

Regular Meeting of Mayor and Council November 19, 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
Councilwomen Sacco - Present
Torrissi – Present
Mayor DiDonato - Present

PRESENT ALSO

Michael Malinsky, Town Solicitor
Jerry Barberio, PWM/Business Administrator

EXECUTIVE SESSION Resolution #155-2018

Motion by Council Person Gribbin Second Rodio
Enter into Executive Session

Motion by Council Person Rodio Second Gribbin
Close Execute session return to regular session

Close session return to regular session, Resolution #155-2018 is adopted

EXECUTIVE SESSION #2 Resolution #160-2018

Motion by Council Person Giralo Second Rodio
Enter into Executive Session

Motion by Council Person Sacco Second Torrissi
Close Execute session return to regular session

Close session return to regular session, Resolution #160-2018 is adopted

RESUME REGULAR MEETING-ROLL CALL

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

PRESENT ALSO

Michael Malinsky, Town Solicitor
Bob Vettese of ARH, Town Engineer
Jerry Barberio, PWM/Business Administrator

PUBLIC NOTICE

Notice of this meeting has been posted and given to official newspapers. Please familiarize yourselves with the fire exits to the right and rear of the Council Chambers. Please do not proceed beyond the front benches without invitation from the Mayor to do so. Also, each person who wishes to address Council will be allotted 5 minutes.

PLEDGE OF ALLEGIANCE

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one from Public Heard

APPROVAL OF MINUTES

Executive Minutes October 22, 2018
Council Minutes October 22, 2018

Motion by Council Person Gribbin Second Torrissi
Minutes are approved

Presentations

Jasmine Kienzle 114 Horton Street - her children gave presentation on plastic bags. 114 Horton Street

DISPENSE WITH REGULAR ORDER OF BUSINESS

Public Hearing of Ordinance #041-2018- Sale of Town Owned Land (149 Golden Eagle Drive)

Motion by Council Person Torrissi Second Gribbin
The Ordinance is withdrawn

Roll Call

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

Mayor DiDonato declares motion is carried

Public Hearing of Ordinance #042-2018- Amending Chapter 175 Land Development

AN ORDINANCE AMENDING CHAPTER 175, LAND DEVELOPMENT, OF THE CODE OF THE TOWN OF
HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY

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

- I. Purpose: The purpose of this Ordinance is to amend Chapter 175, Land Development, of the Code of the Town of Hammonton in response to amendments to the Pinelands Comprehensive Management Plan effective January 3, 2012, September 2, 2014, and March 5, 2018.

- II. Chapter 175, Land Development, Article II, Definitions, §175-10, Terms defined, is hereby amended by replacing or adding the following definitions:

ALTERNATE DESIGN PILOT PROGRAM TREATMENT SYSTEM - An individual or community on site waste water treatment system that has the capability of providing a high level of treatment including a significant reduction in the level of total nitrogen in the wastewater and that has been approved by the Pinelands Commission for participation in the alternate design wastewater treatment systems pilot program pursuant to N.J.A.C. 7:50-10.23(b). Detailed plans and specifications for each authorized technology are available at the principal office of the Pinelands Commission.

FAMILY, IMMEDIATE - those persons related by blood or legal relationship in the following manner: spouses, domestic partners, great-grandparents, grandparents, great-grandchildren, grandchildren, parents, sons, daughters, brothers and sisters, aunts and uncles, nephews, nieces and first cousins.

- III. Chapter 175, Land Development, Article VIII, Development Review and Approval, §175-60, Pinelands Commission review, is hereby amended by revising subsection A(2) as follows:

- (2) Except as provided in Subsection A(3) below, the following shall not be subject to the procedures set forth in this chapter:

(a)-(f) (No change.)

- (g) The construction of any addition or accessory structure for any non-residential use or any multi-family residential structure provided that:

[1] If the addition or structure will be located on or below an existing impervious surface, either the existing use is served by public sewers or the addition or structure will generate no wastewater flows, and said addition or structure will cover an area of no more than 4,999 square feet; and

[2] If the addition or structure will not be located on or below an impervious surface, said addition or structure will generate no wastewater flows and will cover an area of no more than 1,000 square feet.

(h)-(j) (No change.)

- (k) The repaving of existing paved roads and other paved surfaces provided no increase in the paved width or area of said roads and surfaces will occur.

- (l) The clearing of land solely for agricultural or horticultural purposes.

(m)-(r) (No change.)

- (s) The installation of an accessory solar energy facility on any existing structure or impervious surface.

- (t) The installation of a local communications facilities antenna on an existing communications or other suitable structure, provided such antenna is not inconsistent with any comprehensive plan for local communications facilities approved by the Pinelands Commission pursuant to N.J.A.C. 7:50-5.4(c)6.

- (u) The establishment of a home occupation within an existing dwelling unit or structure accessory thereto, provided that no additional development is proposed.

- (v) The change of one nonresidential use to another nonresidential use, provided that the existing and proposed uses are or will be served by public sewers and no additional development is proposed.

IV. Chapter 175, Land Development, Article VIII, Development Review and Approval, §175-60, Pinelands Commission review, is hereby amended by replacing subsection D in its entirety with the following:

D. Notices to the Pinelands Commission.

- (1) Notice of application submission and modification. Written notification shall be given by the Town approval agency, by email or regular mail, to the Pinelands Commission within seven days after a determination is made by the approval agency that an application for development in the Pinelands Area is complete or if a determination is made by the approval agency that the application has been modified. Such notice shall contain:
 - (a) The name and address of the applicant.
 - (b) The legal description and street address, if any, of the parcel that the applicant proposes to develop.
 - (c) A brief description of the proposed development including uses and intensity of uses proposed. A brief description of the building types proposed shall be included if development is located within Downtown Districts or Gateway Districts.
 - (d) The application number of the Certificate of Filing issued by the Pinelands Commission and the date on which it was issued.
 - (e) The date on which the application, or any change thereto, was filed and any application number or other identifying number assigned to the application by the approval agency.
 - (f) The approval agency with which the application or change thereto was filed.
 - (g) The content of any change made to the application since it was filed with the Commission, including a copy of any revised plans or reports.
 - (h) The nature of the municipal approval or approvals being sought.
- (2) Notice of hearings and meetings. Where a meeting, hearing or other formal proceeding on an application for development approval in the Pinelands Area is required, the applicant shall provide notice to the Pinelands Commission by email, regular mail or delivery of the same to the principal office of the Commission not less than five days prior to such meeting, hearing or other formal proceeding. Such notice shall contain at least the following information:
 - (a) The name and address of the applicant.
 - (b) The application number of the Certificate of Filing issued by the Pinelands Commission and the date on which it was issued.
 - (c) The date, time and location of the meeting, hearing or other formal proceeding.
 - (d) The name of the approval agency or representative thereof that will be conducting the meeting, hearing or other formal proceeding.

- (e) Any written reports or comments received by the approval agency on the application for development that have not been previously submitted to the Commission.
- (f) The purpose for which the meeting, hearing or other formal proceeding is to be held.

- (3) Notice of approvals and denials. The Pinelands Commission shall be notified of all approvals and denials of development in the Pinelands Area, whether the approval occurs by action or inaction of any approval agency or an appeal of any agency's decision. The applicant shall, within five days of the approval or denial, give notice by email or regular mail to the Pinelands Commission. Such notice shall contain the following information:
 - (a) The name and address of the applicant.
 - (b) The legal description and street address, if any, of the parcel that the applicant proposes to develop.
 - (c) The application number of the Certificate of Filing issued by the Pinelands Commission and the date on which it was issued.
 - (d) The date on which the approval or denial was issued by the approval agency.
 - (e) Any written reports or comments received by the approval agency on the application for development that have not been previously submitted to the Commission.
 - (f) Any revisions to the application not previously submitted to the Commission.
 - (g) A copy of the resolution, permit or other documentation of the approval or denial. If the application was approved, a copy of any preliminary or final plan, plot or similar document that was approved shall also be submitted.
- (4) Except as provided in § 175-61, the requirements of this Subsection D shall not apply to the issuance of a preliminary zoning permit or a refusal to issue a preliminary zoning permit for the development of a single-family dwelling on an existing lot of record.

V. Chapter 175, Land Development, Article XII, Design, Performance and Evaluation Standards, §175-137, Water quality, is hereby amended by revising subsection D(5) as follows:

- (5) Individual on-site septic waste water treatment systems which are intended to reduce the level of nitrate/nitrogen in the wastewater provided that:
 - (a) (No change.)
 - (b) If the proposed development is non-residential, it is located:
 - [1] In a Pinelands Town management area; or
 - [2] In a Pinelands Forest Area or Agricultural Production Area, provided that the standards of N.J.A.C. 7:50-6.84(a)5iii(2) are met.
 - (c) (No change.)

VI. Chapter 175, Land Development, Article XII, Design, Performance and Evaluation Standards, §175-137, Water quality, is hereby amended by revising subsection D(7) as follows:

- (7) Alternate design pilot program treatment systems, provided that:

(a)-(i) (No change.)

- (j) Each system shall be covered by a five-year warranty and a minimum five-year maintenance contract consistent with those approved pursuant to N.J.A.C. 7:50-10.22(a)2v that cannot be cancelled and is renewable and which includes a provision requiring that the manufacturer or its agent inspect the system at least once a year and undertake any maintenance or repairs determined to be necessary during any such inspection or as a result of observations made at any other time; and
- (k) The property owner shall record with the deed to the property a notice consistent with that approved pursuant to N.J.A.C. 7:50-10.22(a)2vi that identifies the technology, acknowledges the owner's responsibility to operate and maintain it in accordance with the manual required in Subsection D(7)(i) above, and grants access, with reasonable notice, to the local Board of Health, the Commission and its agents for inspection and monitoring purposes. The recorded deed shall run with the property and shall ensure that the maintenance requirements are binding on any owner of the property during the life of the system and that the monitoring requirements are binding on any owner of the property during the time period the monitoring requirements apply pursuant to the pilot program or any subsequent regulations adopted by the Commission that apply to said system.

VII. Chapter 175, Land Development, Article XIII, Zoning, §175-145, General Regulations, is hereby amended by revising subsection E(10) as follows:

(10) Such deed restriction shall specify the number of Pinelands development credits sold and that the property may only be used in perpetuity for the following uses:

(a) In the PA District: Berry agriculture; horticulture of native Pinelands plants; forestry; beekeeping; fish and wildlife management; wetlands management; agricultural employee housing as an accessory use; low-intensity recreational uses in which the use of motorized vehicles is not permitted except for necessary transportation, access to water bodies is limited to no more than 15 feet of frontage per 1,000 feet of frontage on the water body, clearing of vegetation does not exceed 5% of the parcel, and no more than 1% of the parcel will be covered with impervious surfaces; and accessory uses.

(b) In the AP and AP/CLI Districts: Agriculture; forestry; agricultural employee housing as an accessory use; low-intensity recreational uses in which the use of motorized vehicles is not permitted except for necessary transportation, access to water bodies is limited to no more than 15 feet of frontage per 1,000 feet of frontage on the water body, clearing of vegetation does not exceed 5% of the parcel, and no more than 1% of the parcel will be covered with impervious surfaces; agricultural commercial establishments, excluding supermarkets and restaurants and convenience stores, where the principal goods or products available for sale were produced in the Pinelands and the sales area does not exceed 5,000 square feet; airports and heliports accessory to agricultural uses and which are used exclusively for the storage, fueling, loading and operation of aircraft as part of an ongoing agricultural operation; agricultural products processing facilities; and accessory uses.

(c) (No change.)

(d) In the SAP District: Berry agriculture; horticulture of native Pinelands plants; forestry; beekeeping; fish and wildlife management; wetlands management; agricultural employee housing as an accessory use; and accessory uses.

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

Motion by Council Person Rodio Second Furgione
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
Councilwomen Sacco - Yes
Torrissi – Yes
Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Public Hearing of Ordinance #043- 2018 Adopting Supplement to the Code of Ordinances

AN ORDINANCE OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY
ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES AND DECLARING AN EMERGENCY.

WHEREAS, American legal Publishing Corporation of Cincinnati, Ohio, has completed the 2018 S-7 supplement to the Code of Ordinances of the Town of Hammonton, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement of the Code of this Political subdivision; and

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date;

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE TOWN OF HAMMONTON:

Section 1. That the 2018 S-7 supplement to the Code of Ordinances of the Town of Hammonton as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.

Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Political subdivision is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk.

Section 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

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

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

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Councilwomen Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Public Hearing of Ordinance #044-2018 – 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 October 1, 2018 per Town Code and per individual contracts and 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>
Part Time Tax Collector	20,000	25,000
Municipal Dept. Head Tax Office	45,000	60,000

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

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

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

BE IT FURTHER ORDAINED this ordinance shall take effect after final passage and publication according to law and its provisions and shall be retroactive to October 1, 2018.

Motion by Council Person Torrissi Second Gribbin

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

Motion by Council Person Rodio Second Giralo

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

Councilwomen Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Public Hearing of Ordinance #045- 2018 Amending Ordinance #031-2018 Eliminate Gateway District

AN ORDINANCE OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY an amendment to ordinance 031-2018 to eliminate the reference to the Gateway District in the introduction to §1(D) 2 so that the amended introduction shall now read: All Zoning Districts of the Town of Hammonton except Downtown Zoning Districts (§175-154.4- §175-154.7).

BE IT ORDAINED by the governing body of the Town of Hammonton, Atlantic County, New Jersey, that the Code of the Town of Hammonton is hereby amended to include provisions addressing Hammonton's constitutional obligation to provide for its fair share of low- and moderate-income housing, as directed by the Superior Court and consistent with N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C. 5:80-26.1, et seq., as amended and supplemented, and the New Jersey Fair Housing Act of 1985. This Ordinance is intended to provide assurances that low- and moderate-income units ("affordable units") are created with controls on affordability over time and that low- and moderate-income households shall occupy those units. This Ordinance shall apply except where inconsistent with applicable law.

The Town of Hammonton Planning Board has adopted a Housing Element and Fair Share Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Housing Element and Fair Share Plan have been endorsed by the governing body. This Ordinance implements and incorporates the adopted and endorsed Housing Element and Fair Share Plan and addresses the requirements of N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C.5:80-26.1, et seq. as amended and supplemented, and the New Jersey Fair Housing Act of 1985.

On the first anniversary of the entry of the Order granting Hammonton a Final Judgment of Compliance and Repose in IMO Application of the Town of Hammonton, Docket No. ATL-L-1573-15, and every anniversary thereafter through the end of the Repose period, the Town shall provide annual reporting of its Affordable Housing Trust Fund activity to the New Jersey Department of Community Affairs, Council on Affordable Housing or Local Government Services, or other entity designated by the State of New Jersey, with a copy provided to Fair Share Housing Center and posted on the municipal website, using forms developed for this purpose by the New Jersey Department of Community Affairs, Council on Affordable Housing or Local Government Services. The reporting shall include an accounting of all Affordable Housing Trust Fund activity, including the source and amount of funds collected and the amount and purpose for which any funds have been expended.

On the first anniversary of the entry of the Order granting Hammonton a Final Judgment of Compliance and Repose in IMO Application of the Town of Hammonton, Docket No.: ATL-L-1573-15, and every anniversary thereafter through the end of the Repose period, the Town shall provide annual reporting of the status of all affordable housing activity within the municipality through posting on the municipal website, with copies provided to Fair Share Housing Center, using forms previously developed for this purpose by the Council on Affordable Housing or any other forms endorsed by the Court-appointed Special Master and Fair Share Housing Center.

For the midpoint realistic opportunity review due on July 1, 2020, as required pursuant to N.J.S.A. 52:27D-313, the Town shall post on its municipal website, with copies provided to Fair Share Housing Center, a status report as to its implementation of its Plan and an analysis of whether any unbuilt sites or unfulfilled mechanisms continue to present a realistic opportunity. Such posting shall invite any interested party to submit comments to the municipality, with copies provided to Fair Share Housing Center, regarding whether any sites no longer present a realistic opportunity and should be replaced. Any interested party may by motion request a hearing before the Court regarding these issues.

For the review of very low income housing requirements required by N.J.S.A. 52:27D-329.1, within 30 days of the third anniversary of the entry of the Order granting Hammonton a Final Judgment of Compliance and Repose in IMO Application of the Town of Hammonton, Docket No.: ATL-L-1573-15, and every third year thereafter, the Town will post on its municipal website, with copies provided to Fair Share Housing Center, a status report as to its satisfaction of its very low income requirements, including the family very low income requirements referenced herein. Such posting shall invite any interested party to submit comments to the

municipality, with copies provided to Fair Share Housing Center, on the issue of whether the municipality has complied with its very low income housing obligation.

SECTION I

§175-162 Purpose.

The purpose of this ordinance is to provide for and regulate affordable housing in the Town.

A. Definitions.

The following terms when used in this Ordinance shall have the meanings given in this Section:

ACT

The Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.)

ADAPTABLE

Constructed in compliance with the technical design standards of the Barrier Free Sub code, N.J.A.C. 5:23-7.

ADMINISTRATIVE AGENT

The entity designated by the Town to administer affordable units in accordance with this Ordinance, N.J.A.C. 5:93, and UHAC (N.J.A.C. 5:80-26).

AFFIRMATIVE MARKETING

A regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

AFFORDABILITY AVERAGE

The average percentage of median income at which new restricted units in an affordable housing development are affordable to low- and moderate-income households.

AFFORDABLE

A sales price or rent level that is within the means of a low- or moderate-income household as defined within N.J.A.C. 5:93-7.4, and, in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

AFFORDABLE HOUSING DEVELOPMENT

A development included in or approved pursuant to the Housing Element and Fair Share Plan or otherwise intended to address the Town's fair share obligation, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable housing development, group homes, residential health care facility, extending controls and a Market to Affordable Program.

AFFORDABLE HOUSING PROGRAM(S)

Any mechanism in a municipal Fair Share Plan prepared or implemented to address a municipality's fair share obligation.

AFFORDABLE UNIT

A housing unit proposed or created pursuant to the Act and approved for crediting by the Court and/or funded through an affordable housing trust fund.

AGENCY

The New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1, et seq.).

AGE-RESTRICTED UNIT

A housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development wherein the unit is situated are 62 years of age or older; or 2) at least 80 percent of the units are occupied by one person who is 55 years of age or older; or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as "housing for older persons" as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

ALTERNATIVE LIVING ARRANGEMENTS

A structure in which households live in distinct bedrooms, yet share kitchen and plumbing facilities, central heat and common areas. Alternative living arrangements include, but are not limited to: transitional facilities for the homeless; Class A, B, C, D and E boarding homes as regulated by the State of New Jersey Department of Community Affairs; residential health care facilities as regulated by the New Jersey Department of Health; group homes for the developmentally disabled and mentally ill as licensed and/or regulated by the New Jersey Department of Human Services; and congregate living arrangements.

CERTIFIED HOUSEHOLD

A household that has been certified by an Administrative Agent as a low-income household or moderate-income household.

DCA

The State of New Jersey Department of Community Affairs.

DEFICIENT HOUSING UNIT

A housing unit with health and safety code violations that requires the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

DEVELOPMENT

The division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1, et seq.

INCLUSIONARY DEVELOPMENT

A development containing both affordable units and market rate units. This term includes, but is not limited to: new construction, the conversion of a non-residential structure to residential use and the creation of new affordable units through the gut rehabilitation or reconstruction of a vacant residential structure.

LOW-INCOME HOUSEHOLD

A household with a total gross annual household income equal to 50 percent or less of the regional median household income by household size.

LOW-INCOME UNIT

A restricted unit that is affordable to a low-income household.

MAJOR SYSTEM

The primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and load bearing structural systems.

MARKET-RATE UNITS

Housing not restricted to low- and moderate-income households that may sell or rent at any price.

MEDIAN INCOME

The median income by household size for the applicable housing region, as adopted annually by COAH or a successor entity approved by the Court.

MODERATE-INCOME HOUSEHOLD

A household with a total gross annual household income in excess of 50 percent but less than 80 percent of the regional median household income by household size.

MODERATE-INCOME UNIT

A restricted unit that is affordable to a moderate-income household.

MULTIFAMILY UNIT

A structure containing five or more dwelling units.

NON-EXEMPT SALE

Any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor's deed to a class A beneficiary and the transfer of ownership by court order.

RANDOM SELECTION PROCESS

A process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

REGIONAL ASSET LIMIT

The maximum housing value in each housing region affordable to a four-person household with an income at 80 percent of the regional median as defined by duly adopted Regional Income Limits published annually by COAH or a successor entity.

REHABILITATION

The repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Sub code, N.J.A.C. 5:23-6.

RENT

The gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

RESTRICTED UNIT

A dwelling unit, whether a rental unit or an ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as amended and supplemented, but does not include a market-rate unit financed under UHORP or MONI.

UHAC

The Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26, et seq.

VERY LOW-INCOME HOUSEHOLD

A household with a total gross annual household income equal to 30 percent or less of the regional median household income by household size.

VERY LOW-INCOME UNIT

A restricted unit that is affordable to a very low-income household.

WEATHERIZATION

Building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for purposes of a rehabilitation program.

B. Applicability.

The provisions of this Ordinance shall apply to all affordable housing developments and affordable housing units that currently exist and that are proposed to be created within the Town of Hammonton pursuant to the Town's most recently adopted Housing Element and Fair Share Plan.

C. Alternative Living Arrangements.

1. The administration of an alternative living arrangement shall be in compliance with N.J.A.C. 5:93-5.8 and UHAC, with the following exceptions:
 - i. Affirmative marketing (N.J.A.C. 5:80-26.15), provided, however, that the units or bedrooms may be affirmatively marketed by the provider in accordance with an alternative plan approved by the Court.
 - ii. Affordability average and bedroom distribution (N.J.A.C. 5:80-26.3).
2. With the exception of units established with capital funding through a 20-year operating contract with the Department of Human Services, Division of Developmental Disabilities, alternative living arrangements shall have at least 30 year controls on affordability in accordance with UHAC, unless an alternative commitment is approved by the Court.
 - i. The service provider for the alternative living arrangement shall act as the Administrative Agent for the purposes of administering the affirmative marketing and affordability requirements for the alternative living arrangement.

D. Zoning:

1. All Downtown Districts [§175-154.4(DT-1), §175-154.5(DT-2), §175-154.6(DT-3), §175-154.7(DT-4)]
 - a. Any new multifamily unit development (including mixed-use development) in the Downtown Zoning Districts (§175-154.4-§175-154.7) shall comply with the following:
 - i. A minimum of fifteen percent (15%) of the total number of units shall be set aside as affordable housing units if the affordable units will be for rent. If the calculation of the total number of affordable units required yields a fraction of less than 0.5 then either a pro-rated payment in lieu or one additional unit shall be provided. If the calculation of the total number of affordable units required yields a fraction greater than 0.5, the obligation shall be rounded up and the additional unit shall be provided.

- ii. A minimum of twenty percent (20%) of the total number of units shall be set aside as affordable housing units if the affordable units will be for sale. If the calculation of the total number of affordable units required yields a fraction of less than 0.5, then either a pro-rated payment in lieu or one additional unit shall be provided. If the calculation of the total number of affordable units required yields a fraction of greater than 0.5, the obligation shall be rounded up and the additional unit shall be provided.
 - iii. The provisions of this Ordinance shall not apply to residential expansions, additions, renovations, replacement, or any other type of residential development that does not result in a net increase in the number of dwellings of five or more.
 - iv. At least half of all affordable units shall be affordable to low income households, and the remainder may be affordable to moderate income households. Within rental developments, at least thirteen percent (13%) of the affordable units shall be affordable to very low income households, with the very low income units counted as part of the low income requirement.
 - v. The above provisions shall not be construed to require residential or mixed-use development in a Downtown Zoning District other than where it is already permitted.
2. All Zoning Districts of the Town of Hammonton except the Downtown Zoning Districts (§175-154.4-§175-154.7).
- a. All new multifamily unit development which includes the development of units defined in §175-10 as multifamily and mixed use, that contain five (5) or more dwelling units; and all new multifamily unit development that consists of single family attached units as defined in §175-10, that contain more than ten (10) dwelling units shall comply with the following:
 - i. A minimum of fifteen percent (15%) of the total number of units shall be set aside as affordable housing units if the affordable units will be for rent. If the calculation of the total number of affordable units required yields a fraction of less than 0.5 then either a pro-rated payment in lieu or one additional unit shall be provided. If the calculation of the total number of affordable units required yields a fraction greater than 0.5, the obligation shall be rounded up and the additional unit shall be provided.
 - ii. A minimum of twenty percent (20%) of the total number of units shall be set aside as affordable housing units if the affordable units will be for sale. If the calculation of the total number of affordable units required yields a fraction of less than 0.5, then either a pro-rated payment in lieu or one additional unit shall be provided. If the calculation of the total number of affordable units required yields a fraction of greater than 0.5, the obligation shall be rounded up and the additional unit shall be provided.
 - iii. The provisions of this Ordinance shall not apply to residential expansions, additions, renovations, replacement, or any other type of: 1) single family attached development that does not result in a net increase of more than ten (10) dwelling units; or 2) residential development, other than single family attached, that does not result in a net increase in the number of dwellings of five (5) or more.
 - iv. At least half of all affordable units shall be affordable to low income households, and the remainder may be affordable to moderate income households. Within rental developments, at least thirteen percent (13%) of the affordable units shall be affordable to very low income households, with the very low income units counted as part of the low income requirement.

- v. The above provisions shall not apply to single family detached developments of up to ten (10) dwelling units which shall be subject to the residential development fee set forth in §175-50.1; and to single family detached developments of more than ten (10) dwelling units which shall be subject to the provisions of N.J.S. 52:27D-329.9.
- vi. The above provisions shall not be construed to require residential or mixed-use development in a Zoning District other than where it is already permitted.
- vii. The above provisions shall only be applicable to those parcels served by a centralized wastewater treatment plant.

E. Phasing Schedule for Inclusionary Zoning.

- 1. In inclusionary developments the following schedule shall be followed:

Maximum Percentage of Market-Rate Units Completed	Minimum Percentage of Low- and Moderate-Income Units Completed
25	0
25+1	10
50	50
75	75
90	100

F. New Construction.

- 1. Low/Moderate Split and Bedroom Distribution of Affordable Housing Units:

- a. The fair share obligation shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low income unit. At least 13 percent of all restricted rental units shall be very low income units (affordable to a household earning 30 percent or less of median income). The very low income units shall be counted as part of the required number of low income units within the development.
- b. At least 25 percent of the obligation shall be met through rental units, including at least half in rental units available to families.
- c. A maximum of 25 percent of the Town's obligation may be met with age restricted units. At least half of all affordable units in the Town's plan shall be available to families.
- d. In each affordable development, at least 50 percent of the restricted units within each bedroom distribution shall be low-income units.
- e. Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:
 - i. The combined number of efficiency and one-bedroom units shall be no greater than 20 percent of the total low- and moderate-income units;
 - ii. At least 30 percent of all low- and moderate-income units shall be two bedroom units;
 - iii. At least 20 percent of all low- and moderate-income units shall be three bedroom units; and
 - iv. The remaining units may be allocated among two and three bedroom units at the discretion of the developer.

- f. Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the inclusionary development. This standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.

2. Accessibility Requirements:

- a. The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free Sub Code, N.J.A.C. 5:23-7 and the following:
- b. All restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:
 - i. An adaptable toilet and bathing facility on the first floor; and
 - ii. An adaptable kitchen on the first floor; and
 - iii. An interior accessible route of travel on the first floor; and
 - iv. An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and
 - v. If not all of the foregoing requirements in b.1) through b.4) can be satisfied, then an interior accessible route of travel must be provided between stories within an individual unit, but if all of the terms of paragraphs b.1) through b.4) above have been satisfied, then an interior accessible route of travel shall not be required between stories within an individual unit; and
 - vi. An accessible entranceway as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a, et seq.) and the Barrier Free Sub Code, N.J.A.C. 5:23-7, or evidence that Hammonton has collected funds from the developer sufficient to make 10 percent of the adaptable entrances in the development accessible:
 - a. Where a unit has been constructed with an adaptable entrance, upon the request of a person with disabilities who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.
 - b. To this end, the builder of restricted units shall deposit funds within the Town of Hammonton's Affordable Housing Trust Fund sufficient to install accessible entrances in 10 percent of the affordable units that have been constructed with adaptable entrances.
 - c. The funds deposited under paragraph 2(b)(vi)(b) above shall be used by the Town of Hammonton for the sole purpose of making the adaptable entrance of an affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.
 - d. The developer of the restricted units shall submit a design plan and cost estimate to the Construction Official of the Town of Hammonton for the conversion of adaptable to accessible entrances.

- e. Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meet the requirements of the Barrier Free Sub Code, N.J.A.C. 5:23-7, and that the cost estimate of such conversion is reasonable, payment shall be made to the Town's Affordable Housing Trust Fund in care of the Town Chief Financial Officer who shall ensure that the funds are deposited into the Affordable Housing Trust Fund and appropriately earmarked.
- f. Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is "site impracticable" to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free Sub Code, N.J.A.C. 5:23-7.

3. Design:

- a. In inclusionary developments, to the extent possible, low- and moderate-income units shall be integrated with the market units.
- b. In inclusionary developments, low- and moderate-income units shall have access to all of the same common elements and facilities as the market units.

4. Maximum Rents and Sales Prices:

- a. In establishing rents and sales prices of affordable housing units, the Administrative Agent shall follow the procedures set forth in UHAC, utilizing the regional income limits established by COAH or a successor entity.
- b. The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than 60 percent of median income, and the average rent for restricted rental units shall be affordable to households earning no more than 52 percent of median income.
- c. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units, provided that at least 13 percent of all low- and moderate-income rental units shall be affordable to very low-income households, earning 30 percent or less of the regional median household income, with such very low income units counting toward the low income housing requirement.
- d. The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income, and each affordable development must achieve an affordability average of 55 percent for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different sales prices for each bedroom type, and low-income ownership units must be available for at least two different sales prices for each bedroom type.
- e. In determining the initial sales prices and rent levels for compliance with the affordability average requirements for restricted units other than assisted living facilities and age-restricted developments, the following standards shall be used:
 - i. A studio shall be affordable to a one-person household;
 - ii. A one-bedroom unit shall be affordable to a one and one-half person household;
 - iii. A two-bedroom unit shall be affordable to a three-person household;
 - iv. A three-bedroom unit shall be affordable to a four and one-half person household; and

- v. A four-bedroom unit shall be affordable to a six-person household.
 - f. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted developments, the following standards shall be used:
 - i. A studio shall be affordable to a one-person household;
 - ii. A one-bedroom unit shall be affordable to a one and one-half person household; and
 - iii. A two-bedroom unit shall be affordable to a two-person household or to two one-person households.
 - g. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28 percent of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
 - h. The initial rent for a restricted rental unit shall be calculated so as not to exceed 30 percent of the eligible monthly income of the appropriate size household, including an allowance for tenant paid utilities, as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
 - i. The price of owner-occupied low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the Administrative Agent be lower than the last recorded purchase price.
 - j. The rent of low- and moderate-income units may be increased annually based on the permitted percentage increase in the Housing Consumer Price Index for the United States. This increase shall not exceed nine percent in any one year. Rents for units constructed pursuant to low-income housing tax credit regulations shall be indexed pursuant to the regulations governing low- income housing tax credits.
- G. Utilities.
- 1. Affordable units shall utilize the same type of heating source as market units within an inclusionary development.
 - 2. Tenant-paid utilities included in the utility allowance shall be set forth in the lease and shall be consistent with the utility allowance approved by HUD for its Section 8 program.
- H. Occupancy Standards.
- 1. In referring certified households to specific restricted units, the Administrative Agent shall, to the extent feasible and without causing an undue delay in the occupancy of a unit, strive to:

- a. Provide an occupant for each bedroom;
 - b. Provide children of different sexes with separate bedrooms;
 - c. Provide separate bedrooms for parents and children; and
 - d. Prevent more than two persons from occupying a single bedroom.
- I. Control Periods for Restricted Ownership Units and Enforcement Mechanisms.
- 1. Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.5, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the requirements of this Ordinance for a period of at least thirty (30) years, until Hammonton takes action to release the unit from such requirements; prior to such action, a restricted ownership unit shall remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented.
 - 2. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.
 - 3. Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the Administrative Agent shall determine the restricted price for the unit and shall also determine the non-restricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value without the restrictions in place.
 - 4. At the time of the initial sale of the unit, the initial purchaser shall execute and deliver to the Administrative Agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay, upon the first non-exempt sale after the unit's release from the restrictions set forth in this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.
 - 5. The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.
 - 6. A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the Construction Official stating that the unit meets all Code standards upon the first transfer of title following the removal of the restrictions provided under N.J.A.C. 5:80-26.5(a), as may be amended and supplemented.
- J. Price Restrictions for Restricted Ownership Units, Homeowner Association Fees and Resale Prices.
- 1. Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, including:
 - a. The initial purchase price for a restricted ownership unit shall be approved by the Administrative Agent.
 - b. The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.

- c. The master deeds of inclusionary developments shall provide no distinction between the condominium or homeowner association fees and special assessments paid by low- and moderate-income purchasers and those paid by market purchasers.
 - d. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of anticipated capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom.
- K. Buyer Income Eligibility.
- 1. Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to 50 percent of median income and moderate-income ownership units shall be reserved for households with a gross household income less than 80 percent of median income.
 - 2. Notwithstanding the foregoing, however, the Administrative Agent may, upon approval by the Town Council, and subject to the Court's approval, permit moderate-income purchasers to buy low-income units in housing markets if the Administrative Agent determines that there is an insufficient number of eligible low-income purchasers to permit prompt occupancy of the units. All such low-income units to be sold to moderate-income households shall retain the required pricing and pricing restrictions for low-income units.
 - 3. A certified household that purchases a restricted ownership unit must occupy it as the certified household's principal residence and shall not lease the unit; provided, however, that the Administrative Agent may permit the owner of a restricted ownership unit, upon application and a showing of hardship, to lease the restricted unit to another certified household for a period not to exceed one year.
 - 4. The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 33 percent of the household's eligible monthly income.
- L. Limitations on Indebtedness Secured by Ownership Unit; Subordination.
- 1. Prior to incurring any indebtedness to be secured by a restricted ownership unit, the owner shall apply to the Administrative Agent for a determination in writing that the proposed indebtedness complies with the provisions of this Section, and the Administrative Agent shall issue such determination prior to the owner incurring such indebtedness.
 - 2. With the exception of First Purchase Money Mortgages, neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95 percent of the maximum allowable resale price of the unit, as such price is determined by the Administrative Agent in accordance with N.J.A.C.5:80-26.6(b).
- M. Capital Improvements to Ownership Units.
- 1. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of capital improvements made since the purchase of the unit. Eligible capital improvements shall be those that render the unit suitable for a larger

household or that adds an additional bathroom. In no event shall the maximum sales price of an improved housing unit exceed the limits of affordability for the larger household.

2. Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the Administrative Agent at the time of the signing of the agreement to purchase. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit resale provided the price, which shall be subject to 10-year, straight-line depreciation, has been approved by the Administrative Agent. Unless otherwise approved by the Administrative Agent, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The owner and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at the time of or as a condition of resale.
- N. Control Periods for Restricted Rental Units.
1. Control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.11, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this Ordinance for a period of at least 30 years, until Hammonton takes action to release the unit from such requirements. Prior to such action, a restricted rental unit shall remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented.
 2. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Atlantic. The deed shall also identify each affordable unit by apartment number and/or address and whether that unit is designated as a very low, low or moderate income unit. Neither the unit nor its affordability designation shall change throughout the term of the deed restriction. A copy of the filed document shall be provided to the Administrative Agent within 30 days of the receipt of a Certificate of Occupancy.
 3. A restricted rental unit shall remain subject to the affordability controls of this Ordinance despite the occurrence of any of the following events:
 - a. Sublease or assignment of the lease of the unit;
 - b. Sale or other voluntary transfer of the ownership of the unit; or
 - c. The entry and enforcement of any judgment of foreclosure on the property containing the unit.
- O. Rent Restrictions for Rental Units; Leases.
1. A written lease shall be required for all restricted rental units and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the Administrative Agent.
 2. No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.

3. Application fees (including the charge for any credit check) shall not exceed five percent of the monthly rent of the applicable restricted unit and shall be payable to the Administrative Agent to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.
 4. No rent control ordinance or other pricing restriction shall be applicable to either the market units or the affordable units in any development in which at least 15 percent of the total number of dwelling units are restricted rental units in compliance with this Ordinance.
- P. Tenant Income Eligibility.
1. Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.13, as may be amended and supplemented, and shall be determined as follows:
 - a. Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30 percent of median income.
 - b. Low-income rental units shall be reserved for households with a gross household income less than or equal to 50 percent of median income.
 - c. Moderate-income rental units shall be reserved for households with a gross household income less than 80 percent of median income.
 2. The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income household, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35 percent (40 percent for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.16, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
 - a. The household currently pays more than 35 percent (40 percent for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
 - b. The household has consistently paid more than 35 percent (40 percent for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
 - c. The household is currently in substandard or overcrowded living conditions;
 - d. The household documents the existence of assets with which the household proposes to supplement the rent payments; or
 - e. The household documents reliable anticipated third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.
 3. The applicant shall file documentation sufficient to establish the existence of the circumstances in 1.a. through 2.e. above with the Administrative Agent, who shall counsel the household on budgeting.

Q. Municipal Housing Liaison.

1. The Town of Hammonton shall appoint a specific municipal employee to serve as a Municipal Housing Liaison responsible for administering the affordable housing program, including affordability controls, the Affirmative Marketing Plan, monitoring and reporting, and, where applicable, supervising any contracted Administrative Agent. Hammonton shall adopt an Ordinance creating the position of Municipal Housing Liaison. Hammonton shall adopt a Resolution appointing a Municipal Housing Liaison. The Municipal Housing Liaison shall be appointed by the governing body and may be a full or part time municipal employee. The Municipal Housing Liaison shall be approved by the Court and shall be duly qualified through a training program sponsored by Affordable Housing Professionals of New Jersey before assuming the duties of Municipal Housing Liaison.
2. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for Hammonton, including the following responsibilities which may not be contracted out to the Administrative Agent:
 - a. Serving as Hammonton's primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents and interested households;
 - b. Monitoring the status of all restricted units in Hammonton's Fair Share Plan;
 - c. Compiling, verifying and submitting annual monitoring reports as may be required by the Court;
 - d. Coordinating meetings with affordable housing providers and Administrative Agents, as needed; and
 - e. Attending continuing education opportunities on affordability controls, compliance monitoring and affirmative marketing at least annually and more often as needed.
3. Subject to the approval of the Court, the Town of Hammonton shall designate one or more Administrative Agent(s) to administer newly constructed affordable units in accordance with UHAC. An Operating Manual for each affordable housing program shall be provided by the Administrative Agent(s) to be adopted by resolution of the governing body and subject to approval of the Court. The Operating Manual(s) shall be available for public inspection in the office of the Town Clerk, in the office of the Municipal Housing Liaison, and in the office(s) of the Administrative Agent(s). The Municipal Housing Liaison shall supervise the contracting Administrative Agent(s).

R. Administrative Agent.

The Administrative Agent shall be an independent entity serving under contract to and reporting to the municipality. For new sale and rental developments, all of the fees of the Administrative Agent shall be paid by the owners of the affordable units for which the services of the Administrative Agent are required. For resale's, single family homeowners and condominium homeowners shall be required to pay three percent of the sales price for services provided by the Administrative Agent related to the resale of their homes. That fee shall be collected at closing and paid directly to the Administrative Agent. The Administrative Agent shall perform the duties and responsibilities of an Administrative Agent as set forth in UHAC, including those set forth in Sections 5:80-26.14, 16 and 18 thereof, which include:

1. Affirmative Marketing:
 - a. Conducting an outreach process to affirmatively market affordable housing units in accordance with the Affirmative Marketing Plan of the Town of Hammonton and the provisions of N.J.A.C. 5:80-26.15; and

- b. Providing counseling or contracting to provide counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

2. Household Certification:

- a. Soliciting, scheduling, conducting and following up on interviews with interested households;
- b. Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
- c. Providing written notification to each applicant as to the determination of eligibility or non-eligibility;
- d. Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et seq.;
- e. Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located; and
- f. Employing a random selection process as provided in the Affirmative Marketing Plan of the Town of Hammonton when referring households for certification to affordable units.

3. Affordability Controls:

- a. Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
- b. Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
- c. Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the Atlantic County Register of Deeds or County Clerk's office after the termination of the affordability controls for each restricted unit;
- d. Communicating with lenders regarding foreclosures; and
- e. Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.

4. Resale's and Re-rentals:

- a. Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or re-rental; and
- b. Instituting and maintaining an effective means of communicating information to low- and moderate-income households regarding the availability of restricted units for resale or re-rental.

5. Processing Requests from Unit Owners:
 - a. Reviewing and approving requests for determination from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership that the amount of indebtedness to be incurred will not violate the terms of this Ordinance;
 - b. Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air conditioning systems;
 - c. Notifying the municipality of an owner's intent to sell a restricted unit; and
 - d. Making determinations on requests by owners of restricted units for hardship waivers.
6. Enforcement:
 - a. Securing annually from the municipality a list of all affordable housing units for which tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;
 - b. Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;
 - c. The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the Administrative Agent where complaints of excess rent or other charges can be made;
 - d. Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;
 - e. Establishing a program for diverting unlawful rent payments to the municipality's Affordable Housing Trust Fund; and
 - f. Creating and publishing a written operating manual for each affordable housing program administered by the Administrative Agent, to be approved by the Town Council and the Court, setting forth procedures for administering the affordability controls.
7. Additional Responsibilities:
 - a. The Administrative Agent shall have the authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.
 - b. The Administrative Agent shall prepare monitoring reports for submission to the Municipal Housing Liaison in time to meet any monitoring requirements and deadlines imposed by the Court.
 - c. The Administrative Agent shall attend continuing education sessions on affordability controls, compliance monitoring, and affirmative marketing at least annually and more often as needed.

S. Affirmative Marketing Requirements.

1. The Town of Hammonton shall adopt by resolution an Affirmative Marketing Plan, subject to approval of the Court that is compliant with N.J.A.C. 5:80-26.15, as may be amended and supplemented.
2. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affect ional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The Affirmative Marketing Plan is intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. In addition, as a result of the Settlement Agreement with FSHC, the Affirmative Marketing Plan shall require the notification of the New Jersey State NAACP, Mishap, the NAACP Atlantic City and Cape May Branches, FSHC, and the Latino Action Network of affordable housing opportunities. It is a continuing program that directs marketing activities toward Housing Region 6 and is required to be followed throughout the period of restriction.
3. The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in Housing Region 6, comprised of Atlantic Cape May, Cumberland and Salem Counties.
4. The municipality has the ultimate responsibility for adopting the Affirmative Marketing Plan and for the proper administration of the Affirmative Marketing Program, including initial sales and rentals and resales and re-rentals. The Administrative Agent designated by the Town of Hammonton shall implement the Affirmative Marketing Plan to assure the affirmative marketing of all affordable units.
5. In implementing the Affirmative Marketing Plan, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
6. The Affirmative Marketing Plan shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the Affirmative Marketing Plan, the Administrative Agent shall consider the use of language translations where appropriate.
7. The affirmative marketing process for available affordable units shall begin at least four months (120 days) prior to the expected date of occupancy.
8. Applications for affordable housing shall be available in several locations, including, at a minimum, the County Administration Building and/or the County Library for each county within the housing region; the municipal administration building and the municipal library in the municipality in which the units are located; and the developer's rental office. Pre-applications shall be emailed or mailed to prospective applicants upon request.
9. The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner.

T. Enforcement of Affordable Housing Regulations.

1. Upon the occurrence of a breach of any of the regulations governing the affordable unit by an Owner, Developer or Tenant, the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, a requirement for household recertification, acceleration of all sums due under a mortgage, recuperation of any funds from a sale in violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
2. After providing written notice of a violation to an Owner, Developer or Tenant of a low- or moderate-income unit and advising the Owner, Developer or Tenant of the penalties for such violations, the

municipality may take the following action(s) against the Owner, Developer or Tenant for any violation that remains uncured for a period of 60 days after service of the written notice:

- a. The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation or violations of the regulations governing the affordable housing unit. If the Owner, Developer or Tenant is adjudged by the Court to have violated any provision of the regulations governing affordable housing units the Owner, Developer or Tenant shall be subject to one or more of the following penalties, at the discretion of the Court:
 - i. A fine of not more than \$500.00 per day or imprisonment for a period not to exceed 90 days, or both, provided that each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not a continuation of the initial offense; In the case of an Owner who has rented a low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the City of Linwood Affordable Housing Trust Fund of the gross amount of rent illegally collected;
 - ii. In the case of an Owner who has rented a low- or moderate-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the Court.
- b. The municipality may file a court action in the Superior Court seeking a judgment that would result in the termination of the Owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any such judgment shall be enforceable as if the same were a judgment of default of the First Purchase Money Mortgage and shall constitute a lien against the low- or moderate-income unit.
 - i. The judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the low- and moderate-income unit of the violating Owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any First Purchase Money Mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating Owner shall have his right to possession terminated as well as his title conveyed pursuant to the Sheriff's sale.
 - ii. The proceeds of the Sheriff's sale shall first be applied to satisfy the First Purchase Money Mortgage lien and any prior liens upon the low- and moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating Owner shall be personally responsible for the full extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the municipality for the Owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the Owner shall make a claim with the municipality for such. Failure of the Owner to claim such balance within the two-year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the Owner or forfeited to the municipality.
 - iii. Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low- and moderate-income unit. Title shall be

conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The Owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.

- iv. If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the First Purchase Money Mortgage and any prior liens, the municipality may acquire title to the low- and moderate-income unit by satisfying the First Purchase Money Mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the First Purchase Money Mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the low- and moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.
- v. Failure of the low- and moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the Owner to accept an offer to purchase from any qualified purchaser which may be referred to the Owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- and moderate-income unit as permitted by the regulations governing affordable housing units.
- vi. The Owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the Owner.

U. Appeals.

Appeals from all decisions of an Administrative Agent appointed pursuant to this Ordinance shall be filed in writing with the Court.

SECTION II

A. Chapter 175, Article VII, Section 175.50.1 is amended as set forth below.

1. §175-50.1(C) is changed to read as follows:

C. Non-residential development fees. Notwithstanding any other provision of this §175-50.1, developers shall pay development fees on non-residential development in accordance with the Statewide Non-residential Development Fee Act, N.J.S. 40:55D-8.1 through 40:55D-8.7, as amended and supplemented.

SECTION III

All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION IV

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION V

This Ordinance shall take effect upon passage and publication as provided by law.

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

Motion by Council Person Giraldo Second Furgione
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
Councilwomen Sacco - Yes
Torrissi – abstain
Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

COMMITTEE REPORTS

Administration - Councilperson Torrissi

- Spoke about the new email procedure in Town. We will be using Town of Hammonton issued email addresses.

Business & Industry - Councilperson Gribbin

- update on upcoming events in Town
- Shop locally the first Saturday in December
-

Education - Councilperson Gribbin

- School closing for Thanksgiving
- Congratulated the newly elected board of education members

Quality of Life - Councilwomen Sacco

- Lake Lowering has begun
- Historic Society open house December 2nd
- Fireman's Christmas Parade December 8th

Public Works & Transportation - Councilperson Rodio

- Reviewed the actions items on Engineers
- Leaf Pickup update

Water & Sewer - Councilman Furgione

- The Town received a water award from ACUA will be presented to Town on December 7th
- New Equipment was installed for the Water in the Sludge

ENGINEER REPORT
ACTION ITEMS Public Works:

1. Washington Street Reconstruction 2017/2018 CDBG Funding (ARH #11-40054/2018-0332):
As requested, we have provided cost estimates to the Town's Business Administrator dated May 8, 2018 related to the project construction, design and inspection costs for the section of Washington Street extending between 12th Street and Orchard Street. We understand that the Town's Business Administrator has or will be requesting additional funds from the County CDBG program to be able to complete the roadway, drainage, water and sanitary sewer improvements. At the last PWTC meeting, we were requested to bring this proposal up again for action consideration at the November meeting, should funds be available. We will wait for further directed from the Mayor and Council related to the ARH proposal before proceeding further.

Action Requested:

Authorization from Mayor and Council for ARH to complete the work for all three (3) construction improvement alternates for a revised total of \$9,100.00 for Phase 1 at this time, which includes supplemental survey tasks, design modifications, specifications, bidding. The estimate for construction management, Phase 2 is \$25,400.00. The construction management amount can be established within next year's municipal budget. We will await Council's direction on the project.

Motion by Council Person Rodio Second Furgione
Approval of Purchase Order for Washington Street Road Work \$9,100.00 to ARH

Roll Call

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

Mayor DiDonato declares motion is carried

2. 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. Arawak Paving Company was the low bidder for the project, with a combined bid for the Base Bid and Alternates in the amount of \$597,600.00.

Arawak started construction on October 3, 2018. They have completed the drainage improvements. Roadway reconstruction and paving has been proposed for a time after Thanksgiving.

Arawak has submitted Payment Request #1 in the amount of \$123,728.82, for work completed to date on the Second Road project. The Payment Request has been forwarded to Jerry Barberio and Frank Zuber for processing.

Action Requested:

Approve Arawak Paving Company's Payment Request #1 in the amount of \$123,728.82.

THIS IS ON BILL LIST DO NOT NEED TO VOTE HERE

SOLICITOR REPORT

Approval to go out to bid for Wireless Communication on 301 4th Street

Motion by Council Person Furgione Second Rodio

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Councilwomen Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Approval to go out to bid for Wireless Communication on 13 Lincoln Ave

Motion by Council Person Furgione Second Rodio

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Councilwomen Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Approval to Appeal Court Decision with Fire Co#2 vs. Town of Hammonton

Motion by Council Person Rodio Second Gribbin

Roll Call

Councilperson:

Furgione – Yes

Giralo – No

Gribbin - Yes

Rodio- Yes

Councilwomen Sacco - Yes

Torrissi – No

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

PWM/BUSINESS ADMINISTRATOR REPORT

- 1) Sen. President meeting Stockton – pathtoprogressnj.org
- 2) Leaf Season – Will Continue until Dec. 31
 - a. No twigs/branches, metal, wood or foreign objects
 - b. Pick up rotation is adjusted because of large quantities placed by landscapers until December 31st.

Trash Schedule Adjustment

- 3) Thanksgiving Day 11/22 and Friday 11/23 trash route will be picked up on Friday 11/23
- 4) Condo complexes trash removal will be Saturday 11/24
- 5) We will NOT suspend bulky and brush for Dec.
 - a. Please follow the ordinance guidelines on website
 - b. Bulky December 3rd to 7th
 - c. Brush December 10th to 14th
- 6) Convenience Station Hours Saturday 10am to 3pm

TOWN CLERK REPORT

- 1) Accept State of New Jersey Best practices worksheet for current year 2018. State Aid will be dispersed to the Town for the full amount in the 2019 budget year.

Motion by Council Person Torrissi Second Giralto
Approval of Item 1

Roll Call

Councilperson:

Furgione – Yes

Giralto – Yes

Gribbin - Yes

Rodio- Yes

Councilwomen Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

APPROVE BILL LIST & PURCHASE ORDERS

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

Roll Call

Councilperson:

Furgione – Yes

Giralto – Yes

Gribbin - Yes

Rodio- Yes

Councilwomen Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

NEW BUSINESS

ORDINANCES FOR INTRODUCTION

Introduction of Ordinance #047-2018- Establishing Standards for Noise in the Town of Hammonton

TABLED NO VOTE

Introduction of Ordinance #048-2018- Social Media Policy

TABLED NO VOTE

RESOLUTIONS

Resolution # 156 -2018- Approve Lady Guadalupe Procession

RESOLUTION AUTHORIZING AND ENDORSING THE ANNUAL
"OUR LADY OF GUADALUPE SPANISH COMMUNITY PROCESSION"

WHEREAS, St. Mary of Mt. Carmel continues to promote the Town of Hammonton with their annual "Our Lady of Guadalupe Spanish Community Procession"; and

WHEREAS, Mayor and Council has and continues to support the efforts of St. Mary of Mt. Carmel; and

WHEREAS, December 12, 2018 at 6:00 p.m. is the scheduled date for the Spanish Community Our Lady of Guadalupe Procession; and

WHEREAS, St. Mary of Mt. Carmel has requested assistance of the Town of Hammonton Police Department for this scheduled event and closure of the following streets in the Town of Hammonton:

Procession begins on Third Street at St. Mary of Mt. Carmel
To French Street
To Second Street
To Pleasant Street
To Tilton Street
To French Street and back to church

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, that the Town of Hammonton authorizes "Our Lady of Guadalupe Spanish Community Procession."

Resolution #157-2018 – 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/close out of accounts are authorized as approved by the respective Department Heads of the Town of Hammonton:

AT&T	\$ 412.50	Planning Board Escrow
Plymouth Place Apartments	\$ 4,160.00	Inspection Fee
Frank Bruno (Sal Jacobs/Bruno)	\$ 150.00	Outside Detail

Resolution #158-2018 – Refunds Taxes and Utilities

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>
2104/5	Wells Fargo		927.50	TAX	REFUND
1102/40	Corelogic		1650.00	TAX	REFUND
1709/20	Corelogic		938.45	TAX	REFUND
3103/5	Corelogic		1777.10	TAX	REFUND
3403/34.03	Corelogic		2662.92	TAX	REFUND
4302/30	Corelogic		2621.86	TAX	REFUND
1601/21	Corelogic		30.55	TAX	REFUND
1601/15	Corelogic		2631.47	TAX	REFUND
1101/4	Corelogic		350.48	TAX	REFUND
3601/35	Do Luca D		600.80	TAX	REFUND

Check made payable to TOH for payment of utility

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 #159-2018 Budget Transfers

TRANSFER OF BUDGET APPROPRIATIONS

BE IT RESOLVED, by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, and State of New Jersey, that there be and hereby is authorized the following transfers from the 2018 Budget appropriations.

<u>CURRENT FUND</u>		
From:	Highway – Salaries and Wages	\$ 10,000.00
To:	Highway– Operating Expenses	\$ 10,000.00
From:	Municipal Court – Salaries and Wages	\$ 5,250.00
To:	Public Bldg & Grds – Operating Expense	\$ 5,250.00

Motion by Council Person Gribbin Second Giraldo
Resolutions #157 to 159 are adopted.

Roll Call

Councilperson:

Furgione – Yes

Giralo – Yes

Gribbin - Yes

Rodio- Yes

Councilwomen Sacco - Yes

Torrissi – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

PUBLIC HEARD

William Cappuccio 267 Chestnut Street - Questions about the commercial business approval and denial of change of use regarding the Katherdal. Why was a liquor license issued to them? The property owner put his trash on his property. Why where they given a permit to these things?

Joe Caruso 55 Main Road- Why did the Town vote to appeal the court decision vs. fire co. #2? You are spending tax payer's money for this. The taxpayers shouldn't be paying for a vendetta the Mayor has against him.

John Warren 135 S. Grand Street – Never received a phone call from council members accept Joe Giralo when he had his heart attach.

Joe Lizza 591 Walnut Street – Letter to Santa at Fire Company #2 on the White Horse Pike, can be delivered there.

Jason Macri 47 Broadway - Spoke about the budget for the fire company. He feels that they are not funded property and would like additional funds.

Sean Macri 737 Woodlawn Ave- Updated council on the grants that the fire company was pursuing. We need to plan now for the future of the fire company.

Mayor DiDonato – Talked about wants and needs. There are certain things that we want, but we should buy the needs first. . Thanked both fire companies for the great job they do. Also, spoke about issues that occur in the fire company. If an issue is brought before council they must act on it.

Wendy Dorfman 113 S. Washington Street- People speed down her street and would like something done about it. The speeding occurs after 4 pm and continues until about 7pm.

MEETING ADJOURNED

Motion by Council Person Giralo Second Gribbin