

CM 2/24/14

Agenda Regular Meeting of Mayor and Council – February 24, 2014
Town Hall Council Chambers, 100 Central Avenue
Executive Session 6:00 P.M.
Public Session 7:00 P.M.
Agendas & Minutes can be viewed at www.townofhammonton.org

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilman:
Bachalis -
Esposito –
Gribbin -
Pullia -
Rodio –
Wuillermin -
Mayor DiDonato -

PRESENT ALSO

Brian Howell, Town Solicitor
Jerry Barberio, PWM/Business Administrator

Executive Session #R027-2014

#R027-2014

BE IT RESOLVED, by the Mayor and Common Council of the Town of Hammonton that, in accordance with the "Open Public Meetings Act," an Executive Session is authorized on this below adopted date, for the purpose of discussing and/or acting upon:

1. Discussion Disciplinary Action - highway employee

BE IT FURTHER RESOLVED, that the minutes of any matters discussed in Executive Session shall be released to the public as soon as reasonably possible after Mayor and Council conclude that the basis for exclusion of the public ceases to exist.

RESUME REGULAR MEETING-ROLL CALL

Councilman:
Bachalis -
Esposito –
Gribbin -
Pullia -
Rodio –
Wuillermin -
Mayor DiDonato -

PRESENT ALSO

Brian Howell, 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, there will be an allowable time of five minutes per person who wishes to speak during Public Heard per the Rules of Council.

PLEDGE OF ALLEGIANCE

PUBLIC HEARD FOR AGENDA ACTION ITEMS

APPROVAL OF MINUTES

Executive Session 01/27/14

Regular Meeting 01/27/14

Special Executive Meeting 02/10/14

Special Meeting 02/10/14

DISPENSE WITH REGULAR ORDER OF BUSINESS

Honor Hammonton Education Foundation

Acknowledge Public Works Employees

Hearing Ordinance #005-2014 Bond Ordinance For Sewer Main Replacement Project

Ordinance #005-2014

BOND ORDINANCE PROVIDING FOR THE SEWER MAIN REPLACEMENT PROJECT IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$5,200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,200,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town"). For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$5,200,000. Pursuant to N.J.S.A. 40A:2-11(c) and contingent upon Local Finance Board approval, no down payment is provided for the costs of the improvement since the project described in Section 3(a) hereof is being funded by the New Jersey Environmental Infrastructure Trust ("NJEIT").

In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$5,200,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

(a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is for the replacement and upgrade of the Town's terra cotta sewer main and two storm sewer systems with metal and reinforced concrete located on (i) Pratt Street from Egg Harbor Road to Fourth Street, (ii) Grape Street from Egg Harbor Road to Liberty Street, (iii) Packard Street from Grape Street to Route 54, and (iv) Second Street from Grape Street to Vine Street, including acquisition and installation of all equipment and materials and all work necessary therefore or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

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.

The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed electronically in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$5,200,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$850,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the Town solely for a purpose described in N.J.S.A. 40A:2-7(d). This purpose is in the public interest and is for the health, welfare, convenience or betterment of the inhabitants of the Town. The amounts to be expended for this purpose pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the obligations authorized by this bond ordinance will not materially impair the credit of the Town or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. If required, the Local Finance Board, in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey has heretofore made a determination to this effect and has caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

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

The Town hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Town hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the Town to deem the obligations authorized

herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 8 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

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

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

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

Hearing Ordinance #006-2014 Bond Ordinance For Water Main Replacement Project

Ordinance #006-2014

BOND ORDINANCE PROVIDING FOR THE WATER MAIN REPLACEMENT PROJECT IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$1,700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,700,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town"). For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$1,700,000. Pursuant to N.J.S.A. 40A:2-11(c) and contingent upon Local Finance Board approval, no down payment is provided for the costs of the improvement since the project described in Section 3(a) hereof is being funded by the New Jersey Environmental Infrastructure Trust ("NJEIT").

In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,700,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

(a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is for the replacement and upgrade of the Town's ductile iron pipe and the expansion of the Town's water main from 6 inches to 8 inches for: (i) Pratt Street from Egg Harbor Road to Fourth Street, (ii) Grape Street from Egg Harbor Road to Liberty Street, (iii) Packard Street from Grape Street to Route 54, and (iv) Second Street from Grape Street to Vine Street, including acquisition and installation of all equipment and materials and all work necessary therefore or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

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.

The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed electronically in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,700,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$300,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the Town solely for a purpose described in N.J.S.A. 40A:2-7(d). This purpose is in the public interest and is for the health, welfare, convenience or betterment of the inhabitants of the Town. The amounts to be expended for this purpose pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the obligations authorized by this bond ordinance will not materially impair the credit of the Town or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. If required, the Local Finance Board, in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey has heretofore made a determination to this effect and has caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

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

The Town hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Town hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the Town to deem the obligations authorized

herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 8 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

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

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

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

HEARING #R028-2014 Transfer of Liquor License Bellevue Wines & Liquors LLC to Buy Rite of Hammonton LLC

R#028-2014

WHEREAS, an application has been filed for a person to person transfer of Plenary Retail Distribution License 0113-44-004-007;

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

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

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Town of Hammonton does hereby approve the transfer of the aforesaid Plenary Retail Distribution License to Buy Rite of Hammonton, LLC, and does hereby direct the Town Clerk to endorse the license certificate to the new ownership as follows: "this license, subject to all its terms and conditions, is hereby transferred to Buy Rite of Hammonton, LLC effective February 25, 2014.

Hearing Ordinance #003-2014 Amending Chapter 204 Peddler, Solicitors, and Transient Merchants

Ordinance #003-2014

AN ORDINANCE AMENDING Chapter 204 Entitled
Peddlers, Solicitors, and Transient Merchants

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

Chapter 204-8 Entitled Approval or denial of request is amended as follows:

All applications submitted to the Town Clerk shall be forwarded to the Police Chief for official police background check of all applicants. The application so endorsed shall be forthwith returned the Town Clerk.

Chapter 204-20(B) shall be amended as follows:

Such investigation shall be completed *within two weeks* after the receipt of such application, and said Chief shall endorse thereupon his approval or disapproval and, if disapproved, his reasons therefor, and he shall immediately notify the applicant that his application has been disapproved. The application so endorsed shall be forthwith returned the Town Clerk.

Chapter 204-30 through Chapter 204-37 Special Event Vendor Permit:

Repealed entirely.

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.

COMMITTEE REPORTS

Administration -Councilman Esposito

Business & Industry-Councilman Gribbin

Education & Quality of Life-Councilman Bachalis

Public Works & Transportation-Councilman Rodio

Law & Order-Mayor DiDonato

Water & Sewer – Councilman Wuillemin

ENGINEER REPORT

SEWER & WATER ACTION ITEMS:

1. Pratt, Packard, Grape & Second Street Utility Replacement (ARH #11-40046):

Council's decision related to project award was forwarded to the NJEIFP and the NJDOT for their review and approval. The recommendation of award was to Charles Marandino, LLC from Milmay, NJ for a base bid price of \$4,482,657.50. We received a letter from the NJEIFP accepting the project award and are waiting for the NJDOT to respond back. We met with Town officials and representatives from Atlantic City Electric regarding the tree removal along the project roadways. They agreed to provide the following assistance:

- Trim the trees that are scheduled for removal that fall under their power lines.
- The trees will be cut to a point just below the lowest utility wire.
- They will supply a number of trees to assist in the replanting schedule proposed for the project streets.

On Monday, March 10, 2014 at 7:00 p.m. a special meeting of Council will be held related to this project. We have drafted a letter to be sent to the property owners along the project roadways under the Mayor's signature. Representatives from Atlantic City Electric, the general project contractor and their subcontractors will be present to generally discuss the project and time frame.

A preconstruction meeting for the project will most likely be scheduled for the later part of March and a Notice to Proceed issued for early April. The second reading and public hearing on the project funding ordinance is schedule for the February 24th Council meeting. If the ordinance passes for the project, contracts could be signed by the Town on March 17th. The Town should receive the notice from the NJEIFP shortly related to the amount and type of financing that will be offered for this project.

In conjunction with the final bid process ARH has attached a copy of our proposal for Council's consideration the cost for same would be reimbursable through the NJEIFP funding. Also as requested by the NJDOT, the Mayor and Council must adopt a resolution formally requesting the extension of time for the use of the 2012 FY funds in the amount of \$156,641.00.

Action Requested:

1. Approval to set-up a special meeting of Council, area residents and the project contractor for March 10th 7:00 p.m.
2. Adoption of Resolution #033-2014 (copy attached) UNDER NEW BUSINESS
3. Approve ARH proposal dated 2/19/14 in the amount of \$235,000.00 to cover the costs for project bid, contracts and construction management, etc.

2. 2015 Fiscal Year, NJEIT Projects (ARH #11-01088):

As authorized last meeting, we are completing the design plans, specifications, report and application documents for submission to NJEIFP for 2015 funding consideration. As requested by Council, the application was for the installation of drip irrigation for the existing recently constructed soccer fields adjacent to Moss Mill Road. The Town will not hear anything related to this funding until late fall of 2014. One of the requirements for NJEIFP review is the completion of a Public Hearing related to the project. In order to meet the time frame required in the application review process, we would request Council's approval to advertise for conducting the Public Hearing at the regular Council meeting of March 24th.

Action Requested:

Authorization for ARH to place the advertisement to conduct a Public Hearing for the NJEIFP funding request at the March 24th meeting.

3. Well #4 Radium Treatment Facility and Air Stripper (ARH #11-30153.04):

The contractor has started some primary work at the site. Weather permitting, the work should continue towards the completion date of June 2014. The Town should receive a final determination of project funding hopefully by the middle of March. Approve change order in the amount of \$11,761.00

PUBLIC WORKS ACTION ITEMS:

4. Boyer Avenue Recreation (ARH #11-75003):

The contractor is currently performing punch list items. We have come to terms with final quantities and prepared final quantities change order for approval by the Town. Please note the following:

<u>Original Contract:</u>	<u>\$1,590,521.00</u>
CO#1 (no cost):	\$.00
CO#2 "10/12/12" (plus):	\$39,253.50
CO#3 "10/12/12" (plus):	\$20,491.00
<u>CO#4 Final (deduct):</u>	<u>(\$49,047.26)</u>

Final Contract Value:

\$1,601,218.24

Action Requested:

Authorize final quantities change order.

SEWER & WATER INFORMATION ITEMS:**5. Well #1 / Well #3 – Volatile Organic Compounds (VOC's) (ARH# 11-30155.03):**

We are finalizing the design for the Well #1 & #3 treatment process and will forward the plans, reports, specifications, etc. to the State Bureau of Safe Drinking Water for their review later this month. Hopefully this Friday we will receive a Public Development Certificate of filing from the Pinelands Commission for this project. This would allow the NJDEP to proceed with their review. We have reviewed the design with the PWTC which included an expanded building foot print to accommodate the treatment filters and emergency generator. We have discussed the expanded design with Spillfund and will seek a revised agreement for additional monies from their office due to required building modifications and other construction related items. It is hoped to have their approval and be ready to bid by late spring of 2014. The ACO deadline for project completion is September of 2014. We did make the NJDEP Southern Enforcement aware of a request for an extension of time for completion of this project. They are presently reviewing that request for a second amendment to the ACO. We will also seek approval from the Spillfund to redevelop Well #1. The redevelopment of Well #1 will be a separate bid and the goal would be to complete this work in advance of the remediation work, since this well is presently offline.

6. Hammonton Water System - AACO (ARH #11-30152):

The goal for both the Town and NJDEP is to have Well #4 back in service prior to the peak demand needs which occur in July of this year if possible. Keep in mind there must always be a back-up Well available to Wells #5 & #7 at any given time, therefore, Well #3 will remain in service until Well #4 is up and running in compliance with safe drinking water standards.

AACO Compliance Dates:

- ~ Licensed Operator compliance – October 31, 2012 (COMPLETED)
- ~ Licensed Operator succession plan – (COMPLETED)
- ~ Wells #5/#7 Radium Removal – (COMPLETED)
- ~ Well #4 Radium Removal – project completion June 30, 2014 (Contract Awarded, Notice to Proceed issued and preliminary work started)
- ~ Well #4 Air stripper upgrade – Revised to coincide with Well #4 – June 30, 2014 (Contract Awarded and preliminary work started)
- ~ Well #1 VOC Removal – (TEMPORARY SOLUTION, COMPLETED)
- ~ Well #1 & 3 VOC Removal – (PERMANENT SOLUTION, CONSTRUCTION START, after Well #4 is back on line) (Design to be submitted by end of February.
- ~ Well #1 & 3 – VOC Removal – (Present ACO, OPERATIONAL BY SEPTEMBER 1, 2014) Request for time extension and amended ACO under consideration. Possible completion date February 2015.

7. Pine, Basin & Oak Road Water Main Extension/Well Contamination (ARH #11-30138): (DJC)

Contract #1 – Water Main Installation, Street Side Services and Roadway Restoration (Lafayette Utilities)
The project has moved to close-out as requested by the NJEIT.

Contract #2 – House Side Services to Affected Contaminated Properties (Helmer Construction)

A closeout letter dated November 4, 2013 was sent to the Contractor's attention. We are reviewing the Contractor's response and working towards closing out this project. As previously reported, we have contacted the one remaining connection and they remain steadfast in refusing to connect. This matter will be deferred to the Solicitor since it affects the NJDEP contract conditions.

Contract #3 – Well Sealing (Steffen Well Drilling)

Steffen has sealed all wells that have allowed access and have not applied for a farm waiver exemption. Please note one resident is refusing well sealing and has not applied for a farm waiver. This matter will be deferred to the Solicitor should the resident continue to refuse access.

General Issues

Connection by Non-CKE Residents:

No change from previous report.

Summary of Last Month's Activity/Pending Items:

- Resolve the one remaining connection issue remaining under Contract #2.
- Continue on Contract #3, resolve one well sealing.
- Obtain a final determination from NJDEP related to project scope on farm waivers.

8. **NJPDES Permit for Groundwater Discharge – Boyer Avenue Site (ARH# 11-50058.12) No Status Change.**

9. **Surface Water Discharge Permit (ARH #11-50058): No Status Change**

Ray Ferrara and Brian Howell have reviewed the letter dated 11/12/13 which involves the Hammonton Waste Water Treatment Plant's appeal of the NJPDES permit for surface water discharge. It appears that this matter will be placed on the inactive list for a six (6) month period to allow for additional settlement discussion possibilities.

10. **Boyer Avenue Pinelands Compliance, Long Term Wastewater Management Plan (LTWMP) (ARH #11-50058.14):**

Ed Wengrowski the Pinelands Commission has issued a letter dated 2/12/14 to the Town related to their review and recommendations of the information submitted by the Town and its consultants associated with the Long Term Wastewater Management Plan (LTWMP) for effluent disposal at the Boyer Avenue site and removal of discharge of treated effluent to the Hammonton Creek. They are seeking modifications to the report previously submitted in 2011 by Omni Associates together with the establishment of a strict time line on approval, construction, operation and maintenance for both the overland and Phase I portion of subsurface drip irrigation component. The first step is the submission of the overland drip irrigation design as authorized by Council earlier this fall to the NJDEP for Treatment Works Approval (TWA). That submission was made on 12/18/13. The Pinelands staff indicated they would assist the Town with obtaining the TWA from the NJDEP. Once that permit is obtained, the Town forces could proceed with the installation of the overland drip irrigation system components and piping which must be completed by the fall of 2014.

The second phase of the process would be to complete the design of the subsurface drip irrigation system and submit same to the Pinelands and NJDEP. A conceptual design of the subsurface disposal area was submitted to the Pinelands Commission on Friday, December 6, 2013. It is hoped that approval of the conceptual design plan will be considered at their February 21, 2014 rescheduled meeting. If deemed acceptable, we could continue with the formal design process of the subsurface drip irrigation and submit same to the NJDEP for TWA as authorized by Council. We have also requested funding consideration from the NJEIFP for the construction of the subsurface drip irrigation for the first phase of the active recreational areas of the site. The first phase is the recently constructed soccer fields adjacent to Moss Mill Road. This installation may also be completed by the Town forces.

Through the assistance of the Town officials, the PWTC, Solicitor and the Town consultants a response to the latest set of comments from the Pinelands Commission was hand delivered to their office on 2/19/14.

Hopefully the staff will complete their review of the latest version of the LTWMP so that this matter could be placed on the P & I Committee agenda for February 28th. If deemed acceptable, it would then proceed to the Full Commission for consideration at their March 14th meeting. We will keep Council informed of further progress.

11. **Route 54/Bellevue Avenue Utilities (ARH #11-50120): - No Status Change**
As of May 21, 2013; the Contractor has returned to the site and addressed the remaining punch list items. We will be proceeding with a recommendation to close out the project subject to review and concurrence from the Solicitor.

PUBLIC WORKS INFORMATION ITEMS:

12. **ACIA Funding – 2014 CDBG (ARH# 2013-0668):**
We have begun the process for the preparation of the bid package, specifications, quantities, etc. associated with the Road Program to keep the project on track with ACIA deadlines. We will need to meet with the Public Works Manager and Committee Chairman in order to provide a final list for inclusion in the program.
13. **Drainage Projects: Lakeview Drive and White Horse Pike (ARH #11-60202.03):**
As authorized, ARH has progressed with completing with the revisions to the design plans and specifications and seeking the remaining approvals for the project. The goal is to submit the bid documents to the NJDOT for final approval and receipt of an Authorization to Advertise (ATA), in March of 2014. We have also received comments from the NJDOT for the roadway opening permit and provided a response to same. We are awaiting the approval from the NJDOT for this permit. Funding for this project will need to be established by the Town in order to seek NJDOT reimbursement for project construction and possibly the construction management costs if funds are available.
14. **Weymouth Road Drainage (ARH# 11-06007):**
The funding for this project must be established by the Town so that work could begin and bills submitted to the County for reimbursement. We will proceed once informed by Council that the necessary funds are in place.
15. **Octogon Oil Site Town Hall Overflow Parking Lot (ARH #11-01060): No Status Change**
ARH is currently preparing a supplemental Hazardous Discharge Site Remediation Fund (HDSRF) grant application with respect to the additional work required by the NJDEP.
16. **Skinner Building – Egg Harbor Road (ARH #11-01074): No Status Change**
ARH completed a Site Investigation (SI) Report for the subject property. This report will become part of the Preliminary Assessment & Site Investigation (PASI) submittal to NJDEP and the Pinelands Commission; and will accompany the *Preliminary Assessment Report* (December 2012) prepared previously by ARH. In addition, ARH is currently preparing a supplemental Hazardous Discharge Site Remediation Fund (HDSRF) grant application with respect to addressing the additional Areas of Concern (AOC) identified at the site. ARH is currently in the process of completing the initial Receptor Evaluation (RE) and developing a scope of work for a supplemental grant application.
17. **Former Mazza Property, Egg Harbor Road Parking Lot at the Historic Train Station (P2012.0153):**
ARH has completed the majority of the work associated with a Hazardous Discharge Site Remediation Fund (HDSRF) grant application as authorized by Council. The application addresses several potentially contaminated Areas of Concern (AOC) at the subject property and the need for completion of a Preliminary Assessment (PA) in an effort to identify any other AOCs related to the historic use of the property as a services station and repair shop.

In discussion with the PWTC, it was noted that information from the prior owner may be available for review that would aid in the evaluation process as to what might have already been completed at the site. We will need a copy of that information once obtained by the Town so that we could modify the scope of work if required. We will wait for further direction from Council in case a different scheme for development or resolution to this parcel is determined by Council.

18. **Drainage Projects: Anderson Avenue (ARH #11-60208.02): No Status Change**

This project will be divided into two (2) phases isolating each of the low points located in the middle of the block. The scope of work will also be slightly adjusted to allow greater flexibility to have the Town's Public Works personnel to complete the majority of the work. We are in the process of amending the plans as discussed. We will keep Council informed of further progress.

19. **Chew Road/Jacobs Street/First Road (ARH #11-60207.02): No Status Change**

The project scope has been modified to divide the project into phases. It was also noted that the Public Works Department could complete a major portion of the initial phase of the project construction. The Public Works Department will contact Root 24 to once again clean and inspect the existing inlets, pipe and leaching pits as they extend off of the First Road/Jacobs Street intersection. We will continue the process to request drainage easements where required.

20. **Lake Weed Control, Permitting, Application of Product (ARH# 11-90016):**

We were requested to provide a cost estimate and timeframe related to seeking approvals, permits, related tasks, etc. associated with applying product to control the weed growth in the Hammonton Lake. We estimate the cost to complete the Lake Application process in specific locations of the Lake to be approximately \$11,500.00. The cost for ARH to complete the various tasks for approval, seek price quotes, monitoring the application, etc. to be \$2,300.00. We will wait for further direction from Mayor and Council on this matter.

SOLICITOR REPORT

MAYOR REPORT

PWM/BUSINESS ADMINISTRATOR REPORT

TOWN CLERK REPORT

1. Hire Pamela M. DiGerolamo, effective 02/18/14, 28 hours per week, \$12.50 per hour, no benefits
2. Appoint Sandy Long Deputy Municipal Court Administrator, effective 02/24/14, salary under New Business
3. Accept resignations Fire Company 2 member Robert Read
4. Accept Michael Scarpato, Jr. as Junior Member of Fire Company 2
5. Accept resignation Martin Rodriguez eff 3/1/14, authorize \$193.17 time off balances due
6. Authorize Drug Alliance Participation

APPROVE BILL LIST & PURCHASE ORDERS

NEW BUSINESS-ORDINANCE INTRODUCTIONS

BOND ORDINANCE #007-2014 BOYER AVENUE DRIP IRRIGATION PLAN

RESOLUTIONS

#R029-2014 Setting Deputy Court Administrator Salary

#R029 - 2014

RESOLUTION SETTING SALARIES OF EMPLOYEES

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

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

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

Employee	Title	Salary Eff. 2/24/14	
Sandy Long	Deputy Municipal Court Administrator	\$37,800.00	new hire

R#030-2014 Resolution Authorizing And Endorsing Cruisin Mainstreet –Remember Friday Nights Event

RESOLUTION #030-2014
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 16, 2014 (rain date May 17) 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, Friday, September 5, 2014(rain date September 6) is the scheduled date for the MainStreet Hammonton Semi-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 4:30 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 12th 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 16, 2014 (rain date May 17) and the September 5, 2014 (rain date September 6) "Cruisin' Main Street" events, 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;

#R031-2014 Resolution Awarding Various Specialized Service Contracts & Quotes

#R 031 -2014

A RESOLUTION AWARING VARIOUS SPECIALIZED SERVICE CONTRACTS AND QUOTES

WHEREAS, there exists a need for specialized services for the Town of Hammonton, New Jersey, on an annual basis as follows:

<u>Department</u>	<u>Service</u>	<u>Vendor</u>	<u>Not To Exceed Amount</u>
Municipal Utility Dept.	IA System Repairs	Invensys/Foxboro	\$7,042.00

WHEREAS, funds are available under the above listed budget appropriations, and

WHEREAS, N.J.S.A. 19:44A-20 provides for an open and fair process through requests for proposals;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, ATLANTIC COUNTY, NEW JERSEY that the Town of Hammonton is hereby authorized and directed to enter into an agreement with above listed vendors for year 2014 and

R#032-2014 Community Transportation Planning Assistance Initiative & Study

Resolution #032-2014

A RESOLUTION SUPPORTING COMMUNITY TRANSPORTATION PLANNING ASSISTANCE INITIATIVE AND STUDY

WHEREAS, on July 19, 2012 the Town of hammonton requested a Community Transportation Planning Assistance (CTPA) Initiative and Study from the New Jersey Department of Transportation (NJ DOT); and

WHEREAS, the Town of Hammonton received a letter from NJ DOT responding that they are interested in providing CTPA; and

WHEREAS, the Mayor and Council of the Town of Hammonton support and accept NJ DOT CTPA Planning Assistance and Study.

NOW, THEREFORE, BE IT RESOLVED BY the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey, that Jerry Barberio, PWM/BA, is designated as the local lead person for the NJ DOT CTPA Initiative and Study; and

BE IT FURTHER RESOLVED that the Town of Hammonton is committed to providing municipal in-kind services that will support this initiative, and

BE IT FURTHER RESOLVED that the Municipal Clerk is authorized to submit a certified copy of this resolution to NJ DOT Bureau of Commuter Mobility and Strategies, Division of Statewide Planning.

#R033-2014 Time Extension for Fiscal Year 2012 Municipal Aid Program

RESOLUTION #033-2014

RESOLUTION REQUESTING A TIME EXTENSION FOR THE FISCAL YEAR 2012 MUNICIPAL AID PROGRAM FROM THE STATE OF NEW JERSEY FOR THE PRATT STREET RECONSTRCUTION PROJECT

WHEREAS, the Town of Hammonton was awarded a grant in the amount of \$156,641.00 for the FY 2012 Municipal Aid Program and wishes to extend the Construction award timeframe of such;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the Town of Hammonton in the County of Atlantic and State of New Jersey that the timeframe for the FY 2012 Municipal Aid Program for Pratt Street be extended to May 7, 2014.

#R034-2014 Transfer of Funds

#R 034-2014

RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS IN TOWN OF HAMMONTON MUNICIPAL BUDGET

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 budget appropriations reserves with an effective date of February 25, 2014:

FROM: IN CAP
 Police OE (3-01-25-119-200) \$ 200.00

TO: IN CAP
 Police Radio OE (3-01-25-120-200) \$ 200.00

#R035-2014 Utility and/or Tax Account Amendments

#R035-2014

WHEREAS, Rosemarie Jacobs, Tax Collector, has approved and made amendments to utility and/or tax accounts as follows:

B&L	NAME	ADDRESS	AMOUNT	ACC T.	REASON	PER
1803-11.33	Wallis	29 Alexander Dr	1,813.07	Tax	Refund Corelogic	Rosie
2701-19	Ricca	433 N Egg Harbor	820.12	Tax	Refund over payment	Rosie

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

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Hammonton that the Tax Collector's actions are approved.

#R036-2014 Authorize Temporary Emergency Appropriations

#R036-2014

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

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

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

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

<u>Fund</u>	<u>Account Number</u>	<u>Appropriations</u>
Assessor OE	4-01-20-104-200	\$1,282.50
Municipal Court O&E	4-01-43-201-200	\$3,000.00
Bldg/Grds OE	4-01-26-108-200	\$6,000.00

#R037-2014 Approve Temporary Capital Budget Boyer Avenue Drip Irrigation

#R037-2014

TOWN OF HAMMONTON
TEMPORARY CAPITAL BUDGET

WHEREAS, the need has arisen to introduce a bond ordinance to provide funds for NJEIT Boyer Avenue Drip Irrigation Project in the Water/Sewer Utility Capital Fund, including all appurtenances necessary and related thereto, and;

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

WHEREAS, the ordinance provides a total appropriation as follows:

<u>Purpose</u>	<u>Total Amount</u>	<u>Debt Authorized</u>
<u>Water/Sewer Utility Capital Fund</u>		
Boyer Avenue Drip Irrigation Project -		
Financed by NJEIT	<u>\$ 200,000.00</u>	<u>\$ 200,000.00</u>

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

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

	<u>Water/Sewer Utility Capital Fund</u>	
200,000.00	Boyer Avenue Drip Irrigation Project	\$

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

Adopted: February 24, 2014

PUBLIC HEARD

MEETING ADJOURNED