

Minutes Regular Meeting of Mayor and Council – December 19, 2016  
Town Hall Council Chambers, 100 Central Avenue  
Executive Session 6:00 P.M.  
Public Session 7:00 P.M.

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilman:

Furgione - Present

Giralo - Present

Gribbin – Entered during Executive Session

Pullia - Present

Rodio - Present

Torrissi - Present

Mayor DiDonato - Present

PRESENT ALSO

Michael Malinsky, Town Solicitor

Jerry Barberio, PWM/Business Administrator

Executive Session #R155-2016

#R155-2016  
TOWN OF HAMMONTON  
AUTHORIZING EXECUTIVE SESSION

WHEREAS, while the Sen. Byron M. Baer Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) requires all meetings of Hammonton Town Council to be held In public, N.J.S.A. 10:4-12(b) sets forth nine types of matters that may lawfully be discussed in “Executive Session,” i.e. without the public being permitted to attend, and

WHEREAS, Hammonton Town Council has determined that the below listed issue(s) is/are permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance and shall be discussed during an Executive Session to be held on this Resolutions Adopted Date Indicated Below at **6:00 P.M.**, and

WHEREAS, the exception(s) to public meetings set forth in N.J.S.A. 10:4-12(b) are listed below, and next to each exception is a box within which the number of issues to be privately discussed that fall within that exception shall be written, and after each exception is a space where additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written.

0 Any matter which, by express provision of Federal law, State statute or rule of **court shall be rendered confidential** or excluded from public discussion.” The **legal citation** to the provision(s) at issue is: \_\_\_\_\_ and the nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

0 Any matter in which the release of information **would impair a right to receive funds from the federal government.**” The nature of the matter(s), described as specifically as possible without undermining the need for confidentiality is:

0 Any material the disclosure of which constitutes an **unwarranted invasion of individual privacy** such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual’s personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or in the case of a minor or incompetent, guardian) shall request in

writing that the same be disclosed publicly.” The nature of the matter(s), described as specifically as possible without undermining the need for confidentiality is:

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Any **collective bargaining agreement**, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body.” The collective bargaining contract(s) discussed are between the Town and:

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Any matter involving the **purchase lease or acquisition of real property** with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed.” The nature of the matter(s), described as specifically as possible without undermining the need for confidentiality is:

Weymouth Road Project-Solicitor updated Council on status of project and action to be requested this evening.  
Aviation Lease – Solicitor updated Council on the negotiations of lease.

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Any tactics and techniques utilized in **protecting the safety and property of the public** provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.” The nature of the matter(s), described as specifically as possible without undermining the need for confidentiality is:

4

Any **pending or anticipated litigation** or contract negotiation in which the public body is or may become a party. Any matters falling with the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.” The nature of the discussion(s), described as specifically as possible without undermining the need for confidentiality,

Witczak Resignation Agreement-Clerk received signed agreement to be approved under Town Clerk Report this evening.

Officer Rigby-Under Town Clerk report this evening will request purchase orders for defense.

Rose vs. LaSassa-Under Solicitor report request approval for Town’s defense of case.

Dunkin Donut-Solicitor updated council on investigation of traffic issue.

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**Any matter involving the employment**, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.” Subject to the balancing of the public’s interest and the employee’s privacy rights under South Jersey Publishing Co. v. New Jersey Expressway Authority, 124 N.J. 478, the employee(s) and nature of the discussion, described as specifically as possible without undermining the need for confidentiality is:

Emergency Management Coordinator Position – Position duties discussed.

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Any deliberation of a public body occurring after a public hearing that may result in **the imposition of a specific civil penalty** upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

**WHEREAS**, the length of the Executive Session is estimated to be **60 minutes** after which the public meeting of the Town Council shall reconvene and action may be taken;

**NOW, THEREFORE, BE IT RESOLVED** that Hammonton Town Council will go into Executive Session for only the above stated reasons;

**BE IT FURTHER RESOLVED** that the Town Council directs the Town Clerk to make ten (10) photocopies of this resolution immediately after it passes and to distribute those photocopies to the public in attendance prior to the Executive Session commencing.

**BE IT FURTHER RESOLVED** that the blank spaces within this form of resolution are to be filled out in conformity with a Consent Judgment (w/ Hammonton Town only) and Memorandum of Understanding dated October 26, 2009 that arose out John Paff v. Absecon Custodian, et al, Docket No. ATL-L-3392-08.

**BE IT FURTHER RESOLVED** that the Town Council hereby declares that its discussion of the aforementioned subject(s) will be made public at a time when the public's interest in disclosure is greater than any privacy or governmental interest being protected from disclosure. For each of the above items, the estimated date by which such disclosure can be made and/or the occurrence that needs to take place before disclosure can be made are listed below (attach separate sheet if necessary)

<b>Subject of Discussion</b>	<b>Estimated Date</b>	<b>Necessary Occurrence</b>
Witczak Rigby Rose Dunkin Donut	12/20/16 When litigation finalized When litigation finalized When matter resolved	
Weymouth Rd. Aviation Lease EMC Position	12/20/16 When lease finalized When position filled	

**BE IT FURTHER RESOLVED** that the minutes of this Executive Session shall become available to the public within 14 days of this meeting or at noon 2 business days before Council's next Regular Meeting, which ever is shorter. The Clerk is authorized to release the portion of the minutes that may be made available to the public per Consent Judgment filed October 26, 2009 Docket No. L-3392-08 which states that the Custodian of Records may release Public and Non Public Minutes to the Public prior to formal approval of Council.

Motion by Councilman Rodio, seconded by Councilman Giraldo, the resolution is adopted.

ROLL CALL

Councilman:  
Furgione - Yes  
Giraldo - Yes  
Gribbin - Absent  
Pullia - Yes  
Rodio - Yes  
Torrissi - Yes  
Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

RESUME REGULAR MEETING-ROLL CALL

Councilman:  
Furgione - Present  
Giraldo - Present  
Gribbin - Present  
Pullia - Present  
Rodio - Present  
Torrissi - Present  
Mayor DiDonato - Present

PRESENT ALSO

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

PUBLIC NOTICE

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

PLEDGE OF ALLEGIANCE

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard.

APPROVAL OF MINUTES

Executive Session November 21, 2016

Regular Meeting November 21, 2016

Motion by Councilman Giraldo, seconded by Councilman Furgione, the minutes are approved.

ROLL CALL

Councilman:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

Lions Club Time Capsule Presentation

Motion by Councilman Giraldo, seconded by Councilman Furgione, authorize time capsule placement in Town Hall.

ROLL CALL

Councilman:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Hearing Amendment to Ord 12-2016 Inclusionary Development Zone

ORDINANCE #12-2016

AMENDMENT INCLUSIONARY DEVELOPMENT ZONE (IDZ)

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

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

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

**Section A. Purpose and Intent.**

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

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

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

**Section B. General Provisions.** Because this Ordinance provides specialized regulations for housing types, land use, improvements, site planning, and building design within the IDZ, the standards and requirements of this Ordinance supersede and replace all conflicting provisions in the Town of Hammonton Developmental Ordinance and Zoning Ordinance, except for the stormwater management regulations found in Article XVII, the air quality, fire management, fish and wildlife, historic and cultural preservation, water quality, and wetlands regulations found in Article XII and Pinelands Development Credit regulations found in Article XIII of the Town of Hammonton Land Development Ordinance. Specifically, the following provisions of the Town of Hammonton Development Ordinances are applicable to the IDZ Zone: 1) Article XVII; 2) §175-89(B)(1); 3) §175-107(A); and 4) §175-145(E)(12)(a). All ordinances of the Town of Hammonton that are inconsistent with the provisions of this Ordinance are superseded by the provisions of this Ordinance.

**Section C. Permitted uses.**

The following uses are permitted in the IDZ Zoning District.

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

**Section D. Accessory uses.**

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

1. All accessory uses permitted in the H-B Highway Business Zoning District.
2. In multi-family development, accessory uses may include:
  - a. Private, passive or active recreational facilities, including, but not limited to, a community building.
  - b. Stormwater facilities.
  - c. Signage subject to Section 175-161(D)(4).
  - d. Fences and hedges subject to Sections 175-98 and 175-137
  - e. Parking subject to the New Jersey Residential Site Improvements Standards ("RSIS").
  - f. Other accessory uses and structures normally considered incidental to apartment and/or multifamily buildings, i.e., refuse enclosures, sheds for maintenance equipment and HVAC units.
  - g. Except as set forth herein, all accessory uses and structures shall be permitted within the setback areas for principal buildings and comply with Section 175-87.

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

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

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

1. Maximum residential density. 12 dwelling units per gross acre. This Ordinance acknowledges that there are currently 52 existing apartment units on the Property. The maximum number of new units permissible in the zone is 84 units. The total maximum number of all units shall be no greater than 136 units.
2. Maximum impervious coverage: 75%

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

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

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

11. On-site parking and site access.

- a. Parking shall be regulated by New Jersey Residential Site Improvement Standards (RSIS).
- b. On-site parking facilities shall be limited to passenger vehicles of permanent residents and their guests. Storage of trucks, boats, trailers, etc., shall be prohibited.
- c. Design controls applicable for on-site parking facilities are set forth in the site plan and subdivision regulations found in §175-118 except that in order to maintain the character of the existing community curbing is not required.
- d. Sidewalks shall be provided to reasonably connect the residential units to the parking area and shall be consistent with the Concept Plan.
- e. A secondary ingress/egress shall be provided on Commence Way.
- f. Community Building. Parking spaces shall be no closer than 5 feet to the building. The drive aisle shall be no closer than 15 feet to the street line except for the access driveway.

12. Landscaping. Landscaping shall conform to §175-136.

13. Lighting. Lighting shall conform to §175-112, which includes the requirement to design lighting to prevent glare upon surrounding properties.

14. Refuse storage. The refuse storage areas shall be suitably located and screened and arranged for access and ease of collection and shall not be part of, restrict or occupy any parking aisle. Refuse storage structures may be erected in the side and rear yard areas only, and the required setback shall be 1/2 that required for principal buildings.

15. Buffer. The buffer area shall be provided in accordance with the requirements of Section 175-91, except that storm drainage facilities may be located within the buffer area. The buffers shall be located along all side and rear lot lines. The width of the buffer shall be a minimum of 20 feet.

16. Building Design. The design of the new buildings and units shall be a similar in appearance and style as the rendering attached as Exhibit "B".

17. Affordable Housing Requirements.

Fifteen percent (15%) of all new units constructed shall be provided as affordable housing units. The affordable housing units shall be constructed as rentals.

Affordable units shall comply with the New Jersey Barrier-Free Subcode accessibility requirements, N.J.A.C. 5:23.7, as required by the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301, et seq.

The affordable housing units shall be developed and rented in accordance with the applicable UHAC and COAH regulations adopted as of the date of the adoption of this Ordinance.

The affordable housing units shall be dispersed in various buildings throughout the multi-family development. The affordable units shall be phased consistent with N.J.A.C. 5:93-5.6(d).

Consistent with UHAC, the developer (or its agent) may act as the administrative agent to be responsible for the administering of the affordable housing program and reporting to the Municipal Housing Liaison or the Town's designated affordable housing entity.

Controls on affordability shall expire in accordance with the applicable UHAC and COAH regulations adopted as of the date of the adoption of this Ordinance.

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

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

2. The existing five (5) buildings on the Property shall be rehabilitated in accordance with the following phasing schedule:

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

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

**Section I. Cost-Generation and Development Review Process.**

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

Motion by Councilman Gribbin, seconded by Councilman Giraldo, the ordinance is taken up for second reading and public hearing.

No one desired to be heard.

Motion by Councilman Gribbin, seconded by Councilman Giraldo, the hearing is closed, the ordinance is passed second reading and adopted.

**ROLL CALL**

Councilman:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

## COMMITTEE REPORTS

### Administration - Councilman Torrissi

Deputy Clerk - Committee looking into other options

### Business & Industry - Councilman Gribbin

Thanked Mainstreet and everyone involved in Tree Lighting Event

### Quality of Life - Councilman Pullia

Deferred Action Items to Engineer Report

### Public Works & Transportation - Councilman Rodio

Defer Action Item to Engineer Report & PWM/BA Report

Complimented Highway Department Workers on leaf pickup

### Water & Sewer - Councilman Furgione

Updated Council on Lincoln Street Project

Councilman Furgione invited Mark Herman of ARH to update council on Valley Ave. Project

## ENGINEER REPORT

### **SEWER & WATER ACTION ITEMS:**

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

Construction is progressing on the Valley Avenue project. The 24-inch sanitary sewer main installation was completed on November 23rd. The existing sanitary sewer main is still being decommissioned. The water main installation is almost complete, with the contractor approaching Bellevue Avenue. Concrete curb, driveway aprons, and sidewalk has been constructed between Broadway and the Apartments, and the Contractor is on pace to reach Grape Street by December 14<sup>th</sup>. The Contractor is starting the base paving of the roadway, between Broadway and the first driveway of the Apartments, on December 14<sup>th</sup>. The Contractor is working on finishing the sanitary sewer and water service laterals and storm sewer installation. We will continue to monitor progress and the weather to ensure that the Contractor works towards the project deadline.

Mathis Construction requested an additional 45 days to complete the project. A meeting was held on November 2, 2016 to discuss the request. Mathis was granted additional time, and has committed to have all construction work complete, with the exception of the final road surface course, by December 23, 2016. The final road surface course will be applied in early Spring 2017.

The NJDEP has confirmed that the NJEIT loan can cover the cost to provide uniformed police officers to assist with traffic control, which can be reimbursed through the Administrative and/or Contingency line items. We are still awaiting the final loan numbers from the NJEIT.

The Contractor has submitted thirty-seven (37) Change Order requests to date. Our office continues to work with Councilman Furgione to settle as many claims as possible. At the time of this meeting, we have accepted 10 of the 37 claims. We have submitted the Contractor's fifth Request for Payment in the amount of \$419,948.62.

Taken up under Bill List.

### **PUBLIC WORKS ACTION ITEMS:**

#### **2. 2017 State Aid Funding (ARH #11-01000):**

The Mayor received a letter from the NJDOT Commissioners that applications are being accepted for the 2017 Municipal Aid Program. Applications must be submitted by February 3, 2017. We would suggest the Town consider the following options for funding consideration:



- Municipal Aid Roadway – Construction of the 2<sup>nd</sup> Road Resurfacing/Reconstruction project extending between 12<sup>th</sup> Street Route #54 and Chew Road County Route #559 \$570,000.00± was applied for the prior application and \$196,000.00 was allocated.
- Bike Path Construction – 11<sup>th</sup> Street to Egg Harbor Road County Route #561. \$330,000.00± was applied for on the prior application and \$230,000.00 was allocated.

The cost to revise the application under SAGE would be \$2,498.75 for the completion of both applications:

We will seek Council's direction related to the application and if authorized, will have the resolutions ready for adoption at the January Council meeting.

Motion by Councilman Gribbin, seconded by Councilman Rodio, authorize ARH to complete the Municipal Aid applications for the following projects:

- 2<sup>nd</sup> Road Resurfacing/Reconstruction
- Bike Path Extension

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

**3. Walden Estates Maintenance Bond (ARH #11-11003.04):**

We will be meeting on-site with the Quality of Life Committee, the developer and representatives from the Home Owners Association on Saturday, December 17, 2016. An inspection will occur related to the request for release of project Maintenance Bond. If satisfactory, we will update Council at Monday's meeting.

Motion by Councilman Giralo, seconded by Councilman Pullia, authorize release of project maintenance bond subject to an acceptable inspection by the Quality of Life Committee and subject to satisfying any outstanding bills.

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

**4. Tractor Supply Performance Bond Reduction (ARH #11-10030.03):**

The applicant has made a request for reduction of their project performance bond. We will meet on-site Saturday with the Quality of Life Committee to inspect the site. They have completed approximately 80% of the project site improvements. If satisfactory, we will update Council at Monday's meeting.

Motion by Councilman Giraldo, seconded by Councilman Pullia, authorize reduction of the project performance bond from \$1,069,615.80 to \$320,884.74 this amount represents 30% remaining from the original bond posted with the Town and is the maximum allowed by ordinance for reduction. This recommendation would be subject to a favorable inspection by the Quality of Life Committee.

ROLL CALL

Councilman:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

SOLICITOR REPORT

Rose vs. LaSassa Litigation

Motion by Councilman Giraldo, seconded by Councilman Furgione, authorize solicitor to act on behalf of Town of Hammonton.

ROLL CALL

Councilman:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

#R160 -2016 Weymouth Road Project

**RESOLUTION OF MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON AUTHORIZING THE EXTENSION OF AN AGREEMENT BETWEEN THE TOWN OF HAMMONTON AND ATLANTIC COUNTY FOR THE SURVEY, DESIGN AND PERMITTING WORK FOR STORMWATER DRAINAGE IMPROVEMENTS ALONG WEYMOUTH ROAD**

Whereas, the Town of Hammonton ("Town") and Atlantic County ("County") entered into an agreement to conduct survey, design and permitting work for stormwater drainage improvements along Weymouth Road on October 18, 2013, with a term commencing January 1, 2014, and terminated December 31, 2014 ("Agreement"); and

Whereas, the Town of Hammonton desires to amend this Agreement and extend the term a third time with the new term commencing on January 1, 2017, and terminating December 31, 2017; and

Whereas, the County at its regular meeting of December 13, 2016, approved a Resolution authorizing the amendment to extend the term of the Agreement to December 31, 2017.

Now, Therefore, be it resolved by the Mayor and Town Council of the Town of Hammonton, County of Atlantic and State of New Jersey that the Mayor be authorized to enter into the amended Agreement with the County extending the termination date of the Agreement to December 31, 2017.

Motion by Councilman Giraldo, seconded by Councilman Torrissi, the resolution is adopted.

ROLL CALL

Councilman:

Furgione - Yes

Giraldo - Yes

Pullia - Yes

Rodio - Recused

Torrissi - Yes

Mayor DiDonato – Recused

Deputy Mayor Gribbin - Yes

Deputy Mayor Gribbin declared the motion carried.

Approve Tax Abatement Block 1707 Lot 13

Motion by Councilman Furgione, seconded by Councilman Rodio, authorize Tax Abatement.

ROLL CALL

Councilman:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Recused

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

MAYOR REPORT

Motion by Councilman Gribbin, seconded by Councilman Giraldo, authorize sale/bid of 150<sup>th</sup> Anniversary Flags at \$150 as total anticipated worth is under \$6,000 and not required to auction. Clerk to collect list of names and PWM/BA to account for total number of flags.

ROLL CALL

Councilman:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

PWM/BUSINESS ADMINISTRATOR REPORT

Approve Noyes Museum Lease Addendum (2 Year)

Motion by Councilman Torrissi, seconded by Councilman Giraldo, approve Noyes Museum Lease Addendum change to 2 year lease.

ROLL CALL

Councilman:  
Furgione - Yes  
Giraldo - Yes  
Gribbin - Yes  
Pullia - Yes  
Rodio - Yes  
Torrissi - Yes  
Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Approve CFMP 2016-2021

Motion by Councilman Pullia, seconded by Councilman Giraldo, approve Community Forestry Management Plan 2016-2021.

ROLL CALL

Councilman:  
Furgione - Yes  
Giraldo - Yes  
Gribbin - Yes  
Pullia - Yes  
Rodio - Yes  
Torrissi - Yes  
Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Authorize Bid Airport Obstruction Removal

Motion by Councilman Rodio, seconded by Councilman Furgione, authorize bid Airport Obstruction Removal.

ROLL CALL

Councilman:  
Furgione - Yes  
Giraldo - Yes  
Gribbin - Yes  
Pullia - Yes  
Rodio - Yes  
Torrissi - Yes  
Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Bulky pickup Jan 2-6

Brush pickup Jan 9-13

Trash Holiday Pickup Monday will take place on Tuesday December 27

Trash Holiday Pickup Monday will take place on Tuesday January 3

TOWN CLERK REPORT

1. Hire Gerard Perna FT w/ benefits eff Jan 1, 2017 at \$26,645.00 AN, title Water Treatment Plant Operator Apprentice.
2. Authorize additional funding amount in the amount of \$1500.00 to Jacobs and Barbone in Officer Rigby defense.
3. Authorize purchase order to Atlantic Investigations in the amount of \$1,100.00 in Officer Rigby defense.
4. Approve Fire Co. 2 Junior Member Riley DiGivannangelo
5. Approve settlement agreement (resignation) Ryan Witczak eff Oct 1, 2016.

Motion by Councilman Gribbin, seconded by Councilman Torrissi, town clerk report items 1-5 are adopted.

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

APPROVE BILL LIST & PURCHASE ORDERS for the month of December 2016

Motion by Councilman Torrissi, seconded by Councilman Gribbin, the bill list and purchase orders are approved.

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes (recused on ElectricTech only)

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R156-2016 Set 2017 Council Meeting Dates

#R 156 -2016

WHEREAS, the Open Public Meeting Act otherwise known as Chapter 231 of the Public Laws of 1975 requires that all municipalities adopt a Resolution setting the time, place and date of their meeting; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, as follows:

1. There shall be an **Organization Meeting at 6:00 p.m. January 5, 2017** at which time Mayor and Common Council of the Town of Hammonton will reorganize for the full year and conduct such business, including emergent matters, as is necessary.

2. Said meetings will begin at 6:00 p.m. with an executive session, if necessary, which will adjourn to the public portion of the meeting at 7:00 p.m., in the Town Hall Council Chambers, 100 Central Avenue, Hammonton, New Jersey 08037. The following is the list of **Regular Council Meeting dates for year 2017**:

January 23	July 24
February 27	August 28
March 20	September 25
April 10	October 23
May 15	November 13
June 19	December 11

3. That the Hammonton Gazette and the Atlantic City Press are those newspapers designated as the papers to which all notices are to be sent per Chapter 231 of the Public Laws of 1975.
4. That minutes shall be kept and provided as required by said statute by the Town Clerk of all the meetings set forth above and shall be available to the public pursuant to the requirements of said law.

#R157-2016 Transfer Resolution

#R158-2016 Tax Resolution

#R158-2016

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

B&L	NAME	ADDRESS	AMOUNT	ACCT.	REASON	PER
2402-10	Hayes	278 N Grand	1,678.47	tax	Refund over payment	Rosie
2401-4.01	De Francisco	360 N Chew Rd	1,737.78	tax	Refund o/p to Corelogic	Rosie
5502-11	Wilmington	864 Pleasant Mills	1,395.76	tax	Refund o/p to Corelogic	Rosie
1001-27	Penza	694 N 1st Rd	1,116.24	tax	Refund o/p to Corelogic	Rosie
2301-1.01	Midure	525 4th St	1,643.54	tax	Refund o/p to Corelogic	Rosie
2412-26	La Mazza	214 Messina	1,316.02	tax	Refund o/p to Corelogic	Rosie
2709-22	Bonilla	370 Fairview	1,324.59	tax	Refund o/p to Corelogic	Rosie
903-5	Melora	446 W 15th St	307.52	tax	Refund o/p to Corelogic	Rosie
2412-23	Templeton	218 Messina Ave	819.13	tax	Refund o/p to Corelogic	Rosie
2513-7	Bertino	27 Woodman	250.00	tax	Refund o/p to Corelogic	Rosie
1803-11.25	Fean	13 Alexander	1,598.83	tax	Refund o/p to Corelogic	Rosie
4912-1 C0107	Raso, Brandon	107 Jamestown	917.98	tax	Refund homeowner pd in error	Rosie

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

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

#R159-2016 Approve Drive Sober Grant

#R 159-2016

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

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

WHEREAS, the Town has received notice of a grant award in the amount of **\$5,000.00 from the State of New Jersey for Drive Sober or Get Pulled Over Year End Holiday Crackdown**, and wishes to amend its Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests that the Director of the Division of Local Government Services approve the insertion of an item of revenue in the **2016 Budget in the sum of \$5,000.00** which is now available as a revenue from:

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

**2016 Drive Sober or Get Pulled Over Year End Holiday Crackdown**

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

Motion by Councilman Giraldo, seconded by Councilman Torrissi, resolutions 156-159 are adopted.

ROLL CALL

Councilman:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

PUBLIC HEARD

Lauren Wilson

Referring to the Firefighter Christmas parade, Ms. Wilson stated she needs Mayor and Council to recognize the impact of their decision.

Evette Guermo

Ms. Guermo questioned if those who invited Ms. Conway to Hammonton also shared the views of President Elect. She urged all people with all views to come together.

Sheri Colletta

Ms. Colletta spoke about Hammontonians being family and expressed how hurt some in our community felt with the invitation of Ms. Conway to our holiday parade.

Kate Ogden

Ms. Ogden stated she did not feel safe with Ms. Conway attending the Firefighter Christmas Parade. She urged future parades to be family oriented and not political.

Andrea Streitfeld

Ms. Streitfeld stated she felt first hand bigotry directed at her when she moved to Hammonton. She commented about the offensive float with a Trump Wall at the Christmas Parade.

Heather Worbertain

Ms. Worbertain stated she was embarrassed that Kellyanne Conway was honored at the Christmas Parade.

Matthew Bonnet and Joshbon White

Ms. White asked town council to represent all residents of Hammonton. She asked council to re-adopt its civil rights policy.

Mayor DiDonato advised this council hears you. As town fathers we will work more closely with parades and events in future. We want to respect all political views and diversity.

Councilman Gribbin stated he received more emails and correspondences about the Firemen Christmas parade than any other issue he has during his term on council. He tried to respond to all calls.

William Eppler, Fire Chief and Dennis LaSassa, Assistant Fire Chief

Chief Eppler apologized to anyone who felt that the Grand Marshall was offensive. In his eyes it had nothing to do with politics but the honoring of a successful, female. He thanked everyone for their support with the parade. He stressed no one wanted to make it political. Those present tonight decided to make it political. Firefighter Christmas Parade was dropped in the firemen's laps years ago because a local organization decided to start the parade and in one year walked away from it. These same organizations are criticizing the fire department. Then the same people who are criticizing the fire department are asking the volunteer firefighters for favors. The firefighter have not turned down any requests and will continue to respond to requests. The volunteers dedicate 700-1000 hours per year with no pay to keep Hammonton safe. He asked those in attendance to remember that the firefighters in attendance this evening are the ones running into the burning building while the rest of you are running out.

Assistant Chief LaSassa stated the fire company is not political or racist and do everything they can for everyone including rescuing all citizens of all decents from horrible tragic accidents.

Councilman Pullia stated there was nothing political about his choice to have Kellyanne Conway as Grand Marshall. He also has Jewish family members. 4600 people who showed up at the parade also patroned the downtown businesses. All they were trying to do was have a good night. The invitation to Ms. Conway had nothing to do with President Elect. If anyone looked at Ms. Conway's accomplishments, they would see why we invited her. To his understanding the truck in question did not have a wall but instead a weight sitting on it. Its been on there for years. He welcomed the protestors. He stated we went from 600 attendees on a warm night last year to 4600 on a 20 degree night this year. He also advised that the Mayor and Council had nothing to do with the parade.

Ron Adamucci

Mr. Adamucci, a Lifelong Hammonton Resident 59 years, stated this is the first time a man stood up and said he would build a wall to stop the drugs coming to America. Whoever has a problem with Kellyanne Conway does not know her. She endorsed a man who is going to do great things and get our country out of the slump.

Chief Eppler

Chief Eppler wanted to additionally advise the public, that as public officials we can certainly attempt to keep undesirable floats out of the parade. However, just as the people in this room are expressing their beliefs this evening, those people also have rights. It's not as easy a task as one would think it should be.

Robert Rose

Mr. Rose questioned did the town approve a campaign letter going out on town letterhead? He showed the document.



Lynn Strei

Ms. Strei stated she was really excited that her friend Kelly was going to be on a fire truck roaring into town and we were celebrating her. She agrees the trump wall is not nice. But when people were talking about Kelly it hurt her heart. She stated Kelly is a wonderful God loving person and an incredible role model. If you truly knew Kelly the way we do, it is hurtful to speak her name with hate.

Renee Adamucci

Ms. Adamucci stated this has gotten blown so out of proportion. Kellyanne Conway lived with her in her house. She is from this Town. Her children call my father pop pop. She is the first woman to ever win a presidential election. We do not have to agree with her politics. But we as the town of Hammonton should be able to welcome back someone who is our family and friend. And still a week later people are complaining and saying they are frightened. It was a big event that brought business to downtown. It brought people who know and love her and are proud of her accomplishment. If any of your children were hired to do a job and did it well you would want to celebrate them. A lot of protestors complaints are heresay and were not reported to the police. She is embarrassed by the actions of this town. She did not cry and protest for the last 8 years. When you are together in your little groups its so easy to attack someone. Kellyanne was there with her husband and three small children. She was not political.

Stacy Gurst

Ms. Gurst stated its ok to have different views.

Cheryl Stone

Ms. Stone loves the fire department and has many firemen in her family. She was concerned about safety because she saw people on facebook protesting. She wants to thank everyone for all their hard work in the cold keeping everyone safe.

Mayor thanked everyone for coming out tonight. He stated we are all so lucky and blessed that we can voice our strong opinions. At the end of the night we all have to remember that America was built as a melting pot and we all try to make a better life for our families. We have to respect each others opinions. This was a tremendous exercise in democracy. He is very proud of Kellyanne Fitzpatrick. She made herself a national name. We can now call the White House and ask to speak with President Trump through her.

MEETING ADJOURNED

Motion by Councilman Giraldo, seconded by Councilman Gribbin, the meeting is adjourned. Motion carried.

Clerk