

Regular Meeting of Mayor and Council January 22, 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: Closed session did not start until 6:15  
Furgione - Present  
Giralo - Present  
Gribbin - Present  
Rodio - Present  
Sacco - Present  
Torrissi - Present  
Mayor DiDonato - Present

PRESENT ALSO

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

EXECUTIVE SESSION #019-2018

Motion by Giralo Second Torrissi  
Approval to Enter into Executive Session

TOWN OF HAMMONTON  
AUTHORIZING EXECUTIVE SESSION

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

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

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

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Any matter which, by express provision of Federal law, State statute or rule of court shall be rendered confidential or excluded from public discussion." The legal citation to the provision(s) at issue is: \_\_\_\_\_ and the nature of the matter, described as specifically as possible without undermining the need for confidentiality is listed below.

1

Any matter in which the release of information would impair a right to receive funds from the federal government." The nature of the matter(s), described as specifically as possible without undermining the need for confidentiality is listed below.

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Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family

circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or in the case of a minor or incompetent, guardian) shall request in writing that the same be disclosed publicly." The nature of the matter(s), described as specifically as possible without undermining the need for confidentiality is listed below.

1

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

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

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

1

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

2

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

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

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

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

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

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

BE IT FURTHER RESOLVED that the Town Council hereby declares that its discussion of the aforementioned subject(s) will be made public at a time when the public's interest in disclosure is greater than any privacy or governmental interest being protected from disclosure. For each of the above items, the estimated date by which

such disclosure can be made and/or the occurrence that needs to take place before disclosure can be made are listed below (attach separate sheet if necessary)

Subject of Discussion	Estimated Date Info Released	Necessary Occurrence
Employment Contract	February Council Meeting	
New Hand Book	60 to 90 days	
Federal Grants	By end of year 2018	
Ordinance for Food Truck Change	2 <sup>nd</sup> reading at Council meeting in February	
Employment State of Emergency	February Council meeting	

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

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

Motion by Giraldo Second Gribbin

Close Executive Session resolution #019-2017 is adopted

RESUME REGULAR MEETING-ROLL CALL

Councilperson:

Furgione - Present

Giraldo - Present

Gribbin - Present

Rodio - Present

Sacco - Present

Torrissi - Present

Mayor DiDonato - Present

PRESENT ALSO

Michael Malinsky, Town Solicitor

Bob Vettese of ARH, Town Engineer

Jerry Barberio, Public Works Manager / Business Administrator

PUBLIC NOTICE

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

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

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

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

PLEDGE OF ALLEGIANCE

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one from Public heard

APPROVAL OF MINUTES

Executive Session December 11, 2017

Regular Meeting December 11, 2017

Re-Organization January 2, 2018

Motion by Gribbin Second Giraldo

Minutes are approved

Roll Call

Councilperson:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Rodio - Yes

Sacco - Yes to January 2, 2018, Abstain on both December minutes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion carried

Presentations

None

DISPENSE WITH REGULAR ORDER OF BUSINESS

**Public Hearing Ordinance #001-2018- Amend Chapter 175, Article IV and V**

AN ORDINANCE OF THE TOWN OF HAMMONTON TO AMEND CHAPTER 175, ARTICLE IV AND V OF THE GENERAL ORDINANCES OF THE TOWN OF HAMMONTON

WHEREAS, N.J.S.A. 40:55D-25(c) authorizes a municipality having a population of 15,000 or less to establish, by ordinance, a single nine member Planning Board to exercise all the powers of the Planning Board and Board of Adjustment; and

WHEREAS, the Town of Hammonton has a population of less than 15,000 as established by the 2010 United States National Census; and

WHEREAS, Town Council finds that it is in the best interest of the Town of Hammonton to have the Planning Board hereafter act as a joint land use board, exercising all the powers of the Planning Board and Board of Adjustment.

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

Chapter 175, Article IV, Section 16, subsection (A) is amended as follows:

§175-16(A) – Alternate members shall be appointed by the Mayor and shall meet the qualifications of Class IV members. Alternate members shall be designated at the time of appointment by the Mayor as “Alternate No. 1”, “Alternate No. 2”, “Alternate No. 3”, and “Alternate No. 4”. The terms of the alternate members shall be for two years, except that the terms of the alternate members shall be such that the term of not more than two alternate members shall expire in any one year; provided, however, that in no instance shall the terms of the alternate members first appointed exceed two years. A vacancy occurring otherwise than by expiration of term shall be filled by the Mayor for the unexpired term only.

Chapter 175, Article IV, Section 16, subsection (C) is amended as follows:

§175-16(C) – Alternate members may participate in discussions of the proceedings but may not vote, except in the absence or disqualification of a regular member of any class. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, the alternate members shall be chosen sequentially by their designated number.

Chapter 175, Article IV, Section 19, a subsection (J) is added which states as follows:  
§175–19 (J) – Zoning Board of Adjustment Powers.

1. Pursuant to N.J.S.A. 40:55D – 25(c), the Planning Board shall exercise, to the same extent and subject to the same restrictions, all powers of a Zoning Board of Adjustment; but Class I and Class III members, shall not participate in the consideration of applications for development which involve relief pursuant to N.J.S.A. 40:55D – 70(d).

2. The Planning Board shall have all of the powers and duties of the Zoning Board of Adjustment set forth in Ordinance §175–28, §175–29 and §175–30.

3. All references in the Code of the Town of Hammonton to the Zoning Board of Adjustment shall mean and refer to the Town of Hammonton Planning Board.

Chapter 175, Article V, Section 22, titled Establishment, is amended as follows:  
§175–22 – The Zoning Board of Adjustment previously established pursuant to N.J.S.A. 40:55D – 69, et. seq., consisting of seven residents of the Town of Hammonton appointed by the Town Council is hereby abolished. All references in the Hammonton Code to the Zoning Board of Adjustment shall mean and refer to the Town of Hammonton Planning Board.

Chapter 175, Article V, Section 23 (§175-23), titled Membership; terms, is hereby repealed.

Chapter 175, Article V, Section 25 (§175-25), titled Alternate members, is hereby repealed.

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

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

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

Motion by TorriSSI Second Gribbin

Ordinance is open for public hearing

Motion by Rodio Second Sacco

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

Roll Call

Councilperson:

Furgione - No

Giralo - No

Gribbin - Yes

Rodio – Yes

Sacco - Yes

TorriSSI - Yes

Mayor DiDonato – Yes

Mayor DiDonato declares motion carried

**Public Hearing Ordinance #002-2018- Establishing a Joint Municipal Court**

AN ORDINANCE OF THE TOWN OF HAMMONTON ESTABLISHING A SINGLE JOINT MUNICIPAL COURT WITH THE BOROUGH OF FOLSOM AND AMENDING CHAPTER 14, ARTICLE I OF THE GENERAL ORDINANCES OF THE TOWN OF HAMMONTON

WHEREAS, N.J.S.A. 2B:12-1(b) authorizes the formation of single Joint Municipal Court provided that an Agreement is entered into by the Town of Hammonton and Borough Folsom and provided that the Agreement is filed with the State of New Jersey Administrative Director of the Courts and the Assignment Judge of the Superior Court of New Jersey, Atlantic County; and

WHEREAS, the Town of Hammonton desires to enter into an Agreement to form a Joint Municipal Court with the Borough Folsom; and

WHEREAS, it is in the best interest of the Town of Hammonton to participate in the Joint Municipal Court with the Borough of Folsom.

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

Chapter 14, Article I, Section 1 is amended to read as follows:

§14-1. Establishment.

A Joint Municipal Court is established, pursuant to the provisions of N.J.S.A. 2B:12-1, et. seq., as amended and supplemented, consisting of the Town of Hammonton and Borough Folsom. The Joint Municipal Court is created in accordance with an Agreement for Joint Municipal Court for the Municipalities of the Town of Hammonton and the Borough of Folsom dated December 28, 2017, and executed by the municipalities in January of 2018, and is subject to the terms thereof.

Chapter 14, Article I, Section 2 is amended to read as follows:

§14-2. Name.

The name of the Joint Municipal Court shall be the "Joint Municipal Court of the Town of Hammonton".

Chapter 14, Article I, Section 4 is amended to read as follows:

§14-4. Appointment of Municipal Judge; Term of Office.

There shall be a Municipal Judge of the Joint Municipal Court, who shall be nominated and appointed by the Governor with the advice and the consent of the Senate and who shall serve for a term of three years from the date of his/her appointment and until his/her successor is appointed and qualified.

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

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

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

Mayor and Torrissi spoke about the administration change that this will have on the court.

Motion by Torrissi Second Giralò

Ordinance is open for public hearing

Motion by Torrissi Second Giralò

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

Roll Call

Councilperson:

Furgione - Yes

Giralò - Yes

Gribbin - Yes

Rodio - Yes

Sacco - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion carried

**Public Hearing Ordinance #003-2018- Acquisition of Private Land**

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

WHEREAS, Lot 6 of Block 2811 is owned by KK Industries, Inc., through Deed dated June 24, 1993, and recorded in the Atlantic County Clerk's Office on November 15, 1993, in Book 5575 at Page No. 119 et. seq.; and

WHEREAS, the KK Industries, Inc., (hereinafter the "Corporation") desires to sell 224 Vine Street, more specifically known as lot 6 of block 2811 on the Town of Hammonton Tax Map (hereinafter referred to as the "Property") to the Town of Hammonton ("Town"); and

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

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

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

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

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

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

The Corporation represents that no buildings or improvements on adjoining properties extend across the boundary lines of the Property.

The Property can be utilized for public municipal purposes and the best interest of the public shall be served by acquiring said Property.

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

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

Cancellation of mortgage lien, if any;

Affidavit of Title; and

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

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

The Town shall not pay any more for the Property than the fair market value of the Property as of September 26, 2017, set forth in the Appraisal Report, Exterior Inspection only, prepared by Littlefield Real Estate, Inc., dated September 26, 2017.

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

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

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

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

Motion by Furgione Second Gribbin

Ordinance is open for public hearing

Motion by Furgione Second Gribbin

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

Roll Call

Councilperson:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Rodio - Yes

Sacco - Yes

Torrissi - Yes  
Mayor DiDonato – Yes

Mayor DiDonato declares motion carried

#### COMMITTEE REPORTS

##### Administration - Councilperson Torrissi

- Spoke about the joint court venture with Folsom
- Informed the public about the new notary available at no cost to citizens of Hammonon.

##### Business & Industry - Councilperson Gribbin

- Thanked everyone for the New Years Event
- Update on upcoming Events in the Town

##### Education - Councilperson Gribbin

- Informed citizens of no left turn on to 4<sup>th</sup> Street from Sooy School and road to excellence
- Reviewed Board of Education meeting

##### Quality of Life - Councilperson Sacco

Asked for approval of Lake Management Plan for 2017. Previously approved by Lake Quality and Parks Commission.

Motion by Sacco Second Rodio

##### Roll Call

Councilperson:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Rodio – Yes

Sacco - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declares motion carried

- Updated Council on the Environmental Commission and Lake Quality meetings.

##### Public Works & Transportation - Councilperson Rodio

- Reviewed Octagon Oil project at Town Parking lot
- Thanks Highway for a great job during snow storm

##### Law & Order - Mayor DiDonato

- Thanked highway Dept for great job during snow storm
- 

##### Water & Sewer - Councilperson Furgione

- Spoke about the water main breaks that where occurring during cold spell and thanked Utility Dept for their work.
- Informed council of the emergency repair that was done at the Meadows
- Purchased New pump for pump station, this was an emergency purchase for \$20,800.00
- Valley Avenue project is close to being closed out
- Overland drip irrigation started last week



ENGINEER REPORT

PUBLIC WORKS ACTION ITEMS:

1. Celona Site Remediation - 130 Railroad Avenue (ARH #11-01054):

During the latter part of 2017, the PWTC meet with a representative from the NJDEP regarding possible available funding for site remediation work at the above noted site. You had requested that ARH provide you with the following information:

1. Cost from ARH to prepare a funding request application to seek reimbursement of funds expended.
2. Provide a typical resolution for Council's consideration appointing an LSRP for the site.
3. Approximate cost for site remediation and what might be reimbursable through the funding program.

In conversation with Henry Weigel and Jennifer Beers from our staff, we offer the following:

1. The cost to complete a funding application for the site will be built into the request for funding consideration and will not be an expense to the Town.
2. We have attached a typical resolution for the Town's consideration that would appoint Henry Weigel from ARH Associates as the designated LSRP for the site on behalf of the Town. This must be reviewed and approved by the Town Solicitor and PWTC.
3. The cost for the site remediation will be based on the actual work required by the NJDEP. Based on our experience with similar type sites, the cost for the work including sub-consultants, testing, monitoring wells, etc. could be approximately \$65,000.00 with a portion of the cost extended over a number of years. The majority, if not all, of the costs with the exception NJDEP review/application fees would be reimbursable with the exception of subsequent years testing if required by the NJDEP.

Action Requested:

1. Passage of typical resolution (copy attached) appointing Henry Weigel of ARH Associates as the designated LSRP for the site on behalf of the Town.
2. Authorize ARH Associates to make the application to the NJDEP for receipt of funding to compete the tasks as required by the State regulations for the site remediation process at no cost to the Town.

Resolution #024-2018 – voted on at this time in the meeting

**Resolution #024-2018 Celona Property Application for Hazardous Discharge Grant**

Resolution for authorization to apply to HDSRF  
Celona Property  
(f.k.a., Sam's Super Service Station)  
130 Railroad Avenue  
Block 2421, Lot 2.03  
Hammonton, Atlantic Co, NJ

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey, has determined that the Celona Property identified as Block 2421, Lot 2.03, and located at 130 Railroad Avenue (herein referred to as the "Property"), is an area in need of redevelopment according to the criteria set forth in N.J.S.A.40A:12A-5; and

WHEREAS, the Governing Body of the Town of Hammonton have determined that there has been, or it suspects that there has been, a discharge of hazardous substances or a hazardous waste on the Property, based upon previously completed investigations/ assessments.

WHEREAS, the Town of Hammonton is applying for funding from the Hazardous Discharge Site Remediation Fund (HDSRF) for a remedial investigation of the Celona Property in order to better determine the extent or the existence of any hazardous substance or hazardous waste.

WHEREAS, the HDSRF funding application requires the Town of Hammonton to designate a State licensed site remediation professional (LSRP) for the pending project

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey, that the Town of Hammonton hereby authorizes ARH Associates to prepare the HDSRF funding application. Furthermore, the Town of Hammonton designates Henry Weigel of ARH Associates as the LSRP for the pending project.

Motion by Rodio Second Furgione  
Adopt Resolution #24-2018

Roll Call

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

Mayor DiDonato declares motion carried

Motion by Rodio Second Furgione  
Authorize ARH to make application to DEP for funding.

Roll Call

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

Mayor DiDonato declares motion carried

2. Octagon Oil Site Remediation – Vine Street Parking Lot (ARH #11-01000):

Last year, ARH provided a proposal to the Town to complete the remaining work at the above noted site as required by the NJDEP. The Mayor and Town Council authorized a portion of the tasks to be completed in the amount of \$6,100.00 and requested that ARH remind the Town to appropriate funds in the amount of \$2,250.00 to complete the balance of the work at the appropriate time. We would request that the Town appropriate the \$2,250.00 within the 2018 municipal budget to complete the balance of the work. If sufficient funds are available within the 2018 temporary budget, we would request the Town authorize ARH to complete the balance of the required work and issue a purchase order for same.

Action Requested:

Authorize ARH to complete the balance of the work detailed in their July 31, 2017 proposal associated with the Octagon Oil site in the amount of \$2,250.00 and issue a Purchase Order for that work.

Motion by Rodio Second Furgione  
Approve ARH proposal for \$2,250.00 for Octagon Oil site (Town Hall Parking Lot)

Roll Call

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

Mayor DiDonato declares motion carried

SOLICITOR REPORT

Introduction of Ordinance #007-2018- Ordinance Amending Chapter 2014 Article III this is under the clerks report

MAYOR REPORT

<u>Mayor's Appointments</u>	<u>Term</u>	<u>Appointee</u>
Environmental Commission	3 year	Angela Donio
Environmental Commission	3 Year	Martha Matro
Park Commission	2 year	James Borda
Park Commission	2 year	Sam Rodio Jr.
Park Commission	2 year	John Iacovelli
Park Commission Alt 1	2 year	Ian Fisher
Lake Water Quality Class 3	3 year	William Parkhurst
Lake Water Quality Class 3	3 year	Robert Roesch
Lake Water Quality Class 3	3 year	John Keenan
Lake Water Quality Alternate #1	2 year	Gordon Pherribo (Filling Unexpired Term of John Keenan)
Lake Water Quality Alternate #3	2 year	Steven Mortelliti

PWM/BUSINESS ADMINISTRATOR REPORT

1. Eagle Scout (John Margerum III) Project demo and clean up pump house area. Presented to PWTC on 1/18/2018.

ACTION

Motion by Rodio Second Rodio

Roll Call

Councilperson:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Rodio – Yes

Sacco - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declares motion carried

2. Approval to develop Water Tower Painting/Restoration bids and go out to bid. ACTION

Motion by Rodio Second Furgione

Roll Call

Councilperson:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Rodio – Yes

Sacco - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declares motion carried

3. Bulky Week May 7-11, 2018 Unlimited expect for prohibited items as per ordinance. INFO ONLY
4. Approval to develop fire suppression system specs for town owned property and go out to bid. ACTION

Motion by Rodio Second Furgione

Roll Call

Councilperson:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Rodio - Yes

Sacco - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion carried

5. Approval for fire dept. to seek grant for turnout gear, air packs and command vehicle

Motion by Torrissi Second Rodio

Roll Call

Councilperson:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Rodio - Yes

Sacco - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion carried

6. Bulky Week Oct. 1-5, 2018 Unlimited expect for prohibited items as per ordinance. INFO ONLY
  - a. Go to TOH website or call 609-567-4336 to get clarification on prohibited items such as rugs, concrete and hazardous materials.
7. Three items only Bulky Trash Pick up February 5 - 9
8. Brush Pick up February 12 - 16 INFO ONLY
9. Presidents Day Holiday Monday Feb 19, 2018. Trash will be picked up on Feb 20, 2018 INFO ONLY

TOWN CLERK REPORT

- 1) Accept the resignation of Junior Firefighter Quinton A. Brooks Jr. from Fire Company #2 in good standing. Approved at Fire Company meeting January 10, 2018.
- 2) Accept resignation of Cesar Euceda and Frank Scanga from Fire Company #1 in good standing. Approved at Fire Company meeting January 17, 2018.
- 3) Transfer Kimberly Maclane from the Tax Collectors Office to Construction Office at same title, pay rate and hours. She is also cross-trained to help in tax office as needed.
- 4) Accept retirement of Patty Berenato as of February 1, 2018 and Approval to pay accrued sick and vacation time per code and contract. In the amount of \$2,359.87.
- 5) Approve Hire of Deputy Municipal Court Administrator effective date February 1, 2018, contingent upon approval by Assignment Judge of the State of New Jersey, Single Benefits, 32.5 hrs week. Salary based on white collar contract.
- 6) Approval for the Business Administrator to seek bids for a Triple Combination Pumper Fire Truck.

Motion by Giralo Second Furgione

Items 1 to 6 approved

Roll Call

Councilperson:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Rodio – Yes

Sacco - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declares motion carried

APPROVE BILL LIST & PURCHASE ORDERS

Added to bill list payment for Airport Grant Obstruction removal Dy Consultants \$65,912.70 and C&H Construction \$142,955.00

Motion by Rodio Second Giralo

Bill list and purchase orders are approved

Roll Call

Councilperson:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Rodio – Yes

Sacco - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declares motion carried

NEW BUSINESS

ORDINANCES FOR INTRODUCTION

**Introduction of Ordinance #004-2018- Amending Project Description of Utility Ordinance #21-2015**

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

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

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

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

Section Two. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

Motion by Furgione Second Rodio

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

Roll Call

Councilperson:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Rodio – Yes

Sacco - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declares motion carried

**Introduction of Ordinance #005-2018-Amedning Chapter 144 Section 15 Non-Life Hazard Uses Inspection Fees**

AN ORDINANCE AMENDING Chapter 144 Section 15  
Non-Life Hazard Uses Inspection

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

- (2) The following building or structure, if classified as non-life hazard, although not exempt from registration or inspection, will be exempt from paying an inspection fee pursuant to the Act. Add the following:

- (e) Farm Buildings, packing houses, labor camps and farm storage buildings.

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

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

Motion by Sacco Second Rodio

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

Roll Call

Councilperson:

Furgione - Yes

Giralo - Yes

Gribbin - Yes

Rodio – Yes

Sacco - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declares motion carried

**Introduction of Ordinance #006-2018- Amending Chapter 271 Vehicles and Traffic Turn Prohibited**

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

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

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

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

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

Motion by Gribbin Second Giraldo  
The Ordinance has passed 1<sup>st</sup> reading and given legal publication.

Roll Call

Councilperson:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Rodio – Yes

Sacco - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declares motion carried

**Introduction of Ordinance #007-2018- Amend Chapter 201 Article III Food Trucks**

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

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

1. Chapter 204, Article III, a Section 30 is added which states as follows:§ 204-30. Appeal for Food Trucks.
  - A. Town Council shall herein decide requests for variance relief from Ordinance §204-28.
  - B. In passing upon such applications, Town Council shall consider all relevant factors, including, but not limited to:
    1. The suitability of the location for Food Trucks;
    2. Any danger to life and property;
    3. The importance of the services provided by the proposed Food Truck to the community;
    4. The necessity for the Food Truck to be at that location;
    5. The availability of alternative locations for the proposed Food Truck;

- 6. The compatibility of the proposed Food Truck with existing and anticipated development; and
  - 7. The safety of access to the property where the Food Truck is to be located.
- C. Upon consideration of the factors set forth above in Section 204-30(B) and the purposes of this Ordinance, Town Council may attach such conditions to the granting of a variance as it deems necessary to further the purposes of this Ordinance.
- D. The affirmative vote of the majority of the full authorized membership of Town Council shall be necessary to grant requests for variances under this Section.

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

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

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

Motion by Rodio Second Giraldo  
 The Ordinance has passed 1<sup>st</sup> reading and given legal publication.

Roll Call

Councilperson:  
 Furgione - Yes  
 Giraldo - Yes  
 Gribbin - no  
 Rodio – Yes  
 Sacco - Yes  
 Torrissi - Yes  
 Mayor DiDonato – Yes

Mayor DiDonato declares motion carried

RESOLUTIONS

**Resolution #020 – 2018- Various Refunds**

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

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

SJ Gas	\$ 1,596.25	Escrow Funds
NJ Solar Power LLC	\$ 410.00	Permit Fee

**Resolution #021–2018 Approve Cruisin Mainstreet**

RESOLUTION AUTHORIZING AND ENDORSING  
 CRUISIN MAINSTREET-REMEMBER FRIDAY NIGHTS EVENT

WHEREAS, MainStreet Hammonton Organization has and continues to promote the Town of Hammonton with scheduled events in the downtown business district; and

WHEREAS, Mayor and Council has and continues to support the efforts of MainStreet Hammonton; and

WHEREAS, Numerous Town residents have requested two Cruisin MainStreet events each year; and

WHEREAS, Friday, May 18, 2018 (rain date May 19) is the scheduled date for the MainStreet Hammonton Annual “Cruisin’ MainStreet-Remember Friday Nights” event during the hours of 5:30 p.m. to 9:30 p.m.; and



WHEREAS, Main Street Hammonton has requested the following street closures for this event between the hours of 3:00 p.m. to 10:00 p.m.:

Central Avenue (Rt. 542) from Bellevue Avenue to Vine Street;  
N. Egg Harbor Road between Rt. 54 and Pleasant Street;  
Orchard Street Railroad Crossing;  
Front Street from Twelfth Street to Passmore Avenue; and

WHEREAS, Main Street Hammonton has requested the reservation of the following parking spaces:

West side of Rt. 54 between Third Street and West End Avenue;  
East side of Rt. 54 between Third Street and Egg Harbor Road;  
Both sides of Railroad Avenue between 12<sup>th</sup> Street and Orchard St;  
Both sides of Egg Harbor Road between Bellevue Ave. and Pleasant St; and

WHEREAS, Main Street Hammonton has requested appropriate Police Parking Control signs to be posted early in the day noting NO PARKING AFTER 4:00 p.m.; and

WHEREAS, Main Street Hammonton has requested 2 Police Officers to direct traffic at the intersections of Bellevue Avenue at Central Avenue and Bellevue Avenue at Egg Harbor Road due to increased event related pedestrian and vehicular traffic on State Route 54;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that the May 18, 2018 (rain date May 19) and the "Cruisin' Main Street" event, including the above requests for street closures, reservation of parking spaces, posting of "NO PARKING" signs and two police officers are acknowledged, approved and endorsed;

#### **Resolution #022-2018 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 transfer from the 2017 Budget appropriations reserves with an effective date of January 22, 2018.

#### CURRENT FUND

From: Admin Operating Expense	\$ 39.18
Assessment of Tax Operating Expense	\$ 668.81
Collection of Taxes Operating Expense	\$ 1,070.94
Engineering Operating Expense	\$ 62.00
Historical Preservation Operating Expense	\$ 13.89
Computer Operating Expense	\$ 907.33
Planning Board Operating Expense	\$ 60.27
Board of Adjustment Operating Expense	\$ 424.89
Construction Operating Expense	\$ 1,538.28
Other Code Enforcement Operating Expense	\$ 550.00
New Jersey Unemployment Operating Expense	\$ 582.20
Police Operating Expense	\$ 1,364.53
Group Insurance Operating Expense	\$24,067.47
Prosecutor Operating Expense	\$ 954.53
Bldg/Grds Operating Expense	\$ 343.06
Highway Operating Expense	\$ 702.14
Environmental Operating Expense	\$ 219.04
Registrar Operating Expense	\$ 159.00
Natural Gas Operating Expense	\$ 92.42
Street Lighting Operating Expense	\$ 80.78
Telephone Operating Expense	\$ 2,461.13
Municipal Court Operating Expense	\$ 1,417.23
To: Legal Operating Expense	\$ 6,197.86

To: Electric Operating Expense	\$ 30,546.49
To: Airport Operating Expense	\$ 1,034.77
From: Public Defender	\$ 8,000.00
To: Electric Operating Expense	\$ 8,000.00
<u>UTILTIY FUND</u>	
From: Utility Social Security Expense	\$ 3,121.30
To: Utility Operating Expense	\$ 3,121.30

Resolution #023-2018 Approve Good Friday Spanish Procession

RESOLUTION AUTHORIZING THE "SPANISH COMMUNITY GOOD FRIDAY PROCESSION"

WHEREAS, St. Mary of Mt. Carmel Parish/St. Joseph's Church continues to promote the Town of Hammonton with their annual "Spanish Community Good Friday Procession"; and

WHEREAS, Friday March 30, 2018 at 4:30 p.m. is the scheduled date for the Spanish Community Good Friday Procession; and

WHEREAS, St. Mary of Mt. Carmel Parish/St. Joseph's Church 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 for stations of the cross and procession:

From N. Third St.  
 To French St.  
 To Second St.  
 To Pleasant St.  
 To Tilton St.  
 To French  
 To N. Third St.

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 Spanish Community Good Friday Procession is approved by the Town of Hammonton; and

BE IT FURTHER RESOLVED that the necessary certificate of insurance has been filed with the Town Clerk.

**Resolution #025-2018- Purchase Computer Software**

A RESOLUTION APPROVING THE CONTRACT  
TO PURCHASE COMPUTER SOFTWARE

WHEREAS, there exists a need for the purchase of new software for the Hammonton Police Department; and

WHEREAS, the Chief of Police, Robert Jones, has recommended that a professional services contract be awarded to SHI International Corporation, in the total amount of \$82,482.70; and

WHEREAS, funds are available under the appropriate budget appropriations; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL FOR THE TOWN OF HAMMONTON, ATLANTIC COUNTY, NEW JERSEY that the Mayor and Town Clerk of the Town of Hammonton are hereby authorized and directed to enter into an agreement with SHI International Corporation 290 Davidson Avenue Somerset, NJ 08873, and

BE IT FURTHER RESOLVED, that the contract is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law as a State Approved Contract number M-0003.

Motion by Giraldo Second Gribbin  
Resolution 20 to 23 and 25 are adopted

Roll Call

Councilperson:

Furgione - Yes

Giraldo - Yes

Gribbin - Yes

Rodio - Yes

Sacco - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion carried

PUBLIC HEARD

No one from Public desired to be heard

MEETING ADJOURNED

Motion by Torrissi Second Giraldo