

Regular Meeting of Mayor and Council February 22, 2021
Town Hall Council Chambers, 100 Central Avenue
Executive Session 6:00 P.M.
Public Session 7:00 P.M.

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilperson:
Furgione -
Giralo -
Gribbin -
Oliva -
Olivo -
Rodio -
Mayor DiDonato -

PRESENT ALSO

Michael Malinsky, Town Solicitor
Bob Vettese, PWM

EXECUTIVE SESSION Resolution #028-2021

RESUME REGULAR MEETING-ROLL CALL

Councilperson:
Furgione -
Giralo -
Gribbin -
Oliva -
Olivo -
Rodio -
Mayor DiDonato -

PRESENT ALSO

Michael Malinsky, Town Solicitor
Robert Vettese, Public Works Manager
Dave Cella of ARH, Town Engineer

PUBLIC NOTICE

Notice of this meeting has been posted and given to official newspapers. Due to the COVID 19 Virus this meeting will be held electronically by way of Zoom and broadcast live on our local cable channel 9. Each person who wishes to address Council will be allotted 5 minutes. Public may be heard by dialing 609-561-3040

PLEDGE OF ALLEGIANCE

PUBLIC HEARD FOR AGENDA ACTION ITEMS

APPROVAL OF MINUTES

Executive Minutes January 25, 2021
Council Minutes January 25, 2021

PRESENTATION

DISPENSE WITH REGULAR ORDER OF BUSINESS

Public Hearing Ordinance #001-2021 – Fixing salaries of certain Employees

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

BE IT ORDAINED by Mayor and Common Council of the Town of Hammonton, County of Atlantic, New Jersey the salaries, clothing allowance, education stipend, health insurance buyout, sick time, vacation time, personal time, comp time, holidays and overtime shall apply to members for contract terms commencing January 1, 2021 per Town Code and per individual bargaining unit Contracts. Individuals shall be paid pursuant to the contract minimums and maximum salaries / Hourly Rates as per contract are as follows:

<u>TITLE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Confidential Aid/Communication Manager/ Recreation Leader	\$ 20,000	\$ 65,000
Municipal Court Administrator	\$ 35,000	\$ 75,000
Police Chief	\$ 85,000	\$175,000

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

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

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

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

Public Hearing Ordinance #002-2021- Amending Chapter 190 of the Code of Hammonton

AN ORDINANCE TO AMEND CHAPTER 190 OF THE GENERAL ORDINANCES OF
THE TOWN OF HAMMONTON

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

1. Chapter 190, Article I, Section 3, the title of the Section is changed to read:

§190-3. Noise prohibited at certain times.

2. Chapter 190, Article I, is amended to add Section 190-7 which states:

§190-7. Noise prohibited at all times.

Notwithstanding, §190-3, it shall be unlawful for any person to make, continue or use to be made or continued any loud or disturbing noise that significantly interferes with the public peace,

the public comfort or the public convenience of others within the Town of Hammonton, at any time. It shall be prima facie evidence of a violation of this Section if the noise is plainly audible at a distance of 1,320 feet (0.25 miles) from the building, structure, vehicle or place in which the noise is emanating. The exceptions set forth in §190-5 shall be applicable to this §190-7. Any person who shall violate this §190-7 shall be subject to the violations and penalties set forth in §190-6.

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

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

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

COMMITTEE REPORTS

Administration - Councilman Gribbin

Business & Industry – Councilman Olivo

Quality of Life – Councilman Oliva

Education - Councilman Giraldo

Public Works & Transportation - Councilman Rodio

Law & Order - Mayor DiDonato

Water & Sewer - Councilman Furgione

ENGINEER REPORT

PUBLIC WORKS INFORMATION ITEMS:

Action Items:

1. School House Lane – 3rd Street to Rt. 54 (ARH Prop#21-0059):
During the last PWTC meeting it was expressed that the Town would like to complete roadway and utility improvements along School House Lane. ARH has reviewed this area and prepared a proposal for Council's consideration. The proposal will include survey field work, base plan preparation and design activities.

Action Requested: Authorize ARH proposal for design services in the amount of \$32,500 for the School House Lane Improvements Project.

Roadway & Transportation Projects

2. NJDOT Local Aid FY 2020 – 14th Street Roadway Improvements, Phase III (ARH #11-40058):
The Contractor previously started by installing initial traffic control measures. To date there has been little activity in part due to weather. The Contractor intended to start on drainage work; however work is currently on hold. Tentatively the contractor is seeking to mobilize on or about March 1, 2021. Project on hold pending Contractor mobilization & winter weather.
3. Hammonton Bike Path Connector (ARH #11-40052):
The project is currently on hold due in part due to winter weather. The Contractor has expressed a desire to get started, however the project is on hold pending Contractor mobilization & winter weather.

4. NJDOT FY2021 State Aid Applications (ARH #11-40041): No Status Change
NJDOT has announced municipal aid allotments. The Town is receiving \$310,000 for roadway reconstruction along Valley Avenue from Broadway to Central Avenue. It should be noted the total estimate submitted to NJDOT was over double the allotment. We will discuss with PWTC and determine the full scope of work to be bid in relation to the budget available. We will submit a proposal for final design and construction administration once the scope is defined.

Environmental Projects

5. Mazza Muffler Site / 104 S. Egg Harbor Road (ARH #11-01102):
The HDSRF grant application valued at approximately \$31,000 has been submitted for a preliminary assessment and site investigation. Application is currently under review by NJDEP.

An application has been prepared for submission to the Pinelands Commission for the demolition of the existing structure. Once permit fees are obtained, we will provide the application to the commission.
6. K&K Linens Property / 224 Vine Street (ARH #11-01094.01):
As previously reported; the HDSRF grant application has been submitted and is under review by NJDEP. The grant request is pending NJDEP review.

Since the last reporting period, the underground storage tank has been removed, and soil samples were taken in and around the excavated area. At present we are waiting for lab results on the samples.

Concurrently, an application has been prepared for submission to the Pinelands Commission for the demolition of the existing structure. Once permit fees are obtained, we will provide the application to the commission.
7. Octagon Oil/Vine Street Parking Lot (ARH #11-01060): No Status Change
ARH is currently preparing a Remedial Action Permit application for ground water impacts. Once prepared we will coordinate with administration related to the content of the plan and for applicable application fees.
8. Celona Site Remediation - 130 Railroad Avenue (ARH #11-01054):
As previously reported; three (3) permanent wells were installed and tested. Currently, we are taking periodic samples and tests. This is anticipated to extend into the first quarter of 2022. At the conclusion of this process we will be able to assess if additional activity is needed.
9. Skinner Property / 317 N. Egg Harbor Road (ARH #11-01074.01): No Status Change
The HDSRF grant application has been submitted and is under review by NJDEP. All work on this project is currently on hold pending receipt of funding from NJDEP.
10. Policastro Property / 120 E. Pleasant Street (ARH #11-01101.01): No Status Change
Previously ARH prepared and provided the Town with a Preliminary Assessment / Phase I Environmental Site Assessment. All work on this project is currently on hold pending Town direction related to moving forward with an HDSRF grant application.

SEWER/WATER INFORMATION ITEMS:

11. Boyer Avenue Pump Station Design (ARH #11-50144):
The alternatives analysis for the collection system and pump station location has been submitted to the Pinelands Commission. Once the Commission has reviewed and commented, we will be able to move forward with the required NJDEP Treatment Works Application. Pending Pinelands review. It should be noted, since the last reporting period Pinelands had public comment hearing related to the alternatives analysis on February 12, 2021. We currently are waiting for a letter to be issued by the Commission.

SOLICITOR REPORT

MAYOR REPORT

PWM REPORT

Radon Awareness Program, Test Kits

The Town received an approval on 01/19/2021 of a \$2,000 grant to allow for the purchase, distribution and testing of radon test kits. We sent out price quote requests to three (3) different certified testing labs for the delivery, testing and recording of results. The Town will be able to purchase and distribute 100 test kits to Town residents at no cost. The low-price quote was received from Certified Environmental Contractors LLC from Farmington, NJ for a cost of \$1,480.00 for 100 test kits. Once the test kits are received we will place a notice in the newspaper and on the Town website related to instructions for pick-up, testing and shipment to the lab. We will seek reimbursement of project costs from the NJDEP, Radon Awareness Unit.

Tree Delivery, Installation

The State Division of Parks and Forestry approved the tree planting and bare root nursery plan. Planting of the trees and bare root trees must be completed in the spring of 2021 with assistance from the PW and MUD personnel. We requested price quotes for the supply of trees and bare root trees (nursery planting) from six (6) different suppliers. We received responses from five (5) companies. The low-price quote was received from Barton Nursery from Edison, NJ for a price of \$11,425.00. We are recommending Council's action on an award for the low quote. Funds for the project will come out of the grant.

Price quotes were requested for landscape supplies from six (6) different suppliers. We received responses from five (5) companies. The low price quote was received from Site One landscape Supply from Hammonton for a price of \$5,157.17. We are recommending Council's action on an award for the low quote. Funds for the project will come out of the grant.

2020 Road Program

The contractor has completed the roadwork program. Final payment is on the agenda for Council's consideration. A project maintenance bond has been provided. There is some minor lawn restoration and seam sealing work that will be completed in the spring.

Safe Routes to Schools, Sooy Elementary School

We are waiting for the signed project funding agreement from the NJDOT. Once the signed agreement documents are received the Town could amend the budget to accept the funds and sign the project contract with GPI so they could start their work.

Electric Vehicle Charging Station funding application, Vine Street

The grant application was sent out to NJDEP on 01/19/2021 requesting funding consideration. The maximum amount allowed for reimbursement will be \$8,000 for a 2-port charging installation at the Vine Street municipal lot. Our application was placed on the NJDEP waiting list for funding consideration.

Town Clock County Permit/Agreement

We received notice that the restored Historic Clock should be delivered back to the Town in early March.

2021 Road Program

We will be meeting with Scott Rivera and the Public Works Committee chairperson to review possible roadway reconstruction and micro surfacing candidates for this year's program.

Other items

March schedule (items must be out prior to 6 am)

- Bulky 1st to 5th – 3 item limit
- Brush 8th to 12th – One (1) 6' x 6' pile allowed
- Recycling pickup by the County will occur on the 8th to the 12th and 22nd to the 26th.

TOWN CLERK REPORT

- 1) Approve contract for Computer Technician.
- 2) Accept resignation from Craig Plavchak from his position with the Hammonton Highway Department effective Friday February 26, 2021.
- 3) Approval purchase of Signs at Lake Park from Pro-1 Signs in the amount of \$3,900.00.

APPROVE BILL LIST & PURCHASE ORDERS

NEW BUSINESS

ORDINANCES FOR INTRODUCTION

RESOLUTIONS

Resolution #029-2021- Temporary Emergency Appropriations

RESOLUTION MAKING TEMPORARY EMERGENCY APPROPRIATIONS

IN THE TOWN OF HAMMONTON MUNICIPAL BUDGET

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

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

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

<u>Fund</u>	<u>Appropriation</u>
Admin S&W	\$35,000.00
Admin OE	\$4,000.00
Finance S&W	\$20,000.00
Finance OE	\$5,000.00
Assessor S&W	\$30,000.00
Assess OE	\$2,000.00
Collection S&W	\$30,000.00
Collection OE	\$3,000.00
Legal OE	\$50,000.00
Computer S&W	\$20,000.00
Computer OE	\$30,000.00
Plng Brd S&W	\$ 5,000.00

Construction S&W	\$30,000.00
Construction O&E	\$ 7,500.00
Other Code S&W	\$ 7,000.00
Group Insurance	\$500,000.00
Insurance OE (Airport/ Rec)	\$ 17,428.85
Workers Comp (State Wide)	\$100,000.00
NJ Disability	\$10,000.00
Fire Operating Exp.	\$55,000.00
State Fire S&W	\$5,000.00
Police S&W	\$700,000.00
Police OE	\$60,000.00
Radio S&W	\$50,000.00
Prosecutor OE	\$8,000.00
Bldg & Grds OE	\$40,000.00
Highway S&W	\$200,000.00
Highway OE	\$200,000.00
Dog Reg. OE	\$3,000.00
Park S&W	\$500.00
Recreation Operating Exp.	\$25,000.00
Advertising	\$20,000.00
Airport OE	\$ 5,000.00
Gasoline	\$20,000.00
Natural Gas	\$8,000.00
Electric	\$30,000.00
Telephone	\$20,000.00
Social Security	\$40,000.00
Recycling Tax	\$5,000.00
DCRP	\$5,000.00
Public Defender	\$5,000.00
Municipal Court S&W	\$40,000.00
Municipal Court OE	\$4,000.00
Municipal Drug Alliance (Town \$3,717.00) 2020 to 2021	\$ 18,585.00
PERS	\$129,186.84
PFRS	\$600,714.57
Capital Improvement Fund	\$ 70,000.00
Body Armor Grant	\$ 2,341.48
Radon Awareness Grant	\$ 2,000.00
Utility S&W	\$200,000.00
Utility OE	\$200,000.00
Capital Improvement Fund	\$ 80,000.00
Utility PERS	\$ 73,750.00

Resolution #030 -2021- Sale of Surplus Property

**RESOLUTION OF THE MAYOR AND COUNCIL
OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC,
STATE OF NEW JERSEY, AUTHORIZING SALE OF SURPLUS PROPERTY**

WHEREAS, the Town of Hammonton is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Town of Hammonton is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW THEREFORE, be it resolved by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey as follows:

1. The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967 / T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com.
2. The sale will be conducted online over a period of time to be set in the legal advertisement and the address of the auction site is govdeals.com.
3. The sale is being conducted pursuant to Local Finance Notice 2008-9.
4. Below is a list of surplus property to be sold:

Make	Model
Onan Gas Generator	400K-5RWL.J
Onan Gas Generator	15.03C-50R
Onan Transformer	LTEU-60L
3 Storage Tanks	4ft X5ft 375 Gallon
1 Fuel Storage Tank Year- 1984	2000 Gallon Fuel Storage Tank Above Ground
1984 Detroit Diesel Generator	Detroit
1976 Chevrolet Jet Truck	GW-2400 LBS
GMC Utility Body Pickup	GMC
1980 Chevy Truck	VIN#CKX33AB139596

Resolution #031-2021- Tax-Water-Sewer Refunds

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

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

<u>Block / Lot</u>	<u>Name</u>	<u>Address</u>	<u>Amount</u>	<u>Reason</u>
1901/29	Garcia-Herrera, A	430 N Chew Rd	\$709.66	Refund/Overpayment
3801/1	Metzger, John & Debra	720 Central Ave	\$978.84	Refund/Overpayment
4402/3.02	Falcone, Deanna & M	250 Oak Rd	\$549.24	Refund/Overpayment
1502/64	Lereta, LLC		\$1,347.95	Refund/Overpayment
Various	Corelogic		\$9,179.49	Refund/Overpayments
1807/17	Horoski, Anthony	31 Leah Ct.	\$3,413.71	Cancel/Exempt
Veteran				

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

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

Resolution #032-2021 – Setting Salaries for Certain Employees

RESOLUTION SETTING SALARIES OF EMPLOYEES

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

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

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

<u>Employee</u>	<u>Title</u>	<u>Salary Effective 1/1/2021 to 12/31/2021</u>
<u>POLICE DEPT</u>		
Kevin Friel	Chief	\$146,575.77
<u>Finance</u>		
Frank Zuber	Bus Admin/Acct/Airport mang/ Deputy Regist.	\$111,131.00
<u>Administration</u>		
Denise Mazzeo	Conf Aide/Comm.Mng	\$ 51,255.00
<u>Municipal Court</u>		
Crystal Czerwinski	Court Administrator	\$ 59,100.00

Salary Effective

<u>Employee</u>	<u>Title</u>	<u>1/1/2022 to 12/31/2022</u>
<u>POLICE DEPT</u> Kevin Friel	Chief	\$150,269.88
<u>Finance</u>		
Frank Zuber	Bus Admin/Acct/Airport mang/ Deputy Regist.	\$113,982.00
<u>Administration</u>		
Denise Mazzeo	Conf Aide/Comm.Mng	\$ 52,636.00
<u>Municipal Court</u>		
Crystal Czerwinski	Court Administrator	\$ 60,577.00

<u>Employee</u>	<u>Title</u>	<u>Salary Effective 1/1/2023 to 12/31/2023</u>
<u>POLICE DEPT</u> Kevin Friel	Chief	\$154,053.32
<u>Finance</u>		
Frank Zuber	Bus Admin/Acct/Airport mang/ Deputy Regist.	\$116,902.00
<u>Administration</u>		
Denise Mazzeo	Conf Aide/Comm.Mng	\$ 54,049.00
<u>Municipal Court</u>		
Crystal Czerwinski	Court Administrator	\$ 62,191.00

<u>Employee</u>	<u>Title</u>	<u>Salary Effective 1/1/2024 to 12/31/2024</u>
<u>POLICE DEPT</u> Kevin Friel	Chief	\$157,929.12
<u>Finance</u>		
Frank Zuber	BusAdmin/Acct/Airport mang/ Deputy Regist.	\$119,892.00
<u>Administration</u>		
Denise Mazzeo	Conf Aide/Comm.Mng	\$ 55,495.00
<u>Municipal Court</u>		
Crystal Czerwinski	Court Administrator	\$ 63,843.00

<u>Employee</u>	<u>Title</u>	<u>Salary Effective 1/1/2025 to 12/31/2025</u>
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<u>POLICE DEPT</u>		
Kevin Friel	Chief	\$160,727.66
<u>Finance</u>		
Frank Zuber	BusAdmin/Acct/Airport mang/ Deputy Regist.	\$122,954.00
<u>Administration</u>		
Denise Mazzeo	Conf Aide/Comm.Mng	\$ 56,975.00
<u>Municipal Court</u>		
Crystal Czerwinski	Court Administrator	\$ 65,534.00

Resolution #033-2021- Ratify and approving Settlement Agreement from 2017

Resolution Ratifying and Approving Settlement

WHEREAS, the Town Council of the Town of Hammonton adopted Resolution #053-2017 at its meeting on April 10, 2017; and

WHEREAS, the Government Workers Union (the “GWU”) filed an unfair practice charge challenging certain provisions of Resolution #053-2017; and

WHEREAS, representatives of the Town of Hammonton (the “Town”) and the GWU participated in a conference at the Public Employment Relations Commission on June 15, 2017 in an effort to resolve the allegations of the unfair practice charge, which charge the Town denied; and

WHEREAS, the Town and the GWU agreed to terms and conditions that resulted in the GWU agreeing to withdraw its unfair practice charge and the Town agreeing to certain procedures to be followed in the event of predictable emergent events, which terms and conditions were reduced to writing and signed by the representatives of the parties (the “Settlement Agreement”), a copy of which is attached hereto; and

WHEREAS, as part of the Settlement Agreement the Town agreed that the second paragraph of Resolution #053-2017 was rescinded and subject to labor negotiations; and

WHEREAS, the Town has followed the procedures set forth in the Settlement Agreement since June 15, 2017 for predictable emergent events covered by the terms of the Settlement Agreement and has not utilized the procedures set forth in the second paragraph of Resolution #053-2017 since June 15, 2017; and

WHEREAS, the terms of the Settlement Agreement are acceptable to the Mayor and Town Council of the Town; and

WHEREAS, it is not clear from a review of the Town’s records and meeting minutes whether the Mayor and Town Council formally approved the Settlement Agreement; and

WHEREAS, it is in the best interests of the Town to eliminate any doubt about whether formal action was taken to approve the Settlement Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Hammonton that the Settlement Agreement is hereby ratified and approved in its entirety effective as of June 15, 2017 and Resolution #053-2017 shall be considered amended as provided in the Settlement Agreement.

PUBLIC HEARD

MEETING ADJOURNED