personnel, and

BE IT FURTHER ORDAINED there shall be added as a longevity increment for each full-time employee as negotiated and set forth in the contract, and

BE IT FURTHER ORDAINED the method of payment of the salaries to each employee shall be fixed by resolution by Mayor and Council, and

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

Motion by Council Person Gribbin Second Torrissi

The Ordinance is taken up for 2nd reading and public Hearing

Motion by Council Person Gribbin Second Furgione

The Public hearing is closed; the ordinance has passed 2nd reading and is adopted

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Public Hearing Bond Ordinance #019-2019- Fire Suppression Bldg and Taxiway Sealing at Hammonton Airport

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A FIRE SUPPRESSION BUILDING AT THE AIRPORT AND TAXIWAY SEALING IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$100,000 THEREFOR AND

AUTHORIZING THE ISSUANCE OF \$95,000 BONDS OR NOTES OF THE
TOWN TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$100,000, including the sum of \$5,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$95,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is construction of a fire suppression building at the airport and taxiway sealing, including all related costs and expenditures necessary therefore and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefore.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or

other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$95,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$20,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Town hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Town hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the Town to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited

obligations of the Town, and the Town shall be obligated to levy ad valorem taxes upon all the taxable real property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Motion by Council Person Rodio Second Furgione
The Ordinance is taken up for 2nd reading and public Hearing

Motion by Council Person Rodio Second Furgione
The Public hearing is closed; the ordinance has passed 2nd reading and is adopted

Roll Call

Councilperson:
Furgione – Yes
Giralo – Yes
Gribbin - Yes
Rodio- Yes
Sacco - Yes
Torrissi – Yes
Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Public Hearing of Ordinance #020-2019 Amending Chapter 271

AN ORDINANCE AMENDING Chapter 271 Vehicles and Traffic
Section 23 Stop Intersections Designated

BE IT ORDAINED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, State of New Jersey that Chapter 271-22 be amended to add:

Intersection

Orchard and Grand Street

Location of Stop Sign

Grand Street

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

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

Motion by Council Person Giralo Second Torrissi
The Ordinance is taken up for 2nd reading and public Hearing

Motion by Council Person Gribbin Second Giralo
The Public hearing is closed; the ordinance has passed 2nd reading and is adopted

Roll Call

Councilperson:
Furgione – Yes
Giralo – Yes
Gribbin - Yes
Rodio- Yes

Sacco - Yes
Torrissi – Yes
Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Public Hearing Ordinance #021-2019- Redevelopment Area White Horse Pike

BOND ORDINANCE OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY AUTHORIZING THE ISSUANCE OF REDEVELOPMENT AREA BONDS OR NOTES OF THE TOWN TO FINANCE THE COST OF CERTAIN INFRASTRUCTURE IMPROVEMENTS RELATING TO A REDEVELOPMENT PROJECT TO BE UNDERTAKEN BY WHITE HORSE HMT URBAN RENEWAL LLC

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Local Redevelopment and Housing Law**”) confers certain contract, planning and financial powers upon a redevelopment entity, as defined at Section 3 of the Act, in order to implement redevelopment plans adopted pursuant thereto; and

WHEREAS, the Town of Hammonton, in the County of Atlantic, New Jersey (the “**Town**”), has elected to exercise these redevelopment entity powers directly, as permitted by Section 4 of the Local Redevelopment and Housing Law; and

WHEREAS, the governing body of a municipality which has adopted a redevelopment plan pursuant to the Local Redevelopment and Housing Law may enter into a financial agreement with an urban renewal entity pursuant to the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.* (the “**Long Term Tax Exemption Law**”), for, among other reasons, the undertaking of a project set forth in a redevelopment plan; and

WHEREAS, the Town Council adopted Resolution #061-2018, which authorized the Town of Hammonton Planning Board to conduct an investigation to determine whether or not certain properties identified on the official tax map of the Town as Block 3904, Lots 39 and 40 (the “**Study Area**” or the “**Land**”) qualified as a non-condemnation area in need of redevelopment pursuant to the Local Redevelopment and Housing Law; and

WHEREAS, by Resolution #99-2018, adopted on July 23, 2018, the Town declared the Study Area, along with certain adjacent rights-of-way, to be a Non-Condemnation Redevelopment Area (the “**Redevelopment Area**”); and

WHEREAS, the Municipal Clerk per Resolution #99-2018, notified the Commissioner of the Department of Community Affairs of that action; and

WHEREAS, on January 28, 2019, Town Council passed Ordinance #1-2019, which adopted the Redevelopment Plan dated January 7, 2019, prepared by Town Planner, Kevin J. Dixon, P.E., P.P., P.T.O.E., C.M.E., of Dixon Associates Engineering, LLC (the “**Redevelopment Plan**”); and

WHEREAS, pursuant to the Local Redevelopment and Housing law and the Tax Exemption Law, the Town has designated White Horse HMT Urban Renewal LLC (the “**Redeveloper**”) as the designated redeveloper to redevelop the Land, consisting of the renovation, construction and equipping of an approximately 162-unit assisted living residence for low income seniors, including, among other things, the renovation of an existing private room hotel and the new construction of additional units and kitchen, dining, administrative and resident activity areas, including an approximately 5,000 square foot adult medical day care facility (the “**Redevelopment Project**”); and

WHEREAS, the Redeveloper will be a single purpose urban renewal entity pursuant to the Long Term Tax Exemption Law created for the development, operation and maintenance of the Redevelopment Project; and

WHEREAS, in order to improve the feasibility of the Redevelopment Project, the Redeveloper has requested that the Town allow a long term tax exemption and financial agreement with respect to the Redevelopment Project pursuant to the Long Term Tax Exemption Law; and

WHEREAS, the Redevelopment Project will require, among other items, the construction of certain infrastructure improvements, relocations and modifications in and around the Redevelopment Area, including without limitation, certain intersection and other traffic improvements (collectively, the **“Infrastructure Improvements”**); and

WHEREAS, despite the Redeveloper’s investment of equity and borrowed funds, such amounts are insufficient to feasibly pay for all of the costs associated with the development and construction of the Redevelopment Project; and

WHEREAS, in order to defray certain eligible costs of the Redevelopment Project, specifically the Infrastructure Improvements, thereby making the Redevelopment Project viable, the Town agreed to issue general obligation bonds in one or more series in an aggregate principal amount not to exceed \$25,000 (the **“Bonds”**) pursuant to the Redevelopment Area Bond Financing Law, N.J.S.A. 40A:12A-64 *et seq.*, (the **“RAB Law”**) and/or the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.* (the **“Local Bond Law”**), as applicable; and

WHEREAS, the Redeveloper has represented to the Town that financial assistance is necessary in order for the Redevelopment Project to be undertaken in its intended scope; and

WHEREAS, the Town desires to authorize the issuance of Bonds in an amount not to exceed \$25,000 to fund the Infrastructure Improvements; and

WHEREAS, the Town will use the proceeds of the Bonds to finance the Infrastructure Improvements described in Section 3 of this bond ordinance.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

The improvements and purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Town as general and local improvements, as described in more detail herein. For the improvements and purposes described in Section 3, there is hereby appropriated the sum of \$25,000. Pursuant to Section 37 of the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-37c(2)), no down payment is required, notwithstanding the requirements of Section 11 of the Local Bond Law, because the improvements and purposes set forth in Section 3 constitute a "redevelopment project" under the Local Redevelopment and Housing Law.

In order to finance the cost of the several improvements and purposes described in Section 3, negotiable bonds are hereby authorized to be issued pursuant to the Local Bond Law and the Local Redevelopment and Housing Law in a principal amount not to exceed \$25,000. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law and the Local Redevelopment and Housing Law.

Section 3. (a) The several improvements hereby authorized and the several purposes for which the bonds are to be issued, include the construction of the Infrastructure Improvements,

constituting a portion of the Redevelopment Project, which constitutes a “redevelopment project” under the Local Redevelopment and Housing Law, including all work and materials necessary therefore and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements and purposes is as stated in Section 2 hereof.

(c) The estimated costs of the improvements and purposes are equal to the amount of the appropriations herein made therefore.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer’s signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law and the Local Redevelopment and Housing Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary

capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements and purposes that the Town lawfully may undertake as general and local improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) Pursuant to N.J.S.A. 40A:12A-37(c), the obligations authorized herein shall mature in annual installments commencing not more than two (2) and ending not more than forty (40) years from the date of issuance.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$25,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount of not exceeding \$25,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

(d) The maximum interest rate on the bonds shall be 9% without further authorization of the Town Council, which authorization may be by resolution.

Section 7. The Town hereby declares the intent of the Town to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Motion by Council Person Sacco Second Giraldo

The Ordinance is taken up for 2nd reading and public Hearing

Motion by Council Person Rodio Second Giraldo

The Public hearing is closed; the ordinance has passed 2nd reading and is adopted

Roll Call

Councilperson:

Furgione – Yes

Giraldo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Public Hearing Ordinance #022-2019 – Approve Application and Agreement with White Horse HMT Urban Renewal LLC

ORDINANCE OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY APPROVING THE APPLICATION OF AND THE EXECUTION OF FINANCIAL AGREEMENT WITH WHITE HORSE HMT URBAN RENEWAL LLC IN CONNECTION WITH THE RENOVATION, CONSTRUCTION AND EQUIPPING OF AN ASSISTED LIVING RESIDENCE FOR LOW INCOME SENIORS BY WHITE HORSE HMT URBAN RENEWAL LLC

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Local Redevelopment and Housing Law**”) confers certain contract, planning and financial powers upon a redevelopment entity, as defined at Section 3 of the Act, in order to implement redevelopment plans adopted pursuant thereto; and

WHEREAS, the Town of Hammonton, in the County of Atlantic, New Jersey (the “**Town**”) has elected to exercise these redevelopment entity powers directly, as permitted by Section 4 of the Local Redevelopment and Housing Law; and

WHEREAS, the governing body of a municipality which has adopted a redevelopment plan pursuant to the Local Redevelopment and Housing Law may enter into a financial agreement with an urban renewal entity pursuant to the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.* (the “**Long Term Tax Exemption Law**”), for, among other reasons, the undertaking of a project set forth in a redevelopment plan; and

WHEREAS, the Town Council adopted Resolution #061-2018, which authorized the Town of Hammonton Planning Board to conduct an investigation to determine whether or not certain properties identified on the official tax map of the Town as Block 3904, Lots 39 and 40 (the “**Study Area**” or the “**Land**”) qualified as a non-condemnation area in need of redevelopment pursuant to the Local Redevelopment and Housing Law; and

WHEREAS, by Resolution #99-2018, adopted on July 23, 2018, the Town declared the Study Area, along with certain adjacent rights-of-way, to be a Non-Condensation Redevelopment Area (the “**Redevelopment Area**”); and

WHEREAS, the Municipal Clerk per Resolution #99-2018, notified the Commissioner of the Department of Community Affairs of that action; and

WHEREAS, on January 28, 2019, Town Council passed Ordinance #1-2019, which adopted the Redevelopment Plan dated January 7, 2019, prepared by Town Planner, Kevin J. Dixon, P.E., P.P., P.T.O.E., C.M.E., of Dixon Associates Engineering, LLC (the “**Redevelopment Plan**”); and

WHEREAS, pursuant to the Local Redevelopment and Housing law and the Tax Exemption Law, the Town has designated White Horse HMT Urban Renewal LLC (the “**Entity**”) as the designated redeveloper to redevelop the Land, consisting of the renovation, construction and equipping of an approximately 162-unit assisted living residence for low income seniors, including, among other things, the renovation of an existing private room hotel and the new construction of additional units and kitchen, dining, administrative and resident activity areas, including an approximately 5,000 square foot adult medical day care facility (the “**Redevelopment Project**”); and

WHEREAS, the Entity will be a single purpose urban renewal entity pursuant to the Long Term Tax Exemption Law created for the development, operation and maintenance of the Redevelopment Project; and

WHEREAS, in order to improve the feasibility of the Redevelopment Project, the Entity has requested that the Town allow a long term tax exemption and financial agreement with respect to the Redevelopment Project pursuant to the Long Term Tax Exemption Law; and

WHEREAS, the Redevelopment Project will require, among other items, the construction of certain infrastructure improvements, relocations and modifications in and around the Redevelopment Area, including without limitation, certain intersection and other traffic improvements (collectively, the "**Infrastructure Improvements**"); and

WHEREAS, despite the Redeveloper's investment of equity and borrowed funds, such amounts are insufficient to feasibly pay for all of the costs associated with the development and construction of the Redevelopment Project; and

WHEREAS, in order to defray certain eligible costs of the Redevelopment Project, specifically the Infrastructure Improvements, thereby making the Redevelopment Project viable, the Town agreed to issue general obligation bonds in one or more series in an aggregate principal amount not to exceed \$25,000 (the "**Bonds**") pursuant to the Redevelopment Area Bond Financing Law, N.J.S.A. 40A:12A-64 *et seq.*, (the "**RAB Law**") and/or the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.* (the "**Local Bond Law**"), as applicable; and

WHEREAS, the Entity has represented to the Town that the Redevelopment Project would not be feasible in its intended scope but for the provision of financial assistance by the Town; and

WHEREAS, the Town determined that the assistance provided to the Redevelopment Project pursuant to this Agreement will be a significant inducement for the Entity to proceed with the Redevelopment Project and that based on information set forth in the Application, the Redevelopment Project would not be feasible without such assistance; and

WHEREAS, pursuant to the Long Term Tax Exemption Law, the Redeveloper provided the Town with the information required by Section 8 of the Long Term Tax Exemption Law in the form of an application for a long term tax exemption (the "**Application**"); and

WHEREAS, the Town Council hereby finds that the relevant benefits of Redevelopment Project outweigh the loss, if any, of property tax revenue in granting the long term tax exemption requested in the Application; and

WHEREAS, the Town Council further finds that the assistance provided to the Redevelopment Project pursuant to the Financial Agreement will be a significant inducement for the Entity to proceed with the Redevelopment Project; and

WHEREAS, the Town and the Entity have determined to execute a financial agreement (the "**Financial Agreement**"), a form of which is included in the Application.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Hammonton as follows:

Section 1. The Application and form of Financial Agreement are hereby approved.

Section 2. The Mayor is hereby authorized and directed to execute the Financial Agreement with the Redeveloper in substantially the same form as that contained within the Application, subject to minor modification or revision, as deemed necessary and appropriate after consultation with counsel.

Section 3. Executed copies of the Financial Agreement shall be certified by and be filed with the Office of the Town Clerk. Further, the Clerk shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the Town, and the Chief Financial Officer of Atlantic County within 10 days of the execution of the Financial Agreement.

Section 4. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

Section 5. This ordinance shall take effect in accordance with law.

Motion by Council Person Giraldo Second Rodio
The Ordinance is taken up for 2nd reading and public Hearing

Motion by Council Person Giraldo Second Rodio
The Public hearing is closed; the ordinance has passed 2nd reading and is adopted

Roll Call

Councilperson:
Furgione – Yes
Giraldo – Yes
Gribbin - Yes
Rodio- Yes
Sacco - Yes
Torrissi – Yes
Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

COMMITTEE REPORTS

Administration - Councilman Gribbin

- Update on the New Court Administrator that will be hired next month

Business & Industry – Councilwoman Sacco

- Spoke about the Touch a Truck Event
- Green Committee will have its event September 21 from 12 to 4 at lake park, there will be a shredding event
- Town Wide yard sale will also be on the 21st of September
- Update on Historical Society events

Quality of Life - Councilwoman Sacco
Update on upcoming events

Education - Councilman Torrissi

- No action items , wished everyone a safe year at school

Public Works & Transportation - Councilman Rodio

- Spoke about the action items on the Engineers report , road program
- Informed everyone about the plan for the Garden at the Canoe Club

Water & Sewer - Councilman Furgione

- Water clarifier is project is complete
- Update on Boyer Ave install of the Discharge pipe
- We will be excavating retention basin at Boyer Ave this week.

ENGINEER REPORT

Action Items Public Works:

1. FY2020 Small Cities Application – Hammonton Lake Park ADA Improvements (ARH #P2019.0668):

On August 16, 2019, Mark Herrmann of our staff met with Bob Vettese, Jim Donio, Denise Mazzeo, and Jake Botticello of Triad Associates to discuss the Town's application to the New Jersey Department of Community Affairs Small Cities Community Development Block Grant program. The grant application includes the construction of a new ADA-accessible playground module with a poured-in-place rubber surface and the expansion of the accessible routes.

Our office was requested to provide support services to Triad Associates for the preparation of the grant application. As part of this work, ARH will complete the following tasks:

1. Develop a conceptual layout of the proposed enhancements. This plan will be based on the site plans previously prepared for the Hammonton Lake Park circulation improvements.
2. Prepare a Scope of Services document, which includes a description of the existing facilities, description of the proposed improvements, identification of the site deficiencies, and the need for the project. Included in this report is a photograph log with descriptions.
3. Prepare an Engineer's Estimate.

Action Requested:

Authorize ARH proposal to complete the drawings and documents as described above for a not-to-exceed cost of \$2,200.00.

Motion by Council Person Giraldo Second Rodio

Approval of ARH's Proposal in the amount of \$2,200.00 for Small Cities Grant Work ADA Lake Park

Roll Call

Councilperson:

Furgione – Yes

Giraldo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

2. K&K Linens Property (ARH #11-01094.01):

As requested, ARH prepared a proposal on September 4, 2018, for removal of the tanks and further environmental assessment/investigation of the property. Additionally, Michael Deely of the NJDEP suggested that a HDSRF grant could be available to remediate the property, if desired - the Town will need to decide if they want ARH to proceed with the HDSRF grant application for this project, once the property is settled.

Action Requested:

Authorize ARH proposal P2018.0613 in the amount of \$11,950.00.

Motion by Council Person Rodio Second Giraldo

Approval of ARH's Proposal in the amount of \$11,950.00 for K&K Linens

Roll Call

Councilperson:

Furgione – Yes

Giraldo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

3. Policastro Property (ARH #P2019-0581):

As requested, ARH prepared a proposal on July 17, 2019, for environmental assessment/investigation of the property located at 120 E. Pleasant Street.

Action Requested:

Authorize ARH proposal P2019.0581 in the amount of \$2,150.00.

Motion by Council Person Rodio Second Giraldo

Approval of ARH's Proposal in the amount of \$2,150.00 for Policastro property

Roll Call

Councilperson:

Furgione – Yes

Giraldo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

SOLICITOR REPORT

- No action items they are under the list of resolution in the clerk's report.

PWM REPORT

2019 Road Program Award

Recommendation/Resolution

Arawak Paving Co of Hammonton was low bid for the following roadways:

- Grape Street
- Chestnut Street
- North 1st Road 3 sections

- Orchard Street
 - Sindoni Lane/White Horse Pike Intersection
 - 600' section Gatto Road
- Total Cost- \$741,000

-Asphalt Paving Systems

State Contract

The Town will also take advantage of a State contract for Roadway Resurfacing items presently held by Asphalt Paving Systems for the following roadways:

- Golden Eagle Drive
 - Gatto Road (entire length)
- Total Cost- \$75,000

See Resolutions of award for each portion of the Roadway Improvement Project.

-Demo 782 Bellevue Avenue

The low price quote was received from Transformation Enterprises for a cost of \$21,500. We are waiting for the Issuance of a Certificate of Filing from the Pinelands Commission.

-Celona Station Demo-Railroad Avenue

An application for structure demolition was made to the Pinelands Commission. We are awaiting approval of that application prior to the work being started.

-NJDOT Safe Routes to Schools (SRTS)

The Town will request proposals for qualifications RFQ's for the completion of various survey, engineering and inspection related services as stipulated by the NJDOT (Federal Aid Program) for the Sidewalk Improvement project along portions of North Street, Fourth Street, Walnut Street and Old Forks Road.

-Lincoln Street Water Tank Painting Project

The Lincoln Street Water tank will be drained later this month in preparation of the tank painting work. Discussions continue with Verizon Communications in relation to their design and agreement for the placement of antennae on the tank. This must be finalized prior to repainting of the tank.

-Trash Pick up September

September 2nd –Labor Day will be September 3rd. Have out to the curb prior to 6:00AM

-Bulky Pickup

September 2nd to September 6th
 Have items out prior to 6:00AM
 3 items only on curblines, no rug, padding or chemicals allowed.

-Brush Pickup

September 9th to September 13th
 One 6ft by 6ft by 6ft pile allowed

-Hazardous Waste

Bi-Monthly free collection at ACUA September 14th 8am-1pm
 (all chemicals & paints etc..)
 Address** 6700 Delilah Road, Egg Harbor Township, NJ 08234

TOWN CLERK REPORT

- 1) Approval to remove members Michael Ruberton, and Nicole Ruberton from Fire Company #2 and the removal of member Nicholas DeStefano from Fire Company #1. Based on the recommendation by the Chief of the Fire Department
- 2) Accept retirement of Jorge Barreto from the Highway Department as of November 1, 2019.
- 3) Accept resignation from Alana Donahue from her crossing guard position effective June 18, 2019.
- 4) Approve transfer of Lylian Portalatin as Bilingual Key Board Clerk 1 from the Hammonton Municipal Court to Police Records under the same title effective September 1, 2019.

- 5) Approval to advertise for a Confidential Clerk 1 for the Clerk's office. 19.5 to 26.5 hours per week at \$14.00 per hour no benefits.
- 6) Accept membership of Vincent Tomasello to Fire Company #1, approved by Fire Chief.
- 7) Approval to extend Robin Ripa's Temporary Appointment as a Part Time Keyboard Clerk I, 19.5 hours a week at \$14.00 per hour, and no benefits for an 8 week period, until October 25th.
- 8) Accept the resignation of Police Officer Brandan Campbell effective September 15, 2019.
- 9) Approval to advertise for a Truck Driver Heavy position in the Public Works Department.
- 10) Approval to advertise for a Sewage Plant Attendant / Truck Driver Heavy in the Utility Department.
- 11) Approval of Contract with Triad Associates for ADA Grant, Lake Park Project for \$14,200.00.

Motion by Council Person Gribbin Second Giraldo
Approval of items 1 to 11

Roll Call

Councilperson:

Furgione – Yes

Giraldo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato – Yes

Mayor DiDonato declares motion is carried

APPROVE BILL LIST & PURCHASE ORDERS

Motion by Council Person Gribbin Second Giraldo
Bill list and Purchase orders are approved

Roll Call

Councilperson:

Furgione – Yes

Giraldo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – abstain

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

NEW BUSINESS

ORDINANCES FOR INTRODUCTION

Introduction of Ordinance #023-2019 Fixing Salaries of Municipal Utility Department

AN ORDINANCE FIXING THE SALARIES OF MUNICIPAL UTILITY DEPARTMENT
BE IT ORDAINED BY MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON,
COUNTY OF ATLANTIC, NEW JERSEY as follows:

Section 1. The Town of Hammonton has employed qualified personnel for purpose of handling the duties in the Utility department. Pursuant to a negotiated contract between the representatives of the MUNICIPAL UTILITY DEPARTMENT, the salaries, clothing allowance, education stipend, health insurance buyout, cell phone reimbursement, sick time, vacation time, personal time, comp time, holidays and overtime

shall apply to Members for contract term 2018-2021. Individuals shall be paid pursuant to the contract. Minimums and maximum salaries as per contract are as follows:

	<u>MINIMUM</u>	<u>MAXIMUM</u>
04743 Assistant Sludge Plant Operator / Repairer	29,183.00	60,000.00
05479 Assistant Water Treatment Plant Operator	29,183.00	60,000.00
05523 Assistant Sewage Plant Operator	29,183.00	60,000.00

Section 2. The appropriate salary that each employee covered under this contract shall be paid will be determined by the language contained in the aforementioned contract. No prior contract language or language contained in the prior salary ordinance shall be applicable for purposes of determining the salary level of any MUNICIPAL UTILITY DEPARTMENT member.

Section 3. There shall be added as a longevity increment for each full-time employee as negotiated and set forth in the contract.

Section 4. The method of payment of the salaries to each employee shall be fixed by resolution by Mayor and Council.

Section 5. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 6. This ordinance shall take effect after final passage and publication according to law and its provisions shall be retroactive to May 1, 2019.

Motion by Council Person Furgione Second Sacco
Ordinance has passed 1st reading and is approved for advertisement

Roll Call

Councilperson:
Furgione – Yes
Giraldo – Yes
Gribbin - Yes
Rodio- Yes
Sacco - Yes
Torrissi – Yes
Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Introduction of Ordinance #024-2019- No Parking Elvins Ave

AN ORDINANCE AMENDING Chapter 271 Vehicles and Traffic
Article II Section 6 entitled “**Parking Prohibited at all Times on Certain Streets**”

BE IT ORDAINED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, State of New Jersey that Chapter 271-6 is amended follows:

<u>Name of Road</u>	<u>Location</u>
Elvins Ave	between Bellevue Ave to Linda Ave

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

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

Motion by Council Person Gribbin Second Giraldo
Ordinance has passed 1st reading and is approved for advertisement

Roll Call

Councilperson:
Furgione – Yes
Giraldo – Yes
Gribbin - Yes
Rodio- Yes
Sacco - Yes
Torrissi – Yes
Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Introduction of Ordinance #025-2019- Fixing Salary for Emergency Management Coordinator

AN ORDINANCE FIXING THE SALARY OF THE EMERGENCY MANAGEMENT COORDINATOR

BE IT ORDAINED BY MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON,
COUNTY OF ATLANTIC, NEW JERSEY as follows:

Section 1. The Town of Hammonton has employed qualified personnel for purpose of handling the duties of the Emergency Management Coordinator. Pursuant to a negotiated contract between the Emergency Management Coordinator and the Town of Hammonton for contract term August 27, 2019 to August 26, 2022. The individual shall be paid pursuant to the contract. Minimums and maximum salaries as per contract are as follows:

	<u>MINIMUM</u>	<u>MAXIMUM</u>
Emergency Management Coordinator	20,000.00	20,000.00

Section 2. The appropriate salary that will be covered under this contract shall be determined by the language contained in the aforementioned contract. No prior contract language or language contained in the prior salary ordinance shall be applicable for purposes of determining the salary level.

Section 3. The method of payment of the salaries to each employee shall be fixed by resolution by Mayor and Council.

Section 4. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 5. This ordinance shall take effect after final passage and publication according to law and its provisions shall be retroactive to August 27, 2019.

Motion by Council Person Gribbin Second Giraldo
Ordinance has passed 1st reading and is approved for advertisement

Roll Call

Councilperson:
Furgione – Yes
Giraldo – Yes
Gribbin - Yes
Rodio- Yes
Sacco - Yes
Torrissi – Yes
Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

RESOLUTIONS

Resolution #121-2019- Authorize Downtown Trick or Treat

RESOLUTION AUTHORIZING AND ENDORSING
MAINSTREET HAMMONTON DOWNTOWN TRICK OR TREAT EVENT
WITH ROAD CLOSURES

WHEREAS, Saturday, October 19(rain date October 26) is the scheduled date for the MainStreet Hammonton Downtown Trick or Treat Event from 2:00pm – 4:00 p.m.; and

WHEREAS, Downtown Businesses will be distributing treats and organizing activities from their stores for children throughout the event; and

WHEREAS, Mainstreet Hammonton is requesting the following road closures and police assistance for this event during the hours of 11am- 5pm at

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

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, STATE OF NEW JERSEY, that the MainStreet Hammonton Downtown Trick or Treat Event is approved with road closures and police assistance specifically crossing assistance at intersections on Bellevue Avenue contingent upon contacting Police Chief and Public Works Manager 2 months prior to event;

Resolution #122-2019- Grant for Body Armor Replacement

WHEREAS, NJSA 40A:4-87 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 a grant award in the amount of \$3,138.96 from the State of New Jersey Division of Criminal Justice for Body Armor and wishes to amend its 2019 Current Fund Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund Budget of the year 2019 in the sum of \$3,138.96 which has been awarded and is 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:

Body Armor Replacement Fund

BE IT FURTHER RESOLVED that a like sum of \$3,138.96 is and the same is hereby appropriated under the caption of:

General Appropriations:

Operations - Excluded from "CAPS":

Public and Private Programs Offset by Revenues:

Body Armor Replacement Fund

BE IT FURTHER RESOLVED That the Town Clerk forwards a certified copy of this resolution to the Director of Local Government Services.

Resolution #123-2019- Grant for Drive Sober get pulled Over

WHEREAS, NJSA 40A:4-87 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 \$5,500.00 from the State of New Jersey for Drive Sober or Get Pulled Over Statewide Labor Day Crackdown and wishes to amend its 2019 Current Fund Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund Budget of the year 2019 in the sum of \$5,500.00 which has been awarded and is 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:

2019 Drive Sober or Get Pulled Over Statewide Labor day Crackdown

BE IT FURTHER RESOLVED that a like sum of \$5,500.00 be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations - Excluded from "CAPS":

Public and Private Programs Offset by Revenues:

2019 Drive Sober or Get Pulled Over Statewide Labor day Crackdown

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

Resolution #124-2019 – Approve Tree Lighting Ceremony

**RESOLUTION AUTHORIZING AND ENDORSING
MAINSTREET HAMMONTON TOWN TREE LIGHTING EVENT**

WHEREAS, Saturday, December 7th (rain date, Dec 8th) is the scheduled date for the MainStreet Hammonton Town Tree Lighting Event from 5 pm- 9pm. at the intersection of Bellevue and Central and we request the road closure of Central Avenue between Bellevue and Vine from 9am-10 pm; and

WHEREAS, Saturday, December 7th, has been scheduled as the date for the MainStreet Hammonton carriage rides from 6:00 to 9:00 pm with the request of permitting the carriage route to begin at 310 Bellevue Ave and to then turn right onto School House Lane and permit us on this presently one way route and agree to the route listed below:

Carriage Route

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

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, STATE OF NEW JERSEY, that the MainStreet Hammonton Town Tree Lighting Event and Carriage Ride Event is acknowledged and endorsed with road closures, no parking, and police assistance contingent upon contacting Police Chief and Public Works Manager 2 months prior to event;

Resolution #125-2019- Approval to change fee for special events at Canoe Club

AMENDING RESOLUTION 060-2010 ESTABLISHING AUTHORIZED USES OF THE CANOE CLUB

WHEREAS, the Town of Hammonton desires to establish and authorize certain uses for the premises at the Hammonton Lake Park known as the Canoe Club (the "Facility"); and

WHEREAS, the Town Clerk or Recreation Supervisor shall require all entities desiring to use the Facility to complete a use of facility form which he/she shall compile and tender to the Clerk enumerating the uses of the facility for each month, which list shall be included in the Clerk's Report at the monthly Town Council meeting.

WHEREAS, the Town Clerk Office or Recreation Supervisor shall receive, review and retain all use of facility request forms and verify the validity of the Applicant's Certificate of Insurance;

WHEREAS, the Town Clerk or Recreation Supervisor shall forward all Canoe Club use of facility applications to Hammonton Park Commission for final approval;

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 the following procedures be changed to all entities desiring to use the Facility;

1. The Facility in question shall be available for:

C. "Special events" open to all Hammonton seniors at which food and/or entertainment are provided. A fee, equivalent to the actual cost of the food and entertainment, but in no event in excess of \$10.00 per person (subject to increases/decreases consistent with the annual Social Security COLA), may be charged to attendees to defray or minimize the cost of such special events.

Resolution #126-2019 – 159 Grant for Neighborhood Preservation Program

WHEREAS, NJSA 40A:4-87 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 \$125,000.00 from the State of New Jersey Department of Community Affairs for a Neighborhood Preservation Program and wishes to amend its 2019 Current Fund Budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund Budget of the year 2019 in the sum of \$125,000.00 which has been awarded and is 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:

Neighborhood Preservation Program

BE IT FURTHER RESOLVED that a like sum of \$125,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations - Excluded from "CAPS":

Public and Private Programs Offset by Revenues:

Neighborhood Preservation Program

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

Resolution #127-2019 – Small Cities Citizen Participation Plan

CITIZEN PARTICIPATION PLAN

FY 2020 Small Cities Programs

Public Facilities Fund: Americans with Disabilities Act (ADA)-compliant Improvements of Recreational Facilities at Hammonton Lake Park

WHEREAS, the Town of Hammonton is applying for a Small Cities grant under the Public Facilities Fund and if awarded intends to enter into Grant Agreements with the New Jersey Department of Community Affairs; and

WHEREAS, these Grant Agreements will require the Town of Hammonton to comply with all federal regulations with respect to citizen participation;

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

The Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the Town of Hammonton; and

The Town of Hammonton will follow all regulations set forth in that document throughout the term of the Grant Agreement cited above, if awarded.

Resolution #128-2019- Grant Management Plan Small Cities Program

**GRANT MANAGEMENT PLAN
FY 2020 Small Cities Programs**

**Public Facilities Fund: Americans with Disabilities Act (ADA)-complaint Improvements to
Recreational Facilities at Hammonton Lake Park**

WHEREAS, the Town of Hammonton is applying for a Small Cities grant from the Public Facilities Fund and, if awarded funding, will entered into a Grant Agreement with the New Jersey Department of Community Affairs; and

WHEREAS, the Town is required to submit a Grant Management Plan as part of each Small Cities application;

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

The Grant Management Plan prepared by the Town and submitted to DCA Small Cities with the application for the various improvements at Hammonton Lake Park is hereby adopted to identify Tammy Wetzal of Triad Associates as the Project Coordinator and Municipal Clerk Frank Zuber as the Program Director and Official Contact Person.

Resolution #129-2019 – Identifying CDBG Fair Housing Officer

**IDENTIFYING CDBG FAIR HOUSING OFFICER
Public Facilities Fund: Americans with Disabilities Act (ADA)-compliant
Improvements for Playground Facilities at Hammonton Lake Park**

WHEREAS, the Town of Hammonton is applying for a Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs (hereafter NJDCA) for funds to develop Americans with Disabilities Act (ADA)-compliant Improvements for Playground Facilities at Hammonton Lake Park, and;

WHEREAS, the Town of Hammonton must make efforts to affirmatively further fair housing, and;

WHEREAS, the Town of Hammonton has reviewed various actions that would be acceptable to the New Jersey State Department of Community Affairs and the U.S. Department of Housing and Urban Development, and;

WHEREAS, the Town of Hammonton has made assurances in the grant agreement that:

- (1) It will comply with the Housing and Community Development Act of 1974, as amended, and Regulations issued thereto, and;
- (2) It will comply with the Civil Rights Act of 1964, and the regulations issued thereto it, and;
- (3) It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing, and;
- (4) It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

NOW, THEREFORE, BE IT RESOLVED that Frank Zuber shall be designated as the Fair Housing Officer for the Town of Hammonton, and;

BE IT FURTHER RESOLVED that the Fair Housing Officer shall contact USHUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of her appointment as Fair Housing Officer and request Fair Housing Information, and;

BE IT FURTHER RESOLVED that the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance from the Town of Hammonton, and;

BE IT FURTHER RESOLVED that the Town of Hammonton will publish in the local newspaper of record and post at the municipal building a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing services.

Resolution #130-2019 - authorize the application for ADA Compliant Improvement Grant Lake Park

Whereas, the Town of Hammonton desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$400,000.00 to carry out a project to Develop ADA Compliant Improvements for the recreation facilities at the Hammonton Lake Park;

Be it therefore RESOLVED,

1) that the Town of Hammonton does hereby authorize the application for such a grant; and,

2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Town of Hammonton and the New Jersey Department of Community Affairs.

Be it further RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

Resolution #131-2019- Execute Grant Application FAA Perimeter Fence

GRANT APPLICATION EXECUTION

WHEREAS, The Federal Aviation Administration has offered the Town of Hammonton a Grant from the Airport Improvement Program for the Installation of a Perimeter Fence Design and Permitting, Phase 1; and

WHEREAS, the Town of Hammonton must have an authorized representative execute the required paper work for the grant;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF HAMMONTON THAT:

Frank Zuber the Municipal Clerk/Airport Manager is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the Federal Aviation Administration regarding AIP Grant Number 3-34-0017-025-2019.

Resolution #132-2019 – Authorize Various Refunds

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/close out of accounts are authorized as approved by the respective Department Heads of the Town of Hammonton:

Water / Utility Refund	\$ 50.00	Repair Fee paid out of OE
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Resolution #133-2019- 159 Grant Municipal Drug Alliance

WHEREAS, NJSA 40A:4-87 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 \$17,113.00 from the County of Atlantic for the 2019-20 Municipal Alliance on Alcoholism and Drug Abuse. The required cash match of \$4,278.00 was included in the 2019 budget as adopted on June 17, 2019 and wishes to amend its 2019 Current Fund Budget to include the grant of \$17,113.00 as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund Budget of the year 2019 in the sum of \$17,113.00 which has been awarded and is 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:

2019-20 Municipal Alliance on Alcoholism and Drug Abuse

BE IT FURTHER RESOLVED that a like sum of \$17,113.00 be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations - Excluded from "CAPS":

Public and Private Programs Offset by Revenues:

2019-20 Municipal Alliance on Alcoholism and Drug Abuse

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

Resolution #134-2019- Authorize Refunds Water/Sewer /Tax

A RESOLUTION OF THE MAYOR AND COUNCIL
OF THE TOWN OF HAMMONTON
AUTHORIZING TAX / WATER / SEWER REFUNDS

Whereas, the following accounts need to have amounts credited, transferred, cancelled, refunded or changed

<u>Block / Lot</u>	<u>Name</u>	<u>Address</u>	<u>Amount</u>	<u>Acct.</u>	<u>Reason</u>
4001/6	Corelogic		1,394.50		tax overpayment
2302/1/C0026	Corelogic		720.50		tax overpayment
3801/35	Corelogic		4,177.46		tax overpayment
1001/58	11 Chew Dev. LLC	609 13 th St.	760.21		change in assessment
2709/20.09	Morris, Bernard Jr. & Joan M	427 Bella Vita Ct	1,816.33		change in assessment
4703/14.02	Penza, Richard & Marlene	235 Plymouth Rd	1,039.92		change in assessment

5101/4	Donio, Joseph Jr.	293 N. Union Rd.	1,107.23	change in assessment
4119/3	Dade, Derrick	240 Lakeview Dr.	234.12	exempt veteran
1709/47	Aiello, Anthony	1055 n 1 st Rd	4,860.42	cancel tax exempt veteran
1201/1.10/T01	Town of Hammonton		2,799.69	cancel balances TOH
1201/1.10	Town of Hammonton		4,067.81	cancel balances TOH
3606/18	Town of Hammonton		4,508.04	cancel balances TOH

Whereas, the above amounts have been corrected in the Edmunds Billing system for the Utilities and or tax module showing the correct amounts.

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

Resolution #135- 2019 - Amending Bid Painting of Water Tower

AMENDING RESOLUTION #091-2019 AWARDING BIDS FOR PAINTING OF WATER TOWER MATHMATICAL ERROR ON TOTAL PAGE OF LOWEST BIDDER

WHEREAS, the Town of Hammonton received bids for the Hammonton Water Tower Rehabilitation and Painting and Project; and

WHEREAS, said bids were received on April 25, 2019; and

WHEREAS, Two (2) bids were received and evaluated; and

WHEREAS, the summary of the bids received for the project are as follows with a complete bid tabulation form attached hereto:

CONTRACTOR	BASE BID COST
Allied Painting Inc.	\$578,123.00
Brave Industrial Paint, LLC	\$756,000.00

WHEREAS, the recommendation of award to Mayor and Council was to consider all bids received and the packet of information submitted with each bid; and

WHEREAS, after review from the Town Solicitor and consideration of the funding made available through the project which are depicted in the bid summary above; and

WHEREAS, based on the award recommendation, the lowest responsible bidder on the project was Allied Painting Inc., in the amount of \$578,123.00; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Hammonton that an award of the contract for the bids for the Hammonton Water Tower Rehabilitation and Painting and Project received on April 25, 2019 be made to Allied Painting Inc, in the amount stated above in accordance with the review of the bid documents by the Town Solicitor recommendation.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Mayor and Town Council to award this contract with the following conditions:

1. The Town Solicitor review and approve the bid package submitted by the lowest responsible bidder to ensure compliance with the applicable bid requirements.
2. Subject to certification as to the availability of funds from the Town's Chief Financial Officer. 20 day estoppel period and adoption of Ordinance

Resolution #136 -2019 – Appoint Fire Official

A RESOLUTION APPOINTING THE FIRE OFFICIAL
OF THE TOWN OF HAMMONTON

NOW THERE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that Michael Ruberton be appointed as Fire Official for the Town of Hammonton effective June 1, 2019;

BE IT FURTHER RESOLVED THAT a certified copy of this resolution be filed with the New Jersey Division of Fire Safety.

Resolution #137-2019- Certification of Annual Audit

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 2018** 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.

Resolution #138-2019 – Approve Corrective Action Plan

CORRECTIVE ACTION PLAN

Corrective Action Plan of the Town of Hammonton, County of Atlantic, State of New Jersey, for the year 2018.

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 2018 Report of Audit is as follows:

Finding No. 2018-001:

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 for the 2018 Report of Audit of the Town of Hammonton be 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.

Resolution #139- 2019 – Authorize Halloween Parade

RESOLUTION AUTHORIZING AND ENDORSING
KIWANIS CLUB HALLOWEEN PARADE

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

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

WHEREAS, October 23, 2019 is the scheduled date for the Annual Kiwanis Club Halloween Parade (rain date to be October 24, 2019);

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

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

Resolution #140-2019 – Setting Salaries of Certain Employees

RESOLUTION SETTING SALARIES OF EMPLOYEES

WHEREAS, the Mayor and Common Council of the Town of Hammonton, by Ordinance fixed a salary range for employees of the Town of Hammonton, County of Atlantic, New Jersey; and

WHEREAS, said ordinance provides that the amount to be paid to such employee within the salary range shall be fixed from time to time by Resolution of the Mayor and Council.

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

<u>Employee</u>		<u>Salary Effective</u>
		<u>5/1/2019 to 12/31/2019</u>
Municipal Utility	TITLE	
	Sr.Sewer Repairer 2	
Louis Penza	/Water Repairer 2/Rp	\$ 73,710.00
Michael Perna	Sr.WtrTrmtPltOpr /Rp	\$ 75,945.00
	Sr.Sewer Repairer 2	
Michael Ruberton	/Water Repairer 2/Rp	\$ 74,210.00

<u>Employee</u>		<u>Salary Effective</u>
		<u>1/1/2020 to 12/31/2020</u>
Municipal Utility	TITLE	
	Sr.Sewer Repairer 2	
Louis Penza	/Water Repairer 2/Rp	\$ 75,368.00
Michael Perna	Sr.WtrTrmtPltOpr/Rp	\$ 77,653.00
	Sr.Sewer Repairer 2	
Michael Ruberton	/Water Repairer 2/Rp	\$ 75,879.00

<u>Employee</u>		<u>Salary Effective</u>
		<u>1/1/2021 to 12/31/2021</u>
Municipal Utility	TITLE	
	Sr.Sewer Repairer 2	
Louis Penza	/Water Repairer 2/Rp	\$ 77,440.00
Michael Perna	Sr.WtrTrmtPltOpr/Rp	\$ 79,787.00
	Sr.Sewer Repairer 2	
Michael Ruberton	/Water Repairer 2/Rp	\$ 77,965.00

Resolution #141-2019 – Commit to Competitive Contracting Process

TO COMMIT TO THE COMPETITIVE CONTRACTING PROCUREMENT PROCESS PURSUANT TO NJSA 40A:11-4.1 THROUGH 40A:11-4.5 FOR CERTAIN PROFESSIONAL SERVICES, CONTINGENT UPON AN FY2020 SMALL CITIES GRANT AWARD FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS TO DEVELOP AMERICANS WITH DISABILITIES ACT (ADA)-COMPLIANT RECREATIONAL FACILITIES AT HAMMONTON LAKE PARK

WHEREAS, the Town of Hammonton intends to submit in September 2019 an application to the New Jersey Department of Community Affairs, Small Cities Public Facilities Fund to develop ADA-compliant recreational facilities at Hammonton Lake Park; and,

WHEREAS, the Small Cities Program requires, in certain instances, that professional services associated with the implementation of a Small Cities award be procured through a Competitive Contracting process;

BE IT THEREFORE, RESOLVED, that the Town of Hammonton does hereby commit to authorize the issuance of Requests for Proposals (RFP), under the aforementioned State Competitive Contracting guidelines, for Professional Engineering Services, contingent upon award of said Small Cities grant; and,

BE IT FURTHER RESOLVED, that the Municipal Clerk will be directed to advertise these RFPs for a period of not less than 20 days in the Town's official newspaper of record; that the Town will strive to obtain three or more proposals; and the Town will proceed with the RFP evaluation process if at least two proposals are received.

Resolution #142-2019 – Award Bid for Various Road Improvements

RESOLUTION AWARDING BID VARIOUS ROAD IMPROVEMENTS

WHEREAS, the Town of Hammonton received bids for Various Road Improvements on August 22, 2019 as follows;

WHEREAS, the summary of the bids received for the project are as follows with a complete bid tabulation form attached hereto:

CONTRACTOR	TOTAL
Arawak	741,000.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Hammonton that an award of the contract for the bids for Various Road Improvements to Arawak for base bid contingent solicitors review and funding certification ;

Resolution #143-2019- Appointing an Emergency Management coordinator

RESOLUTION APPOINTING AN EMERGENCY MANAGEMENT COORDINATOR

WHEREAS, the Town of Hammonton desires to appoint an Emergency Management Coordinator for the purpose of designating an emergency contact within the Town of Hammonton; and

NOW, THEREFORE, BE IT RESOLVED, by Town Council of the Town of Hammonton that Robert Jones is hereby appointed as the Emergency Management Coordinator for the Town of Hammonton for a three (3) year term that commences on August 27, 2019 and will expire August 26, 2022.

Resolution #144-2019- Granting Extension of Installation of Sanitary Sewer

RESOLUTION GRANTING AN EXTENSION OF TIME TO ALLOW FOR THE INSTALLATION OF SANITARY SEWER TO SERVICE THE PROPOSED 19-LOT SUBDIVISION NOTED HEREIN

WHEREAS, 3rd Street Homes, LLC (the "Applicant"), with an address of 212 Winding Way, Hammonton, New Jersey, 08037 is the owner of the property noted as Block 2201, Lots 11.01, 11.02, 11.03 and 12 (formerly owned by AN Construction, LLC); and;

WHEREAS, the Applicant has made a request to the Town of Hammonton to request an extension of time with respect to the installation of sanitary sewer; and

WHEREAS, the proposed project consists of the construction of approximately 950 linear feet of sanitary sewer main to service a nineteen (19) single-family home major subdivision, plus one lot for storm water management purposes; and

WHEREAS, the Mayor and Town Council of the Town of Hammonton did adopt Resolution #051-2008 granting preliminary approval for the proposed sanitary sewer installation on March 17, 2008; and

WHEREAS, the New Jersey Department of Environmental Protection (the "NJDEP") issued permit #08-0496 (the "Permit"), dated January 20, 2009 to allow for sanitary sewer installation; and

WHEREAS, there is currently no sewer connection ban in the town; and

WHEREAS, on its face, the Permit was valid for two years, with an expiration date of January 19, 2011. The NJDEP issued a 1-year extension of the Permit, thereby extending it until January 19, 2012. Thereafter, on January 25, 2012, the NJDEP issued a second, 1-year extension of the Permit, thereby extending the Permit until January 19, 2013; and

WHEREAS, the Third Permanent Extension Act (the "PEA"), which is a tooling statute, was signed into law by Governor Christie on September 21, 2012, and served to extend all applicable permits and approvals until December 31, 2014 and expanded the definition of "extension area" to include regional growth areas, villages, and towns designated in the Pinelands Commission Comprehensive Management Plan. As a result, the Permit was extended until December 31, 2014 and, since the Permit was issued after the start of the PEA on January 1, 2007, the previously issued 1-year extensions were no longer needed and are hereby abandoned; and

WHEREAS, on June 30, 2016, the PEA was further amended and ordered to extend the vested rights of approval for those projects located which further "tolled" the period of approval for specified permits and approvals until December 31, 2016. Furthermore, the amendment also provided that "the tolling provided for herein should not extend the government approval for more than six (6) months beyond the conclusion of the extension period." Therefore, the period of approval for the Permit was tolled until June 30, 2017; and

WHEREAS, Mayor and Council of the Town of Hammonton adopted Resolution # 50A-2019 on February 25, 2019, which pursuant to the terms and conditions in N.J.A.C. 7:14A-22.12 and consistent with the Permit Extension Act, N.J.S.A. 40:55B-136.1 et. seq., requested the NJ DEP grant a first 1-year extension of the permit from June 30, 2017 until June 30, 2018, and a second 1-year extension from June 30, 2018 until June 30, 2019; and

WHEREAS, the applicant was not able to proceed with the proposed sanitary sewer installation within the allotted time frame stipulated by the NJDEP Permit; and

WHEREAS, the Town is formerly requesting the NJDEP grant a third 1-year extension of the Permit from June 30, 2019 until June 30, 2020; and

WHEREAS, all conditions stipulated in the original Council Resolution 05-2008, dated March 17, 2008 would be part of the extension of the time consideration.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of Town of Hammonton of the County of Atlantic, State of New Jersey, that the Mayor is hereby authorized to execute all appropriate documents that are required for the third (3rd), one (1) year extension of the Permit, in order to provide for the sanitary sewer installation associated with the above noted subdivision, subject to compliance with the conditions noted in any Engineer's Report, the original Council Resolution 05-2008, and any items noted by the Town's Public Works and Transportation Committee, the Utility Superintendent, and the Town Solicitor.

Resolution #145-2019 – Setting Salary for Emergency Management Coordinator

WHEREAS, the Mayor and Council of the Town of Hammonton, by ordinance fixed a salary range for the employment of certain town officials of the Town of Hammonton, County of Atlantic, New Jersey; and

WHEREAS, said ordinance provides that the amount to be paid to such official or employee within the salary range shall be fixed from time to time by Resolution of the Mayor and Council.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Town of Hammonton, Atlantic County, New Jersey, that the following salaries are set:

<u>NAME OF EMPLOYEE</u>	<u>CLASSIFICATION</u>	
Robert Jones	Emergency Management Coordinator	<u>2019</u> \$20,000
Robert Jones	Emergency Management Coordinator	<u>2020</u> \$20,000
Robert Jones	Emergency Management Coordinator	<u>2021</u> \$20,000
Robert Jones	Emergency Management Coordinator	<u>2022</u> \$20,000

Resolution #146 – 2019 – Amending Handbook Volunteer Fire Companies

RESOLUTION AMENDING THE OFFICIAL HANDBOOK OF VOLUNTEER FIRE COMPANIES #1 AND #2

WHEREAS, on February 25, 2013, Town Council of the Town of Hammonton adopted Resolution #029-2013, which adopted the Official Handbook of Hammonton Volunteer Fire Companies #1 and #2 as the Official Policies, Procedures, Rules and Regulations which all volunteers must adhere to; and

WHEREAS, Town Council finds and declares that it is in the best interest of the Town to amend the official handbook of Hammonton Volunteer Fire Companies #1 and #2.

NOW, THEREFORE, BE IT RESOLVED, by Council of the Town of Hammonton; that:

1. Anti-Discrimination Policy, page 3, last sentence is amended to read as follows:

If any volunteer feels they have been treated unfairly, they have the right to address their concern with Town Council, the Fire Chief or the Assistant Fire Chief if they feel the Fire Chief cannot be impartial in the specific matter.
2. Subsection K titled Driver Training, paragraph (5) titled other disciplinary Action, page 38 is amended to read as follows:
(5) Other disciplinary action. Also, depending on the severity of the conviction, the volunteer's driving privileges may be revoked and/or may result in termination.
3. American's With Disabilities Act Policy, page 42, third paragraph, third sentence is amended to read as follows:
Volunteers who are assigned to a new position as a reasonable accommodation will receive the clothing allowance for their new position.
4. Safety/Reporting of Job-Related Accidents and Illnesses, page 43, first paragraph, sixth and seventh sentences are changed to read as follows:
Any occupational or public unsafe condition, practice, procedure or act must be immediately reported to the Supervisor and Municipal Clerk in writing. Any on-the-job accident or accident involving Hammonton Volunteer Fire Company's facilities, equipment or motor vehicles must be immediately reported to the Supervisor and the Municipal Clerk's Office.
5. Safety/Reporting of Job-Related Accidents and Illnesses, page 43, second paragraph, first Sentence, the term "has" is changed to "have".
6. Injury Reporting, page 43-44, paragraph 5 is amended to read as follows:

5. If a volunteer is out of work due to work related injury or illness, then the volunteer will be paid the percentage per law by the Hammonton Volunteer Fire Company's workers comp insurance carrier.
7. General Safety Rules, pages 44-45, the next four paragraphs under number 16 are amended to read as follows:
If a volunteer is injured on the job, due to his own negligence or the negligence of the another volunteer, a verbal warning will be given to the negligent volunteer on the first occurrence. If a second injury results due to his or her negligence the volunteer will be given two days suspension.
If a third injury results due to his or her negligence, the volunteer will be given three days suspension.
If a fourth or subsequent injury results due to his or her negligence this may be cause for dismissal.
8. Machinery and Equipment Safety Rules, last paragraph on page 46, the term "employment" is deleted.
9. Anti -Violence Policy, page 46, last paragraph is amended to read as follows:

Any potentially dangerous situations must be immediately reported. The Hammonton Volunteer Fire Companies or Town Council, if reported directly to it, will actively intervene in any potentially hostile or violent situation.

10. General Anti-Harassment Policy, second, third and fourth paragraphs on page 47 are amended

to read as follows:

If a volunteer is a witness to or believes to have experienced harassment, immediate notification of the Supervisor, Fire Chief, Assistant Fire Chief or Town Council or other appropriate person should take place. See the Volunteer Complaint Policy.

Harassment of any volunteers in connection with their work by non-volunteers may also be a violation of this policy. Any volunteer who experiences harassment by a non-volunteer, or who observes harassment of any volunteer by a non-volunteer should report such harassment to the Supervisor, Fire Chief, Assistant Fire Chief or Town Council. Appropriate action will be taken against any non-volunteer.

Notification of appropriate personnel of any harassment problem is essential to the success of this policy and the Hammonton Volunteer Fire Companies generally. The Hammonton Volunteer Fire Companies, Fire Chief, Assistant Fire Chief and/or Town Council cannot resolve a harassment problem unless it knows about it. Therefore, it is the responsibility of all volunteers to bring those kinds of problems to the attention of the appropriate officials so that steps are taken to correct them.

11. Anti-Sexual Harassment Policy, paragraph C, page 48, third, fourth and fifth paragraphs are amended to read as follows:

If a volunteer is witness to or believes that the volunteer has experienced sexual harassment, they must immediately notify their Supervisor or other appropriate person, Fire Chief, Assistant Fire Chief, or Town Council. See the Volunteer Complaint Policy.

Harassment of Hammonton Volunteer Fire Companies volunteers in connection with their work by non-volunteers may also be a violation of this policy. Any volunteer who experiences harassment by a non-volunteer, or who observes harassment of a volunteer by a non-volunteer, should report such harassment to his or her Supervisor, Fire Chief, Assistant Fire Chief, or Town Council. Appropriate action will be taken against any non-volunteer.

Notification by Volunteer to appropriate personnel of any harassment problems is essential to the success of this policy and the Hammonton Volunteer Fire Companies generally. The Hammonton Volunteer Fire Companies, Fire Chief, Assistant Fire Chief, and/or Town Council cannot resolve a harassment problem unless it is reported. Therefore, it is the responsibility of all volunteers to bring those kinds of problems to the attention of management so that steps are taken that are necessary to correct them.

12. Volunteer Complaint Policy, page 48, first paragraph is amended to read as follows:

Volunteers who observe actions they believe to constitute harassment, sexual harassment, or any other workplace wrong doing should immediately report the matter to their supervisor, or, if they prefer, or do not think that the matter can be discussed with their supervisor, they should contact the Fire Chief or Assistant Fire Chief, if they believe the Fire Chief cannot be impartial or if they prefer, or do not think the matter can be discussed with their Supervisor, the Fire Chief or Assistant Fire Chief, they should report incidents in writing to Town Council. Volunteers should report incidents in writing using the Volunteer Complaint Form, but may make a verbal complaint at their discretion. If the volunteer has any questions about what constitutes harassment, sexual harassment, or any other workplace wrongdoing, they may ask their Supervisor, Fire Chief, Assistant Fire Chief or Business Administrator for the Town of Hammonton. All reports of harassment, sexual harassment, or other wrongdoing will be promptly investigated by a person who is not involved in the alleged harassment or wrongdoing.

BE IT FURTHER RESOLVED, and as set forth in Resolution #029-2013, that the Handbook is not intended to be construed actually or by implication as a contract and does not supersede County, State or Federal regulations pertaining to Volunteer Fire Companies and Volunteer Firefighters.

Resolution #147-2019 – Award Road Improvement / Resurfacing to Asphalt Paving Systems

A RESOLUTION APPROVING THE STATE CONTRACT FOR THE AWARD OF VARIOUS ROAD IMPROVEMENT PROGRAM 2019 (RESURFACING PROJECT) TO ASPHALT PAVING SYSTEMS (STATE CONTRACT #17-GNSV2-00181)

WHEREAS, there exists a need to improve/resurfacing of various roads in the Town of Hammonton; and

WHEREAS, the Public Works Manager, after comparing the price and particular suitability, that a contract be awarded to Asphalt Paving Systems of Hammonton, NJ to improve/resurface various roads in the Town of Hammonton under state contract # 17-GNSV2-00181, in the amount of \$75,000.00.; and

WHEREAS, funds are available in Ordinance #007-2019; and

WHEREAS, N.J.S.A. 40A:11-1-et seq. requires that the resolution authorizing the awarding of the contract without competitive bidding and the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL FOR THE TOWN OF HAMMONTON, ATLANTIC COUNTY, NEW JERSEY that the Mayor and Town Clerk of the Town of Hammonton are hereby authorized and directed to enter into an agreement with Asphalt Paving Systems of Hammonton, NJ, for the improvement/resurfacing of various roads, and

BE IT FURTHER RESOLVED, that the contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-12 of the Local Public Contracts Law as a State Approved Contractor # #17-GNSV2-00181 and

BE IT FURTHER RESOLVED, that the contract is subject to the mutual acceptance of the appropriate contact documentation between the Asphalt Paving Systems of Hammonton, NJ and the Town of Hammonton.

Resolution #148-2019 – Execution of Agreement with White Horse HMT Urban Renewal

RESOLUTION AUTHORIZING EXECUTION OF A FUNDING AGREEMENT WITH WHITE HORSE HMT URBAN RENEWAL LLC

WHEREAS, on August 26, 2019, the Town Council adopted Ordinance No. #22-2019, entitled “BOND ORDINANCE OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY AUTHORIZING THE ISSUANCE OF REDEVELOPMENT AREA BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST OF CERTAIN INFRASTRUCTURE IMPROVEMENTS RELATING TO A REDEVELOPMENT PROJECT TO BE UNDERTAKEN BY WHITE HORSE HMT URBAN RENEWAL LLC” in connection with a certain redevelopment project (the “Redevelopment Project”) being undertaken by White Horse HMT Urban Renewal LLC (the “Redeveloper”) for property located at Block 2118, Lot 4 on the official tax map of the Town of Hammonton, County of Atlantic, New Jersey known as the “Farmington Redevelopment Area” (the “RAB Bond Ordinance”); and

WHEREAS, the Town intends on issuing bonds or notes under and pursuant to the RAB Bond Ordinance in order to defray certain eligible costs of the Redevelopment Project, specifically the Infrastructure Improvements (as defined in the RAB Bond Ordinance), in one or more series in an aggregate principal amount not to exceed \$25,000 (the “Obligations”); and

WHEREAS, the Town and the Redeveloper desire to set forth certain procedures by which proceeds of the Obligations shall be used toward financing of the Infrastructure Improvements and to enter into a funding agreement (the "Funding Agreement") evidencing the same.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Hammonton, as follows:

1. The Funding Agreement, in the form attached hereto as Exhibit A is hereby approved.
2. The Mayor is hereby authorized and directed to execute the Funding Agreement with the Redeveloper in substantially the same form as attached hereto as Exhibit A, with such modification or revision as deemed necessary and appropriate after consultation with counsel.
3. This Resolution shall take effect immediately.

Motion by Council Person Gribbin Second Sacco
Approval of Resolution #121 to #148

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

PUBLIC HEARD

Eric Copenhagen - 927 S. 2nd Road issue with speeding on his street and people passing on the double line. Also, there are people setting off fire works in his neighborhood.

Amy Menzel – Spoke about the harm of Balloons to the environment.

Steve Giuseppe from Margate also spoke about the harm that balloons can cause.

MEETING ADJOURNED

Motion by Council Person Giralo Second Torrissi