

Regular Meeting of Mayor and Council July 22, 2019
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 - Present

Gribbin – Present Arrived late at 6:19 pm

Rodio- Present

Sacco - Present

Torrissi – Absent

Mayor DiDonato Present

PRESENT ALSO

Michael Malinsky, Town Solicitor

Bob Vettese, Public Works Manager

EXECUTIVE SESSION Resolution #106-2019

Resolution #106-2019
TOWN OF HAMMONTON
AUTHORIZING EXECUTIVE SESSION

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

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

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

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:

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:

Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing,

relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or in the case of a minor or incompetent, guardian) shall request in writing that the same be disclosed publicly." The nature of the matter(s), described as specifically as possible without undermining the need for confidentiality is:

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

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

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

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

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

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

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

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

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

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

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

Subject of Discussion	Estimated Date	Necessary Occurrence
White Horse Pike Re-development	August 2019	
Fire Company Appeal	TBD	
Police Dept Retirement	Sept 1, 2019	
Employee Investigation	August 2019	

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

Motion by Council Person Giraldo Second Sacco
Enter into Executive Session

Motion by Council Person Giraldo Second Gribbin
Close session return to regular session, Resolution #106-2019 is adopted

RESUME REGULAR MEETING-ROLL CALL

Councilperson:
Furgione - Present
Giraldo - Present
Gribbin – Present
Rodio- Present
Sacco - Present
Torrissi – Absent
Mayor DiDonato Present

PRESENT ALSO

Michael Malinsky, Town Solicitor
Robert Vettese, Public Works Manager
Mark Hermann of ARH, Town Engineer

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 June 17, 2019

Council Minutes June 17, 2019

Motion by Council Person Giraldo Second Gribbin
Minutes are approved

Roll Call

Councilperson:

Furgione – Yes

Giraldo – Yes

Gribbin – Yes

Rodriguez – Yes

Sacco – Yes

Torrissi – Absent

Mayor DiDonato – Yes

Mayor DiDonato declares motion is carried

PRESENTATION

None

DISPENSE WITH REGULAR ORDER OF BUSINESS

- 1) Approval to hire Anthony Paulsgraf, FT w/benefits effective July 22, 2019 at \$41,000.00 Annually, title Police Officer.

Motion by Council Person Gribbin Second Giraldo
Hire of Anthony Paulsgraf is approved

Roll Call

Councilperson:

Furgione – Yes

Giraldo – Yes

Gribbin – Yes

Rodriguez – Yes

Sacco – Yes

Torrissi – Absent

Mayor DiDonato – Yes

Mayor DiDonato declares motion is carried

- 2) Approval to hire Pedro Benitez, FT w/benefits effective July 22, 2019 at \$41,000.00 annually, title Police Officer.

Motion by Council Person Gribbin Second Giraldo
Hire of Pedro Benitez is approved

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes
Gribbin – Yes
Rodio- Yes
Sacco – Yes
Torrissi – Absent
Mayor DiDonato – Yes

Mayor DiDonato declares motion is carried

Ton Gribbin read into the record the retirement letter from the Robert Jones the chief of Police

Accept Retirement of Police Chief Robert Jones effective September 1, 2019

Motion by Council Person Gribbin Second Rodio

Roll Call

Councilperson:

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

Mayor DiDonato declares motion is carried

Resolution #107-2019 CAPITAL BUDGET AMENDMENT

WHEREAS, the local capital budget for the year 2019 was adopted on the 17th day of June, 2019; and

WHEREAS, it is the desire to amend said adopted capital budget;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Town of Hammonton, County of Atlantic, that the following modification to the adopted capital budget of the Town of Hammonton be made:

General Capital Fund

<u>Purpose</u>	<u>Total Cost</u>	<u>Capital Improvement Fund</u>	<u>Debt Authorized</u>
Construction of a Fire Suppression Building at Airport and Taxiway Sealing	<u>\$ 100,000.00</u>	<u>\$5,000.00</u>	<u>\$ 95,000.00</u>

Motion by Council Person Rodio Second Giralo
Resolution #107-2019 is adopted

Roll Call

Councilperson:

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

Mayor DiDonato declares motion is carried

Public Hearing of Ordinance #012-2019

AN ORDINANCE TO AMEND CHAPTER 25 ARTICLES I, II, III, AND IV OF THE GENERAL ORDINANCES OF THE TOWN OF HAMMONTON

BE IT ORDAINED by the Mayor and Council of the Town of Hammonton, the County of Atlantic and State of New Jersey as follows: Chapter 25, Article I, Section 1, is amended to read as follows:

§25-1. Composition of Fire Department.

All fire companies existing or which may hereafter exist in the Town of Hammonton and operating under the control of the town shall hereafter be known as the "Fire Department of the Town of Hammonton," and the present existing volunteer fire companies known as the "Hammonton Volunteer Fire Company" and the "Independent Volunteer Fire Company" (hereinafter collectively called the "Hammonton Volunteer Fire Companies") are recognized as members of the said Department. Any volunteer fire company which may hereafter be organized may be admitted to this Department by and with the consent of Council.

Chapter 25, Article I, Section 2 is repealed and replaced as follows:

§25-2. Officers of the Fire Department.

The Fire Department shall have two (2) officers identified as the Fire Chief and Assistant Fire Chief that shall be elected and have the powers and duties set forth in §25-3.

Chapter 25, Article I, Section 3 is amended to read as follows:

§25-3. Powers and Duties of Fire Chief and Assistant Fire Chief. There shall be elected, in an election that occurs any time between October 1 and December 31 in each year, or whenever a vacancy occurs, a Fire Chief and an Assistant Fire Chief who shall:

- A. Have command and control of said Fire Department, including engines, hose or other apparatus or appliances necessarily used in fire departments and may require the fire companies to keep the same in good condition at all times;
- B. Have full charge and command of the Fire Department, Hammonton Volunteer Fire Companies and fire apparatus during all occasions of fire or emergency;
- C. Have control of all public cisterns, public pumps or other supplies of water on occasions of emergency from fire or otherwise, and may require on or more of said companies to empty any cistern or cisterns requiring cleaning or repairing;
- D. Have charge of and distribute any material required for the use of firemen, engines, hose carts, ladders, trucks, etc., provided by Council;
- E. Take command and be in charge of all Fire Department meetings;
- F. Prepare an inventory of equipment and apparatus which shall be submitted to Town Council on or before October 1 annually;
- G. Recommend to Town Council the purchase of apparatus and equipment necessary to maintain the effectiveness of the

Hammonton Volunteer Fire Companies and properly protect life and property from fire; and

H. Compel each or all of the Hammonton Volunteer Fire Companies to observe the provisions of this Chapter 25. The Assistant Fire Chief shall always be subordinate to the Fire Chief, and in the absence or inability of the Fire Chief to perform the duties of said office, the Assistant Fire Chief shall have the same power and perform the same duties as the Fire Chief.

Chapter 25, Article II, Section 4, is amended to read as follows:
No person shall be appointed and approved for membership in any volunteer fire company of the Town of Hammonton who has not reached the age of 18 years as of the date of appointment nor shall anyone be so appointed and become a member of a volunteer fire company of the Town of Hammonton after said individual has reached his or her 46th birthday, unless such person currently holds a State of New Jersey Firefighter I Certification, is an exempt member of the New Jersey State Firemen's Relief Association, passes a physical examination as prescribed by the Town of Hammonton, and has not reached his or her 55th birthday.

Chapter 25, Article I, Section 5 is repealed and replaced as follows:

§25-5. No right to membership.

There is no fundamental right to membership in the Hammonton Volunteer Fire Companies.

Chapter 25, Article I, Section 6 is repealed and replaced as follows:

§25-6. Membership.

Any person seeking enrollment in the Hammonton Volunteer Fire Companies shall make an application to either the Hammonton Volunteer Fire Company or the Independent Volunteer Fire Company. Upon his or her approval by the respective Volunteer Fire Company for membership according to the rules of the respective Volunteer Fire Company, the Volunteer Fire Company shall provide the application of the person to Town Council. Simultaneously to the respective Volunteer Fire Company's Applicant review, interview and selection process, the Applicant shall be subject to a background investigation, including an investigation of criminal, driving and police records to the extent permitted by law. No person shall become a member of the Hammonton Volunteer Fire Companies until such person's membership has been approved by Town Council. Town Council shall have the right to reject any person seeking enrollment for any cause deemed sufficient by Town Council.

Chapter 25, Article I, a Section 7 is added which reads as follows:

§25-7. Supervision and Control of the Fire Department and Hammonton Volunteer Fire Companies.

The Fire Chief, Assistant Fire Chief, any and all members of the Hammonton Volunteer Fire Companies, and any and all officers of the Hammonton Volunteer Fire Companies shall be under the supervision and control of Town Council for the Town of Hammonton.

Chapter 25, Article I, a Section 8 is added which reads as follows:

§25-8. Discipline, suspension and removal of members.

For any cause deemed sufficient by Town Council, Council may reprimand, suspend or remove:

A. Any member or junior firefighter of the Hammonton Volunteer Fire Companies;

B. The Fire Chief and/or Assistant Fire Chief; and

C. Any officer or officers of the Hammonton Volunteer Fire Companies.

Chapter 25, Article I, a Section 9 is added which reads as follows:

\$25-9. Discipline by Hammonton Volunteer Fire Companies.

In addition to the authority of Town Council to discipline, suspend and remove members and officers of the Hammonton Volunteer Fire Companies, the Hammonton Volunteer Fire Companies may impose suitable fines and other penalties on its respective members, subject to the review and approval of the Fire Chief, in accordance with the bylaws and rules of the respective Volunteer Fire Company. This §25-9 shall not prevent, hinder or in any way interfere with the power of Town Council set forth in §25-8. Specifically, this §25-9 shall not be interpreted to require disciplinary action by the Hammonton Volunteer Fire Companies, before Town Council may exercise its authority under §25-8. As set forth in §25-7, "any and all members of the Hammonton Volunteer Fire Companies, and any and all officers of the Hammonton Volunteer Fire Companies shall be under the supervision and control of Town Council for the Town of Hammonton."

Chapter 25, Article I, a Section 10 is added which reads as follows:

\$25-10. Limitation on discipline by Hammonton Volunteer Fire Companies.

Although §25-9 allows the Hammonton Volunteer Fire Companies to impose suitable fines and other penalties on its respective members, Town Council is the only entity with authority to suspend or remove a member from either of the Hammonton Volunteer Fire Companies. This §25-10 shall not prevent, hinder or in any way interfere with the power of Town Council set forth in §25-8. Specifically, this §25-10 shall not be interpreted to require disciplinary action by the Hammonton Volunteer Fire Companies, before Town Council may exercise its authority under §25-8.

Chapter 25, Article II, Section 25-7 titled, Compensation of active fire fighters, is now numbered §25-11 and is amended to read as follows:

\$25-11. Clothing Allowance for Active Fire Fighters.
The annual clothing allowance to be paid to active volunteer fire fighters shall be as set by Town Council in the yearly Salary Ordinance. Editor's Note: The Salary Ordinance is on file in the Office of the Town Clerk/Administrator.

Chapter 25, Article II, Section 25-8 titled, Submission of list of members to Town Clerk/Administrator, is now numbered §25-12.

Chapter 25, Article II, Section 25-9 titled, Number of members limited, is now numbered §25-13 and is amended to read as follows:

\$25-13. Number of members limited.

The membership of Hammonton Volunteer Fire Company shall not exceed 40 members, and of Independent Volunteer Fire Company shall not exceed 40 members.

Chapter 25, Article II, Section 25-10 titled, Attendance at drills required, is now numbered §25-14.

Chapter 25, Article II, a Section 25-15 is added which reads as follows:

§25-15. Authority at fires.

In the absence of the Fire Chief or Assistant Fire Chief at a fire, the first line officer from one of the Hammonton Volunteer Fire Companies (i.e., Captain or any of the Lieutenants) to arrive at the scene shall assume command until the arrival of the Fire Chief, Assistant Fire Chief, or higher ranking line officer. In the absence of a line officer, the first senior fire fighter to arrive at the scene, other than the driver, shall assume command until the arrival of an officer and the transfer of command occurs. Transfer of command is a formalized process which should occur whenever command is transferred from one individual to another. This process should cause minimal disruption at the scene and does not automatically occur with the arrival of a line officer. Whenever possible, transfer of command should take place face to face and include an incident briefing.

Chapter 25, Article II, a Section 25-16 is added which reads as follows:

§25-16. Officially Adopted Documents.

Town Council has only adopted, through Resolution #29-2013, The Official Handbook of Volunteer Fire Companies #1 and #2, which may be amended from time to time through subsequent Resolutions of Town Council. Town Council has not adopted, is not subject to, and/or is not required to comply with: (1) the Hammonton Fire Department Rules of Conduct/Disciplinary Code; (2) Operating Procedure Manual for Hammonton Fire Department; and (3) any other policies, procedures, manuals adopted by the Hammonton Volunteer Fire Companies and/or the Fire Department.

Chapter 25, Article II, a Section 25-17 is added, which reads as follows:

§25-17. Physical Examinations.

In order to ensure the health, safety and welfare of every volunteer firefighter of the Town of Hammonton, every member of the Hammonton Volunteer Fire Companies shall be subject to a physical examination as prescribed by the Town of Hammonton once every four (4) years. The physical examination shall be conducted at the expense of the Town. The Fire Chief shall select twenty-five percent (25%) of the members of the Hammonton Volunteer Fire Companies in February of each year that shall be required to subject themselves to the physical examination prescribed by the Town on the dates and times provided by the Town. The Town shall provide at least two (2) dates for the physical examination. In the selection of the twenty-five percent (25%), the Fire Chief shall abide by the following criteria:

- A. No member of the Hammonton Volunteer Fire Companies shall be subject to more than one (1) physical examination in a four (4) year period; and
- B. The twenty-five percent (25%) shall, to the extent possible, represent an equal number of members from the Hammonton

Volunteer Fire Company and the Independent Volunteer Fire Company.

The results of a member's physical examination shall be provided to the member, Fire Chief and Town Clerk, and shall be kept confidential, except that the Town Clerk may provide the results of the physical examination to the Town Business Administrator, Mayor and Council for the Town, who shall keep same confidential. The act of a member accepting membership into the Hammonton Volunteer Fire Companies or continuing to be a member of the Hammonton Volunteer Fire Companies constitutes the express authorization by the member for the Fire Chief, Town Clerk and Mayor and Council for the Town of Hammonton to receive and review the results of that member's physical examination. Any refusal by a member of the Hammonton Volunteer Fire Companies to take part in the physical examination required by this §25-17 shall be grounds for the immediate removal of that member or members from his/her/their respective Volunteer Fire Company by Town Council for the Town of Hammonton.

Chapter 25, Article III, the Sections are renumbered as follows:

<u>Former Section</u>	<u>New Section</u>
<u>§25-11</u>	<u>§25-18</u>
<u>§25-12</u>	<u>§25-19</u>
<u>§25-13</u>	<u>§25-20</u>
<u>§25-14</u>	<u>§25-21</u>

Chapter 25, Article IV, the Sections are renumbered as follows:

<u>Former Section</u>	<u>New Section</u>
<u>§25-15</u>	<u>§25-22</u>
<u>§25-16</u>	<u>§25-23</u>
<u>§25-17</u>	<u>§25-24</u>
<u>§25-18</u>	<u>§25-25</u>
<u>§25-19</u>	<u>§25-26</u>
<u>§25-20</u>	<u>§25-27</u>
<u>§25-21</u>	<u>§25-28</u>
<u>§25-22</u>	<u>§25-29</u>

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.

Motion by Council Person Giraldo Second Gribbin
The Ordinance is taken up for 2nd reading and public Hearing

Motion by Council Person Giraldo Second Rodio
The Public hearing is closed; the ordinance has passed 2nd reading and is adopted

Roll Call

Councilperson:

Furgione – Yes

Giraldo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Absent

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

**Public Hearing Ordinance #016-2019- Amend Ordinance to add
Additional FAA Grant Funds:**

ORDINANCE AMENDING THE AMOUNT OF THE GRANT SET FORTH IN
BOND ORDINANCE #002-2016 OF THE TOWN OF HAMMONTON, IN THE
COUNTY OF ATLANTIC, NEW JERSEY FINALLY ADOPTED FEBRUARY
22, 2016

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

Section One. The amount of the United States Department of Transportation Federal Aviation
Administration grant set forth in bond ordinance #002-2016 of the Town of Hammonton, in the County of Atlantic,
New Jersey (the "Town") finally adopted February 22, 2016 is hereby amended to be increased from
\$149,832.00 to \$166,763.00.

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 Rodio Second Gribbin
The Ordinance is taken up for 2nd reading and public Hearing

Motion by Council Person Rodio Second Gribbin
The Public hearing is closed; the ordinance has passed 2nd reading and is adopted

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Absent

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Public Hearing Ordinance #018-2019

**AN ORDINANCE OF THE TOWN OF HAMMONTON AUTHORIZING THE SALE OF
TOWN OWNED LAND**

WHEREAS, Lot 1.01 and 1.01 T01 of Block 1201 are owned by the Town of Hammonton; and

WHEREAS, Lot 1.01 T01 of Block 1201 contains a cellular communications tower; and

WHEREAS, Lot 1.01 of Block 1201 is vacant land and not needed for public purposes; and

WHEREAS, it is in the best interest of the Town to subdivide Lot 1.01 and sell the new subdivided parcel of vacant land, without the cellular communications tower, to generate revenue, reduce taxes and reduce liability; and

WHEREAS, the Town proposes to sell such land by Open Public Sale to the highest bidder as authorized by N.J.S.A. 40A:12-13(a).

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

1. The Town Clerk is authorized, subject to the conditions set forth herein, to offer for sale by public auction all of the Town's right, title and interest in and to the following lot pursuant to the provisions of N.J.S.A. 40A:12-13:

The subdivided, vacant land parcel of Block 1201, Lot 1.01 (said Lot shall specifically exclude the cellular communications tower on the site and identified on the Town's tax records as Lot 1.01 T01 of Block 1201) - at a minimum amount of \$149,800.00.

2. The minimum bid for the lot is set forth above. No bid less than the minimum amount set forth will be considered.

3. The Town Clerk is directed to advertise the sale in a newspaper circulating in the Town by two (2) insertions at least once a week during two (2) consecutive weeks, the last publication to be not earlier than seven (7) days prior to the date of the public sale.

4. The property set forth above is not necessary for public municipal purposes and the best interest of the public shall be served in selling said property by public sale to the highest bidder at or above the minimum price set forth above with Town Council reserving the right to accept or reject or otherwise remove any lot from sale. The public sale shall take place on Monday, October 28, 2019, at 10:00 AM at the municipal building located at 100 Central Avenue, Hammonton, NJ 08037. Bids shall be received by the Town Clerk in accordance with the procedures to be announced by the Town Clerk. A deposit by certified check, bank check or money order made payable to the Town of Hammonton in an amount not less than ten percent (10%) of the bid must be paid by the successful bidder at the time of the sale. The balance of the bid amount shall be paid by certified check, bank check or money order made payable to the Town of Hammonton at closing which shall occur not later than forty-five (45) days following acceptance of the bid by Town Council. The Clerk may by announcement made at the time and place scheduled for the public sale adjourn the sale to another date and time and such announcement shall be deemed adequate notice to all interest parties.

5. Any person bidding on behalf of a corporation or company must submit a copy of a Resolution of the corporation or company authorizing the bidder to bid on the property on behalf of the corporation or company. A person bidding on behalf of a partnership or using a trade name must submit a copy of the certificate of trade name and a letter of authorization from the other partners, if any.

6. All bids shall be referred to Town Council for review and final approval pursuant to N.J.S.A. 40A:12-13 and the Town reserves the right to accept the highest bid or to reject any and all bids for any property. The deposits with respect to any unsuccessful bid and any rejected bid shall be returned.

7. The successful bidder shall be responsible for the cost of preparation of the deed of conveyance and any related documents for the transfer of title, not to exceed \$250.00. The costs of preparation of the deed of conveyance and related documents for the transfer of title must be paid by certified check, bank check or money order made payable to the Town of Hammonton and provided to the Town of Hammonton within ten (10) days of the date of sale. The successful bidder shall be

responsible for the recording of the deed and for the cost of such recording.

8. A bargain and sale deed without covenants shall be delivered at the office of the Town Clerk on or before forty-five (45) days after Council approval of the sale. The Mayor and Town Clerk are hereby authorized to execute said deed and other conveyance documents and the Town Attorney is authorized to prepare such deed and documents.

9. In addition to the terms and conditions set forth herein, the successful bidder agrees to the imposition of the following conditions by the Town:

(a) In the event that the successful bidder fails to close title, the bidder agrees to forfeit to the Town any and all monies deposited with the Town.

(b) The Town does not warrant or certify title to the property and in no event shall the Town be liable for any damages to the successful bidder if title is found defective or marketable for any reason, and the bidder waives any and all rights and damages or by way of liens against the Town, the sole remedy of the bidder being the right to receive a refund prior to closing of title of the deposit paid. It is the right of the successful bidder to examine title prior to closing. In the event of closing and a later finding of a defect of title, the Town shall not be required to refund any money or correct any defect in title and shall not be held liable for damages. Acceptance of an offer to purchase shall constitute a binding agreement by the bidder and the successful bidder shall be deemed obligated to comply with the terms and conditions contained herein.

(c) The deed of conveyance shall be subject to all matters of record which may affect title, what an accurate survey would reveal, the Ordinances of the Town of Hammonton, and the reservation of an easement for all natural constructive drainage systems, swales, pipes, drains, inlets, waterways and other easements, if any, on the land and a continued right of maintenance and flow thereof. The Town shall be without obligation to provide access, public or private, or to provide any improvements.

(d) The land being conveyed is an undersized lot and may not be developed separately for residential or other purposes and, if applicable, must be merged with the contiguous land owned by the bidder. The deed of conveyance shall contain a restriction governing the subject property that, if applicable, neither it nor the property with which it is consolidated shall thereafter be subdivided. The deed will also contain a further covenant that neither the purchaser nor

any future owner or potential developer of the lot may ever in any manner, directly or indirectly, assert a claim against the Town of Hammonton based upon the inability to develop or use the lot including, but not limited to, a claim for inverse condemnation or damages of any kind.

(e) The Town makes no warranties whatsoever regarding said lands and assumes no responsibility for environmental conditions, known or unknown, regarding said lands. The bidder shall be responsible for the exercise of due diligence in determining the condition of the land, including but not limited to, the determination of any title conditions, environmental conditions, zoning and development restrictions and any other condition or restriction that might impact the use of the land.

10. The Town Clerk, the Mayor and the Town Attorney are authorized to prepare and execute any and all documents necessary and to take any and all such actions as may be required to effect the transaction set forth herein.

11. The Town Clerk shall file with the Director of Local Government Services in the Department of Community Affairs, sworn affidavits verifying the publications of the advertisements required by N.J.S.A. 40A:12-13(a).

12. Bidding may be made by an individual, corporation or other entity. Bids may also be submitted by a prospective purchaser's attorney, real estate agent or broker or other duly authorized representative. However, no commission shall be paid by the Town of Hammonton to any real estate agent or broker or other representative in connection with any sale.

13. The sale of such lands is subject to applicable New Jersey Law concerning the disposition of municipal real estate and all other applicable laws and ordinances of the State of New Jersey and the Town of Hammonton.

14. All potential sales are subject to final approval by Town Council. This includes the right of Town Council to remove a property from the sale list at any time and to terminate any sale up to the time of the issuance of a deed to the purchaser. If terminated, any monies paid by a successful bidder will be refunded.

15. The Town reserves the right to waive any and all defects, informalities and irregularities in any bid. The Town further reserves the right to reject all bids in each instance where the highest bid is not accepted and to, in its discretion, re-advertise the property for sale. No bid shall be considered finally accepted until confirmed by Town Council.

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.

Motion by Council Person Furgione Second Sacco
The Ordinance is taken up for 2nd reading and public Hearing

Motion by Council Person Giraldo Second Rodio
The Public hearing is closed; the ordinance has passed 2nd reading and is adopted

Roll Call

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

Mayor DiDonato declares motion is carried

COMMITTEE REPORTS

Administration - Councilman Gribbin

- Reviewed June meeting amendments that he would like to discuss next month

Business & Industry – Councilwoman Sacco

- Reviewed upcoming Town Events- RWB Festival, Peach Festival, Fringe Festival and Touch A Truck Event

Quality of Life - Councilwoman Sacco

- Brick Pavers are still for sale at Historical Society.
- Green Festival Event Update

Public Works & Transportation - Councilman Rodio

- Reviewed Actions Items on Engineers report
- Bulky Pickup First Full week of Month and Brush is 2nd Full week of Month

Water & Sewer - Councilman Furgione

- Reviewed Clarifier work at Sewer Plant
- Reviewed Land Application at Boyer Ave
- Watering of Soccer Fields

ENGINEER REPORT

Utility Action Items

1. Boyer Avenue – 2019 Additional Survey Work (ARH P2019.0519):

As requested by the PWTC Committee, ARH provided a proposal to perform survey work in and around the Boyer Avenue Land Application Facility. This work consists of three (3) components: survey and R.O.W. mark-out of Sewell Avenue; survey of 7th Street in order to design a permanent solution to the ongoing storm water erosion, and survey of Boyer Avenue and the interceptor trench area for sanitary sewer extension. As discussed at the PWTC meeting, the 7th Street work will be held to a later date.

Action Requested:

Authorize ARH proposal P2019.0519 in the amount of \$9,300.00.

Motion by Council Person Furgione Second Rodio

Approval of ARH's Proposal in the amount of \$9,300.00 for Boyer Ave Survey work

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Absent

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

2. Relocation of Interceptor Trench Discharge (ARH #P2019.0239):

Pinelands approved the relocation of the interceptor trench discharge as an emergency measure per a letter dated June 10, 2019 from Executive Director Nancy Wittenberg to Brian Howell. A Pinelands Permit application will be required after-the-fact; the letter notes that "Hammonton is proceeding at its own risk regarding the installation of the proposed groundwater discharge pipe prior to Commission approval of the application".

Pinelands has since requested an application form and fee payment in advance of a full permit application submittal. ARH has completed the form and calculated the required payment (\$250.00). This is being processed through Brian Howell.

ARH is also providing an updated proposal to perform the design and fulfill the remaining submittal requirements for the relocated trench discharge.

Action Requested:

Provide necessary signature and payment in the amount of \$250.00 for Pinelands Permit application for Brian Howell, and approve our proposal in the amount of \$11,000.00 in order to complete the remaining tasks required to design and obtain approvals for the interceptor trench discharge relocation.

Motion by Council Person Furgione Second Rodio

Approval of ARH's Proposal in the amount of \$11,000 for Boyer Ave and Check to Pinelands Commission (on Bill list)

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Absent

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Public Works Action Items

3. 2018 State Aid Funding (14th Street) (ARH #11-40056.01):
Bids for this project were received on March 28, 2019. The low bidder was Arawak Paving in the amount of \$248,000.00. Our office will work with Arawak to extend the limits of the project and maximize the grant money received by the Town.
A preconstruction meeting will be scheduled within the next few weeks. Construction will be scheduled for late July or early August to minimize impacts to the farmers and associated traffic.

The NJDOT has approved our request to include the portion of 14th Street, from the Borough of Folsom line to the limits of the 2015 road project (approximately 530 feet). Plans and specifications are prepared and must be approved by the NJDOT. The NJDOT has also requested a Scope Modification Form to be included with the submission. The Form has been prepared and submitted to the Town for consideration.

Action Requested:

Authorize endorsement of the Scope Modification form by the Town Clerk for submission to the NJDOT.

Motion by Council Person Rodio Second Giraldo
Approval to authorize Scope Modifications as stated above.

Roll Call

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

Mayor DiDonato declares motion is carried

4. 2019 Road Program (ARH #P2019.0217):
We have received a copy of the proposed roadway reconstruction list for 2019. Bob Vettese has requested a cost to perform roadway topography on Orchard Street, from Egg Harbor Road to Tilton Street. This work will include locating the top and bottom of curb along the full length, except for the portion of Second Street that was paved within the last few years.

Action Requested:

Authorize ARH proposal in the amount not to exceed \$2,500.00.

Motion by Council Person Rodio Second Sacco
Approval of ARH's Proposal in the amount of \$2,500 for Topography for Road Program

Roll Call

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

Mayor DiDonato declares motion is carried

SOLICITOR REPORT

Accept Bid for Telecommunications Facility at 13 Lincoln Avenue from Version Verizon Wireless for an annual amount of \$39,600.00

Motion by Council Person Gribbin Second Giralò

Roll Call

Councilperson:

Furgione – Yes

Giralò – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Absent

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Accept Bid for Telecommunications Facility at 601 4th Street from Version Verizon Wireless for an annual amount of \$39,600.00

Motion by Council Person Giralò Second Furgione

Roll Call

Councilperson:

Furgione – Yes

Giralò – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Absent

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

PWM REPORT

-Airport Fire Suppression System

Results of price quotes received. An award recommendation for the following three prime service contracts is made to the following companies

1. Concrete foundation work for building and stairway to: Scrapple Brothers Construction Inc. in the amount of \$20,650.00.

Motion by Council Person Rodio Second Sacco
subject to passage of the amended funding ordinance.

Roll Call

Councilperson:

Furgione – Yes

Giralò – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Absent

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

2. Steel fabricated stairway to Precision Tech, LLC in the amount of \$22,106.48

Motion by Council Person Giraldo Second Rodio
subject to passage of the amended funding ordinance.

Roll Call

Councilperson:

Furgione – Yes

Giraldo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Absent

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

3. Building and doorway construction to Ron Sirolli Construction Co. Inc. in the amount of
\$32,522.58

Motion by Council Person Gribbin Second Giraldo
subject to passage of the amended funding ordinance.

Roll Call

Councilperson:

Furgione – Yes

Giraldo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Absent

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

These awards will be subject to passage of the amended funding ordinance. We will seek price quotes for plumbing and electrical work.

-Sanitary & Storm Sewer Cleaning & Video

Price quotes were requested from three (3) different contractors for various use durations. The award recommendation will be to Video Pipe of Newfield, NJ for use on an as needed basis for the following durations.

- ½ Day - \$1570.00
- 1 Day - \$2640.00
- 3 Days - \$7900.00
- 5 Days - \$13,000.00

Motion by Council Person Furgione Second Rodio

This award would be subject to certification of funding availability. Not to exceed \$13,000.00.

Roll Call

Councilperson:

Furgione – Yes

Giraldo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Absent

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

-2019 Road Program

1. The following roads are included in the first phase of the roadway resurfacing program subject to funding availability.

- Grape Street-Liberty St. to Valley Avenue
- Chestnut Street-Park Ave. to Central Ave.
- North 1st Road-3 sections between 12th St to 600'+/- NW of 13th Street
- Golden Eagle Drive-8th Street through the interior loop Street.
- Orchard St.-Egg Harbor Road to Tilton St.
- 4th St-Fairview Ave to 500'+/- NW of North St
- Gatto Road-Columbia Road to 300'+/- SE of Neil Rd intersection

Various construction options will be pursued to try and save money where possible. A letter will be sent out to the residents within the potential project area.

Motion by Council Person Gribbin Second Rodio

Approval to go out to Bid for the 2019 Road Program

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Absent

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

-Fire Co. #2/White Horse Pike Guide Rail

The NJDOT representative has set a date and time of Wednesday, 9/24/19 to meet onsite and discuss the above noted project improvements.

-Demo 782 Bellevue Avenue

We are awaiting price quotes to complete the demolition for the home at 782 Bellevue Avenue.

-Boyer Avenue Sanitary Sewer Extension

We have sent a letter out to the residents on Boyer Avenue that about the Land Disposal Site. We will notify the PWTC when a date and time for the meeting will be once we hear back from the residents that were contacted.

-NJDOT Meeting for Safe Routes to Schools, North Street Sidewalk Extension.

A kickoff meeting was held with NJDOT officials related to the above noted project. The Town must request, receive, review and select a consulting firm based on the qualifications that will best service the project needs in conformance with the applicable State and Federal Highway standards. We would seek Council's authorization to solicit requests for professional services for the project. .

Motion by Council Person Rodio Second Sacco

Approval to receive RFP's for the NJDOT project above

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Absent

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

-Lincoln Street Water Tower, Proposal for Project Inspection, Testing, Construction Management

We received a proposal dated 7/5/19 from Mumford-Bjorkman Assoc, Inc. for a total cost of \$34,250.00 to complete various tasks related to the Lincoln Street Water Tank painting project. We had a preconstruction meeting with the contractor, Town representatives and a representative from Mumford-Bjorkman Assoc, Inc. earlier this month. If all goes well, the contractor should mobilize by 9/15/19 and complete the work later this year.

Motion by Council Person Furgione Second Rodio

Award Quote to Mumford- Bjorkman for Water Tower work described above.

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Absent

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Motion by Council Person Giralo Second Gribbin

Permission to call county and pump out the Cara Lane Basin

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Absent

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

TOWN CLERK REPORT

- 1) Approval to Hire Robin Ripa to a Temporary Appointment as a Part Time Keyboard Clerk I , 19.5 hours a week at \$14.00 per hour, no benefits retroactive to July 8, 2019 for an 8 week period.
- 2) Approval to advertise for a Part time Bi-Lingual Clerk Typist 1 for the Police Records Department. Contingent upon all civil service regulations.
- 3) Accept Riley DiGiovannangelo as a regular member of the Hammonton Fire Department #2, approved at Fire Company meeting on July 10, 2019
- 4) Accept Adam Thornewell as a junior member to Fire Company #1.
- 5) Increase Mike Ruberton's part-time hourly rate as State of New Jersey Uniform Fire Code Official to \$17.00 per hour effective August 1, 2019.
- 6) Approve accrued benefit payment to Robert Jones not to exceed \$49,862.88 prorated through December 31, 2019. Accrued Benefit payment breakdown as follows: Accrued Vacation - \$28,684.00, Accrued Personal - \$3,442.08 Accrued Holiday Birthday- \$1,147.36, Accrued Holiday -

\$4,589.44 and Sick time- \$12,000.00. Paid as follows: August 2019- 12,500.00, November 2019- \$12,500, January 2020 - \$12,500.00, March 2020 - \$12,362.88.

7) Approval to hire Intern for Clerk's office at \$10.00 per hour not to exceed 19.5 hrs per week. No benefits.

Motion by Council Person Gribbin Second Giralto
Approval of items 1 to 7

Roll Call

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

Mayor DiDonato declares motion is carried

APPROVE BILL LIST & PURCHASE ORDERS

Motion by Council Person Gribbin Second Giralto
Bill list and Purchase orders are approved

Roll Call

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

Mayor DiDonato declares motion is carried

NEW BUSINESS

ORDINANCES FOR INTRODUCTION

Introduction Ordinance #017-2019- 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, State of 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' 2018 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>
Construction/ Bldg / Fire / Plumbing / Electrical Sub Code Officers / Zoning Part time	\$14.00	\$45.00
Code Enforcement Officer Part Time	\$14.00	\$35.00

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.

Motion by Council Person Gribbin Second Giralto
Ordinance has passed 1st reading and is approved for advertisement

Roll Call

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

Mayor DiDonato declares motion is carried

Introduction of Bond Ordinance #019-2019- Fire Suppression Bldg and Taxiway Sealing at Hammonton Airport

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A FIRE SUPPRESSION BUILDING AT THE AIRPORT AND TAXIWAY SEALING IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$95,000 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 \$100,000, including the sum of \$5,000 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 \$95,000 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 construction of a fire suppression building at the airport and taxiway sealing, including all related costs and expenditures necessary therefor 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 therefor.

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 benefitted 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 15 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 \$95,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$20,000 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 Rodio Second Giraldo

Ordinance has passed 1st reading and is approved for advertisement

Roll Call

Councilperson:

Furgione – Yes

Giraldo – Yes
Gribbin - Yes
Rodio- Yes
Sacco - Yes
Torrissi – Absent
Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Introduction of Ordinance #020-2019

AN ORDINANCE AMENDING Chapter 271 Vehicles and Traffic
Section 23 Stop Intersections Designated

BE IT ORDAINED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, State of New Jersey that Chapter 271-22 be amended to add:

Intersection

Orchard and Grand Street

Location of Stop Sign

Grand 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 Giraldo
Ordinance has passed 1st reading and is approved for advertisement

Roll Call

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

Mayor DiDonato declares motion is carried

RESOLUTIONS

Resolution #108-2019 – Clean Communities Grant

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

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

WHEREAS, the Town has received from the State of New Jersey Department of Environmental Protection, Clean Communities Program \$38,865.78 and wishes to amend its 2019 Current Fund Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund Budget of the year 2019 in the sum of \$38,865.78 which has been awarded and is available as a revenue from:

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

Clean Communities Program

BE IT FURTHER RESOLVED that a like sum of \$38,865.78 be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations - Excluded from "CAPS":

Public and Private Programs Offset by Revenues:

Clean Communities Program

BE IT FURTHER RESOLVED That the Town Clerk forwards a certified copy of this resolution to the Director of Local Government Services.

Resolution #109-2019 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 Retroactive 2/1/2018 to 12/31/2018</u>
Municipal Court Genine Agnew	TITLE Deputy Court Administrator	\$37,944.00
Salary Effective 1/02/2019 to 12/31/2019		
<u>Employee</u>	<u>Title</u>	<u>Salary Effective 1/02/2019 to 12/31/2019</u>
Municipal Court Genine Agnew	TITLE Deputy Court Administrator	\$38,125.00
Salary Effective 1/01/2020 to 12/31/2020		
<u>Employee</u>	<u>Title</u>	<u>Salary Effective 1/01/2020 to 12/31/2020</u>
Municipal Court Genine Agnew	TITLE Deputy Court Administrator	\$38,983.00
Salary Effective 1/01/2021 to 12/31/2021		
<u>Employee</u>	<u>Title</u>	<u>Salary Effective 1/01/2021 to 12/31/2021</u>
Municipal Court Genine Agnew	TITLE Deputy Court Administrator	\$40,055.00

Resolution #110-2019 – Various Refunds

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

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

Our Lady MT Carmel	\$ 2,015.00	Escrow
Eagle Theater	\$ 40.00	Raffle Fee
Galli, Chrescenzo	\$ 150.00	Inspection Fee

Resolution #111-2019 – Award Purchase of Chipper Unit under Coop Agreement

RESOLUTION AWARDING CONTRACT UNDER NATIONAL COOPERATIVE PURCHASING AGREEMENT

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

WHEREAS, the Mayor and Council will be purchasing a Chipper Unit for the Highway Department; and

WHEREAS, under a national cooperative purchasing agreement (NJPA) under the authority of N.J.S.A. 52:34-6.2 (b) (3) awards to Vermeer North Atlantic Sales Inc. in the amount of \$59,639.00;and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey that purchase of a Chipper Unit be awarded to Vermeer North Atlantic Sales Inc. under contract number 062117-VRM in the amount of \$59,639.00.

Resolution #112-2019- Refunds Tax/Water/Sewer

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>Acct.</u>	<u>Reason</u>
2607/2	Bonilla,Ismael	12 Line Street	\$770.64	Utility	Bill Adj.
4604/32	Ct07-75SWH LLX	71 S White Horse Pike	\$25,936.69	Tax	2016/2017 Appeal
2708/1	Terry, Michelle	221223 N. 2 nd Street	\$634.99	Utility	Overpayment

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 #113-2019 – Authorize Green Day Event

RESOLUTION AUTHORIZING AND ENDORSING
HAMMONTON GREEN DAY FESTIVAL

WHEREAS, Hammonton’s Green Committee and MainStreet Hammonton have promoted and continue to promote the Town of Hammonton with scheduled events in the Town of Hammonton; and

WHEREAS, these organizations have forged positive relationships with other key organizations and institutions in Hammonton, particularly the Hammonton Education Foundation, St. Joseph’s High School, the Hammonton Lions Club, and the Hammonton High School Green Earth Club, and

WHEREAS these positive working relationships have helped to establish the annual Green Festival as an eagerly-anticipated staple among Hammonton’s annual celebrations, and

WHEREAS, Mayor and Council have and continue to support the efforts of these organizations to promote the Town of Hammonton and particularly their efforts at ensuring the environmental, economic, and cultural sustainability of the Town,

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY that the Town of Hammonton authorizes and endorses the Hammonton Green Day Festival to be held at the Hammonton Lake Park on Saturday September 21, 2019 from 12 -4 pm with a rain date of Sunday September 22, 2019:

BE IT FURTHER RESOLVED that the Town of Hammonton will provide municipal services required for this event including police assistance if required.

Resolution #114 -2019 Extend 3rd Qrt Property Tax Bills

Extending Due Date for 3rd Qrt Property Taxes

WHEREAS, the 2019-2020 preliminary tax bills will be mailed late due to a delay in receiving the established tax rate from county;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Hammonton to authorize and direct the tax collector to extend the due date for the third quarter taxes to be due on August 25, 2019 or 25 days from date of mailing (certification to follow);

BE IT FURTHER RESOLVED that payments received after August 25, 2019 will be with interest;

BE IT FURTHER RESOLVED that this extension does not affect payment due date of Utility Billings which will remain August 1, 2019 with a ten day grace period.

Resolution #115-2019 – Authorize Touch a Truck

RESOLUTION AUTHORIZING AND ENDORSING
TOUCH A TRUCK 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, Sunday, August 25, 2019 is the scheduled date for the MainStreet Hammonton Annual "Touch a Truck" event during the hours of 12:00 p.m. to 4:00 p.m.; and

WHEREAS, Main Street Hammonton has requested the following street closures for this event between the hours of 8:00 a.m. to 5:00 p.m to parking and traffic:

S. 2nd from Bellevue Avenue to Vine Street; and

WHEREAS, Main Street Hammonton has requested appropriate Police Parking Control signs to be posted noting NO PARKING AFTER 8:00 a.m.; and

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that the August 25, 2019 and the "Touch a Truck" event, including the above requests for street closures, and posting of "NO PARKING" signs are acknowledged, approved and endorsed;

Resolution #116-2019 – Drug Alliance Grant

GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE
FISCAL GRANT CYCLE JULY 2014-JUNE 2020

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Mayor and Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Mayor and Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Atlantic;

NOW, THEREFORE, BE IT RESOLVED by the Town of Hammonton, County of Atlantic, State of New Jersey here by recognizes the following:

1. The Town of Hammonton's Mayor and Council does hereby authorize submission of a strategic plan for the Hammonton Municipal Alliance Grant for fiscal year 2020 in the amount of:

DEDR	\$17,113
Cash Match	4,278
In-Kind	12,835

2. The Mayor and Council acknowledge the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.

Motion by Council Person Gribbin Second Giraldo
Approval of Resolution #108 to #116

Roll Call

Councilperson:

Furgione – Yes

Giraldo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Absent

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

PUBLIC HEARD

Gladys Torres of the Puerto Rican Civic Association spoke about the celebration of the 60th year of the organization.

Motion by Council Person Gribbin Second Giraldo

Wave outside detail fees for the 60th Celebration, for the Puerto Rican Civic Assoc.

Roll Call

Councilperson:

Furgione – Yes

Giraldo – Yes

Gribbin - Yes

Rodio- Yes

Sacco - Yes

Torrissi – Absent

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

MEETING ADJOURNED

Motion by Council Person Giraldo Second Furgione