

Regular Meeting of Mayor and Council February 26, 2018  
Town Hall Council Chambers, 100 Central Avenue  
Executive Session 6:00 P.M.  
Public Session 7:00 P.M.

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilperson:

Furgione - Present

Giralo - Absent

Gribbin - Present

Rodio – Present

Sacco- Present

Torrissi - Present

Mayor DiDonato - Present

PRESENT ALSO

Michael Malinsky, Town Solicitor

Jerry Barberio, PWM/Business Administrator

EXECUTIVE SESSION Resolution # 026-2018

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.

1

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 listed below.

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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 listed below.

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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 listed below.

1

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 listed below.

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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 listed below.

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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 listed below.

1

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 are listed below.

1

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 listed below.

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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 listed below.

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 Info Released	Necessary Occurrence
Zoning Farm properties	Council Meeting in April	
Tenure of an Employee	30 days	
Employee Contacts	Information already in current contacts for white collar	
Tort Claim	90 days	

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.

BE IT FURTHER RESOLVED that this resolution in its entirety, as detailed as required by law, shall serve as the official minutes of the executive session as well.

Motion by Council Person Rodio Second Torrissi  
Enter into Executive Session

Motion by Council Person Torrissi Second Gribbin  
Close Execute session return to regular session, Resolution is adopted

RESUME REGULAR MEETING-ROLL CALL

Councilperson:

Furgione - Present

Giralo - Absent

Gribbin - Present

Rodio – Present

Sacco- Present

Torrissi - Present

Mayor DiDonato - Present

PRESENT ALSO

Michael Malinsky, Town Solicitor

Bob Vettese of ARH, Town Engineer

Jerry Barberio, Public Works Manager/Business Administrator

PUBLIC NOTICE

Notice of this meeting has been posted and given to official newspapers.

Please familiarize yourselves with the fire exits to the right and rear of the Council Chambers.

Please do not proceed beyond the front benches without invitation from the Mayor to do so.

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

PLEDGE OF ALLEGIANCE

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard

APPROVAL OF MINUTES

Executive Minutes January 22, 2018

Council Minutes January 22, 2018

Motion by Council Person Gribbin Second Torrissi  
Minutes are approved

ROLL CALL

Councilperson:

Furgione - Yes

Giralo - Absent

Gribbin - Yes

Rodio – Yes

Sacco- Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Presentation

National Nutrition Month Plaque

Councilperson Brooke Sacco presents Ashley from Shot Rite the plaque.

DISPENSE WITH REGULAR ORDER OF BUSINESS

Public Hearing Ordinance #004-2018 Amending Project Description Utility Ordinance #021-2015

ORDINANCE AMENDING THE PROJECT DESCRIPTION SET FORTH IN SECTION 1 OF CAPITAL ORDINANCE NUMBERED 021-2015 OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY FINALLY ADOPTED NOVEMBER 2, 2015

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

Section One. Section 1 of capital ordinance numbered 021-2015 of the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") finally adopted November 2, 2015 is hereby amended to read as follows:

Section 1. The Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") hereby appropriates \$1,625,586.90 for the installation of new water/sewer lines, painting of water towers, acquisition of equipment, purchase of water meters and various building improvements needed for the Utility Department.

Section Two. 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 Three. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

Motion by Council Person Furgione Second Rodio

The Ordinance is taken up for 2<sup>nd</sup> reading and public Hearing

Motion by Council Person Furgione Second Rodio

The Public hearing is closed; the ordinance has passed 2<sup>nd</sup> reading and is adopted

ROLL CALL

Councilperson:

Furgione - Yes

Giralo - Absent

Gribbin - Yes

Rodio - Yes

Sacco- Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Public Hearing Ordinance #005-2018-Amending Chapter 144 Section 15 Non-life Hazard Uses Inspection Fees  
AN ORDINANCE AMENDING Chapter 144 Section 15  
Non-Life Hazard Uses Inspection

BE IT ORDAINED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, State of New Jersey that Chapter 144 section 15 is amended to include:

- (2) The following building or structure, if classified as non-life hazard, although not exempt from registration or inspection, will be exempt from paying an inspection fee pursuant to the Act. Add the following:
- (e) Farm Buildings, packing houses, labor camps and farm storage buildings.

BE IT FURTHER ORDAINED that, all ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

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

Motion by Council Person Torrissi Second Gribbin  
The Ordinance is taken up for 2<sup>nd</sup> reading and public Hearing

Motion by Council Person Torrissi Second Gribbin  
The Public hearing is closed; the ordinance has passed 2<sup>nd</sup> reading and is adopted

ROLL CALL

Councilperson:  
Furgione - Yes  
Giralo - Absent  
Gribbin - Yes  
Rodio - Yes  
Sacco- Yes  
Torrissi - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Public Hearing Ordinance #006-2018 Amending Chapter 271 Vehicles and Traffic Turn Prohibited

AN ORDINANCE AMENDING Chapter 271 Vehicles and Traffic  
Section 26 Turn Prohibited

BE IT ORDAINED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, State of New Jersey that Chapter 271-26 be amended to include the following:

Intersection	Turn Prohibited	Movement Prohibited
4 <sup>th</sup> Street and Warren E.Sooy School	No Left turn from All exits of School	Left turn onto 4 <sup>th</sup> Street
4 <sup>th</sup> Street and Road to Excellence	No Left Turn	Left Turn onto 4 <sup>th</sup> Street

BE IT FURTHER ORDAINED that, all ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

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

Motion by Council Person Gribbin Second Sacco  
The Ordinance is taken up for 2<sup>nd</sup> reading and public Hearing

Motion by Council Person Gribbin Second Sacco  
The Public hearing is closed; the ordinance has passed 2<sup>nd</sup> reading and is adopted

ROLL CALL

Councilperson:  
Furgione - Yes  
Giralo - Absent  
Gribbin - Yes  
Rodio – Yes  
Sacco- Yes  
Torrissi - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Public Hearing Ordinance #007-2018 Amend Chapter 204 Article III

AN ORDINANCE OF THE TOWN OF HAMMONTON TO AMEND CHAPTER 204; ARTICLE III OF THE GENERAL  
ORDINANCES OF THE  
TOWN OF HAMMONTON

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

1. Chapter 204, Article III, a Section 30 is added which states as follows:

§ 204-30. Appeal for Food Trucks.

A. Town Council shall herein decide requests for variance relief from Ordinance §204-28.

B. In passing upon such applications, Town Council shall consider all relevant factors, including, but not limited to:

1. The suitability of the location for Food Trucks;
2. Any danger to life and property;
3. The importance of the services provided by the proposed Food Truck to the community;
4. The necessity for the Food Truck to be at that location;
5. The availability of alternative locations for the proposed Food Truck;
6. The compatibility of the proposed Food Truck with existing and anticipated development; and
7. The safety of access to the property where the Food Truck is to be located.

C. Upon consideration of the factors set forth above in Section 204-30(B) and the purposes of this Ordinance, Town Council may attach such conditions to the granting of a variance as it deems necessary to further the purposes of this Ordinance.

D. The affirmative vote of the majority of the full authorized membership of Town Council shall be necessary to grant requests for variances under this Section.

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.

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 January 22, 2018, 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 February 26, 2018, at 7:00 PM or as soon thereafter as the matter may be reached.

Motion by Council Person Gribbin Second Furgione  
**Motion to table 2<sup>nd</sup> reading of Ordinance and discuss further**

Councilperson Gribbin requested that Administration committee review Ordinance before acting and vote at next council meeting.

ROLL CALL

Councilperson:  
Furgione - No  
Giralo - Absent  
Gribbin - Yes  
Rodio – No  
Sacco- Yes  
Torrissi - No  
Mayor DiDonato - NO

Mayor DiDonato declares motion is carried

Motion by Council Person Torrissi Second Rodio  
**The Ordinance is taken up for 2<sup>nd</sup> reading and public Hearing**

ROLL CALL

Councilperson:  
Furgione - Yes  
Giralo - Absent  
Gribbin - No  
Rodio – Yes  
Sacco- No  
Torrissi - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Motion by Council Person Torrissi Second Rodio  
**The Public hearing is closed; the ordinance has passed 2<sup>nd</sup> reading and is adopted**

ROLL CALL

Councilperson:  
Furgione - Yes  
Giralo - Absent  
Gribbin - No  
Rodio – Yes  
Sacco- No  
Torrissi - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Resolution #034-2018 Temporary Capital Budget Purchase of Fire Truck

Resolution #034-2018  
TOWN OF HAMMONTON  
TEMPORARY CAPITAL BUDGET

WHEREAS, the need has arisen to introduce bond ordinances to provide funds for the Purchase of a Fire Truck from the General Capital Fund, including all appurtenances necessary and related thereto, and;

WHEREAS, the regulations of the Local Finance board (N.J.A.C. 5:30-4.3(b)) of the Division of Local Government Services, Department of Community Services requires that the municipality adopt a temporary capital budget if a bond ordinance is to be passed prior to the adoption of the Annual Capital Budget, and;

WHEREAS, the ordinance provides a total appropriation as follows:

<u>Description</u>	<u>Total Appropriation</u>	<u>Bonds or Notes</u>	<u>Downpayment -- Capital Improvement Fund</u>
		General Capital Fund	
Purchase of a Fire Truck	<u>\$ 580,000</u>	<u>\$ 551,000</u>	<u>\$ 29,0000</u>

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Town of Hammonton, County of Atlantic that:

- (1) a Temporary Capital Budget is hereby created for the following:

<u>General Capital Fund</u>	
Purchase of a Fire Truck	\$ 580,000

- (2) the project will be included in the Annual Capital Budget, and
- (3) One certified copy shall be forwarded to the Director of the Division of Local Government Services immediately after passage.

Motion by Council Person Torrissi Second Sacco  
Resolution is adopted

ROLL CALL

Councilperson:  
Furgione - Yes  
Giralo - Absent  
Gribbin - Yes  
Rodio - Yes  
Sacco- Yes  
Torrissi - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

COMMITTEE REPORTS

Administration - Councilman Torrissi  
No action items to report



Business & Industry - Councilman Gribbin

Gave update on upcoming town events  
10 New Businesses in down town in 2017  
Easter Event Down town March 30<sup>th</sup> from 1 to 3

Education - Councilman Gribbin

Spoke about new Ordinance on agenda for no left turn on 4<sup>th</sup> Street  
Reviewed School Board Meeting

Quality of Life - Councilperson Sacco

Reviewed Ordinance for Park / Recs Fees  
Update on upcoming events for Parks / Recs  
March 10<sup>th</sup> Lake Cleanup 10 am

Public Works & Transportation - Councilman Rodio

No Action items to report on

Water & Sewer - Councilman Furgione

Informed council of SJ Gas funds and new equipment that will be purchased with funds  
Historic Society pavers can be purchased at museum

ENGINEER REPORT

GENERAL ACTION ITEMS:

1. Vacant Land Analysis Map & Chart (ARH #2017-0916):  
As originally requested by Brian Howell and Shirley Bishop, ARH has prepared a vacant land analysis map and Realistic Development Potential (RDP) chart for the vacant ground (280 parcels) within the Pinelands Town Boundary District. Since that time, additional work has been requested by the Town Representatives and the Fair Share Housing (FSH) reviewer from the courts. Each parcel was reviewed for RDP in accordance with the present Town Zoning Ordinance standards. Some of the constraints included that affected the development potential were wetlands, buffers, storm water basins, zoning, recently approved subdivision, site plans, etc. Also, after discussions with Town Officials certain zones were excluded from consideration where residential development is not listed as a permitted use such as, HB, M-1, GW-2, GW-3, DT-1 through DT-4. We have provided a revised draft copy of the map and chart for review to the various Town Consultant's and Representatives. We continued with this process as requested by the Town's COAH consultants to provide a product that would best fit the Town's needs for Realistic Development potential. The most recent request from the FSH Representative stipulates desire that the Town's Business and Industrial Districts be reviewed for potential residential development and that the sanitary sewer availability be further defined. The parameters of the additional work was discussed with the FSH Representative this past Tuesday. The total of the work completed to date together with the additional work is estimated to be \$18,300.00. It is hopeful that the mapping, charts, data and discussions provided will soon lead to a realistic development potential number that the Town and Courts could be agreed upon both for now and future potential allotments.

Action Requested:

Authorize the issuance of a Purchase Order to ARH for the work completed to date and the additional work requested for a figure not to exceed \$18,300.00.

Motion by Council Person Rodio Second Furgione

Approval of Purchase Order to ARH for COAH work for town as stated above

ROLL CALL

Councilperson:

Furgione - Yes

Giralo - Absent

Gribbin - Yes

Rodio - Yes

Sacco- Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

SOLICITOR REPORT

Introduction Ordinance #011-2018- Amend Chapter 6 Article VII

AN ORDINANCE OF THE TOWN OF HAMMONTON TO AMEND CHAPTER 6, ARTICLE VII OF THE GENERAL ORDINANCES OF THE TOWN OF HAMMONTON

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

1. Chapter 6, Article VII, Section 46 is amended as follows:

§ 6-46. Election of Chairperson; quorum; participation of alternates

The Chairperson of this Committee shall be elected by a majority vote of the voting members. A Quorum shall consist of four members. The three alternate members may participate in discussions of the proceeding but may not vote except in the absence or disqualification of a regular member.

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.

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 February 26, 2018, 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 March 26, 2018, at 7:00 PM or as soon thereafter as the matter may be reached.

Motion by Council Person Sacco Second Gribbin

ROLL CALL

Councilperson:

Furgione - Yes

Giralo - Absent

Gribbin - Yes

Rodio – Yes

Sacco- Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

MAYORS REPORT

Informed Council about grant received for 4<sup>th</sup> street in the amount of \$391,000.00

<u>Mayor's Appointments</u>	<u>Term</u>	<u>Appointee</u>
Planning /Zoning Board	4 Year	Phillip DeMarco Resigning unexpired Term
Planning /Zoning Board	4 year	Mike Messina filling unexpired Term of Phillip Demarco
Planning/zoning Board Alternate 1	2 Year	Bill Brinkerhoff filling unexpired term Mike Messina
Planning/Zoning Board Alternate 4	2 year	James Matro
Historic Preservation Committee Class C	4 year	Martha Matro
Environmental Commission Alt #1	3 year	Al Brown not taking position of Alternate 1
Environmental Commission Alt #1	3 year	Elsie Baez filling unexpired term Al Brown

PWM/BUSINESS ADMINISTRATOR REPORT

1. Personnel Changes

- a. Transfer Debbie Fitchett to Tax Assessor Office
- b. Hire Gloria Fiorentino and Roseann Gazzara for the Tax Collectors Office up to 26 hour per week, \$12.98 per hour and other PT employee provisions of the GWU White Collar Contract. No benefits

Motion by Council Person Torrissi Second Gribbin

ROLL CALL

Councilperson:

Furgione - Yes

Giralo - Absent

Gribbin - Yes

Rodio – Yes

Sacco- Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

- 2. Accept the Community Development Block Grant for \$83,940 for the reconstruction of North Washington Street.

Motion by Council Person Rodio Second Gribbin

ROLL CALL

Councilperson:

Furgione - Yes

Giralo - Absent

Gribbin - Yes

Rodio – Yes

Sacco- Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

- 3. Approval to submit application for FY2018 CDBG for Phase 2 of North Washington Street (water/sewer line replacement)

Motion by Council Person Furgione Second Rodio

ROLL CALL

Councilperson:

Furgione - Yes

Giralo - Absent

Gribbin - Yes

Rodio – Yes

Sacco- Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

- 4. Bulky Week: March 5 to March 9
- 5. Brush Week: March 12 to March 16

TOWN CLERK REPORT

- 1) Hire Genine Agnew Full time as Deputy Municipal Court Administrator at a yearly salary of \$27,134.00, single Benefits, Effective with Retro pay as of February 1, 2018. Approved by Assignment Judge State of New Jersey.
- 2) Authorize change to MetLife Dental Plan effective date of 3-1-2018. 2 year contract with increase of 4.3% in 1<sup>st</sup> year. No Increase in second year. Concordia Increase was going to be 8%.

	<u>MetLife Rates</u>	<u>Concordia Renewal (Current Coverage)</u>
Single	\$21.64	\$26.24
Parent Child	\$52.87	\$47.41
Employee and Spouse	\$44.92	\$51.84
Family	\$81.94	\$78.95

- 3) Accept Annual Tax Collectors report for 2017
- 4) Approve Hammonton Fire Company #1 Coin drop at Tuckahoe Turf Farms (Dates March 17, 30, May 26, 27, 28<sup>th</sup>, June 16<sup>th</sup> and 23<sup>rd</sup>, July 21 and 22<sup>nd</sup>, October 7 and 8<sup>th</sup>, November 15, 19, 24, 25 and 26<sup>th</sup>. Plus any additional Dates added by Tuckahoe Turf) **( HELD FOR NEXT MEETING )**
- 5) Accept Quote for work on Cedar Branch Stream from Crown Pipeline Construction Company in the amount of \$35,015.00. A second quote was requested but the company couldn't submit a bid due to their current work load.

Motion by Council Person TorriSSI Second Gribbin  
 Items 1 to 3 and 5 are approved

ROLL CALL

- Councilperson:  
 Furgione - Yes  
 Giraldo - Absent  
 Gribbin - Yes  
 Rodio - Yes  
 Sacco - Yes  
 TorriSSI - Yes  
 Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

APPROVE BILL LIST & PURCHASE ORDERS

Motion by Council Person Gribbin Second Sacco  
 Bill list and Purchase Orders are approved

ROLL CALL

- Councilperson:  
 Furgione - Yes  
 Giraldo - Absent  
 Gribbin - Yes  
 Rodio - Yes  
 Sacco - Yes  
 TorriSSI - Yes  
 Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

NEW BUSINESS

ORDINANCES FOR INTRODUCTION

Introduction Ordinance #008-2018- Purchase of Fire Truck

BOND ORDINANCE PROVIDING FOR THE PURCHASE OF A NEW FIRE TRUCK  
IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW  
JERSEY, APPROPRIATING \$580,000 THEREFOR AND AUTHORIZING THE  
ISSUANCE OF \$551,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART  
OF THE COST THEREOF

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. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$580,000, including the sum of \$29,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$551,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the the purchase of a new fire truck, including all related costs and expenditures necessary therefore and incidental thereto. (b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof. (c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefore.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon

receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. 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 bond 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 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby. (b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years. (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$551,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law. (d) An aggregate amount not exceeding \$58,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Town hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Town hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the Town to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse

expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy ad valorem taxes upon all the taxable real property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Motion by Council Person Torrissi Second Rodio

The Ordinance has passed 1st reading and is given legal publication for 2<sup>nd</sup> reading.

ROLL CALL

Councilperson:

Furgione - Yes

Giralo - Absent

Gribbin - Yes

Rodio - Yes

Sacco- Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Introduce Ordinance #010 Amending Town of Hammonton Ordinances Chapter 200 Parks and Recreation

An Ordinance Amending Chapter 200 Parks and Recreation Areas – Sections 1, 2,3,7,8 and 9;

BE IT ORDAINED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, State of New Jersey that Chapter 200 Parks and Recreation Areas- Sections 1, 2,3,7,8 and 9 are to include the following:

200-1 (A) Definitions.

For the purposes of this chapter, the following terms shall have the meanings indicated:

**DEPARTMENT OF PARKS AND RECREATION**

Duly appointed personnel of the Town, including the Director of Parks and Recreation and their designated staff members.

**PARK(S)/RECREATION AREA(S)**

Includes but is not limited to a park, playground, recreation or senior center or any other public area owned or used by the Town or local authorized government agencies and devoted to active or passive recreation.

**BOARD OF PARK COMMISSION**

The Board of Park Commission is responsible for guiding the administrative policy of Hammonton Town park(s) and recreation area(s) as well as steering future development of facilities to serve the residents of Hammonton

200-2. Hours of operation.

C. Hours.

The following hours of use have been established:

1. 11<sup>th</sup> Street Park: sunrise to sunset.
2. Front Street Park: sunrise to sunset.
3. Veterans Park: sunrise to sunset.
4. Hammonton Lake Park: sunrise to sunset; except for the ball fields until 11:00 p.m.
5. Hammonton Recreation Complex: sunrise to sunset; except for lighted fields until 11:00 p.m.
6. Key Club Park: sunrise to sunset.
7. Centennial Drive Playgrounds: sunrise to sunset.

D. Exceptions.

The provisions of this chapter shall not be applicable when:

1. A function is being held or is being sponsored by the Town for a religious, school, civic or properly supervised event or program.
2. A supervised social meeting, gathering or assemblage for which a property permit has been issued.

E. Rules and regulations.

The following rules and regulations are hereby established, and it shall be unlawful to violate any of the said rules and regulations:

1. No person shall act in a loud, indecent, obscene or offensive manner.
2. No person shall revel, disport or behave in a noisy and boisterous manner, emitting loud cries and other noises, so as to inconvenience others, or otherwise disrupt and disturb the public peace and dignity within the park(s) and recreation area(s) defined or such adjacent areas. Use of profane, loud, threatening, insulting, indecent and abusive language is prohibited.
3. No person shall drive and/or operate mini-bikes, motor scooters, motorbikes, go-carts, swamp buggies and snowmobiles and any other similar type of motor-driven vehicle within the park(s) and recreation area(s). Golf Carts (gas and electric) are permitted for use by Category I, II, and III organizations with the approval of the Hammonton Park Commission.
4. The starting or maintenance of an open fire or fires in the park(s) and recreation area(s) at any time during the entire year is prohibited.
5. No person shall hunt, molest, harm, frighten, kill, trap, pursue, chase, tease, shoot or throw missiles at any animal, wildlife, reptile or bird; nor shall he remove or have in his possession the young of any wild animal or the eggs or nest or young of any reptile or bird. Exception to the foregoing is made in that snakes known to be deadly or poisonous, or deadly reptiles, may be killed on sight.
6. Pets brought into the park(s) and recreation area(s) shall be confined or under direct control and on a leash. All pet owners must abide by Town regulations and are responsible for cleaning up after their pet(s). Animals trained to assist the disabled are permitted in all areas.



7. No person shall carry or possess firearms of any description, or air rifles, spring guns, bow and arrows, slings or any other forms of weapons potentially inimical to wildlife and dangerous to human safety, or any instrument that can be loaded with and fire blank cartridges, or any kind of trapping device. Shooting into park(s) and recreation area(s) from beyond park boundaries is forbidden.

8. The Recreation Commission shall be authorized to establish any other rules and regulation governing parks which it deems appropriate.

9. No person shall engage in smoking of any kind or use tobacco products while in any park(s) and recreation area(s) listed in Ordinance #036-2014. Smoking is defined as the act of lighting by fire by any means, and/or the act of inhaling, exhaling, burning, or the carrying of any lit smoke product, including, but not limited to, a cigarette, cigar, pipe, electronic smoking device, tobacco, weed, plant or other vegetation or similar material. "Tobacco products" encompasses all smokeless tobacco, including, but not limited to, chewing tobacco, loose-leaf tobacco, tobacco pellets, plug tobacco, twist or rope tobacco, dipping tobacco and dissolvable tobacco.

10. The Director of Parks and Recreation, in conjunction with the Board of Park Commissioners, reviews and approves all park(s) and recreation area(s) use requests for the Town. The Department of Parks and Recreation then works with its sponsored youth organizations and permitted groups to schedule the use of all fields and facilities located in Hammonton Town park(s) and recreation area(s).

11. Field closure for maintenance to preserve the quality of Hammonton Town park(s) and recreation area(s) to allow for appropriate rest and repair of turf areas will be identified by the Director of Parks and Recreation and their designated staff members. Mandatory field closure periods will be identified by park(s) and/or recreation area(s). The closed park(s) and/or recreation area(s) will be identified by posted signs and/or fencing and the organization's contact person will be notified. Consequences for not adhering to the field closure periods will result in the following:

(a) First offense: written warning to the organization representative. Security deposit will be forfeited and retained by the Town of Hammonton.

(b) Second offense: a monetary penalty of \$500 will be imposed and must be paid to the Town of Hammonton. Use of facilities will be suspended until such time as the penalty is paid in full and any or all future permitted use will be canceled.

(c) Third offense: hearing before the Hammonton Town Parks and Recreation Commission with a potential loss of the field use permit for the organization.

12. Athletic fields may be closed due to inclement weather or saturated conditions. If a field is to be determined closed or deemed unplayable by Hammonton Town authorized staff on weekdays, notice will be sent to the appropriate league/organization contact person via email by 2:00 p.m. that day. At later weekday times and weekends, each organization is required to cancel its permitted activity if injury may result to participants or if damage to the playing surface or facility may occur. Users must notify the Director of Parks and Recreation, or designated staff member, if the organization closed the field so other users questioning whether to close their fields can be so advised. If there is any doubt, the field should be closed and all activities canceled. Consequences for not adhering to the above closure requirements will result in the consequences for offenses stated above in Subsection 11. Field use is prohibited in the following circumstances:

(a) It is closed for renovation or repair;

(b) Water is standing on the field;

(c) Soil is frozen;

(d) The soil is wet and "spongy";

(e) Grass can be dislodged from the field easily;

(f) Steady rain is falling;

(g) A lightning/electrical storm is occurring; and

(h) The field is deemed unplayable by staff from the Department of Parks and Recreation and/or Public Works due to other unforeseen condition or vandalism.

13. All managers, coaches, or persons in charge of a group using the park(s) and recreation area(s) will be responsible for the conduct of all participants, spectators and others connected with the activity, including visiting teams and opponents. Group users must inform their participants of the conduct rules. Users must clean up after themselves (i.e., trash, recycling, etc.) and managers, coaches, or persons in charge of a group must inspect the park(s) and recreation area(s) before leaving. All trash must be placed in proper receptacles. Users are expected to leave the park(s) and recreation area(s) in the same or better condition in which it was found.

14. Warm-ups for the next scheduled event must be performed so as not to interfere with existing event and so as not to endanger the welfare of all participants, spectators and facilities.

15. Use or possession of alcoholic beverages or controlled substances of any kind are prohibited.

16. No field user may put down lines, significantly or permanently alter, or make any changes to a park and/or recreation area.

17. The Town may remove any article or property found in a park(s) and recreation area(s) after hours of operation at the owner's expense.

18. No person or organization shall post by any means or erect or cause to be erected any sign, placard, advertisement, or inscription, in any Town park(s) and recreation area(s), without authorization from the Department of Parks and Recreation.

200-3. Permits for special events required.

(6) That the facilities desired have not been reserved for other use at the date and hour requested in the application. C. Use of Facility Applications for park(s) and recreation area(s) use are issued in priority order by category in which the organization or event is placed. A Category I user/event has priority over Category II, III and IV user/event, etc. Permits must be available for review at time of field use. Department of Parks and Recreation will make every reasonable effort to treat all organizations, teams, and individuals using Town facilities in a fair and equitable manner. All parties must comply with federal and state anti-discrimination laws. Permits for park(s) and recreation area(s) use are issued by priority as listed below and according to policies contained herein. Park(s) and recreation area(s) use permits should be carried by the permittee at all times, during scheduled use of the park(s) and recreation area(s) and must be presented upon request. These permits are nontransferable and may not be passed on to other user groups. All field users must adhere to their designated activity, times, locations and dates of assigned use. Authorized permits will only be distributed after all required documentation has been submitted. All organized sports activity must have an authorized permit for use of Town athletic fields.

D. Use categories:

(1) Category I permit/use: Hammonton Town programs and events. Any Hammonton Town-sanctioned program and/or special event.

(2) Category II permit/use: recognized and sponsored Hammonton Town youth sports organizations.

(a) Hammonton Town Little League Baseball Association.

(b) Hammonton Town Bulldogs Basketball Association.

(c) Hammonton Town Wrestling Association.

(d) Hammonton Town Youth/Adult Baseball and Softball Associations.

(e) Hammonton Town HYSA Soccer Association.

(f) Hammonton Town Men's Softball Association.

(g) Hammonton Hawks Football and Cheerleading Association.

(h) Other Hammonton Town Youth Organization approved at a formal meeting by Hammonton Park Commission.

(3) Category III permit/use: Hammonton Town School District. Programs, events, and/or activities officially sanctioned, coordinated and sponsored by the Hammonton School District.

(4) Category IV permit/use: Hammonton Town nonprofit organizations/Hammonton Town church groups/Hammonton Town Boy and Girl Scout groups. St. Josephs Elementary, Middle and High School. Nonprofit organizations, entities, individuals or groups for the purpose of providing recreational services primarily to Hammonton Town residents must show proof of nonprofit certification. Organization address of record is a Hammonton Town address. Team rosters must show 75% or higher Hammonton Town residents.

(5) Category V permit/use: Non-Town nonprofit organizations. Nonprofit organizations, entities, individuals or groups for the purpose of providing recreational services, must show proof of nonprofit certification. For all teams with fewer than 75% Hammonton Town residents.

(6) Category VI permit/use: independent organizations. Organizations, entities, individuals or groups for the purpose of providing recreational services who do not operate as a commercial enterprise or business and can't provide verifiable proof of operating on a nonprofit basis as defined herein.

(7) Category VII permit/use: Commercial. Organizations, entities, individuals or groups for the purpose of providing recreational services that are operated as a for-profit commercial enterprise.

E. To qualify as a nonprofit organization in Category IV or V above, the organization must be registered as a not-for-profit corporation with the State of New Jersey. Nonprofit organizations are those organizations that have evidence of Federal 501(c) filing and state nonprofit status.

F. Priority is given within a particular sport's designated "season." In-season sports have equal status to each other; out of season sports have equal status to each other.

G. In the event of special cases or circumstances (such as decisions on "last-minute" completed applications with no time to go through the process described above), the Director of Parks and Recreation will use their best discretion for park(s) and recreation area(s) use, and have the support of the Quality of Life Committee of Hammonton Town Council.

#### 200-7 Permit Fees

Hammonton Town Park(s) and Recreation Area(s) permit fees by category:

A. Category I, II, III, IV are permitted for use at no charge.

B. Category V and VI:

(1) Field use: \$50 per hour per field/three-hour block minimum.

(2) Field use with/lights: \$100 per hour per field/three-hour block minimum.

C. Category VII:

(1) Field use: \$100 per hour per field/three-hour block minimum.

(2) Field use with/lights: \$200 per hour per field/three-hour block minimum.

#### 200-8 Field scheduling.

A. The first step to securing a park and/or recreation area is to complete a use of facility application. The allocation of park(s) and recreation area(s) will be determined by the Director of Parks and Recreation according to the priority of use established in Permits Section, Permits, and provided that the criteria listed are met.

(1) The Department of Parks and Recreation may schedule fields and facilities at any time for Town sponsored programs, events and activities.

(2) Category II applicant's facility use of park(s) and recreation area(s). Application for the spring and summer season (Feb 15 through August 31) is to be submitted by December 31. Field use approvals for Category II will be voted upon at the January Recreation Commission meeting.

(3) Category II applicant's facility use of park(s) and recreation area(s). Application for the fall season (September 1 through November 30) is to be submitted by May 31. Field use approvals for Category II will be voted upon at the June Recreation Commission meeting.

(4) All Categories III through VII applicants may submit a facility use of park(s) and recreation area(s) application no more than 60 days prior to start date of use. Additionally, applications for facility use of fields between April 1 and August 31 will be accepted up to January 31. Permits will be issued for groups that apply according to category rankings. Applications for facility use of park(s) and recreation area(s) between September 1 and November 15 will be accepted up to June 30. Permits will be issued for groups that apply according to category rankings and any policy contained herein.

(5) Field use applications may be submitted past the dates stated above, no later than seven business days prior to date of use requested and will be considered based on remaining park(s) and recreation area(s) availability.

(6) Restrictions include:

(a) Park(s) and recreation area(s) use permits will be issued to all applicants in Categories III through VII between the dates of April 1 and November 30 annually. No use outside of these dates for above category groups will be allowed.

(b) All Hammonton Town park(s) and recreation area(s) will be permitted for use a maximum of six days a week to ensure they receive some rest and reduce wear and tear.

(c) Athletic fields may not be scheduled for more than eight hours of use in a day. The Director of Parks and Recreation may make exception to this rule in case of tournament play. During the months of July and August, all athletic fields will be permitted for use no more than six hours daily, with a maximum use of four consecutive hours. A mandatory rest period of two hours will be imposed between approved use of the field(s) or area(s).

(d) The Town will leave park(s) and recreation area(s) use times open, un-scheduled and available for informal use by the general public.

B. To minimize field wear and maintenance and ensure the safety of participants, park(s) and recreation area(s) may be retired from play after each season to allow rehabilitation/regrowth of the turf. The Director of Public Works, Director of Recreation or the Recreation Commission may close any Hammonton Town park(s) and recreation area(s) for the upcoming season based upon a review of conditions and required maintenance to ensure playability. The Town may cancel individual

activities on any given day depending on weather and current park(s) and recreation area(s) conditions. In case of permitted date of use, canceled due to weather or park(s) and recreation area(s) conditions, the Director of Parks and Recreation will assist the organization in obtaining one alternate date at no additional cost, provided the date of park(s) and recreation area(s) use is not booked previously by any another permitted group.

200-9. Violations and penalties.

Each and every violation shall be considered a separate violation. Any person who is convicted of violating the provisions of this chapter within one year of the date of a previous violation and who was fined for the previous violation may be sentenced by the Court to an additional fine as a repeat offender. The additional fine imposed as a repeat offender shall not be less than the minimum or exceed the maximum fine provided herein, and same shall be calculated separately from the fine imposed for the violation of this chapter.

BE IT FURTHER ORDAINED that, all ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

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

Motion by Council Person Sacco Second Rodio

The Ordinance has passed 1st reading and is given legal publication for 2<sup>nd</sup> reading.

ROLL CALL

Councilperson:

Furgione - Yes

Giralo - Absent

Gribbin - Yes

Rodio - Yes

Sacco- Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Introduce Ordinance #012-2018 Amending Town of Hammonton Ordinances Chapter 247 Road Opening Fees

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON  
AMENDING CHAPTERS 247-14 (A) FEES; PERFORMANCE AND MAINTENANCE GUARANTY AND 247-20  
(B) STANDARDS FOR EXSISTING TOWN ROADS OR RIGHT-OF-WAYS OF THE CODE OF THE TOWN  
OF HAMMONTON

WHEREAS, the Town Business Administrator has recommended an amendment to Chapters 247-14 (A) Fees; performance and maintenance guaranty and 247-20 (B) entitled Standards for existing town roads or right-of-ways; and

WHEREAS, the Mayor and Council of the Town of Hammonton have reviewed the recommendation and are agreeable to the amendment;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON THAT CHAPTERS 247-14 (A) and 247-20 (B) BE AMENDED AS FOLLOWS:

**Chapter 247-14 Fees; performance and maintenance guaranty:**

247-14 A. A non-refundable, two hundred fifty dollar (\$250) base application fee shall be posted with the Municipal Clerk prior to said application being forwarded to Town Engineer for review and request for posting of escrow fees. Thereafter, activity fees will be assessed based on the following schedule:

**Openings (In Pavement and Outside of Pavement)**

Base fee (\$250.00) plus \$75.00 per opening (Including trench for boring or driving small diameter utility services)

**Directional boring and Cable Installation (In Pavement and Outside of Pavement)**

Base fee (\$250.00) plus \$.50 per foot

247-20 B. 2(d) change four months to three months.

BE IT FURTHER ORDAINED that, all ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

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

Motion by Council Furgione Second Rodio

The Ordinance has passed 1st reading and is given legal publication for 2nd reading.

ROLL CALL

Councilperson:

Furgione - Yes

Giralo - Absent

Gribbin - Yes

Rodio - Yes

Sacco- Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

RESOLUTIONS

RESOLUTION # 027-2018 Authorizing Tri-Vet Memorial Parade

RESOLUTION AUTHORIZING AND ENDORSING  
THE ANNUAL "TRI VET MEMORIAL DAY PARADE"

WHEREAS, the Tri Vets continue to promote the Town of Hammonton with their annual "Tri Vet Memorial Day Parade"; and

WHEREAS, Mayor and Council continues to support the efforts of the Tri Vets; and

WHEREAS, Monday May 28, 2018 is the scheduled date for the Tri Vet Memorial Day Parade and Ceremony beginning at 10:30 a.m.; and

WHEREAS, the Tri Vets have requested assistance of the Town of Hammonton Police Department for this scheduled event and closure of the following street in the Town of Hammonton during the parade from 10:30 a.m. to 12:00 p.m.:

Bellevue Avenue (Route 54) from Railroad Avenue to Tilton Street

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, that the Tri Vet Memorial Day Parade is acknowledged and endorsed by the Town of Hammonton contingent upon the following:

1. Filing of required State written approvals for street closures with the Town Clerk's office.
2. Filing of the necessary certificate of insurance.

RESOLUTION # 028-2018 Authorizing Food Truck Festival

RESOLUTION AUTHORIZING THE FORTH ANNUAL HAMMONTON FOOD TRUCK 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 Hammonton's Fourth Annual Food Truck Festival is a widely popular event attracting many new people to the town and therefore generates increased business for the entire town, and

WHEREAS, Saturday, June 9, 2018 is the scheduled date for the Fourth Annual Hammonton Food Truck Festival event during the hours of 4:30 p.m. to 9:30 p.m.; and

WHEREAS, MainStreet Hammonton has requested the following street closures for this event between the hours of 3:00 pm. to 11:30 p.m.:

Central Ave (Route 542) between Bellevue Ave to Vine Street;  
North Egg Harbor Road between Bellevue Ave and Orchard Street;  
South Second Street between Bellevue Ave and Vine Street;  
North Second Street between Bellevue Ave and Orchard Street;  
Horton Street between and Bellevue Ave Orchard Street

WHEREAS, MainStreet Hammonton has requested appropriate Police Parking Control signs to be posted early in the day noting NO PARKING AFTER 3:00 pm and the reservation of the following parking spaces for safer traffic access and the Food Trucks to park and set up:

Both sides of Route 54 between Third Street and Egg Harbor Road;  
Both sides of Central Avenue between Bellevue Ave and Vine Street;  
Both sides of N. Egg Harbor Road between Bellevue Avenue and Orchard Street;  
Both sides of Horton Avenue between Bellevue Avenue and Orchard Street,

WHEREAS, Main Street Hammonton has met with the Police Chief and been approved for seven Police Officers to assist with crowd control and direct traffic at the intersections due to increased event related pedestrian and vehicular traffic on State Route 54;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that June 9th, 2018 is approved for the Fourth Annual Hammonton Food Truck Festival" event, including the above requests for street closures, reservation of parking spaces, posting of "NO PARKING" signs and five police officers are acknowledged, approved and endorsed;

RESOLUTION # 029-2018 NJDOT Airport Grant Acceptance

RESOLUTION

SUPPORTING THE N.J DEPARTMENT OF TRANSPORTATIONS UPDATE AIRPORT MASTER PLAN STUDY CONTRIBUTION TO THE TOWN OF HAMMONTON IN THE AMOUNT OF 5% OF THE COST OF THE PROJECT

WHEREAS, The New Jersey Department of Transportation (NJDOT) requests the Town of Hammonton to pass a resolution in support of 5% funding of the project for the 'Update Airport Master Plan Study' located at the Hammonton Municipal Airport ; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey, that it supports the contribution of 5% of the cost of the "Update Airport Master Plan Study", located at the Hammonton Airport in The Town of Hammonton as recommended by New Jersey Department of Transportation.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to the New Jersey Department of Transportation as requested.

RESOLUTION # 030-2018 NJDOT Tax/Water Sewer Refunds

RESOLUTION #30-2018  
Tax/Utility Refunds

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

<u>B&amp;L</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>AMOUNT</u>	<u>ACCT.</u>	<u>REASON</u>	<u>PER</u>
1803-11.14	Di Bella	27 Anne Dr	\$ 3,301.16	tax	tax exempt	RJ/MW
1806-5	locicero	26 Anne Dr	\$ 2,216.63	tax	tax exempt	RJ/MW
2301-62	JTS	699 4TH St	\$ 1,010.04	tax	deleted lot sub-divided	RJ/MW
2811-1	Eagle Theatre	200 Vine St	\$ 3,272.00	tax	tax exempt	RJ/MW
2906-29	De Rose	137 Walmer Rear	\$ 220.62	tax	deleted combined with 2906-24	RJ/MW
2906-29	De Rose	137 Walmer Rear	\$ 0.32	tax	delete small balance in 2017	RJ
3205-1	St. Marks	300 Peach	\$ 5,607.05	tax	tax exempt	RJ/MW
3205-2	St. Marks	206 Central	\$ 2,474.60	tax	tax exempt	RJ/MW
3502-2	Gullo	8 N WHP	\$ 12,557.72	tax	deleted combined with 3502-1	RJ/MW
3904-43	JRI	464-474 S WHP	\$ 4,066.74	tax	deleted combined with 3904-44	RJ/MW
5203-4.01	Penza	Union Rd	\$ 2.66	tax	deleted	RJ/MW
5203-5 Q	Penza	505 Middle Rd	\$ 225.93	tax	deleted combined with 5203-5	RJ/MW
3701-10	Giagunto	442 S EHR	\$ 0.68	tax	delete small balance in 2017	RJ
4012-26.06	Colofranson	22 Samantha Dr	\$ 4,980.44	tax	tax exempt	RJ/MW
4012-26.06	Colofranson	22 Samantha Dr	\$ 1,813.43	tax	refund tax exempt	RJ/MW
4912-1 C0112	Guerere	112 Jamestown	\$ 925.65	tax	refund tax exempt	RJ
3201-2	County of Atl	310 Bellevue	\$ 2.02	Util	delete small balance in 2017	RJ
3702-4	County of Atl	570 S Egg Harbor	\$ 0.23	Util	delete small balance in 2017	RJ

WHEREAS, the above amounts have been corrected in the utilities screen's and or tax screen to show the correct amount due. However, a requisition form will not be presented for any refunds until approval by Mayor and Council; and

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

NOW THEREFORE BE IT RESOLVED by mayor and council to authorize and direct the Tax Collector to take the above said action.

RESOLUTION # 031-2018 Transfer Liquor Licenses

Resolution approving the

Transfer of Person to Person/Place to Place Liquor License

WHEREAS, an application has been filed for a place to place and person to person transfer of Plenary Retail Distribution License 0113-44-004-010;

WHEREAS, the submitted application form is complete in all respects, transfer fees have been paid, and the license has been properly renewed for the current license term;

WHEREAS, a police background check has revealed the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Town of Hammonton does hereby approve the transfer of the aforesaid Plenary Retail Distribution License owned by Bellevue Wines & Liquors LLC. To Celebration Wine and Sprits, LLC at Blueberry Crossings 240 S. White Horse Pike Unit A-1a, Hammonton, NJ 08037, and does hereby direct the Town Clerk to endorse the license certificate as follows: "this license, subject to all its terms and conditions, is hereby transferred to Celebration Wine and Spirits, LLC, located at the address Blueberry Crossings 240 S. White Horse Pike Unit A-1a, Hammonton, NJ 08037 effective 3/1/2018.

Motion by Council Person Rodio Second Sacco  
Resolution 31 is Adopted.

ROLL CALL

Councilperson:  
Furgione - Yes  
Giralo - Absent  
Gribbin - Yes  
Rodio - Yes  
Sacco- Yes  
Torrissi - Yes  
Mayor DiDonato - Recused

Mayor DiDonato declares motion is carried

RESOLUTION # 032-2018 Award Purchase of Vehicles

A RESOLUTION APPROVING THE CONTRACT FOR THE AWARD  
TO PURCHASE TWO 2018 FORD F150's 4X4 EXTENDED CAB & OPTIONS

WHEREAS, there exists a need to purchase two 2018 Ford F150's 4X4 Extended Cab & Options, for the Hammonton Construction and Code Enforcement Department; and

WHEREAS, the Construction and Code Enforcement Departments have recommended, after comparing the price and particular suitability, that a contract be awarded to Winner Ford to purchase the trucks under state contract #17-00212, in the amount not to exceed \$ 53,720.00.; and

WHEREAS, funds are available in the operating budget of the Construction Department; and

WHEREAS, N.J.S.A. 40A:11-1-et seq. requires that the resolution authorizing the awarding of the contract without competitive bidding and the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL FOR THE TOWN OF HAMMONTON, ATLANTIC COUNTY, NEW JERSEY that the Mayor and Town Clerk of the Town of Hammonton are hereby authorized and directed to enter into an agreement with Winner Ford, for the purchase of two 2018 Ford F150's 4X4 Extended Cab and options, and

BE IT FURTHER RESOLVED, that the contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-12 of the Local Public Contracts Law as a State Approved Contractor # 17-00212; and

BE IT FURTHER RESOLVED, that the contract is subject to the mutual acceptance of the appropriate contact documentation between the Winner Ford and the Town of Hammonton

RESOLUTION # 033-2018 Temporary Emergency Budget 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	\$30,000.00
Admin OE	\$2,000.00
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	\$30,000.00
Engineering OE	\$26,000.00
Computer S&W	\$20,000.00
Computer OE	\$12,000.00
Plng Brd S&W	\$ 2,000.00
Plng Brd OE	\$ 1,500.00
Construction S&W	\$30,000.00
Other Code S&W	\$7,000.00
Group Insurance	\$500,000.00
Workers Comp (State Wide)	\$100,000.00
NJ Disability	\$10,000.00
Fire Operating Exp.	\$30,000.00
State Fire S&W	\$3,000.00
Police S&W	\$700,000.00
Police OE	\$30,000.00
Radio S&W	\$30,000.00
Prosecutor OE	\$5,000.00
Bldg & Grds OE	\$20,000.00
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.	\$10,000.00
Advertising	\$17,000.00
Airport OE	\$2,000.00
Gasoline	\$20,000.00
Natural Gas	\$8,000.00
Electric	\$30,000.00
Telephone	\$20,000.00
Social Security	\$70,000.00
Recycling Tax	\$5,000.00
DCRP	\$2,000.00
Public Defender	\$1,100.00
Municipal Court S&W	\$40,000.00
Municipal Court OE	\$3,000.00
Municipal Drug Alliance (Town \$4,278.00)	\$21,391.00
PERS	\$127,373.13
PFRS	\$443,260.95
Capital Improvement Fund	\$130,000.00
Recycling Tonnage Grant	\$53,618.39
Utility S&W	\$200,000.00
Utility OE	\$500,000.00
Utility PERS	\$ 73,750.00

Motion by Council Person Sacco Second Gribbin  
Resolutions 27 to 30, 32 and 33 Adopted.

ROLL CALL

Councilperson:  
Furgione - Yes  
Giralo - Absent  
Gribbin - Yes  
Rodio - Yes  
Sacco- Yes  
Torrissi - Yes  
Mayor DiDonato - Yes  
Mayor DiDonato declares motion is carried

PUBLIC HEARD

Joseph Caruso from Fire Company #2 requested information on Cedar Brahn Stream work . Question when Bulky Trash will be unlimited.

EXECUTIVE SESSION #2 Resolution # 035-2018

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 listed below.

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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 listed below.

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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 listed below.

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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 listed below.

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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 listed below.

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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 listed below.

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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 are listed below.

1

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 listed below.

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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 listed below.

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 Info Released	Necessary Occurrence
Employee Discipline	Immediately	

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.

BE IT FURTHER RESOLVED that this resolution in its entirety, as detailed as required by law, shall serve as the official minutes of the executive session as well.

Motion by Council Person Torrissi Second Furgione  
Enter into Executive Session

Motion by Council Person Rodio Second Furgione  
Close Execute session return to open public session, Resolution is adopted

Town of Hammonton Employee Discipline Determination - 90 days suspension without pay, Health benefits premium contribution for March paid by employee, total monthly premium cost paid for the months of April and May by employee. No pension contribution during the 90 day suspension.

ROLL CALL

Councilperson:

Furgione - Yes

Giralo - Absent

Gribbin – Absent (Left Meeting)

Rodio – Yes

Sacco- Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

MEETING ADJOURNED

Motion by Council Person Rodio Second Torrissi