

Regular Meeting of Mayor and Council – April 23, 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 - Present

Gribbin - Present

Rodio- Present

Sacco - Present

Torrissi – Present

Mayor DiDonato - Present

PRESENT ALSO

Michael Malinsky, Town Solicitor

Jerry Barberio, Public Works Manager / Business Administrator

EXECUTIVE SESSION Resolution #049-2018

Motion by Council Person Gribbin Second Giralo

Enter into Executive Session

Motion by Council Person Gribbin Second Torrissi

Close Executive session return to regular session, Resolution is adopted

RESUME REGULAR MEETING-ROLL CALL

Councilperson:

Furgione - Present

Giralo - Present

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 from public heard

APPROVAL OF MINUTES

Executive Minutes March 26, 2018

Council Minutes March 26, 2018

Motion by Council Person Giraldo Second Gribbin

Minutes are approved

ROLL CALL

Councilperson:

Furgione - Yes

Giraldo – Yes

Gribbin - Yes

Rodio – Yes

Sacco- Yes

Torrissi – Recused not at meeting in March

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

DISPENSE WITH REGULAR ORDER OF BUSINESS

Presentation to Angelo Scaltrito 100 years old

Presentation to Autism Awareness Group by Tom Gribbin

Heard from Public Happened at this time of the meeting regarding Pine Road issue with the business (Cold Storage) on their road. – Richard Traister of 181 Pine Road spoke about the increased truck traffic and trash from the business. Business runs 365 days a year and it is not safe.

- John Garrison 184 Pine Road had same issues and concerns. Wanted to know why they can operate that type of business there. Is it within the code
- Town Solicitor Mike Malinski updated the use that the property has.
- Steve Furgione speaking as a resident of the street not as a council person explained his issues with the business.
- Paul Demarco 220 Oak Road same issue with the excessive traffic and the dangerous conditions with the tractor trailers.
- Norton Davis 131 Pine Road same issues and concerns
- Phil Garrison 164 Pine Road, truck traffic has caused issues with road. Dips in road causing trucks to make loud noise

Presentation by Frank Olivo regarding Redevelopment of Motor Inn Property

- Frank gave overview of project that his clients are looking to redevelop the Motor Inn lodge site and asked mayor and council to pass a resolution to support the project. Ongoing discussion between council and representatives regarding project.

Resolution # 060 -2018 Resolution Redevelopment of White Horse Pike Motor Lodge

Form of Resolution of Need from Municipality White Horse Pike Redevelopment

WHEREAS, White Horse ALR Urban Renewal, LLC (hereinafter referred to as the “Sponsor”) proposes to construct a 162-unit assisted living housing project (hereinafter referred to as the “project”) pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.) the rules promulgated thereunder at N.J.A.C. 5:80-1.1 et seq., and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the “HMFA Requirements”) within the Town of Hammonton (hereinafter referred to as the “Municipality”) on a site described as lot 40, block 3904 as shown on the Official Assessment Map of the Town of Hammonton, Atlantic County and commonly known as White Horse ALR, 308 South White Horse Pike, Hammonton, New Jersey; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the “Agency”); and

WHEREAS, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality.

NOW THEREFORE, be it is resolved by the council of the Municipality that:

1. The Council finds and determines that the White Horse ALR Project proposed by the sponsor meets or will meet an existing housing need;
2. The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor's application for Agency funding to finance the project.

Motion by Council Person Gribbin Second Sacco
Resolution #060-2018 is adopted

ROLL CALL

Councilperson:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Rodio - Yes

Sacco- Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Resolution # 061 -2018 Resolution Authorizing Planning Board to Investigate Property

Authorizing the Town of Hammonton Planning Board to investigate a property in the Town of Hammonton for purpose of
Redevelopment

WHEREAS, Mayor and Council authorize the Town of Hammonton's Planning Board to conduct an investigation to determine, pursuant to N.J.S.A. 40A:12A-6, whether the area in question (comprised of Block 3904, Lots 39 and 40) is an area in need of redevelopment without the municipality's use of its eminent domain power otherwise known as Non-Condemnation Redevelopment Area;

NOW THEREFORE BE RESOLVED, that mayor and council give the approval to the Planning Board of the Town of Hammonton to investigate the property located at Block 3904 lots 39 and 40 to determine if the area is in need of redevelopment.

Motion by Council Person Gribbin Second Sacco
Resolution #061-2018 is adopted

ROLL CALL

Councilperson:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Rodio - Yes

Sacco- Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Public Hearing # 013-2018 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:

(f) All Inspections must be performed every 5 years.

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 Giraldo

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

Motion by Council Person Giraldo Second Sacco

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 - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Public Hearing Ordinance #014- 2018 Fixing Certain Salaries of Employees of the Town of Hammonton

TABLED

AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE TOWN OF HAMMONTON

BE IT ORDAINED by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey that the salaries, education stipend, cell phone reimbursement, sick time, vacation time, personal time, holidays, longevity Shall apply to officials listed on this ordinance for years 2018 to 2021 per Town code and individual contract. Salary minimum and maximums are as follows:

<u>Title</u>	<u>Minimum</u>	<u>Maximum</u>
Hammonton Municipal Court Administrator	\$ 57,730.00	\$ 64,033.54

BE IT FURTHER ORDAINED that the specific salary for any municipal employee shall be set forth by Appropriate salary resolution.

BE IT FURTHER ORDAINED that this ordinance shall take effect after final passage and publication according to Law and its provisions shall be retroactive to March 15, 2018 through December 31, 2021.

Motion by Council Person Torrissi Second Gribbin
Ordinance voted to be tabled

ROLL CALL

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

Mayor DiDonato declares motion is carried

Public Hearing Ordinance #015- 2018 Fixing Certain Salaries of Employees of the Town of Hammonton

AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE TOWN OF HAMMONTON

BE IT ORDAINED by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey that the salaries, education stipend, cell phone reimbursement, sick time, vacation time, personal time, holidays, longevity shall apply to officials listed on this ordinance for years 2018 to 2021 per Town code and individual contract. Salary minimum and maximums are as follows:

<u>Title</u>	<u>Minimum</u>	<u>Maximum</u>
Hammonton Municipal Court Judge	\$ 29,000.00	\$ 45,000.00

BE IT FURTHER ORDAINED that the specific salary for any municipal employee shall be set forth by
Appropriate salary resolution.

BE IT FURTHER ORDAINED that this ordinance shall take effect after final passage and publication according to law and its provisions and new rate shall take effect April 9, 2018.

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

Motion by Council Person Torrissi 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 - Yes
Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

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

WHEREAS, Lot 9 of Block 701 is owned by the Town of Hammonton and is not needed for public purposes; and
WHEREAS, it is in the best interest of the Town to sell such land to generate revenue, reduce taxes and reduce liabilities; 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:

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:

Block 701, Lot 9 – at a minimum amount of \$14,200.00. The minimum bid for the lot is set forth above. No bid less than the minimum amount set forth will be considered. 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. 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, May 14, 2018, 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. 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. 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. 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.

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.

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

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. 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.

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. 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. 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.

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. 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). 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. 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. 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. 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 Giraldo Second Rodio

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 - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Public Hearing Ordinance #017- 2018 Vacating a Portion of Commerce Way in the Town of Hammonton

AN ORDINANCE VACATING A PORTION OF COMMERCE WAY IN THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC (WITHIN SAID BOUNDS 0.587 ACRES)

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

WHEREAS, in the Town of Hammonton, within the Industrial Park ("M-1") Zoning District, there exists a municipal roadway, known as Commerce Way, which terminates on property that is owned by the Town of Hammonton, known as Block 1201, Lot 45; and

WHEREAS, in order to accommodate the development of, and access to, properties within the M-1 Zoning District along Commerce Way, it would be advantageous and beneficial to the Town of Hammonton to vacate a portion of the Commerce Way right of way to facilitate that development; and

WHEREAS, the portion of Commerce Way desired to be vacated is shown on a plan entitled, "Lot 45 Exhibit" prepared by Schaeffer Nasser Scheidegg, dated March 26, 2018, attached hereto as Exhibit "A," and more particularly described in the metes and bounds description prepared by Schaeffer Nasser Scheidegg, dated April 5, 2018, attached hereto as Exhibit "B" ; and

WHEREAS, the Mayor and Common Council have determined, pursuant to N.J.S.A. 40:67-1(b), that it is in the public interest to vacate a portion of Commerce Way as it currently exists on Block 1201, Lot 45; and

WHEREAS, pursuant to N.J.S.A. 40:67-1(b), the Town of Hammonton expressly reserves and excepts from vacation all rights and privileges possessed by municipal utilities and public utilities, as defined in N.J.S.A. 48:2-13, and any cable television company, as defined in the "Cable Television Act," (N.J.S.A. 48:5A-1 et seq.) to maintain, repair and replace their existing facilities in, adjacent to, over or under the vacated portion of Commerce Way; and

WHEREAS, the Town of Hammonton Municipal Engineer has reviewed the proposed vacation of the Commerce Way right of way and finds that same are consistent with the public interest, and that it is in the best interest of the municipality;

WHEREAS, the portion of Commerce Way to be vacated is bounded to the South by property owned by Kramer Beverage Real Estate, LLC and to the North by property owned by the Town of Hammonton;

WHEREAS, the interests of the public will be served by this vacation, since the portion of Commerce Way is unnecessary for public transportation or any other municipal purposes and the vacation will lead to the improvement of the property in the surrounding areas without any detriment to the interests of the public.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Common Council of the Town of Hammonton as follows: Pursuant to N.J.S.A. 40:67-1(b), the portion of Commerce Way described in Exhibit "A" is hereby vacated, subject only to the express reservation by the Town from the vacation, all rights and privileges possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any cable television company, as defined in the "Cable Television Act," (N.J.S.A. 48:5A-1 et seq.), to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, or any part thereof to be vacated. In addition, the Town of Hammonton expressly reserves for itself, the right to inspect, replace and maintain storm water facilities to facilitate and improve over and under ground flow and drainage of storm water. Pursuant to N.J.S.A. 40:49-2 and N.J.S.A. 40:49-6, the Town Clerk shall cause this Ordinance to be published, together with notice of its introduction in a newspaper published and circulated within the Town of Hammonton, if there be one, and if not, in a newspaper printed in Atlantic County and circulating in the Town of Hammonton, once, not less than (10) ten days prior to the time fixed for Second Reading and final passage. The Town Clerk shall, at least one (1) week prior to the time fixed for final passage of such Ordinance, mail a copy thereof, together with a notice of the introduction thereof, and the time and place when and where the Ordinance will be further considered for final passage, to every person whose lands may be affected by the Ordinance or any assessment which may be made in pursuance thereof, pursuant to N.J.S.A. 40:49-6.

Upon final passage after Second Reading, the Town Clerk shall forthwith file a certified copy of the Ordinance in the office of the Town Clerk.

The Town Clerk shall, within sixty (60) days after this Ordinance becomes effective, file a certified copy of this Ordinance vacating the portion of Commerce Way, together with a copy of the proof of publication thereof, with the Office of the Atlantic County Clerk pursuant to N.J.S.A. 40:67-21.

All Ordinances or parts of Ordinances in conflict with this Ordinance or any part of it are hereby repealed as to the conflicting portion or portions, and this Ordinance shall take effect after final passage and publication with notice of the date of passage, according to law.

Motion by Council Person Giraldo Second Reading

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

Motion by Council Person Giraldo Second Reading

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 - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Public Hearing Ordinance #018- 2018 Exchange of Property

AN ORDINANCE AUTHORIZING THE EXCHANGE OF A PART OF LOTS 44 & 45 OF BLOCK 1201 WHICH IS OWNED BY THE TOWN OF HAMMONTON IN RETURN FOR LOT 1.01, BLOCK 1201

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

WHEREAS, Block 1201, Lots 44 & 45 are owned by the Town of Hammonton (the "Town"); and

WHEREAS, Block 1201, Lot 1.01 (the "Kramer Parcel") is owned by Kramer Beverage Real Estate 2, LLC ("Kramer"); and

WHEREAS, the Town is desirous of acquiring the "Kramer Parcel, which is 4.63 acres in size by way of an exchange with Kramer of a 6.902 acre portion of Block 1201, Lot 44 and a 0.587 acre portion of Block 1201, Lot 45 (together, the "Town Parcel"), as shown on a plan entitled, "Subdivision Plan, Block 1201, Lots 44 & 45, Town of Hammonton, Atlantic County, NJ," prepared by Schaeffer Nasser Scheidegg, dated March 28, 2018, attached hereto as Exhibit "A;" and

WHEREAS, the Town is desirous of obtaining the Kramer Parcel for public use, namely, because it has improved access to municipal roadways along Second Road and Commerce Way and represents better opportunity for use by the Town and opportunity for revenues associated with the existing cellular communications tower on the Kramer Parcel; and

WHEREAS, the Town is desirous of achieving the public purpose for which it has historically held the Town Parcel, namely to facilitate the development of properties along the municipal roadway, known as Commerce Way, for uses compatible with the industrial park in that area of the Town; and

WHEREAS, the Town is desirous of creating developable property along Commerce Way to provide valuable ratable development and desires to convey to Kramer the Town Parcel as shown on Exhibit "A" (the "Town Parcel") in return for the Kramer Parcel; and

WHEREAS, the acquisition of the Kramer Parcel is beneficial to the Town, and is more advantageous to the Town, than the retention of the Town Parcel which consists of unused right of way and vacant property; and

WHEREAS, for all of the reasons set forth herein, this exchange of land, serves the public interest and is authorized by N.J.S.A. 40A:12-16; and

WHEREAS, the Town Parcel is not currently used as a public highway or public place; and

WHEREAS, the value of the Kramer Parcel, including the present value of the lease payments for the existing cellular tower located on the Kramer Parcel as determined by the Town Tax Assessor, is \$324,800.00; and

WHEREAS, the value of the Town Parcel, as determined by the Town Tax Assessor, is \$70,578.00; and

WHEREAS, the value of the Kramer Parcel is greater than the value of the Town Parcel.

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

Ownership of the Town Parcel shall be exchanged for ownership of the Kramer Parcel pursuant to the requirements and procedures set forth in the Local Lands and Buildings Law (N.J.S.A. 40A: 12-16), subject to the following conditions: The value of the Town Parcel being equal to (or greater than) the value of the Kramer Parcel, there shall be no cash consideration.

Kramer shall obtain Subdivision Approval from the Town of Hammonton Combined Planning Board, and other required governmental approvals (the "Subdivision") to allow the subdivision of Block 1201, Lots 44, 45, 46 & 54, in order to allow the creation of Proposed Lots 44, 45 & 46, all as shown on Exhibit "A".

Upon the perfection of the Subdivision, The Town will convey the Town Parcel, which will then be a part of Block 1201, Proposed Lot 46, to Kramer. Proposed Lot 46 will be entirely owned by Kramer.

Upon the perfection of the Subdivision, Kramer will convey the Kramer Parcel to the Town. The Kramer Parcel (Lot 1.01) will be entirely owned by the Town.

The metes and bounds descriptions of Proposed Lots 44, 45 & 46, are subject to the approval of the Town and its Professional Engineers. Upon the effective date of this Ordinance, the Mayor of the Town of Hammonton is hereby authorized to sign an Agreement to Exchange Property to effectuate the exchange of land as set forth herein.

Pursuant to N.J.S.A. 40:49-2 and N.J.S.A. 40:49-6, the Town Clerk shall cause this Ordinance to be published verbatim, together with notice of its introduction in a newspaper published and circulated within the Town of Hammonton, if there be one, and if not, in a newspaper printed in Atlantic County and circulating in the Town of Hammonton, once, not less than one (1) week prior to the time fixed for Second Reading and final passage.

All Ordinances or parts of Ordinances in conflict with this Ordinance or any part of it are hereby repealed as to the conflicting portion or portions, and this Ordinance shall take effect after final passage and publication according to law.

Motion by Council Person Gribbin Second Giraldo

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

Garry Etherington 202 S. 2nd - Road spoke about the additional traffic that this agreement will bring. The traffic now causes his house to shake and the trucks are very loud and disruptive. Will the town think about putting playing fields for kids?

Council Person Brooke Sacco spoke about notification for all property owners within 200 feet once planning/zoning board get the info on the project.

Motion by Council Person Gribbin Second Giraldo

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 - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

COMMITTEE REPORTS

Administration - Councilman Torrissi

No action items next Admin. Meeting will be May 11th, time to be decided at a later date.

Business & Industry - Councilman Gribbin

Update on the upcoming events in the Town

Education - Councilman Gribbin

Reviewed Board of Education meeting

Quality of Life - Councilman Sacco

Spoke about the resolution for the Bicycle resolution in clerk's report

Open House May 20th at the historical Society

Walking tours to with historical society to start June 2nd through November

Public Works & Transportation - Councilman Rodio

No Action items

Water & Sewer - Councilman Furgione

Update on the Cedar Branch Stream project at Fire Co. #2

ENGINEER REPORT

GENERAL ITEMS:

Vacant Land Analysis Map & Chart (ARH #2017-0916):

Reviewed comments from Adam Gordon from Fair Share Housing. Discussed comments with Brian Howell, Shirley Bishop and Town Representatives. Provided list of parcels, tax map and property owners for potential properties where additional realistic residential potential may be possible to assist in meeting the Town's fair share housing number. Once the plan is determined satisfactory by Adam Gordon, action by Council will be required.

Celona Site Remediation - 130 Railroad Avenue (ARH #11-01054) No Status Change:

As authorized, ARH has submitted a grant application to NJDEP on 2/13/18, in the amount of \$66,200.00. The grant would fund the remedial investigation (RI) at the site in an effort to further assess/ address the environmental concerns. We will provide updates to Mayor and Council on the States action, recommendations or requests as they become available.

Octagon Oil Site Remediation – Vine Street Parking Lot (ARH #11-01000) No Status Change:

The groundwater monitoring wells in the area were sampled on 1/26/18. Data from the wells show that the on-site impacts remain as they did circa-2009/2010. However, the down-gradient monitoring well was 'clean'. ARH will further assess this data, and provide recommendations for the next step(s) in this process.

K&K Linens Phase I Report (ARH #11-01094.01) No Status Change:

ARH has initiated work on the Phase 1 Environmental Site Assessment and conducted an on-site inspection. We will keep Council informed of further progress. As requested, we will be preparing a proposal for the completion of the Phase II investigation, analysis and report for Council's consideration.

PUBLIC WORKS INFORMATION ITEMS:

2018 Municipal Aid Funding (ARH #11-40041.18) No Status Change:

NJDOT has announced the 2018 Municipal Aid Allotments. On behalf of the Town our office completed and submitted the following applications for NJDOT FY2018 Municipal Aid:

- 14th Street Roadway Improvements Phase II; Amount requested \$400,000.00
NJDOT is awarding the Town \$391,000.00.
- Old Forks Road Improvements; Amount requested \$400,000.00
NJDOT did not award the Town any funds towards this project.

We are presently determining the possible construction limits for the use of the \$391,000.00 in NJDOT funding. We will provide a cost estimate to the Town for ARH to complete the survey and design work for the project. We will review and discuss same with the PWTC before presenting the proposal to Council for consideration.

Hammonton Bike Path Extension (ARH #11-40052):

NJDOT has approved our project for bidding subject to approval by NJ Transit. A submission to NJ Transit was made on October 13, 2017. As previously reported, NJ Transit has on numerous occasions over the last few months verbally informed our office their review letter would be coming shortly; however no review letter has been received to date. Our office has been in communication with NJDOT to inform them of the status of this project. Once comments are received by NJ Transit our office will address accordingly so this project can receive their approval. As a reminder, the Town will need to establish the funds for this project in order for an award to be made.

2017 State Aid Funding (Second Road) (ARH #11-40055.01):

NJDOT has awarded the Town a total \$418,000.00 in Municipal Aid funds to be used towards Second Road improvements, from Chew Road to 12th Street. Our office has completed the construction plans and specifications and submitted them to the NJDOT for review. At the previous PWTC meeting, it was decided that the project would be bid and awarded this spring, with a construction start date in September. Our office addressed the NJDOT comments and is currently finalizing the plans to include some additional drainage infrastructure to accommodate the expansion by Kramer Beverage. We will resubmit the plans in the next few days, and anticipate receiving authorization to bid the project within a few weeks. We anticipate making a recommendation of award at the June council meeting.

Motion by Council Person Rodio Second Furgione

Approval to start the bid process for 2nd Road project, contact must be awarded by July 4th of 2018.

ROLL CALL

Councilperson:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Rodio - Yes

Sacco- Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

SEWER AND WATER INFORMATION ITEMS:

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

Our office has been in communication with the NJDEP Project Manager and we have begun the official project closeout. We have provided the NJDEP with the closeout documentation required through the Environmental Infrastructure Trust program guidelines. We await the NJDEP response.

Project Maintenance and Environmental Maintenance bonds have been received and delivered to the Town. The bonds will expire on June 30, 2019.

SOLICITOR REPORT

Introduction of Ordinance #020-2018- Acquisition of Gift of Property 782 Bellevue Avenue to the Town of Hammonton

Introduced by Title only

AN ORDINANCE OF THE TOWN OF HAMMONTON AUTHORIZING THE ACQUISITION OF PRIVATE LAND FOR MUNICIPAL PURPOSES

WHEREAS, Lot 18 of Block 3606 is owned by PC6REO LLC through a Final Judgment dated December 20, 2017, entered in an In Rem Foreclosure Action filed under Docket No. F-8198-17 in the Atlantic County Superior Court, Chancery Division, and titled PC6REO LLC v. Block 3606, Lot 18, 782 Bellevue Ave, Town of Hammonton, State of New Jersey, et al; and

WHEREAS, PC6REO LLC (the "LLC") desires to gift 782 Bellevue Avenue, more specifically known as lot 18 of block 3606 on the Town of Hammonton Tax Map (hereinafter referred to as the "Property") to the Town of Hammonton ("Town"); and

WHEREAS, it is in the best interest of the Town to acquire such land for public purposes; and

WHEREAS, N.J.S.A. 40A:12-5 allows the Town to acquire lands and buildings by purchase, gift, devise, lease, exchange, condemnation, or installment purchase agreement; and

WHEREAS, the Town proposes to perform a due diligence investigation of the Property and if the Town, in its sole discretion, finds the property acceptable to acquire the Property by gift from the LLC.

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

The Business Administrator is authorized to inspect and review, at the Town's cost and expense, matters related to the Property, including the physical conditions and any other matters of concern to Town Council, in order to satisfy Town Council, in its sole discretion, that the property is suitable to the Town. The Town and its agents shall have the right to enter onto the Property for the purposes of surveying, testing and examining the Property.

Title to the Property shall be good, marketable and insurable at regular rates by the Town's Title Company and the LLC shall effectively vest in the Town good and marketable title to the Property, free and clear of all mortgages, liens, security interest, pledges, charges or encumbrances other than the rights granted to utility companies to serve the Property. The Business Administrator shall be authorized to obtain title insurance on the Property.

The LLC represents that no buildings or improvements on adjoining properties extend across the boundary lines of the Property. The Property can be utilized for public municipal purposes and the best interest of the public shall be served by acquiring said Property.

At closing, the LLC shall provide in a form and substance satisfactory to the Town:

Bargain and Sale Deed with Covenants Against Grantor's Acts in recordable form for the Property;

Cancellation of mortgage lien, if any;

Affidavit of Title; and

Such other documents as the Town's Title Company may reasonably require.

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.

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

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 April 23, 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 May 21, 2018, at 7:00 PM or as soon thereafter as the matter may be reached.

Motion by Council Person Gribbin Second Giraldo

ROLL CALL

Councilperson:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Rodio - Yes

Sacco - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

PWM/BUSINESS ADMINISTRATOR REPORT

1. Community Stewardship Incentive Program Tree Planting Grant –
 - a. Due April 23, 2018
 - b. Submitted on April 20, 2018 for \$34,800.
2. Collection of Municipal Court Debt out to bid first week of May (273K)

3. Approve Mumford-Bjorkman Associates to prepare technical specifications for the Lincoln Ave Water Tower in the amount of \$8200.

Motion by Council Person Furgione Second Gribbin

ROLL CALL

Councilperson:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Rodio - Yes

Sacco- Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

4. Hire CFMP and ADMIN (2) intern (80 hours total/\$10.00 per hour) and UTILITY intern (120 hours total/\$10.00 per hour) for summer 2018.

Motion by Council Person Torrissi Second Gribbin

ROLL CALL

Councilperson:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Rodio - Yes

Sacco- Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

5. Letter of Support for the Renewal Application of the Rt 54/40 Community Shuttle - Pascale Sykes Foundation

Motion by Council Person Giralo Second Sacco Mayor to sign application

ROLL CALL

Councilperson:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Rodio - Yes

Sacco- Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

6. Unlimited Bulky Week: May 7 to May 11
7. Brush Week: This week and also May 14 to May 18
8. Approval of new contract for police software/hardware total of \$2,700.00 a year.

Motion by Council Person Gribbin Second Sacco

ROLL CALL

Councilperson:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Rodio - Yes

Sacco- Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

TOWN CLERK REPORT

- 1) Approval to Hiring Maria Hamill Municipal Court Keyboard Clerk I, Hourly rate of \$12.98, 26 hours a week, no benefits and retroactive to April 9, 2018. Contingent upon any civil service rules or regulations.
- 2) Approve new memberships to Fire Company #1 John Adams and Kevin Feliciano effective April 19, 2018. Approved by Fire Company #1 and Chief on April 17, 2018.

Motion by Council Person Sacco Second Giraldo
Items 1 to 2 are approved

ROLL CALL

Councilperson:
Furgione - Yes
Giraldo - Yes
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 Giraldo
Bill list and purchase orders are approved

ROLL CALL

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

Mayor DiDonato declares motion is carried

NEW BUSINESS

ORDINANCES FOR INTRODUCTION

ORDINANCE #019-2018 Fixing Salaries for Certain Employees in the Town of Hammonton

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

BE IT ORDAINED by Mayor and Common Council of the Town of Hammonton, County of Atlantic, New Jersey the salaries, clothing allowance, education stipend, health insurance buyout, sick time, vacation time, personal time, comp time, holidays and overtime shall apply to members for contract terms commencing January 1, 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>
Chief/Senior Public Safety Telecommunication Op.	20,000	60,900
Public Safety Telecommunication Oper.	20,000	53,600
Laborer	20,000	58,400
Mechanic	20,000	52,100
Mechanic Helper	20,000	47,600
Truck Driver/ Truck Driver Heavy	20,000	53,400
Equipment Operator	20,000	62,100
Assistant Supervisor Public Works	20,000	57,300

Keyboard Clerk 1	20,000	26,000
Keyboard Clerk 2	20,000	57,700
Keyboard Clerk 3	20,000	60,300
Technical Assistant	20,000	57,700
Deputy Mun. Court Admin.	20,000	29,400
Sr.SewerRep2/WaterRep2/Sr.WaterTrtPtlOper	40,000	78,900
SewerRep1/WaterRep1/WaterPtlOper	40,000	77,800
School Traffic Guard	10.00 Hr	15.00 Hr.
Clerk 1 Confidential	12.00 Hr	15.00 Hr
Property Maintenance	12.00 Hr	17.00 Hr
Laborer, Part Time	10.00 Hr	15.00 Hr
Keyboard Clerk 1 Part time	10.00 Hr	15.00 Hr
Recycling Program Aid	10.00 Hr	15.00 Hr

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 shall be retroactive to January 1, 2018.

Motion by Council Person Torrissi Second Gribbin

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

ROLL CALL

Councilperson:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Rodio – Yes

Sacco- Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

RESOLUTIONS

Resolution # 050 -2018 Resolution Authorizing NJ ABC to Renew Conflict Liquor License

WHEREAS, the following liquor license holders have applied for renewal of July 1, 2018 to June 30, 2018 Plenary Retail Consumption Licenses:

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

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

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

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

Motion by Council Person Giraldo Second Torrissi
Resolutions #050 is adopted.

ROLL CALL

Councilperson:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Rodio - Yes

Sacco- Yes

Torrissi - Yes

Mayor DiDonato - Recuse Conflict

Deputy Mayor Gribbin declares motion is carried

Resolution #051-2018 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 are authorized as approved by the respective Department Heads of the Town of Hammonton:

Sunrun Inc.	\$ 235.00	Permit Fee
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RESOLUTION #052-2018 Distribution of Joint Insurance Fund Surplus:

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

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

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

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

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

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

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

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

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

WHEREAS, the MUNICIPALITY recognizes its Share of Available Statutory Surplus authorized as to be released by the FUND is as shown below:
Dollar amounts of Statutory Surplus (valued as of December 31, 2016) by FUND Fiscal Year Released and (Declared) by the FUND's Executive Committee on October 25, 2017

	<u>Total Fund</u>	<u>Municipality's Share</u>
Closed Fund Years 2003 to 2013	\$3,000,000	\$91,377.00

and,

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

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

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

- Apply a portion of the amount as a check to the MUNICIPALITY.
- Apply a portion or the full amount to the Municipality's share of the FUND's Aggregate Excess Loss Contingency Fund (A.E.L.C.F.). Designate the full amount as follows (Sum of below must equal full dividend amount):
- Check \$ _____ (Requires voucher)
- A.E.L.C.F. \$91,377.00 (Requires resolution)

RESOLUTION #053-2018 Setting Salaries of Employees

RESOLUTION SETTING SALARIES OF EMPLOYEEES

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

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

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

<u>Employee</u>	<u>Title</u>	<u>Salary Effective</u>
		<u>4/9/2018</u>
Frank Raso	Municipal Court Judge	\$45,000.00

RESOLUTION #054-2018 Authorize National Night Out and Fireworks Display

AUTHORIZE NATIONAL NIGHT OUT EVENT & FIREWORKS DISPLAY

WHEREAS, August 10th (August 11th rain date) is the scheduled date for the National Night out Event in the Town of Hammonton; and

WHEREAS, this year's event will include fireworks display to be held at Hammonton High School located on Old Forks Road in Hammonton;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, that the National Night Out Event and Fireworks Display is authorized along with assistance from Hammonton Police Department and other town departments as deemed necessary; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are authorized to sign Atlantic County License Agreement and any other paperwork that is necessary for this event; and

BE IT FURTHER RESOLVED approval is contingent upon the filing of the necessary certificate of insurance with the Municipal Clerk.

RESOLUTION #055-2018 Temporary Emergency Appropriations

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

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

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

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

Fund	Appropriation
Admin Salary & Wages	\$20,000.00
Admin OE	\$ 3,000.00
Assessment Salary & Wages	\$10,000.00
Legal OE	\$30,000.00
Engineering OE	\$10,000.00
Computer Salary & Wages	\$10,000.00
Computer OE	\$10,000.00
Finance Salary & Wages	\$20,000.00
Planning/Zoning Brd OE	\$ 3,000.00
Construction Salary & Wages	\$ 30,000.00
State Fire Salary & Wages	\$ 10,000.00
State Fire OE	\$ 2,000.00
Police Salary & Wages	\$500,000.00
Police OE	\$ 30,000.00
Police Radio Salary & Wages	\$ 20,000.00
Prosecutor OE	\$ 10,000.00
Bldg & Grds OE	\$ 20,000.00
Highway Salary & Wages	\$ 40,000.00
Highway OE	\$200,000.00
Dog Regulations OE	\$ 1,000.00
Registrar of Vital OE	\$ 300.00

Recreation OE	\$ 4,000.00
Gasoline OE	\$ 10,000.00
Natural Gas OE	\$ 10,000.00
Electric	\$ 10,000.00
Pubic Defender	\$ 3,000.00
Mun. Court Salary & Wages	\$30,000.00
Grant Distracted Driving	\$ 6,600.00
Capital Improvement Fund	\$70,000.00
Utility Salary & Wages	\$100,000.00
Utility OE	\$200,000.00

Resolution #056-2018 Authorizing Contract Arbitration

Resolution Authorizing the Town of Hammonton to Precede into Arbitration with the Hammonton Police Department Unions

WHEREAS, in December 2010 the Legislature unanimously approved and the Governor enacted a temporary 2% cap on police and fire arbitration contract awards in an effort to control increasing salary costs and provide a solution to assist local governments in keeping property taxes down and cost under control; and

WHEREAS, the December 2010 legislation included an April 1, 2014 sunset on the 2% arbitration cap while the 2% property tax levy remained permanent for municipalities and school boards; and

WHEREAS, in June 2014 the Legislature unanimously approved and the Governor enacted an extension to December 31, 2017 for the 2% arbitration cap, however, the 2% property tax levy cap continues to remain permanent, without an exemption for police and fire arbitration contract awards; and

WHEREAS, the Town of Hammonton continue efforts to contain costs and provide vital services to residents within the 2% property tax levy while the New Jersey economy remains sluggish and taxpayers struggle to keep their homes and pay their taxes; and

WHEREAS, the Town of Hammonton adopted Resolution #104-2017 on August 28, 2017 to Extend the 2% Cap on Police and Fire Arbitration Contract Awards; and

WHEREAS, the Town of Hammonton has negotiated with the Hammonton Police Department Unions as required; and

WHEREAS, the Town of Hammonton and the Hammonton Police Department Unions have not come to an agreement on contract terms;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of Town of Hammonton is authorizing the Town's Labor Attorney, Auditor and Business Administrator to proceed to Arbitration with the Hammonton Police Department Unions.

RESOLUTION #057-2018 - Tax Refunds

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

B&L	NAME	ADDRESS	AMOUNT	ACCT.	REASON	PER
3915-2	Pinto	415 S WHP	157.78	Utility	Refund o/p	Rosie

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 #058-2018- Support Local Bicycle / Pedestrian Planning Assistance

Resolution of support for local bicycle/pedestrian planning assistance

Whereas, the New Jersey Bicycle and Pedestrian Transportation Master Plan has established a vision for New Jersey as a place where people choose to walk or bicycle with confidence and a sense of security, where both activities are a routine part of the transportation and recreation systems; and

Whereas, the Town of Hammonton has adopted a Complete Streets policy aimed at incorporating the needs of all users, including pedestrians and cyclists, into the transportation planning processes of the Town; and

Whereas, the Town of Hammonton has received an Honorable Mention as a Bicycle-friendly Community from the League of American Bicyclists; and

Whereas, the New Jersey Department of Transportation, through its Office of Bicycle and Pedestrian Programs, offers free assistance in developing comprehensive bicycle and pedestrian plans; and

Whereas, the Town of Hammonton wishes to create a more fully bicycle- and pedestrian- friendly community, in order to reap the health and economic development benefits attendant thereon; and
Whereas, the Town of Hammonton commits to implementing the resulting comprehensive bicycle and pedestrian plan as expeditiously and prudently as possible within the limits of its resources,

Now, Therefore, the Mayor and Town Council of the Town of Hammonton, County of Atlantic, hereby express their support for a request by the Hammonton Bicycle Advisory Committee on behalf of the Town to the NJ DOT for consultation on developing a comprehensive bicycle and pedestrian action plan for the town.

Resolution #059-2018- Council on Affordable Housing

Council on Affordable Housing

WHEREAS, the New Jersey Supreme Court in its 1975 Mount Laurel decision directed all municipalities to guarantee that its zoning ordinances provide a reasonable opportunity for the development of low and moderate-income housing; and

WHEREAS, the Council on Affordable Housing was thereafter created to oversee, implement and ensure compliance with the aforesaid directive; and

WHEREAS, the Town of Hammonton (Town) complied with its obligations in the first and second compliance rounds created by COAH; and

WHEREAS, when the Town's third round compliance lapsed in December 2005 and a subsequently-filed builder's remedy lawsuit resulted in protracted litigation which ultimately resolved and in connection with which the Town obtained court approval of that settlement and the housing element associated therewith; and

WHEREAS, in 2015 the New Jersey Supreme Court assumed jurisdiction of COAH's responsibilities described above; and

WHEREAS, in July 2015, the Town filed a declaratory judgment action to obtain immunity from additional lawsuits which immunity remains in place to this date subject to the Town's continued compliance with certain obligations as set forth below; and

WHEREAS, the Town, through its conflict attorney, Brian G. Howell, Esq., and Fair Share Housing Corporation, an advocacy group for low and moderate-income members of the New Jersey population, through their attorney Adam Gordon, Esq., have entered into good faith and extended negotiations to resolve the Town's past, current and prospective housing obligations; and

WHEREAS, the Town's affordable housing consultant, Shirley Bishop, and the Town Engineer, Robert Vettese, have provided the Town's conflict attorney with extensive assistance which has resulted in a tentative settlement agreement which is hereby presented to Mayor and Council for their review and approval; and

WHEREAS, Mayor and Council believe that the proposed settlement agreement is fair and reasonable and (a.) fulfills its constitutional obligation described hereinabove and (b.) provides immunity from builder's remedy lawsuits through the year 2025 subject to its compliance with the specific terms thereof; and

WHEREAS, the Town believes that entering into this settlement is a wiser course than to engage in protracted and expensive litigation.

NOW THEREFORE, Mayor and Council of the Town of Hammonton resolve on this 23rd day of April, 2018 to:

1. Approve the terms of the proposed settlement agreement.
2. Authorize the Mayor to sign the agreement once finalized.
3. Acknowledge that final approval is subject to the approval of New Jersey Superior Court.
4. Authorize publication of public notice of the Fairness Hearing currently scheduled for June 1, 2018 in Superior Court in Atlantic City before the Honorable Nelson C. Johnson, J.S.C.

Resolutions 51 to 59 are adopted.

ROLL CALL

Councilperson:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Rodio - Yes

Sacco- Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

PUBLIC HEARD

Joe Caruso from Fire Co #2 announced a benefit for Ryan Finn on May 18th from 7 to 10 pm at Fire Co, #2 tickets are \$25.00

MEETING ADJOURNED

Motion by Council Person Giralo Second Torrissi