

Regular Meeting of Mayor and Council –May 15, 2017
Town Hall Council Chambers, 100 Central Avenue
Executive Session 6:00 P.M.
Public Session 7:00 P.M.

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

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

PRESENT ALSO

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

EXECUTIVE SESSION #R59-2017

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

Council Minutes from April 10, 2017
Executive Session April 10, 2017

DISPENSE WITH REGULAR ORDER OF BUSINESS

Hearing 2017 Budget

Resolution #60-2017 Adopt Budget

A RESOLUTION ADOPTING THE 2017 BUDGET

Be It Resolved by the Mayor and Council of the Town of Hammonton, County of Atlantic that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$9,243,061.96 (Item 2 below) for municipal purposes, and
- (b) None (Item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and,
- (c) None (Item 4 below) to be added to the Certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of General revenues and appropriations.
- (d) None (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e) None (Item 5 Below) Minimum Library Levy

1. General Revenues

Surplus Anticipated	08-100	\$ 1,304,700.00
Misc. Revenues Anticipated	40004-10	\$ 2,537,815.04
Receipts from Delinquent Taxes	15-499	\$ 10,000.00

2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL

PURPOSES (Item 6 (a), Sheet 11)	07-190	\$ 9,243,061.96
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3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I

SCHOOL DISTRICTS ONLY: Item 6, Sheet 42	07-195	0.00
Item 6 (b), Sheet 11 (N.J.S.40A:4-14)	07-191	0.00

Total Amount to be Raised by Taxation for Schools in Type I School Districts Only 0.00

4. TO BE ADDED TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:

Item 6 (b), Sheet 11 (N.J.S.40A:4-14)	07-191	0.00
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5. AMOUNT TO BE RAISED BY TAXATION MINIMUM

LIBRARY LEVY	07-192	0.00
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Total Revenues 40000-10 \$13,095,577.00

6. GENERAL APPROPRIATIONS:

Within "CAPS"

(a&b) Operations Including Contingent \$ 8,461,571.88

(e) Deferred Charges and Statutory Expenditures – Municipal \$ 979,460.03

(g) Cash Deficit 0.00

Excluded from "CAPS"

(a) Operations – Total Operations Excluded From "CAPS" \$ 49,543.63

(c) Capital Improvements \$ 165,000.00

(d) Municipal Debt Service \$ 2,246,889.00

(e) Deferred Charges – Municipal 114,820.60

(f) Judgements 0.00

(n) Transferred to Board of Education for Use of Local Schools (N.J.S.40:48-17.1 & 17.3) 0.00

(g) Cash Deficit 0.00

(k) For Local District School Purposes 0.00

(m) Reserve for Uncollected Taxes (Include Other Reserves if Any) \$ 1,078,291.86

7. SCHOOL APPROPRIATIONS-TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)

0.00

Total Appropriations

\$13,095,577.00

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 15th day of May, 2017. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2017 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Resolution #60A-2017 Capital Budget Amendment

WHEREAS, the local capital budget for the year 2017 was adopted on the 15th day of May, 2017; and

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

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

General Capital Fund

	<u>Total Cost</u>	<u>Capital Improvement Fund</u>	<u>Debt Authorized</u>	<u>Grant</u>
Water Tower Communication Center Generator Project	\$96,000.00	\$1,200.00	\$22,800.00	\$72,000.00(1)

(1) *State of New Jersey, Department of law and Public Safety, Division of State Police*

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

ATLANTIC CITY ELECTRIC LED LIGHT PRESENTATION

Public Hearing Ordinance #012-2017

AN ORDINANCE TO AMEND CHAPTER 247, ARTICLE III
OF THE GENERAL ORDINANCES OF
THE TOWN OF HAMMONTON

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

SECTION 1. Chapter 247, Article III, Section 247-13 is amended as follows:

§247-13. Commencement of Work; Notice; Backfilling and Restoration of Pavement; Traffic.

A. No openings shall be commenced or completed on weekends, holidays, or outside the normal working hours of 7:00 a.m. to 4:30 p.m. without written permission of the Engineer, and/or Business Administrator, Police Chief or his/her authorized representative unless in case of emergency. Failure to provide notice as required as stipulated herein may result in revocation of the permit and issuance of a stop-work order. The applicant shall be responsible to pay for all overtime costs incurred for inspection of work and for all required traffic control.

B. Permits shall become null and void unless the work is commenced within 60 days of the issuance of said permit, unless an extension of time is granted by the Town Engineer.

C. The applicant shall give a forty-eight-hour notice to the Town Engineer or his/her duly authorized representative and the Hammonton Police Department prior to making any road openings, except in cases of emergency as provided for in § 247-10B. No opening shall be commenced on a Saturday, Sunday or a holiday unless in cases of emergency. The failure of an applicant to provide the notice required by this article shall authorize the engineer to direct that all work shall cease for a period of 48 hours to permit the engineer to assign an engineer to the project in question.

D. The applicant shall give twenty-four hour written notice to all residences, businesses, **and property** owners located within the work zone area, which includes any roadway section that will be closed to traffic, (hereinafter

referred to as the "Affected Property Owners") prior to making any road openings, except in cases of emergency as provided for in §247-10B. The written notice shall provide the following information:

1. Section of any roadways that will be closed;
2. Reason for the roadway closures;
3. Length of time the roadway closures will occur; and
4. List of phone numbers and contact information to call in case of questions or emergency.

The applicant shall provide a list of all notices provided in accordance with this § 247-13(D) to the Engineer, Business Administrator and/or designated Town Official prior to the commencement of any work. The failure of an applicant to provide the notice required by this Article shall authorize the engineer to direct that all work shall cease for a period of twenty-four hours to permit the applicant to provide the appropriate notices to all residences, businesses and property owners.

E. The applicant shall provide the Engineer, Business Administrator and/or designated Town Official, Police Chief, and all Affected Property Owners twenty-four hour advanced written notice of the applicant's work schedule. The failure of an applicant to provide the notice required by this Article shall authorize the engineer to direct that all work shall cease for a period of twenty-four hours to permit the applicant to provide the appropriate notices to all residences, businesses and property owners.

F. The applicant, on the day of the actual road closure, road opening and/or commencement of any work, shall do the following:

1. Knock on all resident and business doors within the work zone area to make people aware of any road closure, the proposed work, and shall provide the same information set forth in § 247-13(D) and § 247-13(E), and any other information that may be of benefit;
2. Provide an explanation of any portion of any roadways that will be opened to local traffic only;
3. Make sure the blockage of any driveways is avoided to the greatest extent possible;
4. Make sure proper police traffic control, flaggers, etc., are placed at critical locations to keep the public informed of closures, access, etc. Flaggers are to be placed at all closures and intersections affected by the closure. Every reasonable effort is to be made to facilitate the residents and business requests during the closure;
5. Make sure the Hammonton Public School Bus Coordinator, Toni Mazza (609) 567-7078, is aware of any road closures particularly if access for school children at times of pick-up and drop-off are impacted;
6. Emergency access to properties within the section of road closure must be provided;
7. Avoid unnecessary idling of vehicles within the work zone area where possible;
8. Proper advance warning signs, cones, barrels, lights, etc., must be provided to alert the general public of the work zone area and restrictions.
9. The applicant's contractor is responsible to maintain a safe environment for workers and the general public;
10. Pictures of the affected areas are to be taken by the applicant's contractor and provided to the Engineer, Business Administrator and/or designated Town Official, both before and after the work is completed to ensure the affected areas are returned to the same condition as before the work commenced.

The applicant shall create a checklist out of the processes and procedures set forth in § 247-13(C), § 247-13(D), § 247-13(E) and this § 247-13(F), check off the items completed, sign and date the checklist and provide same to

the Engineer, Business Administrator and/or designated Town Official on the day of the actual road closure and/or commencement of the work.

G. All openings must be backfilled immediately and temporary restoration completed unless otherwise approved to provide for safe passage and in accordance with applicable restoration standards of the ordinance or as directed by the Engineer.

H. No work areas shall be closed to traffic without the approval of the Town Engineer and approval from the Town Police Chief or authorized representative. Proper signage and detour routes must be approved by the Police Chief.

I. With the exception of an emergency, no permits will be issued for road openings or any permanent restoration completed between December 15th and March 15th or where conditions exist due to severe weather, freeze and/or frost without written permission from the Town Engineer and/or Public Works Manager or Business Administrator.

J. Should a roadway opening permit be required between December 15th and March 15th and during the months when Hot Mix Bituminous Concrete is commercially unavailable, the trench or excavation surface shall be temporarily restored using a sub-base, eight inches thick, of dense graded aggregate DGA and a temporary paved surface course with UPM brand, or approved, equal to a depth of six inches from the roadway surface and shall be graded and compacted to meet the existing roadway surface grades.

SECTION 2. Chapter 247, Article III, Section 247-23, is amended as follows:

§247-23. Violations and Penalties.

A. Any person who shall violate any provisions of this article, for each offense, shall be subject to one or more of the following: a fine of not more than \$2,000, imprisonment for a period not to exceed 90 days or a period of community service not to exceed 90 days, and each day's continuance of such violation shall constitute a separate offense.

B. In addition to the violations and penalties set forth in § 247-23(A) above, any person who shall violate any provisions of this Article shall be subject to the issuance of a stop work order on all present and scheduled projects until the Town is satisfied, in its sole discretion, that this Article III will be followed.

SECTION 3. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of the inconsistency.

SECTION 4. If any section, sentence, or other part of this Ordinance is adjudged unconstitutional or invalid, that judgment shall not affect, impair, or invalidate the remainder of this Ordinance, but shall be limited in its effect to the specific section, sentence or other part of this Ordinance directly involved in the controversy in which the judgment shall have been rendered.

SECTION 5. This Ordinance shall take effect immediately upon final adoption and publication as required 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

PUBLIC WORKS ACTION ITEMS:

1. Tractor Supply Store Performance Bond (ARH #11-10030.03):

On Friday, May 5, 2017, Kevin Dixon and representatives from ARH conducted an on-site inspection related to Primax Properties request for a Performance Bond release. Upon inspection of the site, it was determined that there are a few site improvements and maintenance related items that must be completed. We provided the list to the developer and they will schedule the work to be completed.

We would therefore recommend that the remainder of the project Performance Bond could be released once the site improvement items are completed. We will present this recommendation to the PWTC and if acceptable, present it to Council at Monday's meeting.

Action Requested:

Release of the remaining portion of the project Performance Bond subject to the following conditions:

1. Favorable completion of the site Performance Bond related improvement items.
2. All outstanding bills are satisfied.
3. Favorable recommendation from the PWTC and Quality of Life Committee.

2. **Utility/Road Improvement Project Construction Management (ARH #11-01000):**

Action Requested:

The PWTC has authorized the issuance of a purchase order to ARH Associates in the amount of \$45,000.00 that would finalize the construction management tasks for the various roadway/utility projects completed over the last few years.

SEWER AND WATER ACTION ITEMS:

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

A pre-construction meeting was held on April 26 at which time we were informed that Schultes intended to Mobilize to perform the work on or about May 8 and that well would be out of service for approximately 3 weeks. Our office was then notified on May 8th by the project manager for Schultes that the design developed by the contractor using a Johnson Muni-Pak screen presented design concerns regarding uplift, given the resistant uplift weight of the screen and packing. We were provided an alternate design that incorporated a relief screen above the Muni-Pak. The contractor is not planning to request any additional money from the Town to incorporate the relief screen, however, a modification of this nature requires them as the licensed master well driller to obtain approval from the NJDEP. Once the approval is granted Schultes has indicated the schedule would progress immediately with the work. Hopefully the approval will come quickly, but if an approval is not received within the next week or so the Town should probably consider holding off on the work until early fall in order to make sure that Well #4 is available through the summer months.

Also as discussed, AC Schultes has provided the Town with a cost estimate dated 4/24/17 totaling \$1,790.00 to complete the 8 hour flow test on the well as required by the NJDEP permit. This will be part of a new purchase order for the project.

Action Requested:

Authorize the expenditure of \$1,790.00 as per AC Schultes 4/24/17 estimate (copy attached) to conduct the 8 hour flow test to waste as required by the NJDEP permit and issue a Purchase Order for same.

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

TKT and their subcontractors have been working diligently over the last few weeks to meet the mid-month completion deadline in their contract. It appears the following tasks will extend beyond this date but all should be substantially complete by the end of the month.

1. DGA , Asphalt Paving & Exist Paving Seal Coat - finish by 5/31 (3 days)
2. Roof Mounted Supply and Exhaust Fans - finish by 5/26 (1 day)
3. Storm water Basin Topsoil and Seeding - finish by 5/26 (4 days)
4. Installation of interior Pendant and exterior Wall mounted Light Fixtures- finish by 5/19 (4 days)
5. Floor Seal Coat - finish by 5/26(2 days)
6. Automatic Door Openers on Overhead Doors finish by 5/19 (2 days)
7. Fence and Gate Opener (PWTC Discussion)
8. Material Storage Bins (PWTC Discussion)

After discussion with the contractor and PWTC, the following actions are recommended.

Action Requested:

A decision related to the following items must be provided to the contractor.

1. The contractor will be given until Friday, May 26th to have the contract substantially completed except for the fence, gate, opener, storage bins and a portion of the site paving.
2. The contractor is authorized to complete the gate and fence installation as provided in the original contract.
3. The contractor is authorized to construct 4 as opposed to 6 material storage bins resulting in a credit of \$7,800.00 to the Town from the contract price. A change order memorializing same will be provided for execution by the Town Officials.
4. A credit of \$7,000.00 is allotted to the Town as related electrical work deleted from the original contract. A change order memorializing same will be provided for execution by the Town Officials.

PUBLIC WORKS INFORMATION ITEMS:

5. **2017 State Aid Funding (ARH #11-01000):**

The NJDOT has indicated that the municipalities should receive a notice of their decision in June related to the applications filed earlier this year.

6. **Railroad Avenue/Pleasant Street Site Remediation (ARH #11-01000): No Status Change**

The NJDEP has contacted Henry Weigel as the LSRP for the Town as related to clean-up of the property noted above designated as Block 2421, Lot 2.03 on the tax map. Apparently, there is now funding available to the Town for this site. Jennifer Beers from our office met with Jerry Barberio and the NJDEP representative. Jerry will obtain additional information for further discussion with the PWTC before presenting same to Council.

7. **14th Street Roadway Improvements (ARH #11-40050):**

Our office has obtained new signatures on all required forms and we re-submitted the closeout package to NJDOT on May 9, 2017. Once NJDOT approves the submission they will issue final reimbursement and close the project out with the Town.

8. **Octagon Oil Property – Central Avenue & Vine Street (ARH #11-01060): No Status Change**

The continuing trend of decreasing contaminant concentrations supports the Town's desire to effectuate monitored natural attenuation (MNA) as the preferred remedial option at the site over active remediation. Since this administrative approach will require additional work to get NJDEP to review and approve it as the sole long-term solution, ARH will prepare a proposal to complete the required work for the Town's consideration at an upcoming meeting of PWTC.

9. **Hammonton Bike Path Extension (ARH #11-40052): No Status Change**

All permits are in hand for this project and the design is complete. We hope to hear from the NJDOT during June of this year related to the additional funding request. Once the funding allotment is established, the project construction limits will be reviewed with Council.

10. **2013 Hammonton Utility & Road Program (ARH #11-40046):**

All final change orders have been submitted to NJEIT and NJDOT respectively. NJDOT has accepted the final change order and once the project is officially closed out with the Contractor we can proceed with NJDOT closeout. NJEIT had some questions on the submitted change orders. The change orders were discussed and a file review was conducted with NJEIT on May 10, 2017. Our office has to submit some additional information to NJEIT in support of the change orders which will occur shortly. After the information is submitted we anticipate NJEIT's concurrence and approval of the change orders.

SEWER AND WATER INFORMATION ITEMS:

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

Construction activities have been on hold since January 13, 2017. Construction will resume in May when the Contractor will return to the site to construct the final surface course pavement. Our office submitted a

preliminary punch list, which includes the milling and repaving of the Broadway intersection. The Contractor has repaired a number of water boxes that were inaccessible, and performed some topsoil and seeding. We have also worked with the Contractor to finalize the quantities for all completed line items in the Contract.

Mathis Construction attended the PWTC meeting on May 11, 2017, to discuss project scheduling, the outstanding punch list items, and the status of the final paving of Valley Avenue and the repaving of the Broadway intersection. Mathis will begin addressing the punch list items on May 16, 2017, and will complete the remaining concrete work starting May 22, 2017. Repairs to the roadway base course along Valley Avenue will be made during the week of May 21, 2017, in anticipation of constructing the final surface course starting May 30th. Mathis will be using a subcontractor to perform the roadway preparation and final paving work. Per the schedule submitted by Mathis, final paving and traffic striping June 2, 2017, weather permitting.

The Contractor has submitted forty-one (41) Change Order requests to date. Of the 41 claims, 19 have been acted upon by the Town. We have sent a letter to the Contractor stating that since the time period to submit supporting documentation for the outstanding 22 claims has elapsed, all outstanding claims have been denied. The Contractor has not responded as of this date.

12. Treatment Plant Dump Station (ARH #11-01000):

TKT has completed the drain installation, poured the concrete pad work and erected masonry walls. Work remaining to be performed includes the installation of sand media and protective grating on filtrate collection vault, construction of DGA driveway and final yard restoration. It is anticipated that all work will be complete by end of month.

13. LTCWMP Report I&I (ARH #11-50142): No Status Change

We have provided the monthly flow distribution and project updates to the Pinelands Commission as authorized by Council.

14. White Horse Pike/Cedar Branch Stream Water Main Replacement (ARH #11-30161):

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 prepared for signature and executed, we could finalize the design plans and specifications for the receipt of price quotes or proceed as directed by Council.

15. 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 weekly update memos to Council of their work progress. We did meet on-site with the Town, SJ Gas and their consultants to prepare a punchlist for the remaining work associated with site restoration and monitoring. We will be meeting again on Wednesday, May 17th to review the status for completion of the punchlist items. We anticipate to have all the on-site and off-site improvements completed by early June.

SOLICITOR REPORT

- Reinstate Volunteer Fire Member William Tomasello Fire Company #2

MAYOR REPORT

PWM/BUSINESS ADMINISTRATOR REPORT

TOWN CLERK REPORT

- 1) Accept resignation of Susan Carroll Keyboard Clerk 1
- 2) Approval for hire Bruce Perna, retro to May 1st as P/T Temporary Park Attendant at \$12.00 per Hour 19 hours a week
- 3) Authorize Purchase Agent to Bid Health Insurance
- 4) Approve the removal of Tyler Maccarella as member from Fire Company #2. Approved by Fire Company #2 at Their regular monthly meeting held on April 12, 2017

APPROVE BILL LIST & PURCHASE ORDERS

NEW BUSINESS

ORDINANCES FOR INTRODUCTION

Re-introduce Ordinance #010-2017 Amend Chapter 175

RE INTRODUCED (as approved by Planning Board)
AN ORDINANCE TO AMEND CHAPTER 175, ARTICLE XIII
OF THE GENERAL ORDINANCES OF
THE TOWN OF HAMMONTON

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

SECTION 1. Chapter 175, Article XIII, Section 155 is amended as follows:

§175-155(A)(14) Hospitals, as defined in §175-10, which may include:

(a) Emergency departments, outpatient medical offices, diagnostic services including imaging centers, surgical centers, cancer treatment, physical therapy, pharmacies, and such educational, clinical, and research facilities as are integral to the operation of the hospital; and

(b) Ancillary and accessory uses such as helipads, employee daycare, gift shops, cafeteria, coffee shops, administrative and staff offices and offices for either affiliated or nonaffiliated professionals which are integrated with the hospital facilities or complex.

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

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

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

Introduce Ordinance #013-2017 Establishing Tenure for Public Works Manager

AN ORDINANCE ESTABLISHING TENURE
FOR JEROME BARBERIO, PUBLIC WORKS MANAGER

WHEREAS, Jerome Barberio was hired as Public Works Manager for the Town of Hammonton on April 16, 2012; and

WHEREAS, Jerome Barberio is a Certified Public Works Manager with the State of New Jersey Department of Community Affairs; and

WHEREAS, the position of Public Works Manager in the Town of Hammonton is the only position that does not establish tenure or permanency through New Jersey Civil Service Commission; and

WHEREAS, it is in the best interest of the Town of Hammonton to continue to employ the current Public Works Manager, Jerome Barberio; and

WHEREAS, N.J.S.A. 40A:9-154.6 allows a governing body to pass an ordinance establishing tenure for the position of Public Works Manager;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY that Jerome Barberio be tenured as Public Works Manager for the Town of Hammonton pursuant to N.J.S.A. 40A:9-154.6; and

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

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

Introduce Ordinance #014-2017 Bonds Ordinance Generator Project

BOND ORDINANCE PROVIDING FOR THE WATER TOWER COMMUNICATION CENTER GENERATOR PROJECT IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$96,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$22,800 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 \$96,000, including the sum of \$72,000 received as a State of New Jersey, Department of Law and Public Safety, Division of State Police grant and also including \$1,200 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 \$22,800 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 water tower communication center generator project, including all work and materials necessary therefor 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 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 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 \$22,800, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$19,200 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(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.

RESOLUTIONS

Resolution #061-2017 Authorize National Night Out

AUTHORIZE NATIONAL NIGHT OUT EVENT & FIREWORKS DISPLAY

WHEREAS, August 4th (August 5th rain date) is the scheduled date for the National Night Out Event in the Town of Hammonton; and

WHEREAS, this year's event will include fireworks display to be held at Hammonton High School located on Old Forks Road in Hammonton;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, that the National Night Out Event and Fireworks Display is authorized along with assistance from Hammonton Police Department and other town departments as deemed necessary; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are authorized to sign Atlantic County License Agreement and any other paperwork that is necessary for this event; and

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

Resolution #062-2017 Authorize Issuance of ABC Licenses

RESOLUTION OF THE TOWN OF HAMMONTON, ATLANTIC COUNTY, NEW JERSEY, AUTHORIZING THE ISSUANCE OF ABC LICENSES BEGINNING JULY 1, 2017 AND EXPIRING JUNE 30, 2018

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

License Number

Consumption License

0113 32 014 011	Intermex Inc. t/a Fiesta Mexicana Restaurant Location: 327-12th St.
0113 33 011 005	Hammonton Discount Liq & Bar t/a Railroad Bar & Grill Location: 18 Railroad Ave.
0113 32 005 006	GK of Palana Inc. t/a Pike Wines & Liquors Location: 111 N. White Horse Pike
0113 33 024 006	Cafe San Rocco, Inc. t/a Roccas Town House Location: 21 N. Third St.
0113 33 010 003	Hammonton Joey Corp. t/a Maplewood Inn Location: 470 S. White Horse Pike
0113 33 019 007	E.J.'s Westend Inc. t/a West End Grill Location: 201 - 12th St.
0113 33 018 009	GB Liquors LLC t/a GB Liquors LLC Location: 104 Fairview

<u>License Number</u>	<u>Consumption License</u>
0113 33 020 003	Hammonton Fortunas Inc. t/a Illiano's Restaurant Location: 705 - 12th St.
0113 33 007 003	Filomena Boccella t/a The Olde Central Location: 15 N. Egg Harbor Road
0113 33 001 006	Kerri Brooke Caterers Inc.

t/a Kerri Brooke Caterers Inc.
Location: 755 S. White Horse Pike

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

0113 33 013 017 Trinity Vintners Investment Holdings
t/a Annata
Location: 216 Bellevue Ave.

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

0113 32 012 006 Westwind Assoc Inc.
t/a Joe Canal's Discount Liquor
Location: 80 S WHP St2

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

0113 33 022 014 Tomasellos Catering Services LLC
t/a none
Location: 225 N. White Horse Pike

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

License Number **Distribution License**
0113 44 004 009 Bellevue Wines & Liquors LLC
new last number t/a None
Location: 1-12th St.

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

0113 44 016 011 Superior Inc.
t/a West Side Discount Liquors

Location: 730 - 12th St.

License Number
0113 31 026 001

Club License
Guiseppe Garibaldi Lodge
t/a Sons of Italy
Location: 427 N. Third St.

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

BE IT FURTHER RESOLVED that above listed liquor license(s) renewals are contingent upon: Receipt of Liquor License Renewal Applications, State and Local liquor license renewal fees being paid, receipt of State Tax Clearance, Local Tax, Water, Sewer, Business Registration Payments Received as well as other local fees and/or fines.

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

BE IT FURTHER RESOLVED liquor licenses requiring a "Special Ruling" will be renewed by a separate resolution upon receipt of NJ ABC Special Ruling.

Resolution #063-2017 Tax Refund

RESOLUTION 63-2017

WHEREAS, the following accounts need to have amounts credited, transferred, cancelled, Refunded, or changed.

B&L	NAME	ADDRESS	AMOUNT	ACCT.	REASON
3501-46	Perry	715-717 Bellevue rear	34.58	tax	combined with 3501-43 cancel
3501-44	Perry	715 Bellevue	760.62	tax	combined with 3501-43 cancel
3501-46	Perry	715-717 Bellevue rear	17.29	tax	tran pmt. To 3501-43
3501-44	Perry	715 Bellevue	380.31	tax	tran pmt. To 3501-43
1803-11.25	Fean	13 Alexander Drive	3,103.14	tax	tax exempt remove billing
2712-3	Toothman	422 Pratt St	1,092.91	tax	Refund o/p
2906-2	Fed nat'l	114 Maple St	218.75	util	Refund o/p to D. Boddy
3301-35	Tracey	392 Valley	325.47	tax	lien sold in error refund Lori Nicolosi
3301-35	Tracey	392 Valley	20.00	tax	tax sale cert payable Atlantic County

WHEREAS, the above amounts have been corrected in the utilities screen's and or tax screen to show the correct amount due. However, a requisition form will not be presented for any refunds until approval by Mayor and Council; and

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

NOW THEREFORE BE IT RESOLVED by mayor and council to authorize and direct the Tax Collector to take the above said action.

Resolution #064-2017 Various Refund

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

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

Solar City Building Permit \$315.00

Resolution #065-2017 Grant Agreement

GRANT AGREEMENT BETWEEN
HAMMONTON FIRE DEPT.
AND
THE STATE OF NEW JERSEY
BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

GRANT IDENTIFIER: FS17-099
GOVERNING BODY RESOLUTION

WHEREAS, the Hammonton Fire Department, desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$4,929.45 to fund the following project:

Volunteer Fire Assistance Grant

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Hammonton in the County of Atlantic and State of New Jersey, that Stephen DiDonato the Mayor of the Town of Hammonton is authorized (a) to make application the grant application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in the amount of not less than \$4,929.45 and not more than \$4,929.45 and (c) to execute any amendments thereto which do not increase the grantee's obligations.

The Mayor and Council of Hammonton authorize and hereby agree to match 50% of the total project amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified.

PUBLIC HEARD

MEETING ADJOURNED