

Regular Meeting of Mayor and Council April 29, 2019  
Town Hall Council Chambers, 100 Central Avenue  
Executive Session 6:00 P.M.  
Public Session 7:00 P.M.

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilperson:

Furgione - Present

Giralo - Present

Gribbin - Present

Rodio- Present

Sacco - Present

Torrissi – arrived at 6:07

Mayor DiDonato - Present

PRESENT ALSO

Michael Malinsky, Town Solicitor –left close at 6:05, returned at 6:30

Brian Howell, Conflict Solicitor – Arrived at 6:05 left at 6:30

EXECUTIVE SESSION Resolution #63-2019

Motion by Council Person Gribbin Second Giralo  
Enter into Executive Session

Motion by Council Person Giralo Second Torrissi  
Close session return to regular session, Resolution #063-2019 is adopted

RESUME REGULAR MEETING-ROLL CALL

Councilperson:

Furgione - Present

Giralo - Present

Gribbin - Present

Rodio- Present

Sacco - Present

Torrissi – Present

Mayor DiDonato - Present

PRESENT ALSO

Michael Malinsky, Town Solicitor

Bob Vettese of ARH, Town Engineer

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. Each person who wishes to address Council will be allotted 5 minutes.

PLEDGE OF ALLEGIANCE

PUBLIC HEARD FOR AGENDA ACTION ITEMS

APPROVAL OF MINUTES

Executive Minutes March 25, 2019  
Council Minutes March 25, 2019  
Special Meeting March 28, 2019  
Special Meeting April 4, 2019

Motion by Council Person Giraldo Second Torrisi  
Minutes are approved

Roll Call

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

Mayor DiDonato declares motion is carried

PRESENTATION

- Chris Wines congratulations
- Red Cross

DISPENSE WITH REGULAR ORDER OF BUSINESS

**Public Hearing Ordinance #006-2019 Bond Ordinance Various Capital Improvements**

BOND ORDINANCE PROVIDING FOR THE INSTALLATION OF SEWER LINES AND RELOCATION OF INTERCEPTOR LINE ON BOYER AVENUE AND THE PURCHASE OF EQUIPMENT FOR THE UTILITY DEPARTMENT IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$350,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$332,500 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 improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") as general improvements. For the improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$350,000, including the aggregate sum of \$17,500 as the down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made 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 improvements or purposes not covered by application of the down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$332,500 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. The improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefore, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
a) Installation of sewer lines on Boyer Avenue and relocation of interceptor line	\$250,000	\$237,500	40 years
b) Purchase of equipment for Utility Department	<u>\$100,000</u>	<u>\$95,000</u>	15 years
TOTALS:	<u>\$350,000</u>	<u>\$332,500</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefore, as above stated, is the amount of the down payment for each purpose.

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

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

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

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

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

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 32.85 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 \$332,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$70,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

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

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

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

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy ad valorem taxes upon all the taxable

real property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

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

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

Motion by Council Person Giraldo Second Furgione  
The Public hearing is closed; the ordinance has passed 2<sup>nd</sup> reading and is adopted

Roll Call

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

Mayor DiDonato declares motion is carried

COMMITTEE REPORTS

Administration - Councilman Gribbin

Reviewed April 4<sup>th</sup> meeting regarding hiring Business Administrator made the following recommendation.

Approval to appoint Frank Zuber to Acting Business Administrator until all ordinances and resolutions are adopted and approved, once adopted appoint as Business Administrator

Motion by Council Person Gribbin Second Torrissi

Roll Call

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

Mayor DiDonato declares motion is carried

Business & Industry – Councilwoman Sacco

- Reviewed the Chamber Wine and beer event that will be held on 5/9/19
- The chamber will also have an award ceremony on 5/21/19
- June 30<sup>th</sup> is the Blueberry Festival
- May 3<sup>rd</sup> is the Teens Art Festival
- Friday May 17<sup>th</sup> is Cruzin MainStreet
- Bread heads Bakery is opening up in May on South 2<sup>nd</sup> Street

Quality of Life - Councilwoman Sacco

- Historical Society will have an open house on May 19<sup>th</sup>
- June 2<sup>nd</sup> There will be a home and garden tour
- 700 trees were given to residents by the Env. Comm..
- Rain Barrel event 5/4/2019 at the canoe at noon

Education - Councilman Torrissi

- School will have their budget hearing at 6 pm this Thursday May 2.

Public Works & Transportation - Councilman Rodio

- Reviewed the action items under the engineer's report
- 2<sup>nd</sup> Road Improvement Update
- Update on Bulky pickup in May

Water & Sewer - Councilman Furgione

- Update on the fire Hydrant flushing
- The installation of water meters
- Soccer field at Boyer Ave have been seeded and fertilized
- Update on the drying system at Sewer Plant

ENGINEER REPORT

**Public Works Action Items**

**1. Washington Street Reconstruction CDBG Funds (ARH #11-40054):**

We are completing the final work on the design plans and specifications for submission to the County CDBG program for approval to advertise and bid. The project must be bid, awarded, construction started and the first contract payment request approved for reimbursement by the June 2019 meeting. The CDBG program has allotted \$146,172.00 to Hammonton for the project. This amount plus \$30,000.00± for construction management and an allowance for contingencies, police traffic control, asphalt price adjustment, etc. of about \$30,000.00 should be introduced for project bond funding. The total bond amount should be \$200,000.00±. Introduction of the bond ordinance at the April Council meeting will occur.

**Action Requested:**

Introduction of the project funding bond ordinance and authorization for ARH to submit the design plans, specifications, reports, etc. to the Atlantic County CDBG program review staff.

Motion by Council Person Rodio Second Furgione  
Approval to Submit plans to CDBG for Washington Street.

Roll Call

Councilperson:

Furgione – Yes

Giralo – Abstain- this is from the county

Gibbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

**2. 2018 State Aid Funding (14<sup>th</sup> Street) (ARH #11-40056.01):**

Bids for this project were received on March 28, 2019. The low bidder was Arawak Paving in the amount of \$248,000.00. The bids were very competitive and came in well under the grant allotment. We will prepare a Scope Modification form for approval by the NJDOT to extend the limits of the project along 14th Street, to maximize the grant. We have prepared a Recommendation of Award and Resolution of Award. We have

also provided our proposal for Construction Management, Inspection, and Materials Testing, in the amount of \$35,000.00. We note that the cost of our services is covered within the NJDOT grant.

**Action Requested:**

Award a contract to Arawak Paving, in the amount of \$248,000, for the 14<sup>th</sup> Street Roadway Improvements Project. Approve ARH's proposal (copy attached) in the amount of \$35,000.00 for Construction Management, Inspection, and Materials Testing services.

Motion by Council Person Rodio Second Furgione

Award Contract to Arawak for 14<sup>th</sup> Street Roadway, Contingent upon 2<sup>nd</sup> reading and estoppel period of Ordinance for funding.

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

3. PEG Bandwidth Project Performance Bond Release (ARH #11-45016.55):

The Town had received a request from Justin Moffitt from Uniti Fiber about the release of a performance bond #112843 for installation of a fiber optic cable within various Town road R.O.W.'s. The work was satisfactorily completed in 2017 under a roadway opening permit #055-16. We recently inspected the area of restoration, which has been satisfactorily addressed.

**Action Requested:**

It is recommended that the project performance bond be released, any remaining escrow fees be returned and the Town Clerk be authorized to respond to the applicant on this request.

Motion by Council Person Sacco Second Giralo

Approval to release performance bond for PEG Bandwidth

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Motion by Council Person Rodio Second Giralo

Approval to for Mayor to Sign NJEDA Raid Road Ave agreement (Celona Property)

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

SOLICITOR REPORT

**Introduction of Ordinance #010-2019 Amend Chapter 54 of the Code of the Town of Hammonton**

AN ORDINANCE TO AMEND CHAPTER 54 OF THE GENERAL ORDINANCES OF THE TOWN OF  
HAMMONTON

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

1. Chapter 54, Section 54-1 is amended to read as follows:

§54-1. Establishment of Business Administrator.

There shall be an office of the Business Administrator. The Business Administrator shall be a person qualified by education, training and experience to perform the duties of his or her office. He or she shall devote his or her entire time to the duties of the office and shall not engage in any other employment, except with the permission of the Mayor and Council. He or she shall be under the direct supervision of the Mayor and Council.

2. Chapter 54, Section 54-2, is amended to read as follows:

§54-2. Term; Removal; Absence of Business Administrator.

(a) Term. The term of office of the Business Administrator shall be at the pleasure of the Mayor and Council. The first six months of any such appointment to the position of Business Administrator shall be for a probationary period. Prior to the completion of the six-month probationary period, the appointee to the position of Business Administrator may be removed from office by a vote of a majority of the full membership of the Mayor and Council.

(b) Removal from office. After the probationary period, the Business Administrator may be removed by a two-thirds vote of the Mayor and Council. The resolution of removal shall become effective three months after its adoption by the Mayor and Council. Notwithstanding the previous sentence, Mayor and Council may provide that the resolution shall have immediate effect; provided, however, that the Mayor and Council shall cause to be paid to the Business Administrator forthwith any unpaid balance of his or her salary and his or her salary for the next three calendar months following the adoption of the resolution. The Business Administrator shall not obtain or be granted any rights of tenure.

(c) Absence or disability of the Business Administrator. During the absence or disability of the Business Administrator, the Mayor and the Council may, by resolution, appoint an appointed official or employee of the Town to perform the duties of Business Administrator during such absence or disability. In the event the Business Administrator is unexpectedly absent prior to a regularly scheduled Council meeting, the Mayor may appoint an appointed official or employee of the Town to serve until the next regularly scheduled Council meeting. The absence or disability of the Business Administrator shall be limited to three continuous months, after which time the absence or disability may be deemed a vacancy by the Mayor and Council. Unless otherwise provided herein, no acting Business Administrator shall be paid more than his or her regular salary while serving in that capacity, but he or she shall be reimbursed for all necessary expenses incurred in the performance of that office.

3. Chapter 54, Section 54-3, is amended to read as follows:

§54-3. Compensation of Business Administrator.

The compensation of the Business Administrator shall be as fixed in the Salary Ordinance of the Town.

4. Chapter 54, Section 54-4, is amended to read as follows:

§54-4. Duties and responsibilities of Business Administrator.

The Business Administrator shall be responsible to the Mayor and Council for the proper and efficient administration of the business affairs of the Town. The Business Administrator's duties and responsibilities shall relate to the management of all the Town's business, except those duties and responsibilities conferred upon other Town officials by state statute, other applicable laws, rules and regulations promulgated by state, county or Town ordinances or such duties as the Mayor and Council shall reserve or delegate onto itself or to others. The Business Administrator shall see that all ordinances, resolutions and policies of the Mayor and Council and all state and federal laws requiring municipal action are faithfully carried out by those persons responsible for doing so. For the purpose of carrying out the responsibilities of his or her office, the Business Administrator shall develop and promulgate for adoption by the Mayor and Council sound administrative, personnel and purchasing practices and procedures for all departments, offices, boards, commissions and agencies of the municipality, all for the purpose of increasing the effectiveness and efficiency of Town government. The Business Administrator shall perform all of the duties hereinafter enumerated and such other duties as may be assigned by the Mayor and Council. In addition, the Business Administrator shall be responsible for the following enumerated duties:

- (a) Daily operation. Implement all policies of the Town necessary to carry out daily operations and activities of the Town by correspondence, review of minutes and personal contact.
- (b) Information and complaints. Inform the Mayor and Council and the residents of the municipality on all matters relating to the activities and operations of municipal government; receive and follow up on complaints on all matters and apprise the Mayor and Council thereof.
- (c) Public information. Edit and compile public information for distribution to the Mayor and Council.
- (d) Recommendations. Continuously study all activities and operations of municipal government and recommend changes for the purpose of increasing efficiency, economy and effectiveness; recommend such rules and regulations as shall be deemed necessary, with the approval of the Mayor and Council, for the conduct of administrative procedures.
- (e) Advice. Advise the Mayor and Council with respect to all pertinent information necessary to assist it with the establishment of policies and decisions.
- (f) Reports. Prepare and present to the Mayor and Council reports required from time to time on municipal affairs and prepare an annual report of the Business Administrator's work for the benefit of the Mayor and Council and the public.
- (g) Attendance. Attend all regular meetings of the Mayor and Council with the right to speak, but not to vote, on all agenda items and attend other meetings as directed by the Mayor and Council or as necessary to carry out the duties of Business Administrator. The Business Administrator shall receive notice of all special meetings of the Mayor and Council and all advisory committees, boards, commissions and other agencies of the Town. Attend all meetings of the Administration Committee.
- (h) Liaison. Serve as liaison to all departments, advisory committees, boards, commissions and other agencies of the Town.
- (i) Labor Relations/Human Resources. Oversee and assist in the administration and resolution of labor relations and human resources issues involving the employees of the Town of Hammonton.

- (j) Town Engineer. Consult with and act as a liaison between the Mayor and Council and the Town Engineer regarding all operations and policy matters.
- (k) Financial Management. Be responsible for providing oversight of the Town's daily financial operations, including, but not limited to, providing supervision of the Town accountant.
- (l) Budgets. Be responsible for the preparation of the operating and capital improvement budgets for presentation to the Mayor and Council and for administration of the budget approval process by the governing body. In preparing the proposed budget, the Business Administrator shall direct department heads to submit their portion thereon and shall request all supporting data he or she deems necessary. The Business Administrator shall assist members of the governing body and department heads in preparing their input to the municipal budget. The Business Administrator shall thoroughly review all budget requests and submit recommendations with respect thereto to the Mayor and Council in a timely fashion.
- (m) Purchasing. Be in charge of reviewing all requisitions from all departments for materials, equipment and supplies and certifying the receipt of the same. He or she shall require the various departments to furnish an adequate inventory of all materials, equipment and supplies in stock and to recommend the sale of any surplus, obsolete or unused equipment when authorized by the Mayor and Council.
- (n) Examine and inquire. Have the power to investigate, examine or inquire into the affairs or operations of any department, commission, office, board or agency of the municipal government, unless prohibited by law.
- (o) Public information. Implement and enforce the policies of the Mayor and Council with respect to the compiling and release of public information.
- (p) Coordination of information. Integrate and coordinate the functions of all departments, commissions, boards, agencies, offices and officials and maintain liaison with the local school systems. The Business Administrator shall be responsible for continuously improving communications among the various Town personnel, departments, commissions, agencies, boards and governing bodies.
- (q) Recommendation of experts and consultants. Recommend the employment of experts and consultants to perform work and render advice in connection with Town projects.
- (r) Supervision of personnel. Subject to law, supervise all personnel of the Town through the respective department heads and direct the business activities of all Town departments, recommending to the Mayor and Council or its designated committees the employment and replacement of personnel as may be required in said departments within the limits prescribed by the budget. The Business Administrator shall have no authority over the operations of the Police Department delegated by law to the Chief of Police.
- (s) Enforcement of law and contracts. Determine that all terms and conditions imposed in favor of the municipality or its inhabitants in any statute, public utility franchise or other contract regulation or ordinance are faithfully kept and performed and, upon learning of any violation thereof, apprise the Mayor and Council.
- (t) Public improvements. Recommend the need for, the nature of and the location of all public improvements and coordinate and expedite the execution of those public improvements authorized by the Mayor and Council.

- (u) Safety responsibilities. Develop and implement all necessary safety instructions and training for employees, Town personnel and Town officials.
- (v) Recycling. Serve as recycling coordinator for the Town and oversee all actions necessary to fill the Town's recycling requirements.
- (w) Grants. Investigate the availability of and report to the Mayor and Council the feasibility of obtaining grants from federal, state and private sources and apply for and administer such grants as are authorized by the Mayor and Council.
- (x) Other duties. The Business Administrator shall perform such additional administrative duties and functions as may be from time to time assigned by the Mayor and Council.

5. Chapter 54, Section 54-5, is amended to read as follows:

§54-5. Authority of Mayor and Council.

Nothing herein shall derogate or reduce the powers and duties of the Mayor and Council or authorize the Business Administrator to exercise the power and duties thereof except as authorized.

6. Chapter 54, Section 54-6, is amended to read as follows:

§54-6. Classification of Position of Business Administrator.

It is the intention of Mayor and Council in creating this position to deem same as "unclassified" for civil service purposes. The person selected shall utilize the local title "Municipal Department Head."

7. Chapter 54, a Section 54-7 is added which reads as follows:

§54-7. Establishment of Public Works Manager.

There shall be an office of the Public Works Manager. The Public Works Manager shall be a person qualified by education, training and experience to perform the duties of his or her office. The Public Works Manager shall devote his or her entire time to the duties of the office and shall not engage in any other employment, except with the permission of the Mayor and Council. The Public Works Manager shall be under the direct supervision of the Mayor and Council.

8. Chapter 54, a Section 54-8 is added which reads as follows:

§54-8. Term; Certification; Qualifications; Absence; and Removal of Public Works Manager.

(a) Term. The term of office of the Public Works Manager shall be at the pleasure of the Mayor and Council. The first six months of any such appointment to the position of Public Works Manager shall be for a probationary period. Prior to the completion of the six-month probationary period, the appointee to the position of Public Works Manager may be removed from office by a vote of a majority of the full membership of the Mayor and Council.

(b) Certification. No person shall be selected to perform the duties of Public Works Manager unless he holds a public works manager certificate issued pursuant to N.J.S. 40A:9-154.6c, which certificate has not been revoked or suspended in accordance with the provisions of N.J.S. 40A:9-154.6f. Notwithstanding the previous sentence, when a vacancy occurs with the Public Works Manager, Town Council may select, for a period not to exceed one (1) year and commencing on the date of the vacancy, a person who does not hold a certified public works manager certificate to perform on an interim basis, the duties of the Public Works Manager.

(c) Qualifications. The Public Works Manager, at a minimum, must have served at least five (5) of the last ten (10) years in a position of public or private public works,

construction management or civil engineering and devoted no less than fifty percent (50%) of the person's work time to daily, direct supervision of public works activities.

- (d) Absence. During the absence or disability of the Public Works Manager, the Mayor and the Council may, by resolution, appoint an appointed official or employee of the Town to perform the duties of Public Works Manager during such absence or disability. In the event the Public Works Manager is unexpectedly absent prior to a regularly scheduled Council meeting, the Mayor may appoint an appointed official or employee of the Town to serve until the next regularly scheduled Council meeting. The absence or disability of the Public Works Manager shall be limited to three continuous months, after which time the absence or disability may be deemed a vacancy by the Mayor and Council. Unless otherwise provided herein, no acting Public Works Manager shall be paid more than his or her regular salary while serving in that capacity, but he or she shall be reimbursed for all necessary expenses incurred in the performance of that office.
- (e) Removal. After the probationary period, the Public Works Manager may be removed by a two-thirds vote of the Mayor and Council. The resolution of removal shall become effective three months after its adoption by the Mayor and Council. The Mayor and Council may provide that the resolution shall have immediate effect; provided, however, that the Mayor and Council shall cause to be paid to the Public Works Manager forthwith any unpaid balance of his or her salary and his or her salary for the next three calendar months following the adoption of the resolution. The Public Works Manager shall not obtain or be granted any rights of tenure.

9. Chapter 54, a Section 54-9 is added which reads as follows:

§54-9. Compensation for Public Works Manager.

The compensation of the Public Works Manager shall be as fixed in the Salary Ordinance of the Town.

10. Chapter 54, a Section 54-10 is added which reads as follows:

§54-10. Duties and responsibilities of Public Works Manager.

The Public Works Manager shall be responsible to take charge of and be responsible for the construction, operation and maintenance of all public buildings, grounds, streets, roads and other facilities, including general administrative responsibilities for the Town sewer and water systems, the cutting of brush, mowing of grass and removal of snow, the cleaning of ditches, the maintenance of parks and the care of other public works in the Town, subject to the orders and directions of the Council. In addition, he or she shall:

- (a) Continue/complete current development projects and initiatives.
- (b) Analyze construction and infrastructure redevelopment needs and provide recommendations and reports to Mayor and Council.
- (c) Interact with the residents and taxpayers of the Town of Hammonton and be available to supervise employees during emergencies in consultation and cooperation with the Emergency Management Coordinator.
- (d) Set up and maintain adequate inventory and control thereof of all materials and supplies needed for the maintenance and repair of all public works under his or her supervision.
- (e) Submit to the Mayor and Council a monthly report of all work performed, services furnished and inspections made during the previous month.

- (f) Submit to the Mayor and Council and the Town Engineer his or her recommendations for budget appropriations for the ensuing year.
- (g) Recommend for approval the expenditure of all funds by voucher chargeable against the Public Works Manager budget.
- (h) Inspect or be responsible for the inspection and maintenance of all storm sewer lines in the Town individually or in conjunction with other designated officials.
- (i) Receive and investigate all complaints from residents and taxpayers of the Town relating to the operations under his or her jurisdiction, take appropriate action and report results to the Mayor and Council.
- (j) Attend all Public Works Manager Committee meetings, including, those pertaining to road, sewer, water and parks and playgrounds.
- (k) Supervise the operation, maintenance and repair of municipally owned equipment used in the performance of the work assigned to him or her.
- (l) Set up, keep and maintain all the necessary books, records, field notes, maps, surveys and similar records necessary to perform the duties of his or her office and turn over all such reports to his or her successor or the Town Council upon the termination of his or her employment by the Town.
- (m) Recommend to the appropriate committee chairperson the need for repairs and replacements to municipally owned equipment, structures, buildings and grounds.
- (n) Supervise the performance of the work of personnel assigned to his or her jurisdiction.
- (o) Supervisory responsibility for planning, scheduling, directing, controlling and coordinating the daily and long term operations of public works activities, as applicable, including the utilization of manpower, equipment, materials, funds, and other available resources.
- (p) Perform such additional public works duties and functions as may be from time to time assigned by Mayor and Council.

11. Chapter 54, a Section 54-11 is added which reads as follows:

§54-11. Authority of Mayor and Council.

Nothing herein shall derogate or reduce the powers and duties of the Mayor and Council or authorize the Public Works Manager to exercise the power and duties thereof except as authorized.

12. Chapter 54, a Section 54-12 is added which reads as follows:

§54-12. Classification of Position of Public Works Manager.

It is the intention of Mayor and Council in creating this position to deem same as "unclassified" for civil service purposes. The person selected shall utilize the local title "Public Works Manager."

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

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

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

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced in and passed the first reading at a meeting of Town Council of the Town of Hammonton, County of Atlantic and State of New Jersey held on April 29, 2019, 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 May 20, 2019, at 7:00 PM or as soon thereafter as the matter may be reached.

Motion by Council Person Gribbin Second Torrissi

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

**Introduction of Ordinance #012-2019 Amend Chapter 25 Fire Company**

AN ORDINANCE TO AMEND CHAPTER 25 ARTICLES I, II, III, AND IV OF THE GENERAL ORDINANCES OF THE TOWN OF HAMMONTON

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

Chapter 25, Article I, Section 1, is amended to read as follows:

§25-1. Composition of Fire Department.

All fire companies existing or which may hereafter exist in the Town of Hammonton and operating under the control of the town shall hereafter be known as the "Fire Department of the Town of Hammonton," and the present existing volunteer fire companies known as the "Hammonton Volunteer Fire Company" and the "Independent Volunteer Fire Company" (hereinafter collectively called the "Hammonton Volunteer Fire Companies") are recognized as members of the said Department. Any volunteer fire company which may hereafter be organized may be admitted to this Department by and with the consent of Council.

Chapter 25, Article I, Section 2 is repealed and replaced as follows:

§25-2. Officers of the Fire Department.

The Fire Department shall have two (2) officers identified as the Fire Chief and Assistant Fire Chief that shall be elected and have the powers and duties set forth in §25-3.

Chapter 25, Article I, Section 3 is amended to read as follows:

§25-3. Powers and Duties of Fire Chief and Assistant Fire Chief.

There shall be elected, in an election that occurs any time between October 1 and December 31 in each year, or whenever a vacancy occurs, a Fire Chief and an Assistant Fire Chief who shall:

- A. Have command and control of said Fire Department, including engines, hose or other apparatus or appliances necessarily used in fire departments and may require the fire companies to keep the same in good condition at all times;
- B. Have full charge and command of the Fire Department, Hammonton Volunteer Fire Companies and fire apparatus during all occasions of fire or emergency;
- C. Have control of all public cisterns, public pumps or other supplies of water on occasions of emergency from fire or otherwise, and may require on or more of said companies to empty any cistern or cisterns requiring cleaning or repairing;
- D. Have charge of and distribute any material required for the use of firemen, engines, hose carts, ladders, trucks, etc., provided by Council;
- E. Take command and be in charge of all Fire Department meetings;
- F. Prepare an inventory of equipment and apparatus which shall be submitted to Town Council on or before October 1 annually;
- G. Recommend to Town Council the purchase of apparatus and equipment necessary to maintain the effectiveness of the Hammonton Volunteer Fire Companies and properly protect life and property from fire; and
- H. Compel each or all of the Hammonton Volunteer Fire Companies to observe the provisions of this Chapter 25.

The Assistant Fire Chief shall always be subordinate to the Fire Chief, and in the absence or inability of the Fire Chief to perform the duties of said office, the Assistant Fire Chief shall have the same power and perform the same duties as the Fire Chief.

Chapter 25, Article I, Section 5 is repealed and replaced as follows:

§25-5. No right to membership.

There is no fundamental right to membership in the Hammonton Volunteer Fire Companies.

Chapter 25, Article I, Section 6 is repealed and replaced as follows:

§25-6. Membership.

Any person seeking enrollment in the Hammonton Volunteer Fire Companies shall make an application to either the Hammonton Volunteer Fire Company or the Independent Volunteer Fire Company. Upon his or her approval by the respective Volunteer Fire Company for membership according to the rules of the respective Volunteer Fire Company, the Volunteer Fire Company shall provide the application of the person to Town Council. The Applicant shall then be subject to a background investigation, including an investigation of criminal, driving and police records to the extent permitted by law. No person shall become a member of the Hammonton Volunteer Fire Companies until such person's membership has been approved by Town Council. Town Council shall have the right to reject any person seeking enrollment for any cause deemed sufficient by Town Council.

Chapter 25, Article I, a Section 7 is added which reads as follows:

§25-7. Supervision and Control of the Fire Department and Hammonton Volunteer Fire Companies.

The Fire Chief, Assistant Fire Chief, any and all members of the Hammonton Volunteer Fire Companies, and any and all officers of the Hammonton Volunteer Fire Companies shall be under the supervision and control of Town Council for the Town of Hammonton.

Chapter 25, Article I, a Section 8 is added which reads as follows:

§25-8. Discipline, suspension and removal of members.

For any cause deemed sufficient by Town Council, Council may reprimand, suspend or remove:

- A. Any member or junior firefighter of the Hammonton Volunteer Fire Companies;
- B. The Fire Chief and/or Assistant Fire Chief; and
- C. Any officer or officers of the Hammonton Volunteer Fire Companies.

Chapter 25, Article I, a Section 9 is added which reads as follows:

§25-9. Discipline by Hammonton Volunteer Fire Companies.

In addition to the authority of Town Council to discipline, suspend and remove members and officers of the Hammonton Volunteer Fire Companies, the Hammonton Volunteer Fire Companies may impose suitable fines and other penalties on its respective members, subject to the review and approval of the Fire Chief, in accordance with the bylaws and rules of the respective Volunteer Fire Company. This §25-9 shall not prevent, hinder or in any way interfere with the power of Town Council set forth in §25-8. Specifically, this §25-9 shall not be interpreted to require disciplinary action by the Hammonton Volunteer Fire Companies, before Town Council may exercise its authority under §25-8. As set forth in §25-7, "any and all members of the Hammonton Volunteer Fire Companies, and any and all officers of the Hammonton Volunteer Fire Companies shall be under the supervision and control of Town Council for the Town of Hammonton."

Chapter 25, Article I, a Section 10 is added which reads as follows:

§25-10. Limitation on discipline by Hammonton Volunteer Fire Companies.

Although §25-9 allows the Hammonton Volunteer Fire Companies to impose suitable fines and other penalties on its respective members, Town Council is the only entity with authority to suspend or remove a member from either of the Hammonton Volunteer Fire Companies. This §25-10 shall not prevent, hinder or in any way interfere with the power of Town Council set forth in §25-8. Specifically, this §25-10 shall not be interpreted to require disciplinary action by the Hammonton Volunteer Fire Companies, before Town Council may exercise its authority under §25-8.

Chapter 25, Article II, Section 25-7 titled, Compensation of active fire fighters, is now numbered §25-11 and is amended to read as follows:

§25-11. Clothing Allowance for Active Fire Fighters.

The annual clothing allowance to be paid to active volunteer fire fighters shall be as set by Town Council in the yearly Salary Ordinance. Editor's Note: The Salary Ordinance is on file in the Office of the Town Clerk/Administrator.

Chapter 25, Article II, Section 25-8 titled, Submission of list of members to Town Clerk/Administrator, is now numbered §25-12.

Chapter 25, Article II, Section 25-9 titled, Number of members limited, is now numbered §25-13 and is amended to read as follows:

§25-13. Number of members limited.

The membership of Hammonton Volunteer Fire Company shall not exceed 40 members, and of Independent Volunteer Fire Company shall not exceed 40 members.

Chapter 25, Article II, Section 25-10 titled, Attendance at drills required, is now numbered §25-14.

Chapter 25, Article II, a Section 25-15 is added which reads as follows:

§25-15. Authority at fires.

In the absence of the Fire Chief or Assistant Fire Chief at a fire, the first line officer from one of the Hammonton Volunteer Fire Companies (i.e., Captain or any of the Lieutenants) to arrive at the scene shall assume command until the arrival of the Fire Chief or Assistant Fire Chief. In the absence of a line officer, the first officer from one of the Hammonton Volunteer Fire Companies (i.e., President, Vice President, Secretary or Treasurer) present shall assume command until the arrival of a line officer. In the absence of an officer, the first senior fire fighter to arrive at the scene, other than the driver, shall assume command until the arrival of an officer.

Chapter 25, Article II, a Section 25-16 is added which reads as follows:

§25-16. Officially Adopted Documents.

Town Council has only adopted, through Resolution #29-2013, The Official Handbook of Volunteer Fire Companies #1 and #2, which may be amended from time to time through subsequent Resolutions of Town Council. Town Council has not adopted, is not subject to, and/or is not required to comply with: (1) the Hammonton Fire Department Rules of Conduct/Disciplinary Code; (2) Operating Procedure Manual for Hammonton Fire Department; and (3) any other policies, procedures, manuals adopted by the Hammonton Volunteer Fire Companies and/or the Fire Department.

Chapter 25, Article III, the Sections are renumbered as follows:

<u>Former Section</u>	<u>New Section</u>
<u>§25-11</u>	<u>§25-17</u>
<u>§25-12</u>	<u>§25-18</u>
<u>§25-13</u>	<u>§25-19</u>
<u>§25-14</u>	<u>§25-20</u>

Chapter 25, Article IV, the Sections are renumbered as follows:

<u>Former Section</u>	<u>New Section</u>
<u>§25-15</u>	<u>§25-21</u>
<u>§25-16</u>	<u>§25-22</u>
<u>§25-17</u>	<u>§25-23</u>
<u>§25-18</u>	<u>§25-24</u>
<u>§25-19</u>	<u>§25-25</u>
<u>§25-20</u>	<u>§25-26</u>
<u>§25-21</u>	<u>§25-27</u>
<u>§25-22</u>	<u>§25-28</u>

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

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

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

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced in and passed the first reading at a meeting of Town Council of the Town of Hammonton, County of Atlantic and State of New Jersey held on April 29, 2019, 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 May 20, 2019, at 7:00 PM or as soon thereafter as the matter may be reached.

Motion by Council Person Rodio Second Torrissi

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Adoption of Resolution #076-2019 Food Truck Application Tacos Al Carbon

This application for variance relief to permit a food truck to operate for a period of one (1) year upon property known and designated as Lot 11 of Block 2805 on the tax map of the Town of Hammonton and commonly known as 107 Peach Street and 119 South Egg Harbor Road, Hammonton, New Jersey, having come before Hammonton Town Council pursuant to Ordinance No. 7-2018 and Ordinance §204-30 at its regularly scheduled meeting held on March 25, 2019, in the Town Hall of the Town of Hammonton, and a hearing having been conducted with a quorum being present;

WHEREAS, Town Council has heard the testimony of Town Engineer Robert A. Vettese, P.E., of Adams, Rehmann & Heggan Assoc., Inc.; and

WHEREAS, Town Council has received the following documents and submissions of the Applicant:

Completed Town of Hammonton Application for Peddlers, Hawkers, Vendors, Solicitors, Canvassers, Food Trucks, Door to Door Vendor and Seasonal Sales Vendors License dated March 16, 2019;

State of New Jersey Business Registration Certificate for Tacos Al Carbon Limited Liability Company issued on April 15, 2016;

Atlantic County Division of Public Health Sanitary Inspection Report dated March 13, 2019, for Tacos Al Carbon Food Truck License No. XT353H located at 1080 North Chew Road, Hammonton, New Jersey;

Atlantic County Division of Public Health Sanitary Inspection Report dated March 13, 2019, for Tacos Al Carbon Commissary located at 1080 North Chew Road, Hammonton, New Jersey;

Atlantic County Division of Public Health, Sanitary Inspection Report, dated March 13, 2019, for Tacos Al Carbon Food Truck License No. XEC789 located at 1080 North Chew Road, Hammonton, New Jersey;

ServSafe National Restaurant Association Certification issued to Dominga Garcia for the period of 5/10/16 to 5/10/21;

Associated Fire Protection Certificate of Inspection for Tacos Al Carbon dated November 1, 2018;

Certificate of Liability Insurance for Tacos Al Carbon, LLC, dated March 6, 2019, with Felix and Juana Ramirez listed as additional insureds;

Certificate of Liability Insurance for Tacos Al Carbon, LLC, dated March 6, 2019, with the Town of Hammonton listed as an additional insured;

Four 8 ½ x 11 sheets of paper with various recognitions; and

8 ½ x 11 sketch of layout.

WHEREAS, the following Exhibit was submitted by the Applicant during the hearing:

A-1 – Seventeen (17) page booklet titled Tacos Al Carbon.

WHEREAS, Hammonton Town Council based on the Exhibits submitted, the testimony of the Board Consultants, and the testimony presented on behalf of the Applicant makes the following findings of fact and conclusions:

1. The Applicant is Tacos Al Carbon with an address of 1080 North Chew Road, Hammonton, New Jersey 08037. Felix and Juana Ramirez are the owners of the subject property and have consented to this application.

Testifying on behalf of the application was Dominga Garcia, a member of the Applicant. There were no public comments or questions.

The Applicant proposes to operate a food truck on Lot 11 of Block 2805 for a period of one (1) year.

The property is located in the DT3-In Town Downtown Zoning District. Food trucks are prohibited in the DT3 Zoning District pursuant to Ordinance §204-28.

The proposed food truck requires variance relief in accordance with Hammonton Ordinance §204-30 to permit the food truck to operate on Lot 11 of Block 2805.

The Applicant produced testimony on March 25, 2019, before Town Council sufficient to meet the criteria of Ordinance §204-30(B).

For the reasons set forth in detail in the testimony presented on behalf of the application and the documents submitted in support of the application the variance pursuant to Ordinance §204-30 is justified.

The Applicant shall be issued a food truck license and allowed to operate on Lot 11 of Block 2805 for a period of one (1) year pursuant to Ordinance §204-22. The one (1) year period commenced on March 25, 2019.

The Applicant shall comply with all outstanding conditions of Town Council set forth in their testimony, unless modified, and will submit any revised documents for the review and approval of Town Council. These include, but are not limited to the following:

This approval is conditioned upon the payment of all taxes and assessments on Lot 11 of Block 2805 and the payment of all application fees.

The Applicant shall have no on-site parking.

The Applicant shall have no permanent or temporary structure on the property and shall have no seating on-site.

The Applicant shall make sure to locate the food truck on the property so as to not block any site triangles.

The Applicant shall not allow its customers to park on or use any portion of Lot 10 of Block 2805 for its food truck operation.

This approval is based upon the full and diligent adherence by the Applicant to all representations made to Town Council. Any failure of the Applicant or the Applicant's successors or assigns to fully adhere to all of the provisions of this approval and all representations made by or on behalf of the Applicant, directly or indirectly, in the hearing or in the application documents, may be deemed to be a material breach of this approval. Such a breach will constitute a violation of the Town of Hammonton Ordinances and the Town may remedy such violation by the revocation of any license issued and/or through Ordinance §204-26, titled violations and penalties. In addition, the Town may pursue any other remedy available to it at law or in equity, including an action in the Superior Court to enjoin such violation or to compel performance or compliance.

The Applicant shall comply with all federal, state and local laws, rules and regulations and shall obtain any and all other necessary government approvals required for this approval. If as a result of the review by any other governmental agency there is any change in the approval by Town Council or any modification of any statement or representation made by or on behalf of the Applicant, the Applicant must notify Town Council and Town Council shall have the right to review that issue as it may relate to or impact this approval and Town Council may modify or amend this approval as appropriate. Approvals which may be required include, but are not necessarily limited to, the Atlantic County Division of Public Health.

All references in this Resolution to the Applicant shall, where appropriate for the context, also mean the Applicant's successors or assigns. If any provision of this Resolution or the application thereof shall be held to be invalid or unenforceable to any extent, the remainder of this Resolution shall not be effected thereby and shall remain enforceable to the full extent of the law.

NOW, THEREFORE, BE IT RESOLVED by Hammonton Town Council that this application for variance relief pursuant to Ordinance No. 7-2018 and Ordinance §204-30 to permit a food truck to operate on Lot 11 of Block 2805 for a period of one (1) year is hereby granted as set forth above by a vote of seven (7) in favor, none (0) opposed, and none (0) abstaining.

Motion by Council Person Gribbin Second Torrissi

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

**Introduction of Ordinance #013-2019 by Title Ground Mounted Solar Arrays**

Motion by Council Person Giralo Second Furgione

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

**Introduction of Ordinance #014-2019 Amend Form Base Code**

AN ORDINANCE TO AMEND ARTICLES XII AND XIII OF CHAPTER 175 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. Findings. The Mayor and Council for the Town of Hammonton hereby make the following findings: A reexamination of the Town of Hammonton’s Amended Master Plan was completed by Brown & Keener Urban Design, PC, in 2011 and a Reexamination Report was prepared. In conjunction with the 2011 Reexamination Report, Brown & Keener Urban Design, PC, prepared an Amendment to the Land Use Element of the Master Plan, which incorporated the changes recommended in the 2011 Reexamination Report. On August 17, 2011, after a public hearing, the Town of Hammonton Planning Board adopted by Resolution the 2011 Reexamination Report and Amendment to the Land Use Element of the Master Plan.

In conjunction with the Amendment to the Land Use Element of the Master Plan Mayor and Council for the Town of Hammonton had Brown & Keener Urban Design, PC, prepare proposed Amendments to Chapter 175 of the Town of Hammonton Land Development Code consistent with the 2011 Reexamination Report and Amendment to the Land Use Element of the Master Plan adopted by the Planning Board on August 17, 2011.

Mayor and Council for the Town of Hammonton in accordance with N.J.S.A. 40:55D-26(a) referred the proposed Amendments to Chapter 175 of the Town of Hammonton Land Development Code to the Town of Hammonton Planning Board for its review and determination of the consistency of the Amendments with the Town of Hammonton Master Plan.

On November 16, 2011, the Town of Hammonton Planning Board issued a report to Town Council pursuant to N.J.S.A. 40:55D-26(a) finding the proposed Amendments to Chapter 175 of the Town of Hammonton Land

Development Code consistent with the Town of Hammonton Master Plan, amendments thereto, 2011 Master Plan Reexamination Report and recommended to Mayor and Town Council of the Town of Hammonton that it adopt by Ordinance the proposed Amendments to Chapter 175 of the Town of Hammonton Land Development Code. On November 28, 2011, the proposed Amendments to Chapter 175 of the Town of Hammonton Land Development Code were adopted by Mayor and Council for the Town of Hammonton in Ordinance Number 023-2011, and were implemented after Pinelands Approval on May 11, 2012.

The Town of Hammonton Planning Board has discovered certain clerical errors in the proposed Amendments to Chapter 175 that were adopted by Ordinance on November 28, 2011, and it is the intention of this proposed Ordinance to correct those errors and make Chapter 175 more consistent with the 2011 Reexamination Report and Amendment to the Land Use Element of the Master Plan.

The Planning Board of the Town of Hammonton has recommended that it is appropriate and consistent with the Town of Hammonton Master Plan, the 2011 Reexamination Report and the 2011 Amendment to the Land Use Element of the Master Plan to amend Chapter 175 of the Town of Hammonton Land Development Ordinance as set forth below.

Section 2. Section 175-154.4(d) of the Ordinance, titled Minimum Lot Size, is amended to read as follows:

175-154.4(d) Minimum Lot Size in this district is:

10,000 sq. ft., except when a Twin House Building Type is proposed. The Twin House Building Type consists of two dwelling units that abut along a shared property line. If a Twin House Building Type is proposed the minimum lot size is 5,000 sq. ft. per lot so that the total minimum area for the two lots the building spans across is 10,000 sq. ft.

Section 3. Section 175-160(B)(7)(c)(5)(DT1) is amended to read as follows:

DT1 70%

Section 4. Section 175-160(B)(7)(c)(7)(B)(DT1) of the Ordinance is amended to read as follows:

DT1 10 ft/no max

Section 5. Section 175-160(B)(7)(c)(7)(D)(DT1) of the Ordinance is amended to read as follows:

DT1 10ft/no max

Section 6. Section 175-160(B)(7)(c)(9)(B) is amended to read as follows:

Access, Mid Block Lot

Along Side Property Line, Adjacent Lot. This access requirement shall be satisfied if the owner of the subject property enters into a parking and/or access easement with the adjacent lot owner which allows access to the subject property.

Section 7. Section 175-160(B)(7)(c)(9)(C) is amended to read as follows:

Access, Corner Lot

Adjacent Lot or Side Street. This access requirement shall be satisfied if the owner of the subject property enters into a parking and/or access easement with the adjacent lot owner which allows access to the subject property.

Section 8. Section 175-160(B)(8)(c)(7)(B)(DT1) is amended to read as follows:

DT1 5ft/no max

Section 9. Section 175-160(B)(8)(c)(7)(D)(DT1) is amended to read as follows:

DT1 5ft/no max

Section 10. Section 175-160(B)(19)(c)(2) is amended to read as follows:

Lot Depth (max) no max

Section 11. Section 175-160(B)(19)(c)(3) is amended to read as follows:

Footprint Area (min/max) 800/2,400 sf (total for both units)

Section 12. Section 175-160(B)(19)(c)(4) is amended to read as follows:

Building Width (min/max) 30/50 ft (total for both units)

Section 13. Section 175-160(B)(19)(c)(6)(DT1) is amended to read as follows:

DT1 5,000 sf per lot/10,000 sf for both lots

Section 14. Section 175-160(B)(19)(c)(7)(B)(DT1) is amended to read as follows:

DT1 0 ft/no max

Section 15. Section 175-160(B)(19)(c)(7)(C)(DT1) is amended to read as follows:

- DT1 5 ft/no max  
 Section 16. Section 175-160(B)(19)(c)(7)(D)(DT1) is amended to read as follows:  
 DT1 0 ft/no max
- Section 17. Section 175-154.5(d) of the Ordinance titled, Minimum Lot Size, is amended to read as follows:  
 Section 175-154.5(d) Minimum Lot Size in this district is:  
 10,000 sq. ft., except when a Twin House Building Type is proposed. The  
 Twin House Building Type consists of two dwelling units that abut along a  
 shared property line. If a Twin House Building Type is proposed the  
 minimum lot size is 5,000 sq. ft. per lot so that the total minimum area for the  
 two lots the building spans across is 10,000 sq. ft.
- Section 18. Section 175-160(B)(5)(c)(2) is amended to read as follows:  
 Lot depth (max) 125 ft, except if in DT2 Zone then no max
- Section 19. Section 175-160(B)(5)(c)(7)(B)(DT2) is amended to read as follows:  
 DT2 0 ft/no max
- Section 20. Section 175-160(B)(5)(c)(7)(D)(DT2) is amended to read as follows:  
 DT2 10 ft/no max
- Section 21. Section 175-160(B)(7)(c)(5)(DT2) is amended to read as follows:  
 DT2 70%
- Section 22. Section 175-160(B)(7)(c)(7)(B)(DT2) of the Ordinance is amended to read as follows:  
 DT2 10 ft/no max
- Section 23. Section 175-160(B)(7)(c)(7)(D)(DT2) of the Ordinance is amended to read as follows:  
 DT2 10 ft/no max
- Section 24. Section 175-160(B)(8)(c)(7)(B)(DT2) is amended to read as follows:  
 DT2 5 ft/no max
- Section 25. Section 175-160(B)(8)(c)(7)(D)(DT2) is amended to read as follows:  
 DT2 5 ft/no max
- Section 26. Section 175-160(B)(11)(c)(2) is amended to read as follows:  
 Lot Depth (max) no max
- Section 27. Section 175-160(B)(11)(c)(3) is amended to read as follows:  
 Foot Print Area (min/max) 800/2,400 sf. max
- Section 28. Section 175-160(B)(11)(c)(4) is amended to read as follows:  
 Building Width (min/max) 25/50 ft max
- Section 29. Section 175-160(B)(11)(c)(7)(B)(DT2) is amended to read as follows:  
 DT2 0 ft/no max
- Section 30. Section 175-160(B)(11)(c)(7)(C)(DT2) is amended to read as follows:  
 DT2 5 ft/no max

Section 31. Section 175-160(B)(11)(c)(7)(D)(DT2) is amended to read as follows:

DT2 0 ft/no max

Section 32. Section 175-160(B)(11)(c)(9)(B) is amended to read as follows:

Access, Mid Block Lot                      Adjacent Lot, Alley. This access requirement shall be satisfied if the owner of the subject property enters into a parking and/or access easement with the adjacent lot owner which allows access to the subject property.

Section 33. Section 175-160(B)(12)(c)(2) is amended to read as follows:

Lot Depth (max)                      no max

Section 34. Section 175-160(B)(12)(c)(7)(B)(DT2) is amended to read as follows:

DT2 10 ft/no max

Section 35. Section 175-160(B)(12)(c)(7)(D)(DT2) is amended to read as follows:

DT2 10 ft/no max

Section 36. Section 175-160(B)(12)(c)(9)(B) is amended to read as follows:

Access, Mid Block Lot                      Adjacent Lot, Street. This access requirement shall be satisfied if the owner of the subject property enters into a parking and/or access easement with the adjacent lot owner which allows access to the subject property.

Section 37. Section 175-160(B)(12)(c)(9)(C) is amended to read as follows:

Access, Corner Lot                      Adjacent Lot or Side Street. This access requirement shall be satisfied if the owner of the subject property enters into a parking and/or access easement with the adjacent lot owner which allows access to the subject property.

Section 38. Section 175-160(B)(18)(c)(2) is amended to read as follows:

Lot Depth (max) no max

Section 39. Section 175-160(B)(18)(c)(4) is amended to read as follows:

Building Width (min/max) 15 ft/50 ft

Section 40. Section 175-160(B)(18)(c)(9)(B) is amended to read as follows:

Access, Mid Block Lot                      Adjacent Lot, Alley. This access requirement shall be satisfied if the owner of the subject property enters into a parking and/or access easement with the adjacent lot owner which allows access to the subject property.

Section 41. Section 175-160(B)(19)(c)(6)(DT2) is amended to read as follows:  
DT2 5,000 sf per lot/10,000 sf for both lots

Section 42. Section 175-160(B)(19)(c)(7)(B)(DT2) is amended to read as follows:  
DT2 0 ft/no max

Section 43. Section 175-160(B)(19)(c)(7)(C)(DT2) is amended to read as follows:  
DT2 5 ft/no max

Section 44. Section 175-160(B)(19)(c)(7)(D)(DT2) is amended to read as follows:  
DT2 0 ft/no max

Section 45. Section 175-154.6(D)(2) is amended to read as follows:

(2) 10,000 sq. ft. for residential buildings, except when a Twin House Building Type is proposed. The Twin House Building Type consists of two dwelling units that abut along a shared property line. If a Twin House Building Type is proposed the minimum lot size is 5,000 sq. ft. per lot so that the total minimum area for the two lots the building spans across is 10,000 sq. ft.

Section 46. Section 175-160(B)(5)(c)(7)(B)(DT3) is amended to read as follows:

DT3 0 ft/no max

Section 47. Section 175-160(B)(5)(c)(7)(D)(DT3) is amended to read as follows:

DT3 5 ft/no max

Section 48. Section 175-160(B)(5)(c)(9)(B) is amended to read as follows:

Access, Mid Block Lot                      Adjacent Lot. This access requirement shall be satisfied if the owner of the subject property enters into a parking and/or access easement with the adjacent lot owner which allows access to the subject property.

Section 49. Section 175-160(B)(5)(c)(9)(C) is amended to read as follows:

Access, Corner Lot                      Adjacent Lot or Side Street. This access requirement shall be satisfied if the owner of the subject property enters into a parking and/or access easement with the adjacent lot owner which allows access to the subject property.

Section 50. Section 175-160(B)(7)(c)(5)(DT3) is amended to read as follows:

DT3 80%

Section 51. Section 175-160(B)(7)(c)(7)(B)(DT3) is amended to read as follows:

DT3 0 ft/no max

Section 52. Section 175-160(B)(7)(c)(7)(D)(DT3) is amended to read as follows:

DT3 0 ft/no max

Section 53. Section 175-160(B)(8)(c)(7)(B)(DT3) is amended to read as follows:

DT3 3 ft/no max

Section 54. Section 175-160(B)(8)(c)(7)(D)(DT3) is amended to read as follows:

DT3 3 ft/no max

- Section 55. Section 175-160(B)(9)(c)(7)(B)(DT3) is amended to read as follows:  
DT3 0 ft/no max
- Section 56. Section 175-160(B)(9)(c)(7)(D)(DT3) is amended to read as follows:  
DT3 0 ft/no max
- Section 57. Section 175-160(B)(9)(c)(9)(B) is amended to read as follows:  
Access, Mid Block Lot Adjacent Lot, Alley. This access requirement shall be satisfied if the owner of the subject property enters into a parking and/or access easement with the adjacent lot owner which allows access to the subject property.
- Section 58. Section 175-160(B)(9)(c)(9)(C) is amended to read as follows:  
Access, Corner Lot Adjacent Lot or Side Street. This access requirement shall be satisfied if the owner of the subject property enters into a parking and/or access easement with the adjacent lot owner which allows access to the subject property.
- Section 59. Section 175-160(B)(10)(c)(9)(B) is amended to read as follows:  
Access, Mid Block Lot Adjoining Lot. This access requirement shall be satisfied if the owner of the subject property enters into a parking and/or access easement with the adjacent lot owner which allows access to the subject property.
- Section 60. Section 175-160(B)(11)(c)(7)(B)(DT3) is amended to read as follows:  
DT3 0 ft/no max
- Section 61. Section 175-160(B)(11)(c)(7)(C)(DT3) is amended to read as follows:  
DT3 5 ft/no max
- Section 62. Section 175-160(B)(11)(c)(7)(D)(DT3) is amended to read as follows:  
DT3 0 ft/no max
- Section 63. Section 175-160(B)(12)(c)(7)(B)(DT3) is amended to read as follows:  
DT3 10 ft/no max
- Section 64. Section 175-160(B)(12)(c)(7)(D)(DT3) is amended to read as follows:  
DT3 10 ft/no max
- Section 65. Section 175-160(B)(14)(c)(7)(B)(DT3) is amended to read as follows:  
DT3 0 ft/no max
- Section 66. Section 175-160(B)(14)(c)(7)(C)(DT3) is amended to read as follows:  
DT3 0 ft/no max

Section 67. Section 175-160(B)(14)(c)(7)(D)(DT3) is amended to read as follows:

DT3 0 ft/no max

Section 68. Section 175-160(B)(14)(c)(9)(B) is amended to read as follows:

Access, Mid Block Lot Adjacent Lot, Front (limited). This access requirement shall be satisfied if the owner of the subject property enters into a parking and/or access easement with the adjacent lot owner which allows access to the subject property.

Section 69. Section 175-160(B)(18)(c)(7)(C)(DT3) is amended to read as follows:

DT3 5 ft/no max

Section 70. Section 175-160(B)(19)(c)(6)(DT3) is amended to read as follows:  
DT3 5,000 sf per lot/10,000 sf for both lots

Section 71. Section 175-160(B)(19)(c)(7)(B)(DT3) is amended to read as follows:  
DT3 0 ft/no max

Section 72. Section 175-160(B)(19)(c)(7)(C)(DT3) is amended to read as follows:  
DT3 5 ft/no max

Section 73. Section 175-160(B)(19)(c)(7)(D)(DT3) is amended to read as follows:  
DT3 0 ft/no max

Section 74. Section 175-160(B)(9)(c)(7)(C)(DT4) is amended to read as follows:

DT4 0 ft/no max

Section 75. Section 175-160(B)(20)(b) of the Ordinance titled, Zone Application, the following zoning districts are deleted:

DT4, GW2 and GW3

Section 76. Section 175-161(D)(7)(P)(3)(g) is amended to read as follows:

Clearance min. 7 ft.

Section 77. Section 175-123(B)(2) is amended to read as follows:

(2) Subdivisions in the DT-1, DT-2, DT-3, DT-4, GW-1, GW-2 and GW-3 Zoning Districts that do not include residential uses.

Section 78. Section 175-125(A) is amended to read as follows:

A. In areas where there is no natural shade, shade trees will be set along the lot frontage a minimum of 10 feet inside the property line. The type and suggested spacing are as follows:

(1) Pine and Willow Oaks (green spire linden): 50 feet apart in DT-1, DT-2, DT-3, DT-4, GW-1, R-1 and R-2 Zoning Districts.

(2) Sugar Maple: 30 feet apart in DT-1, DT-2, DT-3, DT-4, GW-1, R-1 and R-2 Zoning Districts.

- (3) Callery Pear: 25 feet apart in DT-1, DT-2, DT-3, DT-4, GW-1, R-1 and R-2 Zoning Districts.

Section 79. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of the inconsistency.

Section 80. 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 81. This Ordinance shall take effect immediately upon final adoption and publication as required by law.

Motion by Council Person Giraldo Second Gribbin

Roll Call

Councilperson:

Furgione – Yes

Giraldo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

MAYOR REPORT

- Asked residents to please trim back their tree limbs from the sidewalk

- Appoint replacement for Paul Esposito on Ethical Standards Board. Appointment of Joe Piccara Jr.

Motion by Council Person Torrissi Second Gribbin

Roll Call

Councilperson:

Furgione – Yes

Giraldo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Motion by Council Person Gribbin Second Torrissi

Approval to Hire Robert Vetesse and PWM effective June 10<sup>th</sup> contingent upon Adoption of Ordinance and Estoppel period

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

**TOWN CLERK REPORT**

- 1) Accept Resignation of Juan Guzman in good standing form Fire Company #2, approved at Fire Company meeting March 13, 2019.
- 2) Approve accrued benefit payment for John Panarello not to exceed \$9,700.77. Accrued Benefit payment breakdown as follows: Accrued Vacation - \$8,380.05, Accrued Personal - \$873.02, and Accrued Holiday \$447.70.
- 3) Approve accrued benefit payment Kim Torres not to exceed \$20,032.65. Accrued Benefit payment breakdown as follows: Accrued Vacation - \$7,930.49, Accrued Personal - \$713.70, Accrued Holiday- \$237.90 and Sick time- \$11,150.56.
- 4) Approval to Advertise for Municipal Court Administrator.

Motion by Council Person Gribbin Second Torrissi

Approval of Items 1 to 4 above.

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

**APPROVE BILL LIST & PURCHASE ORDERS**

Motion by Council Person Gribbin Second Giralo

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

NEW BUSINESS

**Resolution #064-2019- TEMPORARY CAPITAL BUDGET**

WHEREAS, the need has arisen to introduce a bond ordinance to provide funds for the Purchase of Police Pro-Phoenix and 911 System, Purchase of Police F150 Pickup and Three 4-Wheel Drive Vehicles, 2019 Road Program, Reconstruction of 14<sup>th</sup> Street, Reconstruction of Washington Street, Airport Hanger Fire Suppression System, Painting of Water Tank, Purchase of Utility Pickup and Utility Vehicle , including all appurtenances necessary and related thereto, and;

WHEREAS, the regulations of the Local Finance board (N.J.A.C. 5:30-4.3(b)) of the Division of Local Government Services, Department of Community Services requires that the municipality adopt a temporary capital budget if a bond ordinance is to be passed prior to the adoption of the Annual Capital Budget, and;

WHEREAS, the ordinance provides a total appropriation as follows:

**General Capital Fund**

<u>1) Purpose</u>	<u>Total</u>	<u>Debt Authorized</u>	<u>Grants</u>	<u>CIF Down payment</u>
Purchase of Police Pro-Phoenix and 911 System	\$ 226,000	\$214,700		\$11,300
Purchase of Police F150 Pickup and three 4-Wheel Drive Vehicles	207,600	197,220		10,380
2019 Road Program	1,200,000	1,140,000		60,000
Reconstruction of 14 <sup>th</sup> St.	350,000	42,750	\$ 305,000 (a)	2,250
Reconstruction of Washington St.	180,172	32,300	146,172 (b)	1,700
Airport Hanger Fire Suppression System	<u>70,000</u>	<u>66,500</u>	<u>          </u>	<u>3,500</u>
	<u>\$ 2,233,772</u>	<u>\$ 1,693,470</u>	<u>\$ 451,172</u>	<u>\$ 89,130</u>

**Utility Capital Fund**

<u>1) Purpose</u>	<u>Total</u>	<u>Debt Authorized</u>	<u>CIF Down Payment</u>
Painting of Water Tank	\$ 960,000	\$ 912,000	\$ 48,000
Purchase of Pick-up and Utility Vehicle	<u>100,000</u>	<u>95,000</u>	<u>5,000</u>
Total	<u>\$ 1,060,000</u>	<u>\$1,007,000</u>	<u>\$ 53,000</u>

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Town of Hammonton, County of Atlantic that:

- (1) a Temporary Capital Budget is hereby created for the following:

General Capital Fund

Purchase of Police Pro-Phoenix and 911 System \$ 226,000  
 Purchase of Police F150 Pickup and three

4-Wheel Drive Vehicles	207,600
2019 Road Program	1,200,000
Reconstruction of 14 <sup>th</sup> St.	350,000
Reconstruction of Washington St.	180,172
Airport Hanger Fire Suppression System	70,000

<u>Water/Sewer Utility Capital Fund</u>	
Painting of Water Tank	\$ 960,000
Purchase of Pick-up and Utility Vehicle	100,000

- (2) the projects will be included in the Annual Capital Budget, and
- (3) one certified copy shall be forwarded to the Director of the Division of Local Government Services immediately after passage

Motion by Council Person Rodio Second Gribbin  
Approval of Resolution #064-2019

Roll Call

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

Mayor DiDonato declares motion is carried

ORDINANCES FOR INTRODUCTION

**Introduction of Bond Ordinance #007-2019 Various Capital Improvements -**

**Various Capital Improvements**

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$2,233,772 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,693,470 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 several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$2,233,772, including a grant from the State

of New Jersey Department of Transportation in the amount of \$305,000 for the purpose in Section 3(d) and a Community Development Block Grant from Atlantic County in the amount of \$146,172 for the purpose in Section 3(e) (collectively, the “Grants”) and further including the aggregate sum of \$89,130 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made 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 several improvements or purposes not covered by application of the several down payments and the Grants referred to in Section 1 hereof, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,693,470 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. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefore, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
a) The acquisition of a Police Pro-Phoenix and 911 System, including all related costs and expenditures incidental thereto.	\$226,000	\$214,700	5 years
b) The acquisition of a pick-up truck and four wheel drive vehicles for the Police Department, including all related costs and expenditures incidental thereto.	\$207,600	\$197,220	5 years
c) The 2019 Road Program, including Grape Street, North 1 <sup>st</sup> Road, Chestnut Street, Sindoni Lane, School House Lane, Orchard	\$1,200,000	\$1,140,000	10 years

Street, Washington Street, 4 <sup>th</sup> Street, Wood Street, Union Road, North Street, Valley Avenue, Golden Eagle Drive, Grand Street, Vine Street Gatto Avenue and other various roads that may need paving and further including all work and materials necessary therefore and incidental thereto.			
d) The reconstruction and other roadway improvements (Phase III Project) for 14 <sup>th</sup> Street, including all work and materials necessary therefore and incidental thereto.	\$350,000 (includes a grant in the amount of \$305,000 from the State of New Jersey Department of Transportation)	\$42,750	10 years
e) The reconstruction and other street improvements for Washington Street, including all work and materials necessary therefore and incidental thereto.	\$180,172 (includes a Community Development Block Grant in the amount of \$146,172 from Atlantic County)	\$32,300	10 years
f) The acquisition and installation of an airport hanger fire suppression system, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefore and incidental thereto.	<u>\$70,000</u>	<u>\$66,500</u>	15 years
Total:	<u>\$2,233,772</u>	<u>\$1,693,470</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefore, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection

with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

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

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

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

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 8.98 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 \$1,693,470, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$446,750 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. 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 or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or, if other than the Grants referred to in Section 1 hereof, to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

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

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

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

Motion by Council Person Rodio Second Torrissi

The Ordinance is taken up for and passed first reading and given legal publication

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin – Yes , but abstain on Section E

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

**Introduction of Utility Bond Ordinance #008-2019 Various Utility Improvements-**

BOND ORDINANCE PROVIDING FOR VARIOUS UTILITY IMPROVEMENTS IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$1,060,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,007,000 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 several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,060,000, and further including the aggregate sum of \$53,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made 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 several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,007,000 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. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefore, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
a) Painting of the water tank, including all work and materials necessary therefore and incidental thereto.	\$960,000	\$912,000	15 years
b) The acquisition of a pickup truck and a utility vehicle, including all related costs and expenditures incidental thereto.	<u>\$100,000</u>	<u>\$95,000</u>	5 years
Total:	<u>\$1,060,000</u>	<u>\$1,007,000</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefore, as above stated, is the amount of the down payment for each purpose.

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

payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

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

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

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

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 14.05 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 \$1,007,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$212,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. 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 or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

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

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

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

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

Motion by councilman Furgione Second Gribbin

The Ordinance is taken up for and passed first reading and given legal publication

ROLL CALL

Councilman:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes  
Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

**Introduction Ordinance #009-2019 Amending Chapter 271-6 Parking Prohibited at all times**

AN ORDINANCE AMENDING CHAPTER 271 SECTION 6 OF THE CODE OF THE TOWN OF HAMMONTON,  
COUNTY OF ATLANTIC ENTITLED “Vehicles and Traffic”

WHEREAS, the Police Chief have recommended an amendment to Chapter 271 Vehicles and Traffic Section-6: Parking Prohibited At All Times, and the Mayor and Town Council have considered it in the best interest of the Town to amend this specific section; and

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

That Chapter 271-6 “Vehicles and Traffic” Parking prohibited at all times on certain streets, is hereby amended by the addition of the following:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Woodman Avenue	Going East	from 12 <sup>th</sup> Street to Passmore Avenue

BE IT FURTHER RESOLVED, that all ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

This ordinance shall take effect upon final passage and publication as required by law and the approval of the New Jersey Commissioner of Transportation and the County of Atlantic as set forth in N.J.S.A. 39:4-8.

Motion by councilwoman Sacco Second Giraldo

The Ordinance is taken up for and passed first reading and given legal publication

ROLL CALL

Councilman:

Furgione – Yes

Giraldo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

**Introduction of Ordinance #011-2019 – Fixing Salaries of Certain Employees**

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

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

<u>TITLE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Town Clerk/Accountant /Deputy Registrar/ Airport Admin. / Business Admin.	\$45,000	\$120,000
Public Works Manager	\$45,000	\$100,000
Department Head of Public Works	\$45,000	\$100,000
Municipal Court Interpreter	\$75.00 Per Session	\$ 125.00 Per Session

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

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

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

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

Motion by councilman Gribbin Second Torrissi

The Ordinance is taken up for and passed first reading and given legal publication

ROLL CALL

Councilman:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

RESOLUTIONS

**Resolution # 065 -2019 – Authorizing NJ ABC to Renew Liquor License**

County of Atlantic  
Resolution Authorizing NJ ABC to Renew Conflict Liquor License

WHEREAS, the following liquor license holders have applied for renewal of July 1, 2019 to June 30, 2019 Plenary Retail Consumption Licenses:

<b>License #</b>	<b>License Name</b>	<b>License Holder</b>	<b>Location</b>
0113 33 006	DiDonato's Bowling Center	Stephen DiDonato	1151 WHP

WHEREAS, the applicant is a member of the governing body of the Town of Hammonton, which also acts as the ABC issuing authority, the subject license is a “conflict” license. Accordingly, said renewal application

will be forwarded to the Director of the Division of Alcoholic Beverage Control for consideration pursuant to N.J.S.A. 33:1-20 and N.J.A.C. 13:2-4.1; and

WHEREAS, N.J.A.C. 13:2-4.6 requires the issuing authority to submit to the Director a certified Resolution setting forth that the issuing authority has no objection to the renewal of the subject license and consents thereto, and, furthermore, is not aware of any circumstances or provisions of law or local ordinance which would prohibit the renewal of the subject licenses.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Town of Hammonton, County of Atlantic and State of New Jersey that the Governing Body has no objection to the renewal of Plenary Retail Consumption License and consents thereto, and, furthermore, is not aware of any circumstances or provisions of law or local ordinance which would prohibit the renewal of the subject licenses.

Motion by councilman Giraldo Second Sacco  
Resolution #065 is approved

ROLL CALL

Councilman:

Furgione – Yes

Giraldo – Yes

Deputy Mayor Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato – Recused

Deputy Mayor Gribbin declares motion is carried

**Resolution #066-2019 – JIF Surplus**

RESOLUTION DIRECTING THE DISTRIBUTION OF THE TOWN OF  
HAMMONTON'S NET RETURNED SURPLUS FUNDS HELD IN  
TRUST BY THE ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND

**WHEREAS**, Town of Hammonton, hereinafter referred to as MUNICIPALITY, participated as a member municipality of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as FUND, for one or more of the following FUND fiscal years beginning January 1, 2005; January 1, 2006; January 1, 2007; January 1, 2011; January 1, 2012; January 1, 2013 **and**

**WHEREAS**, the FUND is a statutory filed municipal joint insurance fund as defined in N.J.A.C. 11:15-2.1 et seq., **and**

**WHEREAS**, the MUNICIPALITY joined the FUND knowing that membership carries with it joint and several liability with all other member municipalities for each year of the MUNICIPALITY's membership, **and**

**WHEREAS**, the MUNICIPALITY understands that the FUND's Executive Committee are the only persons authorized in law to make decisions as to when and how much of any available statutory surplus will be released by the FUND, **and**

**WHEREAS**, the MUNICIPALITY understands that the FUND's Executive Committee are the only persons authorized in law to make decisions as to when and how much of any projected deficit will be declared as an additional assessment due to the FUND, **and**

**WHEREAS**, the MUNICIPALITY understands that Available Statutory Surplus is defined to be the amount of money in excess of the projected value of claims by line of coverage, plus an actuarially determined value for Incurred But Not Reported claims, subject to the surplus reserve calculations as defined in N.J.A.C. 11:15-4.6 et seq., and subject to review and approval by the Department of Banking and Insurance and Department of Community Affairs, State of New Jersey, prior to release by the Executive Committee of the FUND, **and**

**WHEREAS**, the MUNICIPALITY understands that it remains jointly and severally liable into perpetuity despite the earlier release of Available Statutory Surplus due to the possibility that a FUND year wherein a return of Statutory Surplus has been duly authorized could later be presented with a claim for which it could be responsible causing a demand for an additional assessment from each participating member municipality of that FUND year, **and**

**WHEREAS**, the MUNICIPALITY understands that it remains jointly and severally liable into perpetuity despite the earlier collection of an additional assessment due to the possibility that a FUND year wherein an additional assessment has been duly authorized could later be presented with a need for additional assessments from each participating member municipality of that FUND year, **and**

**WHEREAS**, the MUNICIPALITY recognizes its Share of Available Statutory Surplus authorized as to be released by the FUND is as shown below:  
Dollar amounts of Statutory Surplus (valued as of December 31, 2017) by FUND Fiscal Year released and (Declared) by the FUND’s Executive Committee on September 19, 2018

	<u>Total Fund</u>	<u>MUNICIPALITY’s Share</u>
<b>Closed Fund Years 2003 to 2013</b>	\$3,250,002	<b>\$99,089.00</b>

**and,**

**WHEREAS**, the MUNICIPALITY understands that its options for directing the distribution of its net share of released Statutory Surplus to be as follows:

1. Direct the FUND to forward a check for the MUNICIPALITY’s full share to the MUNICIPALITY,
2. Direct the FUND to apply the MUNICIPALITY’s share to the FUND’s Aggregate Excess Loss Contingency Fund, which provides member municipalities with an available individual contingency balance for use in satisfying any possible need for a supplemental assessment for any year they were a member and an annual capacity to use all or a portion of a member municipality’s available balance in offsetting future premiums, **or**
3. Direct the FUND to apportion the MUNICIPALITY’s share as a stated dollar amount among options 1 and 2 above such that the sum TOTAL of allocated dollars equals the amount of the Net Distribution available to the MUNICIPALITY as noted above.

**NOW THEREFORE**, the MUNICIPALITY directs the FUND to distribute the MUNICIPALITY’s share of its Net Distribution as follows (**check the boxes that apply**):

- Apply a portion of the amount as a check to the MUNICIPALITY.
- Apply a portion or the full amount to the MUNICIPALITY’s share of the FUND’s Aggregate Excess Loss Contingency Fund (A.E.L.C.F.). Designate the full amount as follows (Sum of below must equal full dividend amount):

- **Check \$\_\_\_\_\_ (Requires voucher)**
- **A.E.L.C.F. \$99,089.00 (Requires resolution)**

**Resolution #067-2019 – Authorize National Night Out event and Fireworks Display**

AUTHORIZE NATIONAL NIGHT OUT EVENT & FIREWORKS DISPLAY

WHEREAS, August 9th (August 10<sup>th</sup> 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 #068-2019- Temporary Emergency Appropriations**

RESOLUTION MAKING TEMPORARY EMERGENCY APPROPRIATIONS  
IN THE TOWN OF HAMMONTON MUNICIPAL BUDGET

WHEREAS, N.J.S.A. 40A:4-20 provides that temporary emergency appropriations may be made for the period between the beginning of the fiscal year and the date of adoption of the budget for said year; and

WHEREAS, the date of this resolution is not within the first thirty days of January, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Hammonton, New Jersey, that the following temporary emergency appropriations are hereby made:

<u>Fund</u>	<u>Appropriation</u>
Utility – Social Security	\$20,000.00
Utility – Disability	\$ 1,500.00
Grant – Distracted Driving	\$5,500.00

**Resolution #069-2019 – Naming Certified Recycling Professional**

RESOLUTION NAMING  
CERTIFIED RECYCLING PROFESSIONAL,  
AND AUTHORIZING GRANT APPLICATION  
FOR RECYCLING TONNAGE GRANT FOR YEAR 2018

- WHEREAS*, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and
- WHEREAS*, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and
- WHEREAS*, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and
- WHEREAS*, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and
- WHEREAS*, A resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of the municipality to recycling and to indicate the assent of the Town of Hammonton to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and
- WHEREAS*, Scott Rivera Certified Recycling Professionals, is herein designated as the individual authorized to ensure that the application is properly completed and timely filed.

*NOW, THEREFORE BE IT RESOLVED* by the Mayor and Common Council of the Town of Hammonton in the County of Atlantic and State of New Jersey that the Town of Hammonton hereby endorses this submission of the Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection and therefore designates Scott Rivera Certified Recycling Professional, to ensure that the application is properly filed; and

*BE IT FURTHER RESOLVED* that the monies received from the Recycling Tonnage Grant be deposited in a dedicated Recycling Trust Fund to be used solely for the purpose of recycling; and

*BE IT FUTHER RESOLVED* that the Mayor, Town Clerk, Scott Rivera Certified Recycling Professional, are hereby authorized to execute any and all documents in furtherance of this Resolution

**Resolution #070-2019 – Authorizing Various Refunds**

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

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

Rosenberg, Joseph 751 N 2nd	\$ 1750.00	Escrow Fee/Planning Brd
Fichetola 540 S 1 <sup>st</sup> Road	\$ 585.00	Escrow Fee
Bernato, Anthony 574 11 <sup>th</sup> St	\$ 50.00	Rental Fee
Knoll, 355 Walnut Street	\$ 50.00	Rental Fee
Salvo, 481 N. 2bd Road	\$ 50.00	Rental Fee

**Resolution #071-2019 – Award Collection of Municipal Court Debt**

Resolution Awarding  
Collection of Municipal Court Debt

WHEREAS, there has been an advertisement for Request for Proposals for the collection of Outstanding Municipal Court Debt by the Town of Hammonton as required by the Public Contracts Law of the State of New Jersey; and

WHEREAS, TAXSERV Capital Services NJ, LLC, 1313 Dolley Madison Blvd, Suite LL-130, McLean, V.A. 22101-3926, is the only proposal received by the Town, at a collection fee rate of 20.0%:

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that the proposal for the collection of Outstanding Municipal Court Debt is awarded to Capital Services NJ, LLC, 1313 Dolley Madison Blvd, Suite LL-130, McLean, V.A. 22101-3926.

**Resolution #072-2019- Rejecting Bid Drip Irrigation Equipment and Installation**

RESOLUTION REJECTING BID FOR DRIP IRRIGATION  
EQUIPMENT AND INSTALLATION

WHEREAS, the Town of Hammonton received bids for the Drip Irrigation Equipment and Installation; and

WHEREAS, the Town has decided not to move forward with the project; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Hammonton reject the bid for the Drip Irrigation Equipment and Installation as received on January 3, 2019.

**Resolution #073-2019- Award Bid Valve Maintenance trailer**

AWARD BID FOR DIESEL SINGLE TURNER  
VALVE MAINTENANCE TRAILER

WHEREAS, on January 30, 2019 the Town of Hammonton received bids for the Diesel Single Turner Valve Maintenance Trailer; and

WHEREAS, the lowest responsible bidder for the project is Water Works Supply Co. Inc. from Hammonton, NJ with a total Bid of \$87,247.59; and

WHEREAS, the funding for the proposed project is available and the "Certificate of Availability of Funds" is attached hereto.

NOW, THEREFORE BE IT RESOLVED THAT the Mayor and Town Council of the Town of Hammonton hereby award the contract for the Diesel Single Turner Valve Maintenance Trailer to Water Works Supply Co. Inc. from Hammonton, NJ in the total amount of \$87,247.59, Contingent upon 20 adoptions of Ordinance and 20 day estoppel period.

**Resolution #074-2019 Approve Grant Application for NPP**

Grant Application Neighborhood Preservation Program

Whereas, the Town of Hammonton desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$ 125,000 to carry out a project to continue the expansion of the Hammonton Art District by applying for a Neighborhood Preservation Program (NPP) Grant, in collaboration with the State of New Jersey, Department of Community Affairs, targeting in the Downtown Business Improvement District and adjacent Mainstreet Hammonton Program Area. This will act as an economic catalyst and augment the renaissance that has occurred in this area in the past decade.

Be it therefore RESOLVED,

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

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

**Resolution #075- 2019 – Award Bid 14<sup>th</sup> Street Roadway Improvement**

RESOLUTION AWARDING BIDS ON 14<sup>th</sup> STREET  
ROADWAY IMPROVEMENT PROJECT

WHEREAS, the Town of Hammonton received bids for the Second Road Roadway Improvements Project; and

WHEREAS, said bids were received on March 28, 2019 and consisted of various unit prices and a lump sum bid total; and

WHEREAS, six (6) bids were received and evaluated; and

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

CONTRACTOR	BASE BID COST
Arawak Paving Co., Inc.	\$248,000.00
Landberg Construction	\$257,951.39
Asphalt Paving Systems	\$263,800.00
AE Stone	\$272,000.00
Ricky Slade Construction	\$274,117.40
Paving Plus, LLC	\$357,305.00

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

WHEREAS, after review from the Town Engineer and consideration of the funding made available, the Town Engineer has recommended to the Mayor and Town Council to accept and award the Base Bid for the 14<sup>th</sup> Street Roadway Improvements which are depicted in the bid summary above; and

WHEREAS, based on the award recommendation, the lowest responsible bidder on the project was Arawak Paving Co., Inc., in the amount of \$248,000.00; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Hammonton that an award of the contract for the bids for the 14<sup>th</sup> Street Roadway Improvements received on March 28, 2019 be made to Arawak Paving Co., Inc., in the amount stated above in accordance with the Town Engineer's recommendation.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Mayor and Town Council award these contracts with the following conditions:

1. The Town Solicitor review and approve the bid package submitted by the low bidder to ensure compliance with the applicable bid requirements.
2. Subject to certification as to the availability of funds from the Town's Chief Financial Officer.
3. The Mayor of this body be and is hereby directed to sign for and on its behalf the contract in prescribed form for said construction.
4. Contingent Upon adoption of Ordinance and Estoppel period.

Motion by Council Person Gribbin Second Giraldo  
Resolution #066-2019 to #071-2019 and #073 to 075 are approved.

#### Roll Call

Councilperson:

Furgione – Yes

Giraldo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

#### PUBLIC HEARD

Rock Colasurdo 420 Boyer Ave-

- Spoke about target shooting going on at Boyer Ave. This should not be happening.
- Can we install speed bumps on Boyer Ave
- New Water Tower and rust on current one.

Joe Caruso Main Road –

- Spoke about the presentation to the fire fighters regarding John Warren
- Guard Rail at Fire Co. #2 location. Where do we stand with installation
- Can the creek be cleaned up? Next to fire station
- Questioned the introduction of Ordinance #12-219 Chapter 25
- Questioned the since the purchase of Frog Rock did not occur, what is the plan going forward.  
There was a long discussion between council members and Joe regarding frog rock

#### MEETING ADJOURNED

Motion by Council Person Rodio Second Gribbin