

Agenda Regular Meeting of Mayor and Council – September 26, 2016
Town Hall Council Chambers, 100 Central Avenue
Executive Session 5:30 P.M.
Public Session 7:00 P.M.

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilman:

Furgione -
Giralo -
Gribbin -
Pullia -
Rodio -
Torrissi -
Mayor DiDonato -

PRESENT ALSO

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

Executive Session #R126-2016

RESUME REGULAR MEETING-ROLL CALL

Councilman:

Furgione -
Giralo -
Gribbin -
Pullia -
Rodio -
Torrissi -
Mayor DiDonato -

PRESENT ALSO

Michael Malinsky, Town Solicitor
Bob Vettese of ARH, Town Engineer
Jerry Barberio, PWM/Business Administrator

PUBLIC NOTICE

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

PLEDGE OF ALLEGIANCE

PUBLIC HEARD FOR AGENDA ACTION ITEMS

APPROVAL OF MINUTES

Special Executive Session August 22, 2016
Executive Session August 22, 2016
Regular Meeting August 22, 2016

DISPENSE WITH REGULAR ORDER OF BUSINESS

1.K9 Presentation

2.Hearing Ordinance #012-2016 Inclusionary Development Zone

ORDINANCE #12-2016
INCLUSIONARY DEVELOPMENT ZONE (IDZ)

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

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

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

Section A. Purpose and Intent.

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

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

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

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

Section C. Permitted uses.

The following uses are permitted in the IDZ Zoning District.

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

Section D. Accessory uses.

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

1. All accessory uses permitted in the H-B Highway Business Zoning District.
2. In multi-family development, accessory uses may include:
 - a. Private, passive or active recreational facilities, including, but not limited to, a community building.
 - b. Stormwater facilities.

- c. Signage subject to Section 175-161(D)(4).
- d. Fences and hedges subject to Sections 175-98 and 175-137
- e. Parking subject to the New Jersey Residential Site Improvements Standards ("RSIS").
- f. Other accessory uses and structures normally considered incidental to apartment and/or multifamily buildings, i.e., refuse enclosures, sheds for maintenance equipment and HVAC units.
- g. Except as set forth herein, all accessory uses and structures shall be permitted within the setback areas for principal buildings and comply with Section 175-87.

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

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

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

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

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

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

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

- 11. On-site parking and site access.
 - a. Parking shall be regulated by New Jersey Residential Site Improvement Standards (RSIS).
 - b. On-site parking facilities shall be limited to passenger vehicles of permanent residents and their guests. Storage of trucks, boats, trailers, etc., shall be prohibited.
 - c. Design controls applicable for on-site parking facilities are set forth in the site plan and subdivision regulations found in §175-118 except that in order to maintain the character of the existing community curbing is not required.
 - d. Sidewalks shall be provided to reasonably connect the residential units to the parking area and shall be consistent with the Concept Plan.

- e. A secondary ingress/egress shall be provided on Commence Way.
 - f. Community Building. Parking spaces shall be no closer than 5 feet to the building. The drive aisle shall be no closer than 15 feet to the street line except for the access driveway.
12. Landscaping. Landscaping shall conform to §175-136.
13. Lighting. Lighting shall conform to §175-112, which includes the requirement to design lighting to prevent glare upon surrounding properties.
14. Refuse storage. The refuse storage areas shall be suitably located and screened and arranged for access and ease of collection and shall not be part of, restrict or occupy any parking aisle. Refuse storage structures may be erected in the side and rear yard areas only, and the required setback shall be 1/2 that required for principal buildings.
15. Buffer. The buffer area shall be provided in accordance with the requirements of Section 175-91, except that storm drainage facilities may be located within the buffer area. The buffers shall be located along all side and rear lot lines. The width of the buffer shall be a minimum of 20 feet.
16. Building Design. The design of the new buildings and units shall be a similar in appearance and style as the rendering attached as Exhibit "B".
17. Affordable Housing Requirements.
- a. Fifteen percent (15%) of all new units constructed shall be provided as affordable housing units. The affordable housing units shall be constructed as rentals.
 - b. Affordable units shall comply with the New Jersey Barrier-Free Subcode accessibility requirements, N.J.A.C. 5:23.7, as required by the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301, et seq.
 - c. The affordable housing units shall be developed and rented in accordance with the applicable UHAC and COAH regulations adopted as of the date of the adoption of this Ordinance.
 - d. The affordable housing units shall be dispersed in various buildings throughout the multi-family development. The affordable units shall be phased consistent with N.J.A.C. 5:93-5.6(d).
 - e. Consistent with UHAC, the developer (or its agent) may act as the administrative agent to be responsible for the administering of the affordable housing program and reporting to the Municipal Housing Liaison or the Town's designated affordable housing entity.
 - f. Controls on affordability shall expire in accordance with the applicable UHAC and COAH regulations adopted as of the date of the adoption of this Ordinance.

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

1. In conjunction with the new construction of the multi-family residential development contemplated under this Ordinance provision, the five (5) existing multi-family residential buildings shall be rehabilitated to conform as much as practicable in light of the requirement for the elimination of cost-generative features. The rehabilitation of the existing buildings shall be phased with the new construction. For purposes of this ordinance, rehabilitation shall mean cosmetic and architectural design features to the existing buildings exterior that complement the new construction style. The five (5) existing buildings after rehabilitation shall look substantially similar to the elevation attached hereto as Exhibit "C".
2. The existing five (5) buildings on the Property shall be rehabilitated in accordance with the following phasing schedule:

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

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

Section I. Cost-Generation and Development Review Process.

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

3. Hearing Ordinance #017-2016 Police Radios

Ordinance #017-2016

ORDINANCE PROVIDING FOR THE PURCHASE OF POLICE RADIOS IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$360,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$342,000 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 \$360,000, including the sum of \$18,000 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 \$342,000 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 the acquisition of police radios.

(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 therefor.

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

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

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

(a) The 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 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$342,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$36,000 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 notes, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the notes. 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 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 ARule@) for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

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

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

4. Hearing Ordinance #018-2016 Prohibiting Engine Braking

Ordinance # 018-2016

AN ORDINANCE PROHIBITING ENGINE BRAKING UPON ALL ROADWAYS LOCATED IN THE TOWN OF HAMMONTON

Be it Ordained by the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey as follows:

Section 1: PURPOSE:

The Mayor and Council of the Town of Hammonton have determined that the use of “engine braking,” as defined by this Ordinance, causes unwanted noise, pollutants and disturbances in the Town, and are a detriment to the health, safety and general welfare of the residents of the Town of Hammonton.

Section 2: DEFINITIONS:

As used in this Ordinance, the following terms shall have the meanings indicated:

Engine Braking

The use or operation of any engine brake, compression brake or mechanical exhaust device designed to aid in the braking, decompression, or deceleration of any motor vehicle which results in the excessive, loud, unusual or explosive noise from such vehicle.

Section 3: PROHIBITION:

It shall be unlawful for the driver of any motor vehicle to use or operate or cause to be used or operated, at any time and on any road within the Town of Hammonton, any engine brake, mechanical exhaust or decompression device which results in the practice known as “engine braking.”

Section 4: SIGNAGE:

Appropriate signage shall be placed at reasonable locations within the Town warning the public about the prohibition of “engine braking.”

Section 5: EXCEPTIONS:

This prohibition shall not apply to the application of unmuffled engine or compression brakes or a mechanical exhaust device where necessary for the protection of persons and/or property which cannot be avoided by an alternative braking system or where the application is necessary for the health, safety and welfare of the community. Sounds created by emergency equipment for emergency purposes are exempt from this section.

Section 6: VIOLATIONS AND PENALTIES:

Unless another penalty is expressly provided by New Jersey Statute, any person, partnership, company, or corporation convicted of a violation of this Ordinance shall be subject to one or more of the following: a fine of not more than \$1,000, imprisonment for a period not to exceed 90 days or a period of community service not to exceed 90 days.

Section 7: REPEALER:

Any other ordinance or parts of ordinances inconsistent with the ordinance shall be and the same are hereby repealed to the extent of inconsistency. The provisions of any ordinances of the Town of Hammonton, including those specifically referred to herein, not inconsistent with this ordinance and the provisions of any amendments not inconsistent with this ordinance shall remain in full force and effect as though expressly and fully set forth herein.

Section 8: SEVERABILITY

If any part of this ordinance shall, for any reason be adjudged by a Court of competent jurisdiction to be declared invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance which will be declared severable.

Section 9: EFFECTIVE DATE:

This ordinance shall take effect following adoption and approval in the time and manner prescribed by law.

COMMITTEE REPORTS

Administration - Councilman Torrissi

Business & Industry - Councilman Gribbin

Education - Councilman Giraldo

Quality of Life - Councilman Pullia

Public Works & Transportation - Councilman Rodio

Law & Order - Mayor DiDonato

Water & Sewer - Councilman Furgione

ENGINEER REPORT

SEWER & WATER ACTION ITEMS:

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

Construction is progressing on the Valley Avenue project. The Contractor is currently running two crews on site to install the sanitary sewer main and the water main. The 24-inch sanitary sewer main has been installed from Broadway to about 400 feet east of Grape Street (approximately 60% complete). The water main has been installed from Broadway to just past the Hammonton Arms Apartments (approximately 30% complete). As construction progresses towards Bellevue Avenue, staging and storage space is becoming limited and we are working with the Contractor to make sure the road can be safely traveled and visibility at intersections is maintained.

The NJDEP has confirmed that the NJEIT loan can cover the cost to provide uniformed police officers to assist with traffic control, which can be added to the contract through a Change Order. We are still awaiting the final loan numbers from the NJEIT.

The Contractor has submitted twenty (20) Change Order requests to date. Nine of these items have been settled, with five being accepted. We have submitted the Contractor's second Request for Payment in the amount of \$504,665.21.

Action Requested:

Approval of the first payment request to Mathis Construction Co. Inc., for work completed to date as noted above in the amount of \$504,665.21.

2. Improvement Project At The Hammonton Wastewater Treatment Plant/Water Department Site (ARH# 11-30163.03, .04, .05):

As authorized, Ron Curcio has been working with the MUD Superintendent and conducted discussions with the PWTC regarding the plans and specifications for the following projects:

1. Dump Station Pad (95% complete) (Concrete work to be completed with concrete work at the Boyer Avenue Garage/Filter Building site).
2. Heating System, Sludge Press Building (100% complete) (Bid with the 3 Bay Garage Project).
3. Utility Water Pressurization System (95% complete) (Price quotes for the supply of material to be requested if authorized).

Action Requested:

Authorize ARH to prepare the specifications to receive price quotes for the purchase of material required for Municipal Utilities Department personnel to complete the installation for the Utility Pressurization system. The cost to complete the above noted work will be \$1,130.00.

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

We have received bids for the project and discussed options for award with the PWTC. The final discussion was to award the project base bid and the alternate for a total price of \$684,900.00. Options to use value engineering for portions of the work that would assist with project cost savings could be discussed with contractor during the construction process.

Action Requested:

Award the contract to TKT Construction from Williamstown, NJ whose base bid and alternate total is \$684,900.00. A resolution for this award recommendation is attached to this report.

4. **Well #4 Screen Replacement (ARH #2016-0631):**

We were requested to provide a proposal to complete the following tasks related to the replacement of the screen and minor related work at the Well #4 on Plymouth Road.

- ~ Prepare project specifications.
- ~ Send out a request for price quotes, review and provide recommendation of award.
- ~ Construction management with MUD Superintendent, invoicing and close-out.

We would estimate that the contractor could complete the work in 5 to 7 days. The cost for ARH to complete the above noted tasks would be \$4,940.00.

Action Requested:

Authorize ARH to complete the various tasks for the Well #4 screen replacement and related work for a figure not to exceed \$4,940.00.

5. **2 Bay Garage/Filter Building Boyer Avenue (ARH #11-30163.02):**

We discussed possible modifications to the building construction with the PWTC to provide a cost savings for this project which includes the following:

1. Change filter/garage building at Boyer Ave from a constructed in-place 1,156 sf masonry and wood truss building to a pre-fabricated 41' x 24' steel pole barn structure that can be purchased direct from a supplier.
2. In lieu of having contractor install under slab and above grade irrigation filter piping, within the filter/garage building have Town purchase materials and the Municipal Utilities Department personnel install same.
3. Package concrete work (Dump station Pad at the main plant and pre-fabricated building slab construction at Boyer Ave) in one bid.

Action Requested:

Seek authorization from Mayor and Council to have ARH amend bid package as noted above and seek price quotes for this work, subject to project approval from the Pinelands Commission which should occur at their October meeting. The cost for the project construction modifications will be submitted to SJ Gas Company for reimbursement consideration for consultant work associated with the Water Department Building Replacement in conjunction with the Lincoln Street Site Remediation Project.

PUBLIC WORKS INFORMATION ITEMS:

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

As a result of the Council's authorization last month, Henry Weigel has been in contact with the State and is completing some initial work for the site, including ground water monitoring well sampling as required.

7. **Weymouth Road Drainage (ARH #11-06007) No Status Change:**
Comments related to modifications of the drainage easement documents were provided by the County which were forwarded to the conflict Town Solicitor for review. If deemed acceptable, the documents should be modified, sent back to the County for approval, signed by the property owners and filed. We will check with the Solicitor related to the status of same.
8. **Hammonton Bike Path Extension (ARH #11-40052):**
Our office has provided updated plans and drainage calculations to Pinelands and it is our understanding we will be on the October agenda to receive approval from the Pinelands Commission. Once this approval is received we can put together the submission to NJDOT seeking authorization to bid this project.
9. **14th Street Roadway Improvements (ARH #11-40050):**
Our office issued a closeout letter to the Town that included a final quantities change order, recommendation for final payment, as well as the maintenance bond for this project. Once these items have been approved by Council the project will be closed out with the Contractor and our office will work with the Town to put together the NJDOT closeout package for reimbursement consideration.

SEWER AND WATER INFORMATION ITEMS:

10. **LTCWMP Report I&I (ARH #11-50142):**
We provided a general outline of topics that should be addressed by Council in their response letter to the Pinelands Commission associated with amendments to the Pinelands approval, Resolution and agreement with the Town for the Long Term Comprehensive Waste Water Management Plan (LTCWMP) and the Infiltration and Inflow (I&I) Study. The Town agreed that this response would be submitted by the end of the summer. Should the Town need any assistance from ARH on this matter, let us know.
11. **Bellevue Avenue Utility Replacement (ARH #11-50120): No Status Change**
The prior Town Solicitor has been working towards a final resolution of this matter between the Town, contractor and sub-contractors in order to close-out this project. We will request an update on this matter from the Solicitor.
12. **Pratt, Packard, Grape & Second Street Utility Replacement (ARH #11-40046):**
A meeting occurred on August 9, 2016 with the Contractor and our office to discuss the claims item by item. Our office would recommend that the results of this meeting be discussed with Council and the Town Solicitor in a closed session.
13. **Lincoln Avenue Chemical Building Relocation (ARH #11-30155.05):**
The contractor, TKT, has completed the major work at the Lincoln Avenue Water Department site and is finalizing the controls at the site. The project is nearly complete and the wells can be operated on an emergency basis.
14. **Lincoln Avenue Water Department Building Replacement & Communication Equipment Improvements (ARH #11-30155.05):**
The communications contractor has completed his work and is meeting with the Water Superintendent to make adjustment at the Pleasant Mills Road site to complete the interface with other system components.
15. **White Horse Pike/Cedar Branch Stream Water Main Replacement (ARH #11-30161) No Status Change:**
The legal descriptions were forwarded to the former Solicitor for preparation of the required deeds to be sent to the affected property owner of Block 4601, Lot 29. Once the deed of easement is executed we

could finalize the design plans and specifications for the receipt of price quotes. The information related to this project was forwarded to the present Town Solicitor. We will discuss the status of same with the Solicitor.

16. SJ Gas Company Lincoln Site Remediation (ARH #11-30155.07):

The remediation contractor for South Jersey Gas Company has been on-site completing various improvements as noted in their update memos to Council of their work progress. Ken Sheppard was present at the PWTC meeting of 9/15/16 to provide a further progress update and tentative completion date for site remediation and restoration.

SOLICITOR REPORT

MAYOR REPORT

PWM/BUSINESS ADMINISTRATOR REPORT

TOWN CLERK REPORT

1. Accept Resignation Nicholas Rojs Special Police Officer eff 9/2/16
2. Authorize advert & hire between meetings Keybd Clk, MunCt, not to exceed 6 mo temp, 19 hrs per wk, no benefits
3. Accept resignation Andrew Griess Fire Co 1 and approve his membership for Fire Co 2

APPROVE BILL LIST & PURCHASE ORDERS-September 2016

NEW BUSINESS

ORDINANCES FOR INTRODUCTION

Introduction Ordinance #019-2016 Amend Chapter 204

Ordinance # 019 -2016

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

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

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

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

WHEREAS, Chapter 204, Article III, Section 204-15, "Definitions", is amended to add FOOD TRUCK VENDOR- Any person, whether or not a resident of the Town of Hammonton who travels in a self sustained food truck to be parked at a specific location (pre-approved by the Town Clerk and Police Chief) to sell food, approved by Board of Health, to patrons.

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

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

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

WHEREAS, Chapter 204, Article III, 204-19, "Application for peddler, hawker, vendor, solicitor and canvasser license", is amended to include Food Truck Vendor and Door to Door Vendor and the addition of (O) Detailed map with street names and Block and Lot location where food truck will be parked.

WHEREAS, Chapter 204, Article III, Section 204-20(B), "Investigation and issuance, hearing upon disapproval" is amended to read "Such investigation shall be completed *within 21 days* after receipt of such application; and said Chief shall endorse thereupon his approval or disapproval and, if disapproved, his reasons therefore, and he shall immediately notify the applicant that his application has been disapproved. The application so endorsed shall be forthwith returned to the Town Clerk. When the application is approved by the Police Chief, the applicant shall be issued a license and a parking sticker for the specified approved parking place in the case of a food truck. All licenses issued under Chapter 204 shall expire one year from date of issuance."

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

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

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

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

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

WHEREAS, Chapter 204, Article III, Section 204-27(B), "Exceptions", shall read "A Veteran with proper credentials is not subject to payment of fees but is subject to Police Investigation and all other sections herein."

WHEREAS, Chapter 204, Article III, Section 204-27, "Exceptions", shall be amended to include "(D) Any person attending a Special Event held in the Town of Hammonton shall be exempt from the requirements herein but will be required to comply with any and all rules and regulations of the individual group sponsoring the event."

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

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

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

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

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

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced in and passed the first reading at a meeting of Town Council of the Town of Hammonton, County of Atlantic and State of New Jersey held on August 15, 2016, and said Ordinance will be further considered for final passage and adoption at a public hearing to be held at the Municipal Building located at 100 Central Avenue, Hammonton, NJ 08037, on September 26, 2016, at 7:00 PM or as soon thereafter as the matter may be reached.

BY ORDER OF TOWN COUNCIL OF THE TOWN OF HAMMONTON.

RESOLUTIONS

#R127-2016 Firefighter Christmas Parade

RESOLUTION #127-2016

RESOLUTION AUTHORIZING AND ENDORSING
FIREFIGHTER CHRISTMAS PARADE

WHEREAS, the Hammonton Fire Department continues to support the Town of Hammonton in it's effort to promote events such as the Christmas Parade which is scheduled for December 10, 2016 (rain date December 11) @ the hour of 7:00 p.m.;

WHEREAS, Mayor and Council has and continues to support the efforts of the Hammonton Fire Department;

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

- Liberty Street (from Hammonton Middle School to Bellevue) 5:00 to 9:00 pm
- Route 54 (from WPH to Front Street) from 5:00 to 9:00 pm
- Central Avenue (from Bellevue to Vine) from 5:00 to 9:00 pm
- All Road openings onto Bellevue Avenue (from WHP to Front Street) be closed during event at 7:00 pm
- Passmore Avenue (from Egg Harbor Road to Washington Street) from 7:00 to 10:00 pm
- Front Street (from Bellevue to Line Street) from 7:00 to 11:00 pm
- Liberty Street (from Bellevue Ave to Fairview Ave) from 5:00 to 8:00 pm
- Vine Street (from Egg Harbor Rd. to Central Ave.) from 5:00 to 9:00 pm

#R128-2016 Authorize Various Refunds

R128 - 2016

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

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

Richard Sayer Jr.	Rental Registration	\$ 50.00
Virtua-West Jersey Health	Airport Rent	\$8,470.00

#R129-2016 Tax Resolution

#R129-2016

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

B&L	NAME	ADDRESS	AMOUNT	ACCT.	REASON	PER
2803-18	Ruberton	111 Vine St RR	506.71	Tax	Parking lot remove billing	Rosie
3904-29	Vision	240 S WHP	217.99	Util	Refund Sears o/p store closed	Rosie
3904-89	Anderson	309 Winding Way	2,161.52	Tax	Refund o/p	Rosie
1701-1.01	Raso	121 W 15th St	7,463.58	Tax	Tax exempt	Rosie
1201-47	Maimone	761 11th St	5,031.47	Tax	Tax exempt	Rosie

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

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

#R130-2016 Approve Recycling Tonnage Grant

#R 130-2016

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Town has received notice from the State of New Jersey for **the 2016 Recycling Tonnage Grant in the amount of \$35,073.71**, and wishes to amend its Budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests that the Director of the Division of Local Government Services approve the insertion of an item of revenue in the **2016 Budget in the sum of \$35,073.71**, which is now available as a revenue from:

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

2016 Recycling Tonnage

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

#R131-2016 Authorize lower speed limit and place 4 way stop Grape and Central

RESOLUTION #131-2016

A RESOLUTION REQUESTING ATLANTIC COUNTY TO PROCEED WITH PLACEMENT OF A "4 WAY STOP"

AT THE INTERSECTION OF Central Avenue (CR 542) and Grape Street

WHEREAS, at the Regular Meeting of the Mayor and Council of the Town of Hammonton held September 26, 2016 the Mayor and Council authorized a request for a "4 Way Stop" at the intersection of Central Avenue (CR 542) and Grape Street; and

WHEREAS, at this meeting Mayor and Council further requested the lowering of the speed limit on Central Avenue (CR 542);

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Hammonton, County of Atlantic and State of New Jersey to request Atlantic County to authorize a 4 way stop at the intersection of Central Avenue (CR 542) and Grape Street as well as the lowering of the speed limit on Central Avenue (CR 542); and

BE IT FURTHER RESOLVED that the Clerk is authorized forward a certified copy of this resolution to Atlantic County Board of Chosen Freeholders along with police reports or any other documentation necessary for investigation in this matter.

#R132-2016 Authorize Assessor to Notify Governing Body of All Tax Appeals Filed
*which she does but the State wants to see it in writing

RESOLUTION #132-2016

RESOLUTION PROVIDING FOR THE TAX ASSESSOR TO NOTIFY GOVENING BODY
AND CHIEF FINANCIAL OFFICER OF TAX APPEALS FILED IN TAXING DISTRICT

WHEREAS, from time to time the Assessor receives tax appeals throughout the year for property located in the Town of Hammonton; and

WHEREAS, the Assessor is required to notify the Governing Body and Chief Financial Officer of the Taxing District of all tax appeals filed in said District;

THEREFORE BE IT RESOLVED, by the governing body of the Town of Hammonton that the Assessor is hereby authorized to report all appeals upon filing, but no later than June 1st of each year, to the Governing Body and the Chief Financial officer.

#R133-2016 Salary Resolution Code Enforcement Officer

#R133-2016
R E S O L U T I O N

WHEREAS, the Mayor and Common Council of the Town of Hammonton, by Ordinance fixed a salary range for the employment of the 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; and

WHEREAS, the time of service of any employee shall be computed as commencing in January of the year when the employee was hired.

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

Hourly Rate

<u>Employee</u>	<u>Title</u>	<u>(effective 09/19/16)</u>
Mark Rogers	Code Enforcement Officer Trainee	\$14.00

#R134-2016 Approve Community Shuttle Route Expansion

#R134-2016

A RESOLUTION APPROVING THE EXPANSION OF THE
ROUTE 54/40 COMMUNITY SHUTTLE ROUTE

WHEREAS, the Route 54/40 Community Shuttle provides a necessary service to the residents of the Town of Hammonton as well as surrounding communities;

WHEREAS, the Route 54/40 Community Shuttle Volunteers wish to expand the current shuttle route to proceed up to and include stops at Shop Rite and Walmart both located in the Town of Hammonton; and

WHEREAS, the expansion of the Route 54/40 Community Shuttle requires approval of the Governing Body;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey; are in support of and authorize expansion of the Route 54/40 Community Shuttle to include Shop Rite and Walmart of Hammonton.

PUBLIC HEARD

MEETING ADJOURNED