

Regular Meeting of Mayor and Council – April 10, 2017
Town Hall Council Chambers, 100 Central Avenue
Executive Session 6:00 P.M.
Public Session 7:00 P.M.

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilman:

Furgione - 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 #R048-2017

Motion by Councilman Giralo second by Councilman Gribbin, Resolution is adopted.

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares Motion Carried

RESUME REGULAR MEETING-ROLL CALL

Councilman:

Furgione - Present

Giralo - 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 from Public Desired to be heard.

APPROVAL OF MINUTES

Council Minutes March 20, 2017

Executive Sessions March 20, 2017

Motion by Councilman Giraldo, second by Councilman Rodio, minutes are approved.

ROLL CALL

Councilman:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares Motion Carried

Presentations

Proclamations (3) Hammontonians Honored as Atlantic County's Top 40 Under 40

Atlanticare Presentation

Motion by Councilman Pullia, seconded by Councilman Giraldo, approve Atlanticare welcome committee.

ROLL CALL

Councilman:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares Motion Carried

DISPENSE WITH REGULAR ORDER OF BUSINESS

Continue Hearing Ordinance #010-2017 to Regular Meeting May 15, 2017

Motion by Councilman Giraldo, second by councilman Pullia, continue hearing to May 15,2017.

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes
Gribbin - Yes
Pullia - Yes
Rodio - Yes
Torrissi - Yes
Mayor DiDonato - Yes

Mayor DiDonato declares Motion Carried

Public Hearing Ordinance #011-2017

ORDINANCE #011-2017

TOWN OF HAMMONTON
COUNTY OF ATLANTIC
CALENDAR YEAR 2017

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 0.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Town Council of the Town of Hammonton in the County of Atlantic finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Town Council hereby determines that a 3.0% increase in the budget for said year, amounting to \$288,214.15 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Town Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Town Council of the Town of Hammonton, in the County of Atlantic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Town of Hammonton shall, in accordance with agenda.doc 1 4.7.17

this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$336,249.84, and that the CY 2017 municipal budget for the Town of Hammonton be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption

Motion by Councilman Giraldo, second by Councilman Torrissi, COLA Ordinance is Introduced, passed first reading and given legal publications.

ROLL CALL

Councilman:

Furgione - No

Giraldo - Yes

Gribbin - No

Pullia - No

Rodio - No

Torrissi - Yes

Mayor DiDonato - No

Mayor DiDonato declares Motion Defeated.

RESOLUTION #052-2017

TOWN OF HAMMONTON

RESOLUTION TO INTRODUCE THE 2017 MUNICIPAL BUDGET

BE IT RESOLVED, that the following statement of revenues and appropriations shall constitute the Local Municipal Budget for the year 2017;

BE IT FURTHER RESOLVED, that the said budget be published in the Hammonton Gazette, edition of April 26, 2017 as follows:

A hearing on the budget and tax resolution will be held at the Town Hall on the 15th day of May, 2017 at 7:00 o'clock p.m., at which time and place objections to said budget and tax resolution of the Town of Hammonton for the year 2017 may be presented by taxpayers or other interested persons.

Summary of General Section of Budget

Current Fund

Municipal Purposes within "CAPS" \$9,441,031.91

Municipal Purposes excluded from "CAPS"	2,576,253.23
Reserve for Uncollected Taxes	<u>1,078,291.86</u>
Total General Appropriations	\$13,085,577.00
Less: Anticipated Revenues	<u>3,852,515.04</u>
Amount to be Raised by Taxation	<u>\$9,243,061.96</u>

Motion by Councilman Rodio, second by councilman Gribbin, resolution to introduce budget is adopted.

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares Motion Carried

COMMITTEE REPORTS

Administration - Councilman Torrissi

Adm Mtg Wed April 26 at 9 am

Business & Industry - Councilman Gribbin

Destination Hammonton and Eagle Theatre Food Tours to begin in May

Reported on Mainstreet Events to be held

Reported on Chamber Events to be held

Education - Councilman Giralo

Reported on Board of Education Matters

Quality of Life - Councilman Pullia

Report on Dog Park Opening and to obtain dog license from Clerk office to gain entrance

Public Works & Transportation - Councilman Rodio

Defer action items to PWM/BA report

Water & Sewer - Councilman Furgione

Report on status of water/sewer projects

ENGINEER REPORT

PUBLIC WORKS ACTION ITEMS

1. Washington Street Reconstruction 2017 CDBG Application (ARH #P2017.0274):

We have researched our files related to the Washington Street reconstruction project which was designed to a certain point in 2008. Due to limited funding at the time, the Mayor and Council switched priorities to complete the Third Street/Walmer Street intersection.

We have been discussing the Washington Street reconstruction with the Town's Business Administrator and provided him with the following items to assist in the application process:

1. Prepare a construction cost estimate for base bid and alternates.

2. Prepare a cost estimate to complete the remaining portion of the design plans, specifications, bid documents, etc. for the revised project scope.
3. Prepare a cost estimate for completion of the project construction inspection, invoicing and close-out documents.

Each of the above noted items are only estimates at this time in order to complete the application process. ARH is requesting approval from Council for work completed to date in the application phase of the project. The cost for completion of this task is \$1,150.00.

Action Requested:

Approval of the work completed by ARH to date in assisting the Town Business administrator with the application and for completion of the tasks noted above for a cost not to exceed \$1,150.00. Funding to be taken from Engineering O&E

Motion by Councilman Rodio, second by Councilman Furgione, approval of CBDG Application and Purchase order to ARH in the amount of \$1,150.00

ROLL CALL

Councilman:

Furgione - Yes

Giralo – Recused

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares Motion Carried

PUBLIC WORKS INFORMATION ITEMS:

Reported on Lincoln Street Project status. Engineer to contact SJ Gas and Severson Environmental Services to meet with Council Committee (Rodio, Pullia, Mayor) and Police Chief and discuss an alternative traffic plan.

SOLICITOR REPORT

Weymouth Road Agreement Update

Authorize Solicitor Defend Rigby v. Hammonton

Motion by Councilman Gribbin, second by Councilman Giralo, authorize Solicitor to defend Rigby v Hammonton.

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares Motion Carried

Authorize Solicitor Defend Hand v. Hammonton

Motion by Councilman Rodio, second by Councilman Giralo, authorize Solicitor to defend Hand v Hammonton.

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares Motion Carried

Authorize Resolution 58 Refund

Motion by Councilman Furgione, second by Councilman Pullia, resolution authorize refund Valentino overpayment of water \$245.45 and sewer \$1678.98 542-13th St.

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares Motion Carried

PWM/BUSINESS ADMINISTRATOR REPORT

1. Community Stewardship Incentive Program Planning Grants

Motion by Councilman Pullia, second by Councilman Giralo, authorize community stewardship incentive program grant application.

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares Motion Carried

2. Aquatic Pesticide Spraying
3. Bid 2017 Road Program

Motion by Councilman Pullia, seconded by Councilman Giralo, authorize bid.

ROLL CALL

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

Mayor DiDonato declares Motion Carried

4. Volunteer intern for Town athletic programs

Motion by Councilman Pullia, second by councilman Giralo, authorize volunteer intern town athletic programs contingent upon hold harmless agreement.

ROLL CALL

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

Mayor DiDonato declares Motion Carried

5. Hire PW/CFMP intern (80 hrs total/\$10.00 per hr.) and Utility intern (120 hrs total/\$10 hr) for summer 2017

Motion by Councilman Furgione, second by Councilman Rodio, hire Interns as listed above.

ROLL CALL

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

Mayor DiDonato declares Motion Carried

6. Authorize Mayor Letter of Support Community Shuttle Renewal

Motion by Councilman Giralo, second by Councilman Gribbin, authorize Mayor letter support community shuttle renewal.

ROLL CALL

Councilman:
Furgione - Yes
Giralo - Yes
Gribbin - Yes
Pullia - Yes

Rodio - Yes
Torrissi - Yes
Mayor DiDonato - Yes

Mayor DiDonato declares Motion Carried

7. Trash Collection Good Friday will occur on Sat 4/15
8. Trash Collection Easter Monday will occur on Tues 4/18
9. Bulky pickup May 1-5
10. Brush pickup May 8-12

TOWN CLERK REPORT

- 1) Extend Leave of Absence for Sandy Long until December 7, 2017 per doctors note & NJ CSC rules.
- 2) Appoint Genine Agnew Interim Deputy Municipal Court Administrator, Non - Union until December 7, 2017 contingent upon review and approval of Brian Jetter, Atlantic County Municipal Court Manager. Full Time Temp at \$15.00 hr, up to 32.5 hrs week, Single Health Benefits under ACA. Cannot extend current temporary appointment past 6 months, which she is currently in now. No time off per NJ CSC. Paid holidays that town hall is closed.
- 3) Approve Leave of Absence from Fire Company #2 for Michael Ruberton and Nicole Ruberton. Effective date of March 8, 2017, already approved by the Hammonton Independent Volunteer Fire Company on March 15, 2017.
- 4) Accept resignation Chris Wines (Junior Firefighter) Co. #1

Motion by Councilman Gribbin, second by councilman Giraldo, approve Items 1 to 4.

ROLL CALL

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

Mayor DiDonato declares Motion Carried

APPROVE BILL LIST & PURCHASE ORDERS

Motion by Councilman Gribbin, second by councilman Giraldo, Bill list and Purchase Orders Approved.

ROLL CALL

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

Mayor DiDonato declares Motion Carried.

NEW BUSINESS

ORDINANCES FOR INTRODUCTION

Introduction Ordinance #012-2017 Amend Road Opening Ordinance By Title Only

Motion by Councilman Pullia, second by councilman Rodio, the ordinance is taken up for and passed first reading and given legal publication.

ROLL CALL

Councilman:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares Motion Carried

RESOLUTIONS

Resolution #049-2017 Award Contract under Cooperative Purchasing Agreement Musco Lighting

RESOLUTION # 049- 2017

RESOLUTION AWARDING CONTRACT UNDER NATIONAL COOPERATIVE PURCHASING AGREEMENT

WHEREAS, the Town of Hammonton is a member of the National Joint Power Alliance (NJPA); and

WHEREAS, the Mayor and Council in a shared service agreement with the Hammonton Board of Education will be purchasing and installing sports field lighting at the William T. Capella Field located at the Hammonton Middle School; and

WHEREAS, under a national cooperative purchasing agreement (NJPA) under the authority of N.J.S.A. 52:34-6.2 (b) (3) awards to Musco Sporting Lighting, LLC in the amount of \$288,700.00;and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey that the contract for sports field lighting at William T. Capella Field be awarded to Musco Sporting Lighting, LLC under contract number 082114-MSL in the amount of \$288,700.00.

Resolution #050-2017 Authorizing Various Refunds

Resolution #050 - 2017

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:

Paul Raffa	Refund Overpayment Rental Inspection	\$50.00
Estate of David Siscone	Refund Permit Fee	\$50.00

Motion by Councilman Giraldo, seconded by Councilman Torrissi, resolution 49 and 50 are adopted.

ROLL CALL

Councilman:

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

Mayor DiDonato declares Motion Carried

Resolution #051-2017 Authorizing New Jersey ABC to Conflict Liquor License

#R051 -2017
Town of Hammonton
County of Atlantic
Resolution Authorizing NJ ABC to Renew Conflict Liquor License

WHEREAS, the following liquor license holders have applied for renewal of 2017/2018 Plenary Retail Consumption Licenses:

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

WHEREAS, the applicant is a member of the governing body of the Town of Hammonton, which also acts as the ABC issuing authority, the subject license is a "conflict" license. Accordingly, said renewal application will be forwarded to the Director of the Division of Alcoholic Beverage Control for consideration pursuant to N.J.S.A. 33:1-20 and N.J.A.C. 13:2-4.1; and

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

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

Motion by Councilman Giraldo, seconded by Councilman Torrissi, resolution 51 is adopted.

ROLL CALL

Councilman:

- Furgione - Yes
- Giraldo - Yes
- Pullia - Yes
- Rodio - Yes
- Torrissi - Yes

Mayor DiDonato – Recused
Deputy Mayor Gribbin - Yes

Deputy Mayor Gribbin declares Motion Carried

Resolution #053-2017 Public Works Dept. Essential Employee Policy

Resolution #053-2017
Public Works Department Essential Employee Policy

Whereas, employees of the public works department must respond to texts, emails, phone calls and other forms of communication within 30 minutes of initial contact by the Department Head, Business Administrator or Emergency Management Coordinator; and

Whereas, essential employees will not receive time off approvals beginning December 1st of any year thru March 15th of the following year. There shall be no personal days, vacation days, comp days, authorized due to the nature and responsibility of the employee's "Essential Employee Status" per NJ CSC; and

Whereas, during a significant weather event or public safety concern, employees must receive approval of the department head to punch out after successfully completing their assignment; and

Whereas, the department head will issue pre warnings to advise of pending weather events that may require the employee to be cognoscente of CDL driving requirements; and

Whereas, this resolution pertains to all employees with and without driving privileges; and

Whereas, failure to comply with essential employee requirements, as per NJ CSC, will result in progressive discipline up to and including termination; and

Whereas, PWTC and PWM/BA met with Highway Employees/GWU to discuss this proposed resolution at which time employees requested additional pay for "call outs" to which committee responded, the GWU Contract is set to be re-negotiated in 2018; and

Whereas, PWTC and PWM/BA also took into consideration that the Town has already negotiated fair and substantial pay rates for "Emergency Call Outs" and GWU/Highway Departments Employees request for shorter workday, as follows:

Winter Schedule (Day after Labor Day thru Day before Memorial Day)

The work day shall begin 7:00 a.m. and end 2:45 p.m. This excludes ½ hour lunch break and 1 – 15 minute afternoon break. This includes 1 – 15 minute morning break.

Summer Schedule (Memorial Day thru Labor Day)

The work day shall begin 6:00 a.m. and end 1:45 p.m. This excludes ½ hour lunch break and 1 – 15 minute afternoon break. This includes 1 – 15 minute morning break.

Whereas, considering the Town's willingness to accommodate employee/union requests on negotiable items; and

Whereas, considering the problems the Department Head of Public Works has expressed to PWTC and PWM/BA of not receiving a response from "NJ CSC Essential Employees" of the Highway Department/GWU during "An Emergency Call Out."

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, that the above policy on approving vacation, personal or comp time leave is adopted for the GWU/Highway Department Employees.

Motion by Councilman Rodio, seconded by Councilman Gribbin, resolution 53 is adopted.

ROLL CALL

Councilman:

Furgione - Yes

Giralo - No

Gribbin - Yes

Pullia - No

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares Motion Carried

Resolution #054-2017 Distribution of JIF Surplus fund year 2016

RESOLUTION #054-2017

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

WHEREAS, Town of Hammonton, hereinafter referred to as MUNICIPALITY, participated as a member municipality of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as FUND, for one or more of the following FUND fiscal years beginning January 1, 1998; January 1, 1999; January 1, 2000; January 1, 2001; January 1, 2002; January 1, 2003; January 1, 2004; January 1, 2005; January 1, 2006; January 1, 2007; January 1, 2008; January 1, 2009; January 1, 2010; January 1, 2011; January 1, 2012 **and**

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

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

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

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

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

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

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

WHEREAS, the MUNICIPALITY recognizes its Share of Available Statutory Surplus authorized as to be released by the FUND is as shown below:
Dollar amounts of Statutory Surplus (valued as of December 31, 2015) by FUND Fiscal Year Released and (Declared) by the FUND's Executive Committee on September 21, 2016 TOTAL FUND MUNICIPALITY's Share Closed Fund Years 1998 – 2012 \$2,500,000 \$80,910.00 **and**,

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

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

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

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

- Check \$_____ (Requires voucher)
- A.E.L.C.F. \$80,910.00 – 2016 Dividend (Requires resolution)

This Resolution was duly adopted by the Governing Body of the Town of Hammonton at a Public Meeting held on April 10, 2017.

Resolution #055-2017 Distribution of JIF Surplus fund year 2014

RESOLUTION #056-2017

RESOLUTION DIRECTING THE DISTRIBUTION OF Town of Hammonton's NET RETURNED SURPLUS FUNDS HELD IN TRUST BY THE ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, Town of Hammonton, hereinafter referred to as MUNICIPALITY, participated as a member municipality of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as FUND, for one or more of the following FUND fiscal years beginning January 1, 1998; January 1,

1999; January 1, 2000; January 1, 2001; January 1, 2002; January 1, 2003; January 1, 2004; January 1, 2005; January 1, 2006; January 1, 2007; January 1, 2008; January 1, 2009; January 1, 2010; **and**

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

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

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

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

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

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

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

WHEREAS, the MUNICIPALITY recognizes its Share of Available Statutory Surplus authorized as to be released by the FUND is as shown below:
Dollar amounts of Statutory Surplus (valued as of December 31, 2013) by FUND Fiscal Year Released and (Declared) by the FUND's Executive Committee on September 17, 2014 Total FUND MUNICIPALITY's Share
Closed Fund Years 1998 – 2010 \$625,000 \$22,009 **And**,

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

1. Direct the FUND to forward a check for the MUNICIPALITY's full share to the MUNICIPALITY,
2. Direct the FUND to apply the MUNICIPALITY's share to the FUND's Aggregate Excess Loss Contingency Fund, which provides member municipalities with an available individual contingency balance for use in satisfying any possible need for a supplemental assessment for any year they were a member and an annual capacity to use all or a portion of a member municipality's available balance in offsetting future premiums, **or**

3. Direct the FUND to apportion the MUNICIPALITY's share as a stated dollar amount among options 1 and 2 above such that the sum total of allocated dollars equals the amount of the Net Distribution available to the MUNICIPALITY as noted above.

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

Apply a portion of the amount as a check to the MUNICIPALITY.

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

- Check \$ _____ (Requires voucher)
- A.E.L.C.F. \$22,009.00 - 2014 Dividend

This Resolution was duly adopted by the Governing Body of the Town of Hammonton at a Public Meeting held on April 10, 2017.

Resolution #056-2017 Release of JIF Surplus from Aggregate Excess Loss Contingency

RESOLUTION #055-2017

RESOLUTION AUTHORIZING THE RELEASE OF \$34,543.77 IN SURPLUS FROM THE TOWN OF HAMMONTON'S SHARE OF THE AGGREGATE EXCESS LOSS CONTINGENCY FUND

WHEREAS, the Atlantic County Municipal Joint Insurance Fund (hereafter referred to as the FUND) has been organized pursuant to *N.J.S.A. 40A:10-36 et. seq.*; and

WHEREAS, the FUND is duly constituted as a Municipal Self Insurance Fund to provide insurance coverage to its member municipalities; and

WHEREAS, the FUND has established an Aggregate Excess Loss Contingency Fund pursuant to NJAC 11:15-2.23; and

WHEREAS, in accordance with NJAC 11:15-2.21, the FUND is authorized to release surplus from its Closed Years Fund upon approval from the Department of Banking & Insurance & Department of Community Affairs; and

WHEREAS, should the FUND authorize the Release of Surplus from its Closed Years Fund, each member receiving a share of the surplus has the option of using the surplus as an offset against their next assessment billing, receiving the surplus as a direct payment, or placing a portion of their surplus in the FUND's Aggregate Excess Loss Contingency Fund; and

WHEREAS, several members, including the Town of Hammonton, have placed a portion of their Surplus from amounts released in prior years, into the Aggregate Excess Loss Contingency Fund; and

WHEREAS, based upon the un-audited balance as of March 29, 2017 Financial Review, the Town of Hammonton had an accumulated balance of approximately \$56,404.83 in the Aggregate Excess Loss Contingency Fund; and

WHEREAS, the Fund Commissioner from the Town of Hammonton has sent a written request to the Fund Administrator's office asking that \$34,543.77 of their available balance be released from the Aggregate Excess Loss Contingency Fund;

NOW THEREFORE BE IT RESOLVED, by the Town of the Hammonton that the Fund Treasurer is hereby authorized to release **\$34,543.77** from the Town of Hammonton's balance in the Aggregate Excess Loss Contingency Fund in the form of a lump sum payment for the 2017 Fund year to the Town of Hammonton.

Resolution #057-2017 Temporary Emergency Budget Appropriations

#R057-2017

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

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

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

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

<u>Fund</u>	<u>Appropriation</u>
Admin OE	\$ 5,000.00
Finance OE	\$ 2,000.00
Legal OE	\$ 10,000.00
Computer OE	\$ 5,000.00
Construction OE	\$ 1,000.00
State Fire OE	\$ 1,000.00
Police OE	\$ 30,000.00
Bldg & Grds OE	\$ 20,000.00
Recreation OE	\$ 20,000.00
Natural Gas	\$ 5,000.00
Electric	\$ 10,000.00
Utility Social Security	\$ 20,000.00
Utility N.J. Disability	\$ 2,000.00

Motion by Councilman Giraldo, second by Councilman Torrissi, resolutions 54 - 57 are adopted.

ROLL CALL

Councilman:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Pullia – Yes (recused on 54, 55, 56 only)

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares Motion Carried

PUBLIC HEARD

Judge Raso

Judge Raso stated he is here this evening with Kim Torres, Court Adm., thanked Mayor and Council for extending sick leave of absence and also to introduce Genine Agnew who is filling in in the absence of the Deputy Court Adm.

Genine Agnew

Mrs. Agnew introduced herself to council.

MEETING ADJOURNED

Motion by Councilman Giraldo, second by Councilman Torrissi, the meeting is adjourned. Motion carried.

April Boyer Maimone, Clerk