

Regular Meeting of Mayor and Council October 26, 2020
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

Oliva- Present

Rodio- Present

Torrissi – Present

Mayor DiDonato -Present

PRESENT ALSO

Michael Malinsky, Town Solicitor

Bob Vetteese, Public Works Manager

Dave Cella ARH- entered close session at 6:50

EXECUTIVE SESSION Resolution #106-2020

Motion by Council Person Giralo Second Oliva
Enter into Executive Session

Motion by Council Person Furgione Second Gribbin
Close Executive Session

Roll Call

Councilperson:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Oliva – Yes

Rodio - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

RESUME REGULAR MEETING-ROLL CALL

Councilperson:

Furgione - Present

Giralo - Present

Gribbin - Present

Oliva- Present

Rodio- Present

Torrissi – Present

Mayor DiDonato -Present

PRESENT ALSO

Michael Malinsky, Town Solicitor

Robert Vetteese, Public Works Manager

Dave Cella 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. Also, each person who wishes to address Council will be allotted 5 minutes.

PLEDGE OF ALLEGIANCE

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard

APPROVAL OF MINUTES

Executive Minutes September 28, 2020

Council Minutes September 28, 2020

Motion by Council Person Gribbin Second Giraldo

Minutes are approved

Roll Call

Councilperson:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Oliva - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

PRESENTATION

DISPENSE WITH REGULAR ORDER OF BUSINESS

Public Hearing of Ordinance #012-2020 – Sale of Town Owned Property (149 Golden Eagle Drive)

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

WHEREAS, Lot 3 of Block 1602 is owned by the Town of Hammonton and is not needed for public purposes; and

WHEREAS, it is in the best interest of the Town to sell such land to generate revenue, reduce taxes and reduce liabilities; and

WHEREAS, the Town proposes to sell such land by Open Public Sale to the highest bidder as authorized by N.J.S.A. 40A:12-13(a).

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

1. The Town Clerk is authorized, subject to the conditions set forth herein, to offer for sale by public auction all of the Town's right, title and interest in and to the following lot pursuant to the provisions of N.J.S.A. 40A:12-13:Block 1602, Lot 3 – at a minimum amount of \$20,900.00.

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

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

4. The property set forth above is not necessary for public municipal purposes and the best interest of the public shall be served in selling said property by public sale to the highest bidder at or above the minimum price set forth above with Town Council reserving the right to accept or reject or otherwise remove any

lot from sale. The public sale shall take place on Friday, November 13, 2020, at 10:00 AM at the municipal building located at 100 Central Avenue, Hammonton, NJ 08037. Bids shall be received by the Town Clerk in accordance with the procedures to be announced by the Town Clerk. A deposit by certified check, bank check or money order made payable to the Town of Hammonton in an amount not less than ten percent (10%) of the bid must be paid by the successful bidder at the time of the sale. The balance of the bid amount shall be paid by certified check, bank check or money order made payable to the Town of Hammonton at closing which shall occur not later than forty-five (45) days following acceptance of the bid by Town Council. The Clerk may by announcement made at the time and place scheduled for the public sale adjourn the sale to another date and time and such announcement shall be deemed adequate notice to all interest parties.

5. Any person bidding on behalf of a corporation or company must submit a copy of a Resolution of the corporation or company authorizing the bidder to bid on the property on behalf of the corporation or company.

6. A person bidding on behalf of a partnership or using a trade name must submit a copy of the certificate of trade name and a letter of authorization from the other partners, if any.

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

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

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

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

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

(b) The Town does not warrant or certify title to the property and in no event shall the Town be liable for any damages to the successful bidder if title is found defective or marketable for any reason, and the bidder waives any and all rights and damages or by way of liens against the Town, the sole remedy of the

bidder being the right to receive a refund prior to closing of title of the deposit paid. It is the right of the successful bidder to examine title prior to closing. In the event of closing and a later finding of a defect of title, the Town shall not be required to refund any money or correct any defect in title and shall not be held liable for damages. Acceptance of an offer to purchase shall constitute a binding agreement by the bidder and the successful bidder shall be deemed obligated to comply with the terms and conditions contained herein.

(c) The deed of conveyance shall be subject to all matters of record which may affect title, what an accurate survey would reveal, the Ordinances of the Town of Hammonton, and the reservation of an easement for all natural constructive drainage systems, swales, pipes, drains, inlets, waterways and other

easements, if any, on the land and a continued right of maintenance and flow thereof. The Town shall be without obligation to provide access, public or private, or to provide any improvements.

(d) The land being conveyed is an undersized lot and may not be developed separately for residential or other purposes and, if applicable, must be merged with the contiguous land owned by the bidder. The deed of conveyance shall contain a restriction governing the subject property that, if applicable, neither it nor the property with which it is consolidated shall thereafter be subdivided. The deed will also contain a further covenant that neither the purchaser nor any future owner or potential developer of the lot may ever in any manner, directly or indirectly, assert a claim against the Town of Hammonton based upon the inability to develop or use the lot including, but not limited to, a claim for inverse condemnation or damages of any kind.

(e) The Town makes no warranties whatsoever regarding said lands and assumes no responsibility for environmental conditions, known or unknown, regarding said lands. The bidder shall be responsible for the exercise of due diligence in determining the condition of the land, including but not limited to,

the determination of any title conditions, environmental conditions, zoning and development restrictions and any other condition or restriction that might impact the use of the land.

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

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

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

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

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

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

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

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

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

Motion by Council Person Giraldo Second Rodio

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

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

Roll Call
Councilperson:
Furgione – Yes
Giraldo – Yes
Gribbin - Yes
Oliva- Yes
Rodio - Yes
Torrissi – Yes
Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Public Hearing of Ordinance # 013 -2020 – Fixing Salaries of members of the PBA

AN ORDINANCE FIXING THE SALARIES OF THE MEMBERS OF THE PBA

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

Section 1. The Town of Hammonton has employed qualified personnel for purpose of handling the duties in the police department. Pursuant to Town Code and a negotiated contract between the representatives of the Police Department PBA, the salaries, clothing allowance, education stipend, health insurance buyout, cell phone reimbursement, sick time, vacation time, personal time, comp time, holidays and overtime have all been set for the calendar years Starting April 1, 2020 to December 31, 2025. Individuals employed as Police Officers and Sergeants shall be paid pursuant to the contract. Minimums and maximums as per contract are as follows:

	MINIMUM	MAXIMUM
Police Officer	\$40,000.00	\$110,900.00
Sergeant	\$65,000.00	\$121,900.00

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

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

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

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

Section 6. This ordinance shall take effect after final passage and publication according to law and its provisions shall be retroactive to April 1, 2020.

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

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

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Oliva- Yes

Rodio - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

COMMITTEE REPORTS

Administration - Councilman Gribbin

Motion by Council Person Gribbin Second Oliva

Approval for the Hammonton Drug Alliance to use Channel 9 Every Wednesday in December for Santa to read stories

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Oliva- Yes

Rodio - Yes

Torrissi – Yes

Mayor DiDonato – Yes

Mayor DiDonato declares motion is carried

- Reviewed Admin Meeting
- BAN Sale will Occur on October 27th for Ordinance #008-2020
- Reviewed Election day procedures
- Thanked all veterans for their service and Vets day is November 11th

Business & Industry – Councilman Oliva

- 3rd Thursdays November 19th from 5 to 8
- Economic Impact Committee will meet this Wednesday October 28, 2020. They will discuss new funding for businesses that where effected by COVID

Quality of Life – Councilman Oliva

- Reviewed trick or treat procedures
- Green Committee will host event on November 14 at lake park from 11 to 3
- Environmental Committee will have a lake Cleanup at lake park on November 14 from 9 to 11
- Update on Master Plan progress

Motion by Council Person Oliva Second Rodio

Approval of purchase order to ARH to create a data viewer for Tax and Zoning data not to exceed \$3,360.00, no additional fees for licensing

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin- Yes

Oliva- Yes

Rodio - Yes

Torrissi – Yes

Mayor DiDonato – Yes

Mayor DiDonato declares motion is carried

Education - Councilman Torrissi

- School Board is following all protocols with the issue they are dealing with concerning COVID
- There will be no VETS celebration this year.

Public Works & Transportation - Councilman Rodio

- Reviewed 14th Street and Bike Path projects
- 2020 Road program is moving along and should be complete in the next coming weeks

Water & Sewer - Councilman Furgione

- Spoke about the T-Mobile work that will occur on the Lincoln Street Tower
- Land Application at Boyer Ave update
- Lagoons and Drip are doing well at Boyer and should not have an issue going into the winter

Motion by Council Person Furgione Second Rodio

Approval for mayor to executive and sign the water accountability Act agreement

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin- Yes

Oliva- Yes

Rodio - Yes

Torrissi – Yes

Mayor DiDonato – Yes

Mayor DiDonato declares motion is carried

Law & Order - Mayor DiDonato

- Police Chief Kevin Friel spoke about the stop sign on Grape and Central
- Chief Friel gave an update on COVID
- Chief spoke about trick or treat safety guidelines

Motion by Council Person Mayor Second Gribbin

Approval to send letter to County regarding the intersection at Grape and Central Ave, Install a 4 way stop at the intersection.

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin- Yes

Oliva- Yes

Rodio - Yes

Torrissi – Yes

Mayor DiDonato – Yes

Mayor DiDonato declares motion is carried

ENGINEER REPORT

PUBLIC WORKS INFORMATION ITEMS:

Roadway & Transportation Projects

1. NJDOT Local Aid FY 2020 – 14th Street Roadway Improvements, Phase III (ARH #11-40058):

A pre-construction meeting was held on 10/15/16 at Town Hall. The Contractor is providing submittals and required NJDOT paperwork prior to proceeding. It is currently anticipated that work will begin on or about November 4th. It is anticipated that storm work and some of the concrete flat work will be completed.

Paving will likely be held off until the spring to allow for better weather and for any trench settlement to occur.

Our intent is to utilize/maximize the value of the NJDOT grants. We have requested additional pricing from the Contractor. We will review options with the Town and present a change order within the grant allotment.

2. Hammonton Bike Path Connector (ARH #11-40052):
A pre-construction meeting is scheduled for Friday October 23rd. We will work with the Contractor on pre-construction activities including shop drawings and scheduling. Once the project progresses, we will ensure the paving takes place during an appropriate temperature. If needed, we will push the paving to the spring.
3. Washington and Somerby Streets Utility As-built (ARH #11-50144):
As part of the Town's road paving program ARH was asked and authorized to perform an as-built survey of the utilities along Somerby Street and at the intersections with Washington Street and Railroad Avenue. This work is complete, and the information has been provided to the Town.
4. NJDOT FY2021 State Aid Applications (ARH #11-40041): No Status Change
This item is pending NJDOT review. Our office completed and submitted the following NJDOT FY2021 State Aid Applications for the Town:
 - Municipal Aid – Valley Avenue Roadway Improvements
 - Bikeways – Hammonton Bike Path Extension Phase II

Typically, the NJDOT announces the grant awards towards the end of the year or beginning of next year.

Environmental Projects

5. Mazza Muffler Site / 104 S. Egg Harbor Road (ARH #11-01102): No Status Change
The HDSRF grant application valued at approximately \$31,000 has been submitted for a preliminary assessment and site investigation. Application is currently under review by NJDEP.
6. K&K Linens Property / 224 Vine Street (ARH #11-01094.01): No Status Change
The HDSRF grant application has been submitted and is under review by NJDEP. All work on this project is currently on hold pending Town direction to proceed and/or receipt of funding from NJDEP.
7. Octagon Oil/Vine Street Parking Lot (ARH #11-01060): No Status Change
ARH is currently preparing a Remedial Action Permit application for ground water impacts. Once prepared we will coordinate with administration related to the content of the plan and for applicable application fees.
8. Celona Site Remediation - 130 Railroad Avenue (ARH #11-01054): No Status Change
As previously reported; three (3) permanent wells were installed and tested. Currently, we are taking periodic samples and tests. This is anticipated to extend into the first quarter of 2022.
9. Skinner Property / 317 N. Egg Harbor Road (ARH #11-01074.01): No Status Change
The HDSRF grant application has been submitted and is under review by NJDEP. All work on this project is currently on hold pending receipt of funding from NJDEP.
10. Policastro Property / 120 E. Pleasant Street (ARH #11-01101.01): No Status Change
Previously ARH prepared and provided the Town with a Preliminary Assessment / Phase I Environmental Site Assessment. All work on this project is currently on hold pending Town direction related to moving forward with an HDSRF grant application.

SEWER/WATER INFORMATION ITEMS:

11. Boyer Avenue Pump Station Design (ARH #11-50144):
As previously reported; the Pinelands has requested an alternatives analysis, which is required to justify the proposed location of the pump station. Our office has prepared the analysis for resubmission. The analysis may impact the design of the station if the Pinelands requires us to relocate the system. We continue to work with the NJDEP to complete the Treatment Works Approval application.

We have reviewed the plans, and discussed the layout with a few impacted property owners, and Town representatives. At present we are evaluating the design related to the goals presented for the project, the budget, and environmental constraints. In an effort to fully vet the alternatives available we are working on exhibits to reflect the items discussed at a 9/17/20 in field meeting. We will be adding to the alternative's analysis, based upon the input received. Since the last reporting period; we have updated approximately 6 alternatives as relates to the collection system. We will be preparing a list of items to be discussed with the appropriate Town officials prior to giving an alternatives analysis to the Pinelands Commission.

12. NJ Water Quality Accountability Act – Asset Management Plan (ARH #11-30166.03):
ARH worked with the Town to complete the portion of the asset management plan that related to the distribution system related to pipes, valves, and hydrants. The balance of scope remaining relates to source and supply items specifically the water towers and wells.

As previously reported; ARH provided Anthony DeCicco with a proposal to complete the remaining elements of the Asset Management Plan. The cost to complete the plan for the three (3) well sites is \$18,300.00, which includes performing a complete asset inventory, creating the Asset Management Plan database with maintenance and replacement schedules and performing a water loss audit. The proposal has been deferred to a later date.

SOLICITOR REPORT

Introduction of Ordinance #015-2020- Amend Chapter 261 Towing

AN ORDINANCE TO AMEND CHAPTER 261 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. This Ordinance shall repeal and replace Ordinance #09-2020. Chapter 261, Sections 2, 3, 4, 5, 7 and 9 are hereby repealed.

Chapter 261 is amended to read as follows:

§261-2. Application Process.

A. Submission of application. Applications for all towing licenses required by this Chapter shall be made in writing to the Town Clerk who shall review the applications for completeness prior to transferring said applications to the Chief of Police for processing. All applications shall be accompanied by a \$300.00 nonrefundable application fee.

1. Contents of application. Each application shall include the following information:

(a) The name of the applicant; if a corporation, the names and addresses of the officers; if a partnership, the names and addresses of all partners; if a limited liability company, the names and addresses of the members; if a sole proprietorship, the name and address of the owner, shall be set forth.

(b) The complete home address, home telephone number, date of birth and social security number of the applicant, if a sole proprietorship, or the complete home addresses, home telephone numbers, dates of birth and social security numbers of principal officers and partners if the applicant is a corporation or partnership; or the complete home address, home telephone

numbers, dates of birth and social security numbers of the members if the applicant is a limited liability company.

(c) Photocopies of all registrations of every tow vehicle to be operated by the applicant. If the tow vehicle is leased, the applicant is required to submit a lease agreement.

(d) Names, addresses and telephone numbers of any lien holders on the principal location.

(e) Name, address and telephone number of the insurer and photocopies of each certificate of insurance.

(f) Photocopies of all towing vehicle operator's current driver's licenses, along with their social security numbers.

(g) Whether or not the applicant has ever had a license to conduct the business herein described denied or revoked. If such license has been denied, the applicant shall set forth in detail the facts leading to such denial.

(h) A statement as to whether the applicant has been convicted of any crime or the violation of any municipal ordinance other than traffic offenses and, if so, the date and place of conviction, the nature of the offense.

(i) The business telephone number of the applicant.

(i) The description, including the license number, of all vehicles to be used.

(k) If the applicant is not actively involved in the day to day operations of the business, then in that event, the applicant shall provide the name and address of the manager and/or individual responsible for the day-to-day operations of the business.

(l) The applicant shall execute a hold harmless and indemnification agreement prepared by the Town of Hammonton wherein, the municipal towing contractor shall hold harmless, indemnify and defend, at the contractor's expense, the Town of Hammonton, its employees and officials against all claims, demands, lawsuits, or actions for personal injury, property damage, or any third party claim brought against the Town, its employees and officials for any activities which arise out or are related in any way to the services performed in accordance with this Chapter.

(m) The applicant shall provide an affidavit that the information given in the application is true and correct.

(n) Applications will be processed according to the order in which the Town Clerk received them.

B. Investigation and inspection.

1. Applications received by the Town Clerk shall be referred to the Chief of Police. The Chief of Police or his designee shall initiate an investigation to be made of the applicant and of its proposed business operation and shall perform inspections of the vehicles to be licensed.

2. A criminal history and driver's license check will be performed on all persons listed in the application; each applicant will pay all fees required by the State of New Jersey for criminal history record information.

3. The Town of Hammonton recognizes that the municipal towing contractor must be trustworthy in that it is safeguarding vehicles belonging to others. Therefore, to protect the public interest, the Town may disqualify any applicant wherein an employee, owner, officer, partner, etc., that has been convicted of a crime (including disorderly persons offenses) or any violation that would indicate that the applicant may not be responsible to perform in the best interest of others.

4. The Town of Hammonton recognizes that tow truck operators must also be drivers who abide by this state's motor vehicle laws. Accordingly, the Town may disqualify any tow truck operator having one or more convictions, within three years of the date of application or renewal thereof, of any moving violation of the motor vehicle laws of this state which the Town Chief of Police or his designee determines will negatively impact upon the ability of the tow truck operator to safely and properly perform the services listed in this chapter. If the applicant is already licensed, any conviction for any moving violation which the Town Chief of Police or his designee determines will negatively impact upon the ability of the tow truck operator to

safely and properly perform required services will result in the disqualification of the tow truck operator from performing duties associated with this chapter.

5. Each contractor must be able to demonstrate that they are qualified and experienced in the towing and removal of all types of vehicles and that they have the facilities, equipment, expertise and personnel to meet the towing and storage requirements of the Town of Hammonton as set forth herein. Further, each contractor shall possess any and all licensing required by local and state law to perform towing and/or storage services within New Jersey.

6. The municipal towing contractor shall notify the Police Department, in writing, of any criminal charges (including disorderly person's offenses), motor vehicle offenses or ordinance violations that are issued against the municipal towing contractor or its employees during the term of the license. Failure to make the proper notification to the Police Department may result in the revocation of the license.

C. Approval/Denial Process.

1. The Chief of Police shall have a reasonable period of time after the receipt of the completed application to complete the investigation and inspection and submit a written report to the Town Clerk. The report shall include recommendations that the applicant be accepted, denied or accepted with provisions.

2. The Town Council, by a majority vote, shall approve or deny any such applications.

3. The Town Clerk shall issue a license to applicants approved by the Town Council and notify in writing the applications denied by the Town Council.

D. License Issuance.

1. All towing licenses will be issued for a period of one year beginning January 1 of each year and expire on December 31. Applications for license renewals are to be completed and returned to the Town Clerk by September 15 for the following calendar year.

2. Licenses are property of the Town and cannot be assigned, leased, shared, transferred or sold to another person, corporation or proprietorship under any circumstances.

3. The municipal towing contractor shall not represent that he is a servant, agent or employee of the Town with respect to said towing service, but is an independent contractor and shall not hold himself out as an official member of the government of the Town of Hammonton or of its departments.

4. The Town of Hammonton may issue a temporary municipal towing contractor license in the event that any emergent situation arises for the purpose of adding additional towers or replacing a current license, for reasons of revocation or closing of the business. The temporary license may be issued immediately, but the applicant must submit an application within two business days. A temporary license shall be valid for 60 days.

§261-3. Procedure in Event of Denial.

A. In the event that the Chief of Police or a police officer designated by him/her makes a determination of non-issuance of a license to an applicant, the applicant aggrieved thereby may appear to the governing body of the Town of Hammonton by written notice filed with the Town Clerk within 30 days of the date of the denial. Town Council shall, at that time, set a date for the hearing, which shall take place no sooner than 10 days nor later than 30 days from the date the request was presented to

Town Council. The governing body shall review the application documents, hear testimony from the applicant, the Chief of Police or a police officer designated by him/her and other witnesses as it deems fit, and thereupon affirm, deny or modify the action taken by the Chief of Police or a police officer designated by him/her.

B. No applicant shall conduct a business without a license or while a denied license is under appeal as aforesaid.

§261-4. Revocation or Suspension of License.

A. Any license issued by the Town may be suspended or revoked by the Chief of Police for any of the following causes:

1. Fraud or misrepresentation in any application for a license.
2. Fraud, misrepresentation or other illegal activity in the conduct of the licensed business.
3. A violation of any provision of this chapter or other Town ordinances.
4. Conviction of the licensee for any felony or a misdemeanor or disorderly person's offense involving moral turpitude.
5. Conduct of the licensed activity, whether by the licensee himself or his agents or employees, in an unlawful manner or in a manner that constitutes a breach of the peace or a menace to the public health, safety or general welfare.
6. A criminal conviction of a towing operator or a principal of the towing operator.
7. Failure to respond to calls reliably and promptly, or any other unsatisfactory performance, which interferes with the operation of the rotating tow system.
8. Failure to utilize safe and adequate equipment as set forth herein.
9. Violations of motor vehicle laws and/or municipal ordinances.
10. Failure or refusal to tow or remove a vehicle when requested to do so by the appropriate municipal official.

B. In the event that the Chief of Police revokes or suspends a license issued pursuant to this Chapter, the applicant aggrieved thereby may appeal to the governing body of the Town of Hammonton by written notice filed with the Town Clerk within 30 days of the date of the revocation or suspension. Town Council shall, at that time, set a date for the hearing, which shall take place no sooner than 10 days nor later than 30 days from the date the request was presented to Town Council. The governing body shall hear testimony from the applicant, the Chief of Police or a police officer designated by him/her and other witnesses as it deems fit and receive documents and evidence as it deems fit, and thereupon affirm, deny or modify the action taken by the Chief of Police.

§261-5. Tow/Storage Requirements; Towing and Storage of Vehicles; and Fee Schedule

A. Tow Requirements

1. The contractor shall provide, at a minimum, one or both of the following pieces of equipment to be used to meet the terms of this chapter:

(a) One light-duty wrecker. These shall have commercially manufactured chassis certified by the manufacturer for light-duty towing. Each shall be equipped with commercially manufactured lifting apparatus with dual rear wheels, safety chains, proper safety lights, rear floodlights and amber rotation emergency flashing lights.

(b) One car carrier vehicle. These shall have commercially manufactured chassis certified by the manufacturer. Each shall be equipped with a hydraulically powered winch. The tilt bed or slid-back shall be hydraulically operated. Each shall also be equipped with tie down chains, proper safety lights and amber rotation emergency flashing lights.

2. Each tow vehicle shall be equipped with or contain equipment for providing two-way communications via radio or cell phone with the contractor's office facilities. These communications shall be available 24 hours a day, seven days a week. Tow vehicles shall also be equipped at all times with safety vests for operators, first aid kits, hand tools, a flashlight, broom, and work gloves. The contractor shall not apply any additional charge for using this equipment.

3. The following equipment shall be carried on all tow vehicles:

- (a) Push broom.
- (b) Shovel.
- (c) Fire extinguisher.
- (d) Trash can/bag.
- (e) Absorbent.

4. All tow vehicles must comply with all applicable laws and safety standards.

5. The municipal towing contractor must maintain two (2) phone numbers that act as a twenty-four hour telephone service for police contact.

B. Storage Requirements.

1. The municipal towing contractor shall designate one (1) storage facility located in Hammonton, or if the municipal towing contractor does not have a storage facility in Hammonton then within five (5) miles of Hammonton, that it shall store all cars towed pursuant to this Chapter.

2. All vehicles stored under this chapter shall be stored and protected with ordinary care to protect the vehicle from further damage.

3. There shall be no unescorted access to the storage area by the general public. Storage areas shall be posted against unauthorized entry.

4. The Police Department shall have access to any part of the storage area, 24 hours a day, seven days a week, for the purpose of inspection or investigation. Under this provision, access means a contact person must be available to provide entry.

5. No vehicles towed by the municipal towing contractor shall be stored outside of the storage facility.

6. The municipal towing contractor shall maintain regular hours for the release of vehicle from storage; a minimum of eight hours a day, Monday through Friday (excluding New Jersey state

holidays) and four hours on Saturdays. Hours shall be conspicuously posted at the municipal towing contractor's principal location and the storage facility.

7. If a vehicle is towed as a result of parking in a no-parking location in the Town of Hammonton during a festival, parade, or other sanctioned Town event, the municipal towing contractor shall make itself available to release the vehicle that day provided the owner of the vehicle has obtained a release from the Hammonton Police Department and paid all fees to the Town and municipal towing contractor in accordance with this Chapter.

C. Towing and Storage of Vehicles

1. Towing services must be available 24 hours a day, seven days a week. The municipal towing contractor must provide a tow vehicle to the designated site within 20 minutes of being notified by the Hammonton Police Department. Repeated late arrivals without satisfactory cause shall constitute grounds in which the Chief of Police may consider the municipal towing contractor in violation of this Chapter and may be grounds for immediate suspension or revocation of said license.

2. Municipal towing contractors will be placed on call on a rotating basis as determined by the Chief of Police.

3. Municipal towing contractors shall be responsible for the towing of vehicles from the public streets, public alleys, public rights-of-way, public easements, avenues, thoroughfares, public or quasi-public places, including parks and playgrounds, or any other Town, county or state owned facility, as directed by the Town police.

4. The municipal towing contractor shall remove vehicles for storage to either the municipal towing contractor's storage facility or the Town storage facility, as directed by the Police Department.

5. Vehicles towed to the municipal towing contractor's storage facility will incur charges as set forth in this Chapter.

6. Vehicles towed to the Town storage facility will incur only applicable towing fees, not storage charges.

7. Prior to release of a vehicle from the Town storage facility, the Town will require the owner to satisfy his obligations to the municipal towing contractor.

8. In the event the police direct the municipal towing contractor to move the vehicle from the Town storage facility to contractor's storage facility, the owner of the vehicle will incur the cost of the additional tow and storage fees commencing the date the vehicle is moved. The municipal towing contractor that provided the original service will be requested to provide the secondary service, as long as the contractor still holds a municipal towing license from the Town of Hammonton.

9. The owner of any vehicle towed shall have the right to remove his personal belongings from the stored vehicle during normal business hours, unless the vehicle is being held as evidence.

10. The owner or agent of the owner shall have the right to photograph the stored vehicle during normal business hours.

11. When the municipal towing contractor has been contacted by the Police Department to remove a disabled vehicle that is not impeding the flow of traffic or a safety concern and then the owner or operator of that vehicle appears prior to the municipal towing contractor's arrival and requests his own towing service, the municipal towing contractor cannot charge for the response.

12. The municipal towing contractor shall be responsible to clean up and remove all broken glass and debris at the scene of accidents as per N.J.S.A. 39:4-56.8b and any amendments thereto.

13. The municipal towing contractor will also be responsible for basic environmental cleanup.

14. In the event that an emergency arises and the on-call municipal towing contractor cannot provide adequate service when requested by the Police Department, another municipal towing contractor will be contacted to respond.

15. If no municipal towing contractor can perform the required service, the Police Department may contact any available towing contractor with the proper equipment to perform the activity. The fees for vehicles that require this extraordinary service shall be reasonable and customary based upon the prevailing rate in the industry. Whenever applicable, it shall be the responsibility of the towing contractor to first inform the owner or operator of the estimated total cost prior to the performance of any towing service.

16. Municipal towing contractors may not charge any owner for any damage to his tow equipment or storage facilities resulting from any towing operation.

17. Prior to towing any vehicle, the municipal towing contractor shall remove or secure anything that may fall from the disabled vehicle while being towed.

18. No municipal towing contractor shall release a vehicle until a Town of Hammonton Police Department vehicle release form is completed, signed and filed with the Hammonton Police Department. An administrative fee of \$25 shall be charged for the processing of the Hammonton Police Department vehicle release form. Such fee is to be paid by the owner of the vehicle and collected by the Town of Hammonton prior to a release being issued.

19. Pursuant to N.J.S.A. 39:4-56.6, the municipal towing contractor shall be responsible for the public sale or auction of any vehicle abandoned at the municipal towing contractor's storage facility. The Town of Hammonton shall only be responsible pursuant to N.J.S.A. 39:10A-1 et seq., for abandoned and unclaimed vehicles at a Town-owned storage facility.

20. In no event shall the Town of Hammonton be liable for any charges or claims associated with the towing and/or storage of any vehicles towed or stored under the terms of this Chapter unless said vehicle is owned by the Town of Hammonton and sold at public auction.

D. Fee Schedule

1. Basic Towing. Basic Towing Service shall be defined as: The removal and transportation of an automobile from the incident scene to the contractor's storage lot at the request or call of authorized personnel or members of the Town of Hammonton Police Department as may be required when said automobile is abandoned, disabled, damaged in accidents, illegally parked, recovered after being stolen or, in the case of emergency, from a highway, street or other public or private road, or from a parking area or from a storage facility, basic clean up (including glass, debris and fluid), gate fee after hours, yard fee, winching fee, additional cost for second tow truck, if needed, and recovery of a vehicle not in an upright position in the right-of-way only. It does not include recovery of an automobile from a position beyond the right-of-way or berm, being impaled upon any other object within the right-of-way or berm, or any further services provided by the contractor.

2. The maximum fees municipal towing contractors shall charge for Basic Towing Service shall be as follows:

(a) Basic towing service (two axles).

- i. Under 10,000 pounds gross vehicle weight: \$140.
- ii. Additional axle: \$25.

- iii. Rate per mile out of Town: \$3.
- (b) Basic towing service (two axles).
 - i. Between 10,001 pounds and 16,000 pounds gross vehicle weight: \$215.
 - ii. Additional axle: \$35.
 - iii. Rate per mile out of Town: \$4.
- (c) Basic towing service, over 16,001 pounds gross vehicle weight (heavy duty): \$300.
 - i. Rate per mile out of Town: \$5.
- (d) Basic towing service, motorcycle/motorized bicycle: \$100.
 - i. Rate per mile out of Town: \$3
- (e) Recovery of vehicle not in an upright position within the right-of-way.
 - i. Vehicle under 8,000 pounds gross vehicle weight: \$75.
 - ii. Vehicle between 8,000 pounds and 16,000 pounds gross vehicle weight: \$100.
 - iii. Fees for vehicles over 16,000 pounds gross vehicle weight shall be reasonable and customary, based on prevailing rates in the industry.
- (f) Cost for a second tow truck if needed: \$75 per hour.
- (g) Basic cleanup, including glass, debris and fluid: \$35, plus \$17 per bag of absorbent used.
- (h) Storage fees per calendar day (commencing 12 hours after the request for tow).
 - i. Outside building secured.
 - [1] Under 8,000 pounds gross vehicle weight: \$35.
 - [2] Up to 16,000 pounds gross vehicle weight: \$40.
 - ii. Inside building secured.
 - [1] Up to 16,000 pounds gross vehicle weight: \$50.
 - iii. Fees for vehicles over 16,000 pounds gross vehicle weight shall be reasonable and customary, based on prevailing rates in the industry.
- (i) Where a vehicle is stored as a result of having been involved in a fatal motor vehicle accident or incident, the permitted storage fees shall not start to be incurred until the 8th calendar day after the owner or owner's representative is notified by the Police Department that the vehicle can be released.
- (j) Owner access to vehicle. Any owner requesting access to the owner's vehicle at the storage facility to retrieve items from the vehicle may be charged a fee of \$40.
- (k) After-hours release fee (Gate Fee): \$40.
- (l) Yard fee: \$40
- (m) Winching fee: \$125

3. Non-basic towing.

(a) Non-basic towing shall be defined as: All towing services that are not basic towing services or private passenger automobiles.

(b) This chapter is not intended to regulate or set fees for non-basic towing services or the towing and storage of trucks and buses. Such service, if required, shall be billed at reasonable prevailing rates. The towing contractor shall submit a list of fees in advance for non-basic towing services to the Chief of Police, who shall have the sole discretion in determining the maximum fees permitted.

4. Municipal vehicles. The maximum charge for towing Hammonton municipal vehicles, for both basic and non-basic towing, whether from within the Town of Hammonton or outside the Town of Hammonton to any designated municipal impound lot or other location shall be \$100.00.

§261-6. Insurance Requirements

A. Towing contractors shall be required to purchase, maintain and provide during the time of service on the rotary list proof of insurance furnished by a reputable insurance company licensed to do business in the State of New Jersey, containing the following coverages with liability limits as set forth below:

1. Garage liability/comprehensive general liability insurance policy in an amount not less than \$1,000,000 combined single limit coverage bodily injury and property damage liability, including but not limited to personal injury, products liability (where applicable), independent contractor and completed operation coverage.

2. Garagekeepers legal liability "direct primary" insurance policy in an amount not less than \$100,000. Said policy must include both comprehensive and collision and an endorsement to include on hook.

3. Automobile liability insurance policy in an amount not less than \$1,000,000 combined single limit covering bodily injury and property damage liability including but not limited to owned, nonowned and hired vehicles.

4. Workers' compensation insurance as required by law, including, but not limited to, statutory New Jersey Workers' Compensation benefits, and employers liability of at least \$100,000.

5. Excess/umbrella liability. In the event that a garage liability and/or automobile liability cannot be purchased up to the required limit of \$1,000,000, an excess liability or umbrella liability policy must be purchased to effect a total liability limit of \$1,000,000. Excess or umbrella liability policies will not be required for garage or automobile policies that meet or exceed the minimum limit of \$1,000,000.

6. The garage liability policy shall name the Town of Hammonton as additional insured and certificate holder.

§261-7. Recordkeeping

A. The municipal towing contractor shall prepare and issue to the owner/operator a written invoice for services rendered under this chapter. The invoice shall reflect the date, time, location of service, the employee that performed the service and that the service was performed at the direction of the Police Department. A copy of the invoice shall be retained by the municipal towing contractor and filed in a manner that coincides with his normal business practice and will allow immediate access to such records when requested by the Police Department.

B. The municipal towing contractor has discretion to establish the method of payment and forfeits all mechanic lien rights once he physically releases a vehicle from his custody. The Town will not be held liable for or

assist the municipal towing contractor to collect any unpaid fees that were incurred under the provisions of this chapter.

C. The municipal towing contractor shall incur the cost of and shall post the rate schedule listed in this chapter in a conspicuous location at the municipal towing contractor's principal location where payment of fees are transacted.

D. The municipal towing contractor shall not release any vehicle impounded under this chapter without written release from the Police Department. The release form must be attached and filed with the invoice.

E. All records, payment invoices and other documentation resulting from the municipal towing contractor's compliance with this chapter must be kept by the municipal towing contractor for a period of two years.

3. Chapter 261, the following Sections shall be renumbered:

<u>Old Section</u>	<u>New Section</u>
§261-6	§261-8
§261-8	§261-9

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.

Motion by Council Person Giraldo Second Rodio

Ordinance has passed 1st reading and is approved for public hearing and advertisement

Roll Call

Councilperson:

Furgione – Yes

Giraldo – Yes

Gribbin - Yes

Oliva- Yes

Rodio - Yes

Torrissi – Yes

Mayor DiDonato – Yes

Mayor DiDonato declares motion is carried

Motion by Council Person Giraldo Second Rodio

Approval for Mayor to sign agreement with the County for the Traffic Study on Route 30 and Seagrove Ave. Issue a PO to County in the amount of \$15,000.00 for 30% of the cost.

Resolution #116A-2020 – Traffic Study with Atlantic County

RESOLUTION AUTHORIZING THE AGREEMENT
BETWEEN THE TOWN OF HAMMONTON AND
THE COUNTY OF ATLANTIC FOR A TRAFFIC STUDY

WHEREAS, the Town of Hammonton AND THE County of Atlantic agree to enter into an agreement for a traffic study of the following intersections;

- A. Central Avenue (CR542), Seagrove Ave and White Horse Pike (U.S. Rt 30);
- B. Main Road (CR 679) and White Horse Pike (U.S. Rt. 30);
- C. Main Road (CR 679) and Seagrove Ave;
- D. Main Road (CR 679) and Pleasant Mills Road (CR 542); and
- E. Pleasant Mills Road (CR 542) and White Horse Pike (U.S. Rt. 30)

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 as follows:

1. The Agreement which is annexed hereto and made a part hereof with the County of Atlantic is approved.
2. That the Mayor and/or Municipal Clerk are hereby authorized to execute said agreement.

Roll Call

Councilperson:

Furgione – Yes

Giraldo – Yes

Gribbin - Yes

Oliva- Yes

Rodio - Yes

Torrissi – Yes

Mayor DiDonato – Yes

Mayor DiDonato declares motion is carried

PWM REPORT

2020 Road Program

The concrete subcontractor has completed the work on all the streets except one intersection which Arawak's concrete crew will finish in mid November. Arawak has completed the mill and roadway pavement on all the project streets. They have started the driveway and lawn restoration work. We will prepare a list of remaining work and punchlist items for the contractor.

2019 Road Program

The micro-surfacing contractor APS has completed the work on Golden Eagle Drive, Gatto Road and Sindoni Lane.

Storm Water Utility Grant, NJ League of Conservation Voters

The Town was recently informed they were approved for a \$20,000 grant to secure the services of a storm water consultant to investigate the possible benefits to establish a storm water utility. The Town Solicitor is presently reviewing the agreement. The NJLCV representative has sent the Town a list of accepted consultants for proposal solicitation. We will send out a letter shortly to select a consultant.

Safe Routes to Schools, Sooy Elementary School

The NJDOT has approved the consultant's proposal for the preliminary design and project permitting. An agreement for the consultant was provided for Council's review and approval totaling \$324,908.97. We are completing some additional documentation related to the project as requested by the NJDOT. A Bond Ordinance to establish the project funds must be introduced so the consultant's agreement could be signed and work started. We have sent an e-mail to the NJDOT program coordinator to make sure that the consultant's preliminary engineering work is reimbursable to the Town. We will also send a copy of the NJDOT agreement and the consultant's proposal to the solicitor for review.

NJ I-Bank Financing Program

An application for purchase and installation of the centrifuge at the treatment plant has been completed and we are checking with the I-Bank staff on their review for possible funding.

White Horse Pike U.S. Rt. 30, Central Avenue, Pleasant Mill Rd. Co. Rt. 542, and Seagrove Avenue Intersection Safety Improvements

We are waiting on a cost estimate and cost sharing agreement with the County.

Electric Vehicle Charging Station funding application, Vine Street

We have completed the majority of the application and have recently been in contact with representatives from EV Connect to provide technical assistance on the application. We will keep the Mayor and Council informed of a possible agreement with the consultant for consideration to aid in our chances for receipt of funds. We are also checking with the Atlantic City Electric related to extending an electric service line to the site.

Other items

October Schedule (items must be out prior to 6 am)

- Bulky 2nd to 6th – 3 item limit
- Brush 9th to 13th – One (1) 6' x 6' pile allowed
- Recycling pickup by the County will occur on the 2nd to 6th and the 16th to 20th.

TOWN CLERK REPORT

1) Approval to advertise for a temporary 6 Month Bi-lingual Key Board Clerk for the Municipal Court Office. Hourly rate of \$14.50 per hour, 19.5 to 26 hours per week. Contingent upon all civil services rules and regulations.

2) Approval of Best Practices Inventory. The Town scored a 22 out of a possible 24.5 points to obtain the full amount of New Jersey State Aid for 2021.

Motion by Council Person Torrissi Second Gribbin

Approval of Items 1 to 2 above

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Oliva- Yes

Rodio - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

APPROVE BILL LIST & PURCHASE ORDERS

Motion by Council Person Gribbin Second Giralo

Bill List is approved

Roll Call

Councilperson:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Oliva – Yes

Rodio - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

NEW BUSINESS

ORDINANCES FOR INTRODUCTION

Introduction of Ordinance #014-2020- Fixing Salary for Department Head of the Construction Office

AN ORDINANCE FIXING THE SALARY OF
THE DEPARTMENT HEAD OF THE CONSTRUCITON OFFICE

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

Section 1. The Town of Hammonton has employed qualified personnel for purpose of handling the duties of Department of the Construction Office. Pursuant to a negotiated contract between the Department Head of the Construction Department and the Town of Hammonton, the individual shall be paid pursuant to the contract. Minimums and maximum salaries as per contract are as follows:

	<u>MINIMUM</u>	<u>MAXIMUM</u>
Department Head Construction Dept.	20,000.00	75,000.00

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

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

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

Section 5. This ordinance shall take effect after final passage and publication according to law and its provisions.

Motion by Council Person Gribbin Second Oliva

Ordinance has passed 1st reading and is approved for public hearing and advertisement

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Oliva- Yes

Rodio - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

RESOLUTIONS

Resolution #107-2020- Authorize Electronic Tax Sale

Resolution authorizing the Tax Collector to hold an Electronic Tax Sale

WHEREAS, N.J.S.A. 54:5-19, requires that the Tax Collector hold a tax sale once a year for unpaid property taxes and other municipal charges; and

WHEREAS, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations promulgated by the Director of the Division of Local Government Services; and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Hammonton, County of Atlantic, and State of New Jersey that the Tax Collector is authorized to hold an electronic tax sale.

Resolution #108-2020- Authorize Contract with ROK for Tax Sale

Resolution authorizing execution of a contract with ROK Industries, Inc. d/b/a NJTaxLienInvestor.com and Real auction .com for electronic tax sale

WHEREAS, the Tax Collector has requested the town to authorize a contract for an Electronic Tax Sale for the Tax Collector's office; and

WHEREAS, the Tax Collector has issued requests for quotes for this project; and

WHEREAS, the Town of Hammonton wishes to enter into a contract with ROK Industries, Inc. d/b/a/ NJTaxLienInvestor.com and Realauction.com for the electronic tax sale;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Hammonton, County of Atlantic, and State of New Jersey that the Mayor and Town Clerk are hereby authorized to execute an agreement with ROK Industries, Inc. d/b/a/ NJTaxLienInvestor.com and Realauction.com for the Electronic Tax Sale for the Tax Collector's Office, in the total maximum contract not to exceed \$15.00 per line item.

BE IT FURTHER RESOLVED that funds to pay the above stated amount will be realized through the tax sale costs collected as part of the electronic tax sale.

Resolution #109-2020 – Authorize Method of Payment for Delinquent taxes

Resolution Authorizing Method of Payment for Delinquent Taxes

WHEREAS, the Town of Hammonton conducts an accelerated tax sale each year; and

WHEREAS, any taxpayer who is delinquent as of November 23rd of the current year shall be included in the accelerated sale; and

WHEREAS, to ensure full payment prior to the date of the accelerated tax sale, the Town must know that taxes have been paid in full;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Hammonton, County of Atlantic and State of New Jersey that all delinquent tax payments tendered on or after November 24, 2020, must be paid either by cashier's check, money order or cash.

Resolution #110-2020- Appoint Fund Commissioner Statewide Insurance Fund

STATEWIDE INSURANCE FUND
RESOLUTION APPOINTING FUND COMMISSIONER

WHEREAS, The Town of Hammonton (hereinafter "Local Unit") is a member of the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the Fund's Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Town of Hammonton that Frank Zuber is hereby appointed as the Fund Commissioner for the Local Unit for the **Fund Year 2021**; and

BE IT FURTHER RESOLVED that Audrey Boyer is hereby appointed as the Alternate Fund Commissioner for the Local Unit for **the Fund Year 2021**; and

BE IT FURTHER RESOLVED that the Local Unit's Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

Resolution #111-2020 – Authorize Purchase of Natural Gas Supply Services

RESOLUTION OF TOWN OF HAMMONTON AUTHORIZING
THE PURCHASE OF NATURAL GAS SUPPLY SERVICES
FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, Town of Hammonton has determined to move forward with the EMEX Reverse Auction in order procure natural gas for Town of Hammonton; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the "Act") authorizes the purchase of natural gas supply service for public use through the use of an online auction service; and

WHEREAS, Town of Hammonton will utilize the online auction services of EMEX, LLC, an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at www.energymarketexchange.com; and

WHEREAS, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction will be conducted pursuant to the Act; and be it

WHEREAS, if the auction achieves a price of \$0.575/therm or less for a 12 month term, or a price of \$0.58/therm or less for a 24 month term; Town of Hammonton may award a contract to the winning supplier for the selected term.

FURTHER RESOLVED, that the Mayor of the Town of Hammonton be and hereby is authorized to execute on behalf of the Town of Hammonton any natural gas contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction if the auction achieves a price of \$0.575/therm or less for a 12 month term, or a price of \$0.58/therm or less for a 24 month term; Town of Hammonton may award a contract to the winning supplier for the selected term.

Resolution #112-2020 – Authorize participation in the Atlantic County Radio Network

RESOLUTION AUTHORIZING PARTICIPATION IN THE ATLANTIC COUNTY
RADIO NETWORK (ACRN) AGREEMENT
BETWEEN THE TOWN OF HAMMONTON AND
THE COUNTY OF ATLANTIC

WHEREAS, the Town of Hammonton AND THE County of Atlantic agree to enter into an agreement wherein the Town desires to participate in the Atlantic County Radio Network (ACRN), that is a regional communications network system used by Law Enforcement, Firefighting, and Emergency Medical Services/First Responders; and

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 as follows:

3. The Agreement which is annexed hereto and made a part hereof with the County of Atlantic is approved.
4. That the Mayor and Municipal Clerk are hereby authorized to execute said agreement.

Resolution #113-2020 – Setting Salaries of Certain Employees

RESOLUTION SETTING SALARIES OF EMPLOYEES

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

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

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

Employee	TITLE	Salary Effective 4/1/2020 to 12/31/2020
Police Department		
John Amendolia	Police Officer	\$ 69,353.00
Kyle Ambrozaitis	Police Office	\$ 60,550.00
Sam Angello	Senior Sergeant	\$106,956.00
Jared Baglivo	Sergeant	\$106,292.00
Pedro Benitez	Police Officer	\$ 48,700.00
Christopher Clements	Sergeant	\$104,871.00
Gordon Ellis	Police Officer	\$ 52,150.00
Sean Grasso	Sergeant	\$103,151.00
Peter Hagerty	Police Officer	\$ 98,455.98
Casey Hendrickson	Police Officer	\$ 49,427.00
Christopher Henshaw	Police Officer	\$ 49,427.00
Richard Jones	Police Officer	\$ 97,411.00
William Kurz	Police Officer	\$ 95,321.48
Jonathan O'Neil	Police Officer	\$ 98,556.00
Kenneth O'Neil	Police Officer	\$ 94,632.00
Anthony Paulsgraf	Police Officer	\$ 49,064.00
Thomas Percodani	Sergeant	\$103,151.00
James Pinto	Police Officer	\$ 99,664.00
Eric Pohl	Police Officer	\$ 94,032.00
Renzo Poblete-Mendoza	Police Officer	\$ 62,351.50
Davis Reustle	Police Officer	\$ 86,860.00

Jason Rigby	Sergeant	\$105,792.00
Robert Zbibkowski	Corporal	\$100,138.60
Mark Santora	Police Officer	\$ 98,011.00

<u>Employee</u>		<u>Salary Effective</u> <u>1/1/2021 to 12/31/2021</u>
Police Department	TITLE	
John Amendolia	Police Officer	\$ 75,392.00
Kyle Ambrozaitis	Police Office	\$ 65,150.00
Sam Angello	Senior Sergeant	\$108,841.00
Jared Baglivo	Sergeant	\$109,262.00
Pedro Benitez	Police Officer	\$ 51,700.00
Christopher Clements	Sergeant	\$107,800.00
Gordon Ellis	Police Officer	\$ 55,550.00
Sean Grasso	Sergeant	\$107,079.00
Peter Hagerty	Police Officer	\$ 99,568.00
Casey Hendrickson	Police Officer	\$ 52,471.00
Christopher Henshaw	Police Officer	\$ 52,471.00
Richard Jones	Police Officer	\$100,068.00
William Kurz	Police Officer	\$ 97,958.00
Jonathan O'Neil	Police Officer	\$ 99,668.00
Kenneth O'Neil	Police Officer	\$ 97,248.00
Anthony Paulsgraf	Police Officer	\$ 52,086.00
Thomas Percodani	Sergeant	\$107,079.00
James Pinto	Police Officer	\$102,348.00
Eric Pohl	Police Officer	\$ 96,648.00
Renzo Poblete-Mendoza	Police Officer	\$ 67,052.00
Davis Reustle	Police Officer	\$ 94,851.00
Jason Rigby	Sergeant	\$108,762.00
Robert Zbibkowski	Corporal	\$101,247.90

<u>Employee</u>		<u>Salary Effective</u> <u>1/1/2022 to 12/31/2022</u>
Police Dept.	TITLE	
John Amendolia	Police Officer	\$ 81,554.00
Kyle Ambrozaitis	Police Office	\$ 70,835.00
Sam Angello	Senior Sergeant	\$111,611.00
Jared Baglivo	Sergeant	\$112,044.00
Pedro Benitez	Police Officer	\$ 55,750.00
Christopher Clements	Sergeant	\$110,543.00
Gordon Ellis	Police Officer	\$ 59,665.00
Sean Grasso	Sergeant	\$109,809.00
Peter Hagerty	Police Officer	\$102,088.00
Casey Hendrickson	Police Officer	\$ 56,580.00
Christopher Henshaw	Police Officer	\$ 56,580.00
Richard Jones	Police Officer	\$102,588.00
William Kurz	Police Officer	\$100,443.22
Jonathan O'Neil	Police Officer	\$102,188.00
Kenneth O'Neil	Police Officer	\$ 99,698.00
Anthony Paulsgraf	Police Officer	\$ 56,165.00
Thomas Percodani	Sergeant	\$109,809.00
James Pinto	Police Officer	\$104,915.00
Eric Pohl	Police Officer	\$ 99,098.00
Renzo Poblete-Mendoza	Police Officer	\$ 73,008.00
Davis Reustle	Police Officer	\$102,734.00

Jason Rigby	Sergeant	\$111,544.00
Robert Zbibkowski	Corporal	\$103,815.00

Employee		Salary Effective 1/1/2023 to 12/31/2023
Police Dept.	TITLE	
John Amendolia	Police Officer	\$ 88,413.00
Kyle Ambrozaitis	Police Office	\$ 76,765.00
Sam Angello	Senior Sergeant	\$114,345.00
Jared Baglivo	Sergeant	\$115,886.00
Pedro Benitez	Police Officer	\$ 59,865.00
Christopher Clements	Sergeant	\$113,251.00
Gordon Ellis	Police Officer	\$ 64,687.00
Sean Grasso	Sergeant	\$112,504.00
Peter Hagerty	Police Officer	\$104,570.00
Casey Hendrickson	Police Officer	\$ 60,757.00
Christopher Henshaw	Police Officer	\$ 60,757.00
Richard Jones	Police Officer	\$105,070.00
William Kurz	Police Officer	\$102,888.00
Jonathan O'Neil	Police Officer	\$104,670.00
Kenneth O'Neil	Police Officer	\$ 102,107.00
Anthony Paulsgraf	Police Officer	\$ 60,311.00
Thomas Percodani	Sergeant	\$112,504.00
James Pinto	Police Officer	\$107,545.00
Eric Pohl	Police Officer	\$101,507.00
Renzo Poblete-Mendoza	Police Officer	\$ 79,115.00
Davis Reustle	Police Officer	\$105,251.00
Jason Rigby	Sergeant	\$115,386.00
Robert Zbibkowski	Corporal	\$106,345.00

Employee		Salary Effective 1/1/2024 to 12/31/2024
Police Dept.	TITLE	
John Amendolia	Police Officer	\$ 95,667.00
Kyle Ambrozaitis	Police Office	\$ 83,048.00
Sam Angello	Senior Sergeant	\$117,250.00
Jared Baglivo	Sergeant	\$118,832.00
Pedro Benitez	Police Officer	\$ 65,213.00
Christopher Clements	Sergeant	\$116,128.00
Gordon Ellis	Police Officer	\$ 70,025.00
Sean Grasso	Sergeant	\$115,367.00
Peter Hagerty	Police Officer	\$107,213.00
Casey Hendrickson	Police Officer	\$ 66,082.00
Christopher Henshaw	Police Officer	\$ 66,082.00
Richard Jones	Police Officer	\$107,713.00
William Kurz	Police Officer	\$105,494.00
Jonathan O'Neil	Police Officer	\$107,313.00
Kenneth O'Neil	Police Officer	\$104,676.00
Anthony Paulsgraf	Police Officer	\$ 64,598.00
Thomas Percodani	Sergeant	\$115,367.00
James Pinto	Police Officer	\$108,113.00
Eric Pohl	Police Officer	\$104,076.00
Renzo Poblete-Mendoza	Police Officer	\$ 85,583.00
Davis Reustle	Police Officer	\$107,931.00
Jason Rigby	Sergeant	\$118,332.00

Robert Zbibkowski Corporal \$109,037.00

Employee		Salary Effective 1/1/2025 to 12/31/2025
Police Dept.	TITLE	
John Amendolia	Police Officer	\$103,223.00
Kyle Ambrozaitis	Police Office	\$ 90,145.00
Sam Angello	Senior Sergeant	\$120,372.00
Jared Baglivo	Sergeant	\$121,847.00
Pedro Benitez	Police Officer	\$ 70,682.00
Christopher Clements	Sergeant	\$120,223.00
Gordon Ellis	Police Officer	\$ 76,247.00
Sean Grasso	Sergeant	\$118,299.00
Peter Hagerty	Police Officer	\$109,908.00
Casey Hendrickson	Police Officer	\$ 71,632.00
Christopher Henshaw	Police Officer	\$ 71,632.00
Richard Jones	Police Officer	\$110,419.00
William Kurz	Police Officer	\$108,162.00
Jonathan O'Neil	Police Officer	\$110,019.00
Kenneth O'Neil	Police Officer	\$107,306.00
Anthony Paulsgraf	Police Officer	\$ 71,107.00
Thomas Percodani	Sergeant	\$118,299.00
James Pinto	Police Officer	\$112,994.00
Eric Pohl	Police Officer	\$106,706.00
Renzo Poblete-Mendoza	Police Officer	\$ 92,891.00
Davis Reustle	Police Officer	\$110,675.00
Jason Rigby	Sergeant	\$121,347.00
Robert Zbibkowski	Corporal	\$111,794.00

Resolution #114-2020- Refunds Taxes/Water/Sewer

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

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

<u>Block / Lot</u>	<u>Name</u>	<u>Address</u>	<u>Amount</u>	<u>Reason</u>
5101/7	Wells Fargo		\$1257.03	refund/overpayment

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

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

Resolution #115-2020 – Authorize Assignment of Certificate of Sale

RESOLUTION AUTHORIZING ASSIGNMENT

WHEREAS, N.J.S.A. 54:5-113 authorizes by a municipality of tax sale certificates for the full amount of the certificate, including all subsequent municipal taxes and other municipal charges; and,

WHEREAS, Matthew Burden has presented an offer to purchase, by assignment, Certificate of Sale #17-00069, which was issued to the Town of Hammonton at a tax sale held December 26, 2017, on Block 2415 Lot 7, 208 Jacobs Street, Hammonton, NJ, and assessed to Camorata, Josephine Estate, in the amount of \$1,157.11, being the full amount of the certificate, including all subsequent municipal taxes and other municipal charges.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hammonton hereby authorizes the Mayor and Municipal Clerk to execute the necessary assignment document to effect assignment of the above-referenced Certificate of Sale.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector.

Resolution #116-2020 – Approve Application COVID Relief fund Grant

RESOLUTION APPROVING AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS, DEPARTMENT OF LOCAL GOVERNMENT SERVICES LOCAL GOVERNMENT EMERGENCY FUND/CORONAVIRUS RELIEF FUND GRANT PROGRAM

WHEREAS, as the public health emergency associated with the COVID-19 pandemic continues, the most significant negative financial impacts faced by county and municipal governments throughout New Jersey result from extreme economic contraction, deficits in tax and fee revenues, and extraordinary increases in public safety and health and human services expenditures; and

WHEREAS, severe fiscal stress limits the ability of counties and municipalities to maintain essential services and take the steps necessary to fight COVID-19; and

WHEREAS, without substantial federal assistance, residential taxpayers would absorb the primary impact of meeting these extraordinary needs and closing any associated operating deficits; and

WHEREAS, the Department of Community Affairs (“DCA”), through the Division of Local Government Services (“DLGS” or “Division”), has been deemed the lead agency for the distribution of the Local Government Emergency Fund (the “LGEF” or “Program”), provided through an allocation of the State of New Jersey’s CARES Act Corona virus Relief Fund (CRF Funds); and

WHEREAS, counties and municipalities excluded from the federal government’s direct CRF allocation plan, as well as those counties and municipalities that are currently the most impacted by COVID-19 in comparison to their available resources, are eligible for LGEF funds pursuant to a maximum distribution determined by formula; and

WHEREAS, a total of \$60 million is currently being made available under the Program, with a potential \$60 million more to be allocated; and

WHEREAS, LGEF Grants exist to support costs incurred as part of a local unit’s response to COVID-19.

NOW, THEREFORE, BE IT RESOLVED by the Town Council, that the Town of Hammonton will apply for a LGEF Grant up to an amount of \$235,796.

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 document in connection therewith:

Motion by Council Person Gribbin Second Giraldo

Approval of Resolutions #107 to 116.

Roll Call

Councilperson:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Oliva - Yes,

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

PUBLIC HEARD

- Rob Pauls 203 S. Egg Harbor Road – There is a manhole issue on Bellevue Ave in front of his house. There is also a speeding concern, cars and trucks fly down the road breaking the speed limit.

MEETING ADJOURNED

Motion by Council Person Giraldo Second Oliva