

Minutes Regular Meeting of Mayor and Council – October 24, 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 - Present
Pullia - Present
Rodio - Present
Torrissi - Present
Mayor DiDonato - Present

PRESENT ALSO

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

Executive Session #R138-2016

#R138-2016
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.

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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:

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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:

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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:

Paradise Drive – Solicitor advised Miller Farms LLC, owner of Paradise Campground, would like to lease Paradise Drive and insure and indemnify the Town of Hammonton.

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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:

Dunkin Donuts Traffic Problem – Solicitor advised the land owners of Dunkin Donuts, in their application to Planning Board, made representations that they could handle the traffic flow on-site. In addition, they are also violating Title 39 Chapter 4 of NJ Statutes. Finally, the Governing Body of the Town of Hammonton has the authority to revoke the Certificate of Occupancy.

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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,

Hammonton Independent Volunteer Fire Co. #2 – Solicitor advised Judge ruled in Town of Hammonton favor concerning charges issued to Volunteer Firefighters being upheld and not thrown out. Solicitor advised Council on Joseph Caruso Jr. Membership Re-Instatement.

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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:

Fiorentino Discipline Solicitor advised dispute on wording of letter of reprimand has been resolved.

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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)

Subject of Discussion	Estimated Date	Necessary Occurrence
Letter of Reprimand Fiorentino Fire Co 2	When letter complete and in file When litigation resolved	

Paradise Drive Dunkin Donuts Traffic Problem	When lease finalized When problem resolved	
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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 Giraldo, seconded by Councilman Torrissi, the resolution is 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.

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

David Colafrance

Mr. David Colafrance as Commander of the American Legion Post would like to make a donation to the Hammonton Band for \$500.00.

Mr. Colafrance also urged Council to table the Hawker Peddler Ordinance Amendment this evening.

APPROVAL OF MINUTES

Executive Session – September 26, 2016

Regular Meeting – September 26, 2016

Motion by Councilman Giraldo, seconded by Councilman Torrissi, 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

Mayor's Address to the Public

In his address, Mayor DiDonato requested quarterly reports and recommendation from all non-profit volunteers in the Town of Hammonton. He apologized for the September 26 Council Meeting argument and encouraged all of council to go forward in a positive manner.

Hammonton High School Band Presentation and Recognition

Hire Part Time Special Police Officer

Motion by Councilman Rodio, seconded by Councilman Torrissi, hire Christopher Sentell as a Special Police Officer, \$15.00 per hour, 26 hours per week, no benefits.

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 Ordinance #019-2016 Amend Chapter 204

Ordinance # 019 -2016

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Motion by Councilman Torrissi, seconded by Councilman Gribbin , the ordinance is tabled.

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Hearing Ordinance #020-2016 Amend Chapter 211

ORDINANCE NO. 020 - 2016

ORDINANCE AMENDING CHAPTER 211, ARTICLE III OF THE CODE OF THE TOWN OF HAMMONTON

This Ordinance is intended to amend Chapter 211 (Property Maintenance), Article III (Adoption of Standards) of the Town of Hammonton; and

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

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

Section 1. That the foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon the adoption hereof.

Section 2. Chapter 211, Article III, Section 211-14, the definition of "OWNER" is amended to read as follows:

OWNER – Shall include the title holder, any agent of the title holder having authority to act with respect to a vacant/abandoned property, or any other entity determined by the Town of Hammonton to have authority to act with respect to the property, but shall not include any foreclosing entity which shall be subject to the provisions of Chapter 211, Article IV, Sections 211-21 through 211-33 of the Code of the Town of Hammonton and N.J.S.A. 46:10B-51(P.L. 2008, c. 127, Section 17, as amended by P.L. 2009, c. 296).

Section 3. Any other ordinance or parts of ordinances inconsistent with the ordinance shall be and the same are hereby repealed to the extent of inconsistency. The provisions of any ordinances of the Town of Hammonton, including those specifically referred to herein, not inconsistent with this ordinance and the provisions of any amendments not inconsistent with this ordinance shall remain in full force and effect as though expressly and fully set forth herein.

Section 8. If any part of this ordinance shall, for any reason be adjudged by a Court of competent jurisdiction to be declared invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance which will be declared severable.

Section 9. This ordinance shall take effect following adoption and approval in the time and manner prescribed by law.

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

No one desired to be heard.

Motion by Councilman Gribbin, seconded by Councilman Rodio, 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

Report on Action Items under New Business

Deputy Clerk interviews scheduled for November 21

Business & Industry - Councilman Gribbin

Report on Action Items under New Business

Report on Hammonton Revitalization Corporation Events

Report on Chamber Meeting

Report on Downtown events

Report on new businesses

Education - Councilman Giraldo

Report on Board of Education matters

Hawks and Board of Education Lease was approved

Quality of Life - Councilman Pullia

Reminder trick or treat Oct 31

Report on Kiwanis Halloween parade

Report on Dog Park status

Public Works & Transportation - Councilman Rodio

Report on Action Items under Engineer Report

Defer Action Items to PWM/BA

Water & Sewer - Councilman Furgione

Report on Action Items to be taken up under Engineer Report

Report on status of Lincoln Street Project

Authorize Agreement SJ Gas

Motion by Councilman Furgione, seconded by Councilman Rodio, authorize Mayor to sign agreement for S.J. Gas to make payment in the amount of \$25,000 for year 2016 for filter media in excess of contracted amount.

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

ENGINEER REPORT

SEWER & WATER ACTION ITEMS:

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

Construction is progressing on the Valley Avenue project. The Contractor is currently running two crews on site to install the sanitary sewer main and the sanitary sewer laterals. The 24-inch sanitary sewer main has been installed from Broadway to the intersection with Grape Street (approximately 75% complete). The existing sanitary sewer main is being video inspected and cleaned to prepare for the decommissioning process. The water main has been installed, pressure and bacteria tested from Broadway to just past the Hammonton Arms Apartments, and water services are now being connected. The utility work has been completed in the Valley Avenue and Broadway intersection. As construction progresses towards Bellevue Avenue, staging and storage space is becoming limited and we are working with the Contractor to make sure the road can be safely traveled and visibility at intersections is maintained.

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

The Contractor has submitted twenty-one (21) Change Order requests to date. Nine of these items have been settled, with five being accepted. We have submitted the Contractor's third Request for Payment in the amount of \$166,984.41.

Motion by Councilman Furgione, seconded by Councilman Rodio, approve third payment request to Mathis Construction Co. Inc., for work completed to date as noted above in the amount of \$166,984.41.

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

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

As authorized, Ron Curcio finalized the specifications for the receipt of the price for the Utility Pressurization System. Price quotes were requested from four (4) separate contractors. Price quotes were received on Tuesday, October 18, 2016. We reviewed the price quotes with the MUD Superintendent and the PWTC and the stainless steel bladder tank item will be removed from the quote.

Motion by Councilman Furgione, seconded by Councilman Pullia, award for the supply of the required equipment to the lowest responsible bidder Gayle Corporation from Malvern, PA where price quote total after discussion was \$36,385.00. This award would be subject to confirmation of available funds by the Town's Finance Official.

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

As authorized by Council, Ron Curcio finalized the price quote documents and forward them to three (3) well contractors for consideration. Price quotes were provided on Tuesday, October 18, 2016. We did review the price quotes with the MUD Superintendent and the PWTC. As award recommendation will be made at Monday's Council meeting as noted below.

Motion by Councilman Furgione, seconded by Councilman Rodio, award supply of the required equipment and labor for the Well #4 Screen Replacement project with alternates to the lowest responsible bidder AC Schultes, Inc. from Woodbury Heights, NJ whose price quote total was \$39,725.00. This award would be subject to the confirmation of available funds by the Town's Finance Official.

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

PUBLIC WORKS ACTION ITEMS:

4. Resolution Action Here #R148-2016 attached

NJDOT Transportation Alternatives Program (TAP) 2016 (ARH 2016-0679):

As requested, ARH could complete an application for NJDOT, TAP Funding Program associated with the construction of curb and sidewalk along portions of North Street extending between Third Street and Fourth Street. Although the TAP application is different than the Safe Routes to Schools program, much of the same information could be used to save on overall project costs. The applications are due by

November 10, 2016. In addition to completing the application, cost estimate, report and graphics, a resolution authorizing the submission of the application must be provided. ARH cost to complete the various tasks would be \$1,890.00.

Motion by Councilman Rodio, seconded by Councilman Giraldo, authorize ARH to complete the NJDOT TAP application for the North Street Curb and Sidewalk project for a cost not to exceed \$1,890.00 and adopt the attached resolution authorizing the Town Officials to complete, sign and file the NJDOT TAP application by the 11/15/16 deadline.

ROLL CALL

Councilman:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

5. 14th Street Roadway Improvements (ARH #11-40050):

Previously our office issued a closeout letter to the Town that included a final quantities change order, recommendation for final payment, as well as the maintenance bond for this project. Additionally, our office met onsite with Public Works to complete a final inspection of the project. We are asking Council to approve the closeout documentation and accept the project. Once this has been completed our office will work with the Town to put together the NJDOT closeout package for final reimbursement consideration.

Motion by Councilman Rodio, seconded by Councilman Furgione, approve the final quantities change order, approve the Contractor's final payment, and accept the maintenance bond for this project.

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

Update on Mobilit Structure Opposition

Independent Volunteer Fire Co. #2 Member Re-Instatement

Motion by Councilman Giraldo, seconded by Councilman Gribbin, re-instate Joseph Caruso Jr.

ROLL CALL

Councilman:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes
Torrissi - Yes
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

MAYOR REPORT

Mayor appointment Historic Preservation Commission Alt 2-2 year term

Effective 11/1/16 thru 12/31/16

Martha Matro

PWM/BUSINESS ADMINISTRATOR REPORT

Authorize Award Drip Irrigation

Motion by Councilman Furgione, seconded by Councilman Rodio, authorize a purchase order to Dixon & Assoc in the amount of \$2650.00.

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Authorize Coin Drop

Motion by Councilman Gribbin, seconded by Councilman Giralo, authorize Fire Company #1 Coin Drop Myrtle, Pine and Oak Road Nov 19 and 20 contingent upon Police Chief and Risk Manager Review.

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Blue Line – Support Police

Leaf Season Oct 17 – Dec 31

Bulky Pickup Nov 7-11

Brush Pickup Nov 14-18

NJDEP Lake Lowering Permit Received

Landfill hours – 10am – 3pm Saturday

Atlantic County Did Not Approve 4 Way Stop on Central and Grape Due to low traffic and accidents in this area

TOWN CLERK REPORT

1. Accept resignation Fred Melendez Zoning Board of Adjustment Alternate 2 Member immediately. (Council Appointment, 2 year term, expiring 12/31/17)
2. Approve Best Practices
3. Authorize 6 month Sick Leave of Absence without pay beginning 12/7/16 Sandy Long.
4. Authorize clerk advertise to change Nov 14 regular meeting to Nov 21 at 7 pm.
5. Authorize clerk advertise to change Nov 10 PWTC Meeting to Nov 17 at 3 pm.
6. Appoint Wayne Reichert to unexpired term Zoning Board of Adj Alt 2 (Melendez) (2 yr term expiring 12/31/17)

Motion by Councilman Giraldo, seconded by Councilman Furgione, Town Clerk report items 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.

APPROVE BILL LIST & PURCHASE ORDERS

Motion by Councilman Torrissi, seconded by Councilman Rodio, the bill list and purchase orders 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.

NEW BUSINESS

Introduction Ordinance #021-2016 Amend Chapter 271 Vehicles and Traffic

ORDINANCE #021 - 2016

AN ORDINANCE AMENDING CHAPTER 271 VEHICLES AND TRAFFIC,
ARTICLE III SPECIAL PURPOSE PARKING ZONES,
OF THE CODE OF
THE TOWN OF HAMMONTON

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

SECTION 271-18.2 Safe Zone Parking IS ADDED **to read as follows:**

There shall be designated 2 parking places at the Parking Lot located on the corner of Vine Street and Central Avenue across the street from the Town Hall Municipal Building designated as Safe Zone Parking Places. The parking places will be restricted to 15 minute parking for divorced/separated parents who need to meet and exchange their children per their individual custody contracts.

BE IT FURTHER ORDAINED. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of the inconsistency.

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

BE IT FURTHER ORDAINED. This Ordinance shall take effect immediately upon final adoption and publication as required by law.

Motion by Councilman Gribbin, seconded by Councilman Giraldo, the ordinance is taken up for and passed first reading and given legal publication.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Introduction Bond Ordinance #022-2016 Re-Appropriation of Bonds

ORDINANCE REAPPROPRIATING \$107,726.73 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE PURCHASE OF EQUIPMENT AND TRUCKS AND IMPROVEMENTS TO TOWN-OWNED BUILDINGS IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$107,726.73 of the proceeds of obligations originally made available pursuant to the following bond ordinances of the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") are no longer necessary for the purposes for which the obligations previously were authorized:

<u>Ordinance Number</u>	<u>Improvement Description and Date of Adoption</u>	<u>Amount to Be Reappropriated</u>
21-2012	Certain engineering, legal, and environmental costs associated with the signing of a power purchase agreement with Hudson Energy Solar Corp., dated as of May 30, 2012, finally adopted 4/27/2012	\$31,586.82
14-2014	Lakeview Drive storm sewer and roadway improvements, finally adopted 6/2/2014	\$27,004.00
10-2015	Acquisition of airplane/helicopter hangar located at Hammonton Airport, finally adopted 7/13/2015	\$38,740.91
12-2015 (Section 3(b))	Purchase of hot box for patch, finally adopted 8/10/2015	\$603.00
12-2015 (Section 3(c))	Purchase of a plow truck, finally adopted 8/10/2015	\$9,792.00

Section 2. The \$107,726.73 proceeds described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 are hereby reappropriated to provide for the following purposes:

<u>Improvement Description</u>	<u>Amount</u>
Purchase of equipment and 4x4 trucks with all accessories and additional equipment needed for plowing, and plow set-up for truck	\$65,000.00
Improvements to Town-owned buildings including, but not limited to, roofing, paving, installation of sidewalks, hangar improvements, acquisition of generators, structural improvements and electrical upgrades	\$42,726.73

Section 3. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Motion by Councilman Gribbin, seconded by Councilman Giraldo, the ordinance is taken up for and passed first reading and given legal publication.

ROLL CALL

Councilman:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R139-2016 Authorize Receipt of Water Bill Payments in Installments – Linsey Rachiele

#R139-2016

RESOLUTION FOR CHARGES RELATING TO WATER CONNECTION

WHEREAS, the Town of Hammonton has granted owner of 970 S Grand Street, Linsey Rachiele to pay charges relating to the connection to the Town of Hammonton water system, in the amount of \$2,970.00 in installments made quarterly, with a retro active date of September 23, 2016;

A default in this payment plan will terminate this agreement, and will be subject to tax sale.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby directed by THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON to accept payments in installments.

BE IT FURTHER RESOLVED that all other fees for taxes, water and sewer shall be promptly made in addition to the partial payment set forth.

#R140-2016 Authorize Various Refunds

R140 - 2016

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

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

Laury Heating	permit fee	\$ 174.00
National Multiple Sclerosis Society	outside detail fee	\$9,272.50

#R141-2016 Award Specialized Service Contracts/Quotes

#R 141-2016
A RESOLUTION AWARDOING VARIOUS
SPECIALIZED SERVICE CONTRACTS AND QUOTES

WHEREAS, there exists a need for specialized services for the Town of Hammonton, New Jersey, on an annual basis as follows:

<u>Department</u>	<u>Specialized Service</u>	<u>Vendor</u>	<u>Not To Exceed AN</u>
Utility	IA System Repairs	Invensys/Foxboro	\$8,000.00
Utility	Lab testing & submittal to agencies	JR Henderson	\$35,000.00
Utility	Polymer supply	Polydyne Inc.	\$17,000.00
Utility	VFD repairs	EMF Control Services	\$10,000.00
Utility	Chlorine/Sulfuric supply	Univar	\$20,000.00
Utility	Klenphos & drip irrigation analysis	Klenzoid	\$30,000.00
Utility	Water clocks & meters	Rio Supply	\$70,000.00
Utility	WWTP Consultant	Kleinfelder E. (spec project)	\$5,000.00
Utility	Lime supply	Helena Chemical	\$10,000.00
Utility	Instrumentation	NB Controls	\$20,000.00
Utility	Dosimeters	Mirion Technologies	\$5,000.00
Dog Regulations	Animal Control	Animal Capture & Control	\$7,776.00
Dog Regulations	Animal after hour emergency	Animal Capture & Control	\$50.00 per call \$20 per call/\$50 after hrs
Dog Regulations	Carcus removal	Animal Capture & Control	
Highway, Landfill, Airport, Utility	Lab testing & submittal to agencies	QC Labs Inc.	\$50,000.00
Buildings & Grounds	Town Hall Heat/Air Controls	Phillips McDade	\$8,700.00

<u>Department</u>	<u>Quoted Service</u>	<u>Vendor</u>	<u>Not To Exceed AN</u>
Highway & Utility	Uniform rent/cleaning	Schenk Textiles	\$10,000.00
Highway	Auto parts & supplies	Val-U-Auto Parts	\$25,000.00
Buildings & Grounds	Blood Borne Pathogen Cleaning	S.J. Building Services	\$85.00 per call
Buildings & Grounds	Clean Town Hall & Canoe Club	S.J. Building Services	\$13,800.00

WHEREAS, funds are available under the above listed budget appropriations, and

WHEREAS, N.J.S.A. 19:44A-20 provides for an open and fair process through requests for proposals;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, ATLANTIC COUNTY, NEW JERSEY that the Town of Hammonton is hereby authorized and directed to enter into an agreement with above listed vendors for year 2016 and 2017.

#R142-2016 Accept Grant Body Armor Replacement Fund Program

#R 142-2016

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

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

WHEREAS, the Town has received notice from New Jersey Division of Criminal Justice for **the 2016 Body Armor Replacement Fund Program in the amount of \$2,825.76** and wishes to amend its Budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests that the Director of the Division of Local Government Services approve the insertion of an item of revenue in the **2016 Budget in the sum of \$2,825.76** 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 Body Armor Replacement Fund Grant

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

#R143-2016 Cancel Balances Ordinance 4A-12

TOWN OF HAMMONTON
RESOLUTION NO. 143-2016
CANCEL PRIOR YEAR NJEIT LOAN RECEIVABLE BALANCE
AND UNEXPENDED IMPROVEMENT AUTHORIZATION

WHEREAS, there is a completed improvement authorization with a prior year NJEIT loan receivable balance that remains outstanding on the books, it is the recommendation of the Chief Financial Officer and the Auditor that these balances be canceled; and

WHEREAS, the following is the detail of the Water & Sewer Utility Capital Fund NJEIT loan receivable balance and unexpended improvement authorization to be canceled:

<u>WATER & SEWER UTILITY CAPITAL FUND</u>	
<u>Prior Year Loan Receivable Balance</u>	<u>Amount</u>
Ord. 4A-12 – Well 5/7 Facility Project	\$ <u>85,750.00</u>
<u>Unexpended Improvement Authorization</u>	
Ord. 4A-12 – Well 5/7 Facility Project	\$ <u>210,251.85</u>

BE IT RESOLVED, that the Water & Sewer Utility Capital Fund NJEIT loan receivable balance and unexpended improvement authorization listed above be canceled and that the Chief Financial Officer record this action in the books and records of the Town of Hammonton.

#R144-2016 Tax Resolution

#R144-2016

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
4604-1	Rizzotte Bro	21 S WHP	5,942.86	Tax	Paid in error s/b Burger King	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.

#R145-2016 Transfer Resolution
Attached

#R146-2016 Authorize Hammonton Posada Event and Road Closure

RESOLUTION #146-2016
RESOLUTION AUTHORIZING AND ENDORSING
Hammonton Posada Festival EVENT

WHEREAS, MainStreet Hammonton Organization has and continues to promote the Town of Hammonton with scheduled events in the downtown business district; and

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

WHEREAS, The First Posada Festival hopes to attract many new people to the town especially the Hispanic Community and

WHEREAS, The Posada Festival is a traditional Spanish and Mexican celebration commemorating the journey of Mary and Joseph from Nazareth to Bethlehem in search of a place for the birth of Christ. This celebration includes singing of traditional songs, sharing of traditional food and a piñata party for kids and

WHEREAS, Thursday, December 15, 2016 is the scheduled date for the Posada Festival during the monthly Third Thursday event during the hours of 6:00 p.m. to 9:00 p.m.; and

WHEREAS, MainStreet Hammonton has requested the following street closures for this event between the hours of 4:00 pm. to 10 p.m.:

North Egg Harbor Road between Route 54 and Pleasant Street;

WHEREAS, MainStreet Hammonton has requested appropriate Police Parking Control signs to be posted early in the day noting NO PARKING AFTER 4:00pm and the reservation of the following parking spaces for set up:

Both sides of Egg Harbor Road between Bellevue Avenue and Pleasant Street;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that the Dec 15th, 2016 and the "Posada Festival" event, including the above requests for street closures, reservation of parking spaces and posting of "NO PARKING" signs are acknowledged, approved and endorsed;

Motion by Councilman Furgione, seconded by Councilman Giraldo, resolutions 139-146 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.

#R147-2016 Oppose Recreational Use of Marijuana

Attached

Motion by Councilman Giraldo, seconded by Councilman Torrissi, resolution 147 is adopted.

ROLL CALL

Councilman:

Furgione - Yes

Giraldo - Yes

Gribbin - Abstain

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Abstain

Mayor DiDonato declared the motion carried.

PUBLIC HEARD

John Lyons

Mr. Lyons of the Local Hammonton Republican Club, stated he is here this evening with Mr. Ryan Mayer of Hammonton 1st. and Mr. Nick Polito of Hammonton Democrats Club seeking council's approval for use of council room and channel 9 for candidates debate to be held on the evening of November 6, 2016 from 7:00 – 8:30 pm.

Motion by Councilman Giraldo, seconded by Councilman Gribbin, authorize use of council room and channel 9 for political debate to be held on November 6, 2016.

ROLL CALL

Councilman:

Furgione - Abstain

Giraldo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Abstain

Torrissi - Abstain

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Joseph Caruso

Mr. Caruso stated he felt he is eligible for the annual clothing allowance even though he has been suspended as a Volunteer Firefighter in Co. #2.

Mr. Malinsky, Town Solicitor, questioned Mr. Caruso what does the clothing allowance represent?

Mr. Caruso advised clothing allowance is for volunteer firefighter to replace or purchase clothing used in fighting fires.

Mr. Malinsky stated, since Mr. Caruso has not been acting as a volunteer fire fighter for 13 months, which means he has not needed to purchase or replace clothing used in fire fighting, he is not entitled to clothing allowance.

#R149 -2016 Executive Session

#R149-2016
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 9:00 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.

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:

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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:

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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:

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:

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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:

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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,

1

Solicitor Contract Exceedance – Solicitor advised that the Purchasing Law requires re-advertisement of qualifications and re-appointment if the contract maximum is exceeded. If the legal issues the solicitor is handling are outside and above contract description of duties, that rate can be set hourly.

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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:

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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 Paiff 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)

Subject of Discussion	Estimated Date	Necessary Occurrence
Solicitor Contract	10/25/16	

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 Giraldo, seconded by Councilman Gribbin, the resolution is 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.

MEETING ADJOURNED

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

Clerk

