

REGULAR MEETING OF COUNCIL
Held in Town Hall Council Chambers
100 Central Avenue, Hammonton, N.J.
Monday, January 22, 2007 at 7:00 P.M.

Minutes can be viewed at www.townofhammonton.org

REGULAR MEETING CALLED TO ORDER BY MAYOR DIDONATO AT 7:00 P.M.

ROLL CALL

Mayor DiDonato - P
Councilpersons:
Bertino - P
Colasurdo - P
Marino - P
Massarelli - P
Vitalo - P
Wuillermin - P

PRESENT ALSO

Brian Howell, Town Solicitor
Bob Vettese, Town Engineer

PLEDGE OF ALLEGIANCE

PUBLIC NOTICE

This meeting has been posted on the Town Hall bulletin board reserved for such notices and mailed to two newspapers pursuant to law. Please familiarize yourselves with the fire exit drawing to the rear of the Council Chambers. Also, there is to be no smoking in the Town Hall at any time.

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard.

The Solicitor advised the public of the Special Closed Session Meeting held at 6:00 pm earlier in the evening.

APPROVAL OF MINUTES

Motion by Councilperson Bertino, seconded by Councilperson Marino, approve the minutes of the Special Meeting of 12/27/06 and the Organization Meeting held 1/1/07 as recorded by the Clerk. Motion carried.

COMMITTEE REPORTS

Steve DiDonato - Town Hall Committee

Mr. DiDonato advised of status of town hall project and stated we are now demolishing parking lot and we should see a structure sometime in April, 2007.

Historic Building Remodeling

Mr. DiDonato advised on status of Historic Building refurbishing and submitted quotes for same. He advised the quotes differ because some contractors wanted to offer services at cost and excluded the cost of labor from their quote. He stated that he would like this project to commence soon as to have the historic building ready for spring festivities.

Quotes-Historic Building:

Electric

G Hummel	\$4,665.00
White Star	\$5,320.00
Tassone	\$7,500.00
Z.K.	\$10,200.00
Santora	no quote

Plumbing

Stowe	\$4,896.00
Bellace	\$6,480.00
Hiltwine	no quote
Sal Jacobs	no quote
Marco Galli	no quote
Myers	no quote
Mazzeo	no quote
DJ	no quote

Roofing

AK	\$1,050.00
Cals	no quote

Painting

Joe Bagliani	\$5,300.00
Millazzo	\$12,475.00
Henry Lago	no quote
Carmen Martino	no quote
Protapapas	no quote

Hvac

Silipena	\$3,700.00
Assured Mech.	\$6,925.00
Mike Marandino	no quote

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, authorize award of quotes to contractors as listed above for each separate phase of the project. The low quote being the first listed in bold.

ROLL CALL

Councilpersons:
 Bertino - Abstain
 Colasurdo - Y
 Marino - Y
 Massarelli - Y
 Vitalo - Y
 Wuillermin - Y
 Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Councilperson Vitalo questioned Craig Testing resolution and asked to be made aware of any town hall committee meetings as he'd like to be part of the town hall project.

COUNCILPERSON COLASURDO REPORT

Purchase new K9 for Police Department
 Request State reduce speed Rt. 54 between Chew and 2nd Road
 Request County place solid line Middle Road near Walmart

COUNCILPERSON MASSARELLI REPORT

New Chamber Members: Calderone Properties & Atlanticare Behavioral Health
 Thanked Chamber and State for presentation on proposed State office building

Motion by Councilperson Massarelli, seconded by Councilperson Colasurdo, authorize Chamber of Commerce and representatives to enter negotiations with State of New Jersey concerning proposed State Building.

Councilperson Colasurdo responded to the concern of traffic.

Councilperson Bertino advised he is in favor of moving forward with negotiations and wanted to advise that this vote is not to enter into contract with State of New Jersey but to investigate and negotiate same.

Mayor DiDonato thanked Joe Pantalone of Chamber of Commerce for his input in this project.

Councilperson Marino stated he feels the building will be an asset to the Town of Hammonton. His concern is traffic pattern in the area and possible placement of traffic light.

ROLL CALL

Councilpersons:
 Bertino - Y
 Colasurdo - Y
 Marino - Y
 Massarelli - Y
 Vitalo - Y
 Wuillermin - Y
 Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Councilperson Massarelli continued:

Enforsys System Project Review and Recommendations (referred to handout)
 Request Review of Ordinance 15-2005 (will conduct meeting at later date)

COUNCILPERSON WUILLERMIN REPORT

Sewer/Water Capital Project Review by Committee
 Water Allocation Status & Award of Contract
 Receive Quotes for painting water tower & Award of Contract
 Downtown Sidewalk Project Status & Public Meeting Town Hall 1/23 at 7:30 pm

Slit Trench Study
Demonstrate Triple Irrigation - Wastewater Elimination Problem \$22,000 cost

COUNCILPERSON MARINO REPORT

Investigate Request for street light Wood Street (no lights at present time)
*residents to submit petition to M&C for same
Drainage problem/Pleasant Street (county has been notified)
Highway Department chipped 1400 Christmas trees to date
Completed leaf pickup at park
Old Pump House at Park - access has been sealed for safety
Thanked Jerry Tell for his donation of time
Highway Personnel assisted Lou Rodio in cleaning up dock
Various parks need sprinkler repairs - Highway to repair
Drainage problem/13th Street
Guardrail installed at Old Town Dump - 11th Street
Town roads graded and repaired
Trash pickup - report on automated trash truck plan/costs

COUNCILPERSON BERTINO REPORT

Education Committee Meeting concerning school budget/other matters
Reviewed January 18 School Board Meeting Committee Reports
Advised that the DOE reports on success as well as problematic curriculum areas

COUNCILPERSON VITALO REPORT

Report on proposed Ampitheater
Repair/enlarge boat loading area
Committee inspected shore line of Hammonton Lake
Clean Day last Saturday morning - cleaned Hammonton Lake Park area
*thanked local businesses for their assistance
Report Status of Clean Flow
Recreation Field Status/Needs
*suggest Highway and Parks work together to accomplish more
Recommend extend Little League Lease
Requested school bus drivers not to use cell phone's while driving bus
Requested committee be formed on current Landlord Ordinance to avoid litigation

Solicitor advised this matter is currently in litigation.

ENGINEER REPORT

SEWER & WATER - ACTION ITEMS

1. Central Avenue Water Main Extension (11-30130):

All improvements to the Third Street portion of the project, including sidewalk, curb, and brick paver installation have been completed. Water main installation continues with progress as of the date of the meeting reaching approximately Golf Drive. Once all main installation has occurred, the Contractor will begin installing services and reconstructing sanitary manholes along the project route. No payment is on this month's bill list.

As discussed with the Sewer and Water Committee ARH is seeking a change order to their original purchase order for construction inspection of the Central Avenue Water Main Extension project in the amount of \$3,200.00. The change order is sought to complete inspection and construction management tasks required for the extra curb, brick paver, sidewalk, inlet reconstruction work, etc. completed on Third Street extending between Bellevue Avenue and Central Avenue. The purchase order could possibly be covered by the original Central Avenue bond amount.

Motion by Councilperson Wuillermin, seconded by Councilperson Massarelli, approval of purchase order to ARH in the amount of \$3,200.00 to cover the cost for inspection and construction management for the extra work completed by the contractor as noted above subject to certification of available funds by the CFO.

Councilperson Bertino questioned what has happened with previous discussion concerning time extension on project and payment to contractor?

Mr. Vettese stated some adjustments have been made to contract but the changes may not affect the cost of the project.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y

Massarelli - Y
 Vitalo - Y
 Wuillermin - Y
 Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

2. Water Allocation (11-30088):

Firm Source Calculation

At the last Council meeting, ARH was authorized to design the 1,500 gpm standby well (Well #7) at the Well 5 site. The plans and specifications are approximately 85% complete. We are awaiting the electrical plans from our sub-consultant. In the meantime, it is our intent to deliver the plans to NJDEP-BSDW prior to the Council meeting since NJDEP is not concerned about the electrical portion of the plans.

In the general course of routine maintenance, existing wells are typically rehabilitated every 5-7 years. It is time for Well 5 to receive this overhaul. The choices were to perform this service prior to the summer or wait and coordinate the rehabilitation effort with the construction of the stand-by well. After reviewing the merits of each option, the Water and Sewer Sub-Committee decided to incorporate the routine rehabilitation of Well #5 within the scope of the construction of the stand-by well. The advantages of incorporating this scope of work into the construction of a new well at the facility are as follows:

- ◆ Potential cost savings due to mobilization of a well drilling contractor that can perform both tasks.
- ◆ Reduces risk of rehabilitating Well #5 prior to having a backup facility in place.
- ◆ No reported decline in service of Well #5 that would cause an immediate concern.
- ◆ Cost saving with regard to engineering costs and the bidding process since two components will be accommodated within one public bid.

ARH has prepared a proposal for the inclusion of the well rehab protocol in the standby well construction bid as desired by the Superintendent and accepted by the Sub-Committee. The proposal is attached hereto for the services required. It is important to note that the construction management component will be the subject of a separate proposal when the well bid is ultimately awarded.

Major Modification Application:

Bids were received on January 10, 2007 for the above captioned project. The bid consisted of a base bid and unit cost for variations of the base bid that may be necessary or required ultimately by NJDEP. There were two bidders and the bid results are attached hereto. The lowest apparent bidder is AC Schultes with a base bid of \$63,200.00.

At the time we prepared the program, we were using guidelines presented to us by our original contact at the NJDEP-Geological Survey (NJGS). The aquifer testing protocol was submitted to the State for review and comment. The Water and Sewer Sub-Committee made a decision to advertise in the effort to save time. Subsequently, we received a formal review of the aquifer testing protocol which was ultimately a different member of NJGS. The formal recommendation to Water Allocation based on the review of our aquifer testing program was much more intensive.

Although Water Allocation personnel are empathetic to the increase of scope suggested by the second reviewer, it appears that we will be responsible for a greater scope even though we plan to negotiate with geological survey the difference from the original protocol. It is important to keep in mind that even if the original protocol was accepted, the NJDEP could ultimately require additional testing prior to allowing an increase in diversion. Therefore, it is a matter of paying for it now or possibly paying for it later.

While we obtain clarification on the ultimate scope that will be acceptable to NJDEP-Water Allocation, it is our recommendation to award the contract to AC Schultes at a cost of \$96,200.00. At this cost, the ultimate worse case scenario is identified.

The following spreadsheet provides an evaluation of the two bidders' pricing with the more intensive protocol recommended by NJGS.

<u>Description</u>	<u>AC Schultes</u>	<u>Uni-Tech</u>
Base Bid	\$63,200.00	\$66,615.00
Additional 72 pump test at Wells 1 and 3	\$10,000.00	\$7,600.00
One Deep Observation well at Well 1 (300')	\$5,500.00	\$9,000.00
Additional 72 pump test at Well 4	\$10,000.00	\$7,600.00
Move of 1 of the 5 Observation well for #5 to #4 (added depth)	\$500.00	\$1,000.00
Additional Deep Observation well at Well 4 (250')	\$5,000.00	\$8,000.00
Additional Shallow Observation well at Well 4	\$1,000.00	\$1,700.00
Estimates cost of stream gauge at Well 4	\$1,000.00	\$1,700.00
TOTAL	96,200.00	103,215.00

As a reminder, the aquifer test proposal is the prerequisite to allow the Town to increase the monthly allocation from 77.5 MG to approximately 113 MG. The application also included a request to increase to the annual allocation of 603 MG to some projected factor that parallels the monthly request for increase.

Award the aquifer testing program bid to AC Schultes for the base bid of \$63,200.00 and the identified additional protocol recommended by NJGS increasing the total award of project to an amount of **\$96,200.00**.

Refer to New Business for resolution.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, authorize ARH to include the Well #5 rehabilitation specification into standby well design bid at a cost of **\$1,850.00** which excludes the construction management component.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

3. 1.5 Million Gallon Water Storage Tower (11-30000):

The Superintendent has requested to include the painting of this facility in the upcoming 2007 Capital Budget. In order to define the scope, a specialist firm is typically engaged to identify the severity of painting needs for the structure. On behalf of the Town, we have solicited quotations for the investigative phase. At the conclusion of the investigative phase which includes a visual examination of the exterior and interior coatings, foundation and appurtenances, a formal specification will be prepared for cost estimating purposes and ultimate bidding. At present, we have one response from a tank coating specialist. We are awaiting a second proposal before submitting our recommendation for award. For budget purposes, the investigation will approximate \$2,000.00.

Quote Received:

Munford Bjorkman Assoc Inc., PO Box 733, New Castle, Delaware \$2,000.00

Motion by Councilperson Wuillermin, seconded by Councilperson Vitalo, authorize purchase order to Munford Bjorkman Assoc, Inc. in the amount of \$2000.00.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

4. Egg Harbor Road Utility Extension Phase II and IIA (11-50111):

The Contractor has completed the sanitary sewer installation for the entire project with the exception of the short 9th Street extension. It is hoped by the date of the meeting that this portion will also be completed. The water main portion of the project currently terminates between the Victory Bible Church and Weymouth Road. Pavement restoration as well as the installation of the remaining utilities will continue until completion.

The Contractor has requested a three (3) week extension to the contract citing weather delays as well as delays in securing the required permit from Atlantic County. The Contractor feels that weather permitting, the project can be completed within the three week extension. Additionally, the contractor has mobilized two (2) separate crews to complete the work. To that extent, we would not object to the three week extension since at this time, it does not appear as though Crown Pipeline will be interfering or delaying the County roadway project.

Payment application #3 appears on this month's bill list for consideration.

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino, approve a three (3) week time extension to the project resulting in a new completion date of February 21, 2007.

Councilperson Vitalo questioned the February 21st date as opposed to inclement weather?

Mr. Vettese advised all contracts take into consideration inclement weather.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

PUBLIC WORKS - ACTION ITEMS

5. Hammonton Lake Survey (06-0510):

As requested by the Mayor, we will provide a proposal to complete the survey work, topography, locations, wetlands delineation and base plan preparation for the Hammonton Lake Park area. The purpose of this work will provide an accurate base plan in order to proceed with future planning, modifications etc. contemplated for the Lake Park area. We were requested to break the project tasks into phases so that the initial portions of the ARH proposal could be authorized as soon as possible and the remaining amount provided for in the 2007 Recreation budget. We will provide a copy of the ARH proposal for Council's consideration at the regular meeting of 1/22/07.

- Phase I \$7,350.00
- Phase II \$18,250.00

Councilperson Vitalo questioned until we know exact funding of lake project, he does not feel we should authorize Phase II this evening.

Mayor advised the funding is available for both Phase I and Phase II projects.

Motion by Councilperson Vitalo, seconded by Councilperson Bertino, approval of ARH proposal for Phase I only to be completed at this time for the survey work required at the Hammonton Lake and issuance of a purchase order to ARH to complete the services noted subject to certification of available funds for an amount of \$7350.00.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, authorize Phase II to include ARH proposal clarification and not state "Field Orientation" for an amount of \$18,250.00.

Councilperson Bertino questioned Phase II wording concerning changing orientation of fields. He suggested that ARH eliminate "Proper Field Orientation" sentence?

Councilperson Vettese advised on the wording of Phase II but advised the sentence can be eliminated or clarified. Mr. Vettese advised he will clarify that sentence "Proper Field Orientation".

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

6. Transportation Enhancements, Bellevue Ave-12th Street Improvements (11-40011):

Since the previous meeting, the Town has been notified that the NJDOT & FHWA have concurred in the award of the contract. Therefore, the contract documents have been executed and the contractor has been notified accordingly. It is anticipated that the water and sewer portion of the project will begin within the next few weeks.

Our office has met with the Chief of Police and the Traffic Control Coordinator of the HPD regarding the project as was discussed in the preconstruction conference. It was felt that Police Officers should be utilized to aid with the traffic control of both vehicles and pedestrians in and around the project work zone while the contractor is completing the improvements within the State Highway. We have developed a cost associated with this work as it relates to the duration of the contract. We would ask that Council consider approving a Purchase Order to the Police Department in the amount as noted below. If Council would not consider approving the entire estimated amount, we would request that at a minimum, some portion thereof be approved so that officers can be onsite until the local residents and merchants become acclimated to the new traffic pattern.

A public meeting has been scheduled for Tuesday, January 23 at 7:30. All downtown merchants are urged to attend as the Town Engineer, Contractor, and other pertinent individuals will be present to answer questions regarding the project.

Councilperson Bertino questioned is police protection included in contractor bid?

Mr. Vettese stated new law 2006 the Town must now provide funding for police assistance when the town bids project.

Motion by Councilperson Colasurdo, seconded by Councilperson Wuillermin, approve a Purchase Order to the Police Department in the amount of \$50,000.00 or portion thereof as deemed appropriate by Mayor and Council subject to a certification of available funds by the CFO.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

SEWER & WATER INFORMATION ITEMS**7. Well #7 (11-30131):**

On December 14, 2006 we again met with the Sub-Committee and South Jersey Gas to review the latest point of our negotiations. An offer has been made by South Jersey Gas to resolve the outstanding issues. The conditions of accepting the offer are being review by the Town Solicitor, sub-committee and our office. We are awaiting to receive the written agreement language from SJG that stipulates the conditions that have been discussed thus far. Again we are hopeful that we will be able to report the contents of the agreement by the next Council meeting.

Councilperson Bertino questioned what is status on Well 7?

Solicitor advised Town is still in process of negotiating an agreement but they are nearly completed.

Councilperson Bertino requested a copy of agreement.

PUBLIC WORKS - INFORMATION ITEMS**8. Safe Routes to Schools (11-01000):**

Application packets were hand delivered to the NJDOT on December 29, 2006. We are currently waiting for applications to be reviewed and decision made by NJDOT. We will keep council informed as we received additional information.

9. Boyer Avenue Recreation (11-50099):

Phase III
Scoping:

Previously we were asked to prepare a proposal for design of Phase III; we are currently working on conceptual plans to be reviewed by the Town. Once we receive a definitive direction regarding the scope of Phase III, we will be able to complete our proposal.

10. Atlantic County Recreation and Open Space Round #7 & Round #8 (11-01064-68):

The Solicitor has sent out a letter to the owners of the following tracts of ground to request their response related to their interest in sale of all or portions of their property.

1. Walmer Street parcel (Wescoat Tract)
2. Grand Street parcel (Portion of former Whitehall tract)
3. St. Martins DePorres parcel (rear wetlands portion)

Once a response is received, the Mayor and Council would have a better idea on how to proceed.

11. Hammonton Lake Herbicide Treatment Price Quotes (11-90026):

As approved at the last Council meeting, Great Blue Inc. of Newton, NJ was requested to proceed with the application process before the Pinelands Commission and the NJDEP to obtain the permits for the herbicide treatment of the lake. Council must keep in mind that the remaining funds to complete herbicide treatment totaling \$8,500.00 must be appropriated in this years recreation budget.

12. Downtown Parking Areas (11-01000-92):

We have received conceptual sketches from Dr. John Woods of the areas where survey base plans were provided. As requested by the Mayor, we will contact the property owners in the block bounded by Bellevue Avenue, Egg Harbor Road, Orchard Street and Second Street so that they may review and comment on the conceptual sketches. We may set up the meeting so as to occur on the same night as the meeting with the merchants related to the Downtown Sidewalk project.

13. 2007 Capital Improvement Projects (11-01001-97):

We met with representatives from the Sewer, Water, Public Works and Recreation Committees to review priority projects for the 2007 calendar year which included preliminary budget allotments for each project. These projects and cost projections must be further reviewed and discussed with the Mayor, Council, Chief Financial Officer, Auditor and Bond Council in order to establish the 2007 budget amounts.

14. Kramer Beverage Retention Basin (11-01000):

As Council is aware, we reported that a permit is required from NJDEP to stockpile the leaves that will be used in the remediation of the Kramer Beverage basin. We expected receipt of the permit in time to implement the program. Unfortunately, this did not occur and Public

Works would not have had sufficient volume of leaves to convey to the project site. Consequently, we postponed this activity until next fall and requested that NJDEP re-evaluate our permit in July of 2007. We will resubmit prior to July so that ample time is available to implement the program.

15. Boyer Avenue Land Application - Pinelands/USGS Study (11-50058):

USGS has provided alternative dates for the status meeting which we requested. We are awaiting for a confirmation from the Sub-Committee as to the best available date for all parties.

16. Pleasant Street Reconstruction State Aid (11-40017):

As noted in the last report, the contractor has substantially completed the project. A punchlist of remaining items has been developed and forwarded to the Contractor for completion. To date, pavement cylinders have been extracted from the roadway, but no official report of conclusions has been provided to our office. Once the report has been generated, we would be able to determine final payment consideration.

There is no payment on this months bill list for Mount Construction. Once the pavement cores have been analyzed and the punchlist items addressed, we will move forward with project closeout. It is hoped that this can be accomplished at the February meeting.

17. ACIA Funding (11-40026):

We have prepared and forwarded the necessary application package to the ACIA for review and comment. We will keep Council apprised of any comment that may be received.

18. Central Avenue Roadway Reconstruction Project (11-40027):

ARH is currently collecting the additional field information necessary for the design of the overall project. It is anticipated that an approval of ARH's proposal to Atlantic County will be granted sometime within the next week. Once the approval is obtained, formal design work, conceptual sketches and public input meeting could occur.

PENDING ISSUES:

- Sludge Management
- Storm Water Management Plan and Ordinance Revisions
- Pine, Basin Oak Road Well Contamination
- NJDEP Surface Water Permit - Hearing rescheduled to March 22, 2007
- Tuckahoe Turf Permit Response
- Well #6 Reuse

SOLICITOR REPORT

Joseph Flood/Lease (Mr. Flood described property upgrades)

Motion by Councilperson Marino, seconded by Councilperson Bertino, authorize Mayor DiDonato to sign lease.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Solicitor continued:

Lincoln Street Well Replacement (discussed under Engineer Report)
Ku Klux Klan opposed to Town requirements for May 12, 2007 demonstration
*Solicitor forwarded letter of response that they must comply
Landlord Registration Litigation (met to discuss changes to ordinance)
COAH/Compliance and Litigation (advised on COAH earlier in meeting)
NJ Manufacturers Ins Co Agreement of Sale

Motion by Councilperson Marino, seconded by Councilperson Vitalo, authorize Mayor DiDonato to sign NJ Manufacturers Contract.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y

Marino - Y
Massarelli - Y
Vitalo - Y
Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

MAYOR REPORT

Town Hall Construction commenced today (advised on various alternate parking)
*thanked previous council for working together on town hall project and encouraged this council to work together to finalize same
Downtown Curb/Sidewalk project to commence shortly
Leaf/trash pickup
Boyer Avenue park ready, encouraged residents to visit same
*Town required to build another 100 acres of fields by law
Thanked community for support of Kessler Hospital
Chat with Mayor approx date February 12th will visit community
Revitalization of older neighborhoods Ordinance-5 yr tax abatement

Motion by Mayor DiDonato, seconded by Councilperson Wuillermin, authorize Solicitor to draft ordinance authorizing tax abatement for those who revitalize older homes for Mayor and Council review.

ROLL CALL

Councilpersons:
Bertino - Y
Colasurdo - Y
Marino - Y
Massarelli - Y
Vitalo - Y
Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Councilperson Bertino reminded Solicitor to follow any pertinent State Statutes when preparing this ordinance.

TOWN CLERK/ADMINISTRATOR REPORT

Clerk Information Items:

CERTIFICATE MAKING AWARD OF \$12,406,000
GENERAL OBLIGATION BONDS CONSISTING OF
\$6,400,000 GENERAL IMPROVEMENTS BONDS \$2,278,000
SEWER UTILITY BONDS AND \$3,728,000
WATER UTILITY BONDS OF THE TOWN OF HAMMONTON
IN THE COUNTY OF ATLANTIC, NEW JERSEY

I, Robert E. Scharle', the Chief Financial Officer of the Town of Hammonton, in the County of Atlantic, New Jersey pursuant to the authority conferred upon me by resolution adopted on January 10, 2006, (the "Resolution"), HEREBY CERTIFY as follows:

1. Pursuant to due advertisement, the following proposals were received at the advertised time and place for the Bonds offered for sale pursuant to the Resolution, each in legally acceptable form and accompanied by the check or Sure-Bid required by the advertised notice:

Name of Bidder	Net Interest Rate	Amount of Bonds	
		Bid For	Amount Bid
Commerce Capital Mkts	3.9864%	\$12,406,000	\$12,430,019.93
UBS Securities	3.9928%	\$12,406,000	\$12,406,027.45
Wachovia Securities	4.1067%	\$12,406,000	\$12,406,533.53

2. Pursuant to the authority conferred upon me by the Resolution, I hereby award the Bonds offered for sale pursuant the Resolution as follows:

Purchaser: Commerce Capital Markets Inc.
Purchase Price: \$12,430,019.93
Amount of Bonds Bid: \$12,406,000

Year	Interest Rate Per		Year	Interest Rate Per	
	Annum			Annum	
2008	4.00%		2015	4.00%	
2009	4.00%		2016	4.00%	
2010	4.00%		2017	4.00%	
2011	4.00%		2018	4.00%	
2012	4.00%		2019	4.00%	

2013	4.00%	2020	4.05%
2014	4.00%		

3. The good faith checks of the unsuccessful bidders shall be returned forthwith.
4. Attached hereto is a true, correct and complete copy of the original proposal of the successful bidder upon which this award is made. Such proposal was received in due form and time on December 21, 2006 accompanied by the check referred to therein. The original proposal is on file in my office and available for inspection.

Clerk Action Items:

Request Velardi, Oddo and Maimone school for CEU's January 26 & 31

Motion by Councilperson Bertino, seconded by Councilperson Marino, authorize attendance of Velardi, Oddo, Maimone at school.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Authorize Bid Trash Truck

Motion by Councilperson Bertino, seconded by Councilperson Marino, authorize Clerk to bid new Trash Truck.

Councilperson Colasurdo stated he is opposed to the purchase of new trash truck because he feels the trash pickup should be contracted out as a significant savings to the Town due to costs such as workers comp, health benefits, maintenance on trucks, fuel costs, lawsuits from accidents, lawsuits from employees, inspectors for trash in toters, toters are hard to roll unless you have blacktop or cement driveways, toters also blow over often blocking driveways. He stated he received complaints from residents with stone driveways who complained about getting the toter to the street. He proposed going back to trash bags thrown on the ground and to do away with trash containers all together. He stated residents can transport the trash bags to the roadway in the trunks of their car. He also proposed a private consulting person conduct a cost study.

Councilperson Vitalo questioned the placing of filthy trash bags in the trunks of cars to bring out to street and suggested this would bring dirt into the trunk of the car.

Councilperson Bertino stated many of the issues of cost that Councilman Colasurdo is alluding too were happening due to the trash trucks being very old and also due to the previous method of trash removal which placed a strain on the employee. He previously served on Highway Committee and has already researched the options. He is of the opinion that the new trash system does and will work but you need to purchase another trash truck. Also, several other municipalities are successfully using the same system.

Councilperson Marino stated he respects Councilman Colasurdo's opinion. However, he stated we are currently investigating the possibility of the Town providing recycling services to our residents in addition to trash removal services as a cost savings to the Town. He further explained the process. He has spoken to several other municipalities who contracted out their trash only to find a savings in the first year and a significant increase of costs in subsequent years. Those municipalities are looking into or have already hired back their employees and resumed local trash pickup.

Mr. Schiernbeck who was present requested to be heard. Responding to Councilman Colasurdo's accusations against the new trash removal system, he stated they are unfair and untrue. He criticized Councilman Colasurdo's idea of placing bags at the street and pointed out that bags laying at street are not better they are dirty and attract animals. He stated the new trash truck was a trial and is supposed to alleviate the need for the two employees on the back. This also alleviates workers comp claims and health problems in the future. An additional truck is needed as one truck cannot accommodate the entire town. The additional truck will once again alleviate two additional employees who would normally be picking up the trash and throwing same in the hopper. Further, the

problems with trucks breaking down and costing money is happening with the old trucks, not the new truck.

Councilperson Colasurdo questioned Mr. Schiernbeck why his opinion on privatization has changed since the Fiscal Oversight Committee Meeting where Mr. Schiernbeck stated he is in favor of privatizing trash removal in Hammonton?

Mr. Schiernbeck responded that the statement was made after lengthy discussions with himself and the Fiscal Oversight Committee in where his opinion in favor of new trash system fell on deaf ears. He further stated that he has been an employee of the Town for 37 years and has served the taxpayers diligently. He's always placed his job first and takes it seriously. He felt that having Mayor and Council disregard his opinion and the time and money spent on the trash removal system thus far is not in the best interest of the taxpayers. He also questioned how many calls did Councilman Colasurdo receive and why were the problems not referred to Lance so that he could try to rectify same? He reiterated that trash pickup can be reduced to 4 days per week but we have to get the people to recycle and he needs Mayor and Council's support for that. In closing he stated as long as he is superintendent the taxpayers will get the best because that is what he is used to providing.

5 Minute Recess

Mayor DiDonato requested a 5 minute recess.

Resume Regular Order of Business

Mayor DiDonato suggested in the future, even though he welcomes everyone's opinions, that those with opinions please try to keep their emotions in tact as Mayor and Council have difficult decisions to make and their decisions may not always be acceptable to everyone but they are making those difficult decisions with the best interest of the taxpayers in mind.

ROLL CALL to bid trash truck

Councilpersons:

Bertino - Y
Colasurdo - N
Marino - Y
Massarelli - Y
Vitalo - Y
Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Authorize Bid Street Sweeping

Motion by Councilperson Bertino, seconded by Councilperson Vitalo, authorize bid street sweeping contract.

ROLL CALL

Councilpersons:

Bertino - Y
Colasurdo - Y
Marino - Y
Massarelli - Y
Vitalo - Y
Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Clerk action items continued:

Renew Delta Dental Plan
Authorize p.o. Great Blue Inc. \$8,500 Rec OE
Confirm CS Appointment Linda Martinelli, Public Safety Telecommunicator
Hire Clerk Typist Finance/Tax Collector 2/12/07
Add On From Jim Massara to Award 2007 Quote Klenphos to Klenzoid Inc.

Motion by Councilperson Bertino, seconded by Councilperson Marino, approve remainder of Clerk Action items.

ROLL CALL

Councilpersons:

Bertino - Y
Colasurdo - Y
Marino - Y
Massarelli - Y
Vitalo - Y

Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

APPROVAL BILL LIST/PAYROLL/OVERTIME-ATTACHED AND TRANSFER RESOLUTION BELOW
#R17-2007 Transfer Resolution

Resolution Providing for the Transfer of Funds in 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 for **2006 Reserve Funds**:

FROM: IN CAP	
Const. SW 6-01-22-126-111	8,000.00
Finance SW 6-01-20-103-111	6,546.57
Police OE 6-01-25-119-21A	16,000.00
	30,546.57

TO: IN CAP	
Police SW 6-01-25-119-111	24,000.00
Gasoline OE 6-01-31-11E-29I OE	4,582.84
Uniform Fire OE 6-01-25-118-281	1,252.28
Legal OE 6-01-20-106-21A	711.45
	30,546.57

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino, approve bill list and transfer resolution.

ROLL CALL

Councilpersons:
Bertino - Y
Colasurdo - Y
Marino - Y
Massarelli - Y
Vitalo - Y
Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

COMMUNICATIONS INFORMATIONAL ITEMS:

From CHIEF FRANK INGEMI donations received from local businessmen
From FERNANDO MELENDEZ request sewer extension (refer Engineer)
From ANDREW KONDRACH reporting a home built near safety zone Airport
*response from NJ DOA today 1/22/07 - Refer to DY Consultants
From NJ DOT renewal aeronautical facility
From COAH proposed amendments 3rd round rules
From COAH regional contribution agreements

COMMUNICATIONS ACTION ITEMS:

From SUSAN SHERMAN ask for repairs to Hangar Road (refer to Eng & Comm)
From WILLIAM BOWMAN request reduction performance bonds (refer Sewer/Water Comm)
From CHAMBER OF COMMERCE request authorization to negotiate State office
*previously discussed
From CHIEF FRANK INGEMI request promotion Robin Ripa to Sr. Clerk Typist

Motion by Councilperson Colasurdo, seconded by Councilperson Marino, promote Robin Ripa to Sr. Clerk Typist effective 1/22/07.

ROLL CALL

Councilpersons:
Bertino - Y
Colasurdo - Y
Marino - Y
Massarelli - Y
Vitalo - Y
Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

From DREAM WORKS HOMES request \$15,000 CD be released

Motion by Councilperson Colasurdo, seconded by Councilperson Vitalo, authorize release of \$15,000 CD to Dream Works Homes.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

From PAT BERENATO, SECRETARY, request refund various Planning Board Escrows

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, authorize refund Planning Board Escrows as recorded in letter from Pat Berenato, Secretary.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

From FIRE CO. #2 approve new member William Off

Motion by Councilperson Bertino, seconded by Councilperson Colasurdo, approve new member Fire Co 2 William Off.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

REPORTS-December 2006

- Town Clerk
- Registrar
- Construction Official

Ordered received and filed.

NEW BUSINESS-ORDINANCES

Ordinance #001-2007 Bond Ordinance Trash Truck

Ordinance #001-2007

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A TRASH TRUCK AND ANCILLARY EQUIPMENT IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$260,000 AND AUTHORIZING THE ISSUANCE OF \$247,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Town of Hammonton, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$260,000, including the sum of \$13,000 as the down payment required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$247,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of a trash truck and ancillary equipment, including all costs necessary 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 established in this ordinance.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no 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.

Section 5. The capital budget of the Town of Hammonton is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. 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 as a general improvement, 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 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$247,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$25,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. 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.

Section 8. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy ad valorem taxes upon all the taxable real property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Motion by Councilperson Bertino, seconded by Councilperson Vitalo, the ordinance be taken up for first reading, pass first reading and be given legal publication.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - N
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R18-2007 Amend Taxi Operator License (add operator)

#R 18-2007

RESOLUTION AMENDING RESOLUTION 166-2006
AUTHORIZING A TAXICAB/TAXIOPERATOR LICENSE
IN THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY

WHEREAS, it is a requirement of the Mayor and Common Council of the Town of Hammonton, County of Atlantic and State of New Jersey that in the matter of the authorization and issuance of **Taxicab License** and **Taxi Operator License**, a resolution be adopted, which resolution shall specifically determine and name the person(s) adjudged to be entitled to such licenses.

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 following named person(s) be and are hereby adjudged to be entitled to a **Taxicab License**:

Dorset Camper

AND BE IT FURTHER RESOLVED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic and State of New Jersey that the following named person(s) be and are hereby adjudged to be entitled to a **Taxi Operator License**:

Dorset Camper
George R. Bauder

AND BE IT FURTHER RESOLVED that the Town Clerk/Administrator be and is hereby authorized to issue such licenses effective January 1, 2007 through December 31, 2007.

#R019-2007 Appointing Assessor as Tax Agent

RESOLUTION #019-2007

RESOLUTION APPOINTING ASSESSOR AS AGENT FOR TOWN OF HAMMONTON

WHEREAS, from time to time the Assessor discovers an error in calculation, transposing, measurement, computer or typographical errors in the Tax Assessments on the Tax List after the time the County Board of Taxation has certified the tax rate for the tax year; and

WHEREAS, the governing body of the Taxing District of the Town of Hammonton is desirous that every taxpayer pays his fair share of taxes; and

WHEREAS, if the above discovered errors are not corrected the taxpayers affected would be paying more than their fair share of taxes; and

WHEREAS, the method of correcting such errors is to file a Petition of appeal for the current year with the Atlantic County Board of Taxation; and

WHEREAS, the error was not caused by the taxpayer.

THEREFORE BE IT RESOLVED, by the governing body of the Town of Hammonton that the Assessor is hereby authorized to act as an agent for the Taxing District and file a Petition of Appeal or Appeals for the **year 2007** with the Atlantic County Board of Taxation to correct such errors and lower such assessments to the current value; and

That a copy of any Petition of Appeal filed with the Atlantic County Board of Taxation under this RESOLUTION be filed with the municipal clerk; and

That a certified copy of this Resolution be forwarded to the Atlantic County Board of Taxation with any such Petition of Appeal.

#R020-2007 Defer School Tax

#R 20-2007

DEFER SCHOOL TAX

WHEREAS, regulations provide for the deferral of not more than 50% of the annual levy when school taxes are raised for a second year and have not been requisitioned by the school district; and

WHEREAS, the Division of Local Government Services requires that a resolution be adopted by a majority of the governing body prior to February 10 of the year subsequent to the deferral, authorizing an increase in the amount of the deferral; and

WHEREAS, it is the desire of the Governing Body of the Town of Hammonton, County of Atlantic to increase the amount of local school deferred taxes by \$585,937.00.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Town of Hammonton that the amount of deferred local school taxes be increased to \$8,026,746.00.

#R021-2007 Professional Services VFD Repairs

#R 21-2007

RESOLUTION AUTHORIZING A **PROFESSIONAL SERVICES** AGREEMENT WITH EMF CONTROL SERVICES FOR **VFD REPAIRS** FOR THE TOWN OF HAMMONTON, ATLANTIC COUNTY, NEW JERSEY FOR THE YEAR **2007**

WHEREAS, there exists a need for VFD repairs at the Hammonton Wastewater Treatment Plant;

WHEREAS, the Wastewater Treatment Plant Superintendent has recommended that a professional services contract be awarded to EMF Control Services in a total amount of **\$17,400.00** and;

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

WHEREAS, N.J.S.A 40:A:11-1-et seq. requires that the resolution authorizing the award 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 COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY that the Mayor and Town Clerk are hereby authorized to enter into an agreement with **EMF Control Services, 2546 Faust Road, Gilbertsville, PA 19525**, to do all necessary VFD repairs at the Wastewater Treatment Plant.

BE IT FURTHER RESOLVED that the contract is awarded without competitive bidding as a professional service accordance with N.J.S.A. 40:A:11-5(1)(a) of the Local Public Contracts Law because said services to be rendered or performed require knowledge of an advanced type in a field of learning acquired by the prolonged formal course of specialized instruction distinguished from general academic instruction or apprentice and training.

#R022-2007 Appoint Chris Ballin Safety Coordinator

#R 022-2007
R E S O L U T I O N

WHEREAS, the Town of Hammonton as a member of the Atlantic County Joint Insurance Fund must have a Safety Director appointed; and

WHEREAS, the Town has reviewed the requirements of the position and has determined that it would be in the best interest of the Town to appoint **Chris Ballin** to the position of Safety Director; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council that the Mayor and Council of the Town of Hammonton hereby appoints **Chris Ballin** as the Municipal Safety Director; and

BE IT FURTHER RESOLVED that **Chris Ballin** will serve in that position until such time as the term expires and/or the Town accepts his resignation.

#R023-2007 Temporary Capital Budget

#R 23-2007
TOWN OF HAMMONTON
TEMPORARY CAPITAL BUDGET

WHEREAS, the need has arisen to introduce bond ordinances to provide funds for the Acquisition of a Trash Truck and Ancillary Equipment from the General 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>Description</u>	<u>Total Appropriation</u>	<u>Bonds or Notes</u>	<u>Downpayment -- Capital Improvement Fund</u>
General Capital Fund			
Acquisition of a Trash Truck and Ancillary Equipment	\$ <u>260,000</u>	\$ <u>247,000</u>	\$ <u>13,000</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>General Capital Fund</u>	
Acquisition of a Trash Truck and Ancillary Equipment	\$ 260,000
- (2) the project 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.

#R024-2007 Community Development Block Grant

#R 24-2007

RESOLUTION OF THE GOVERNING BODY
OF THE TOWN OF HAMMONTON
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the Town of Hammonton has opted to participate in the Atlantic County Community Development Block Grant (CDBG) Program for; and

WHEREAS, as a participant, the Town of Hammonton expects to be allocated \$69,804.00 for the project known as ADA Improvements - Curb Cuts and reconstruction of 12th Street; and

WHEREAS, in order to be allocated CDBG funds, the Town of Hammonton must enter into a interlocal service agreement with the Atlantic County Improvement Authority, the administrator of the Atlantic County CDBG Entitlement Program;

NOW, THEREFORE, BE IT RESOLVED, that the Agreement by and between the Atlantic County Improvement Authority and the Town of Hammonton which is attached hereto, is approved and the Chief Elected Official and the Municipal Clerk are authorized to sign said agreement.

#R025-2007 Tax Resolution January

#R 25-2007
R E S O L U T I O N

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

Block	Lot	INCORRECT	CORRECTION	NAME	PER	ACCT/REASON
3905	21	<706.00>	253.60	MORRISSEY	JIMMY	SEWER/CORRECTION
1901	16.01	<2,125.93>	208.80	CALABRIA	JIMMY	WATER/CORRECTION
3102	14	<26.10>		OLIVO	JIMMY	WATER/CORRECTION
3601	35	<1,262.79>	142.24	LODUCA	JIMMY	WATER/CORRECTION
3202	9	<26.10>		WEISEL	JIMMY	WATER/CORRECTION
4301	2C0171	<469.80>		BERTINO	JIMMY	WATER/CORRECTION
2006	5	<16.97>	208.80	CESSATO	JIMMY	WATER/CORRECTION
2006	5	<134.90>	39.35	CESSATO	JIMMY	SEWER/CORRECTION
1901	8	<52.20>		SILVESTI	ROSIE	WATER/CORRECTION
1901	8		19.60	SILVESTI	ROSIE	SEWER/CORRECTION
1902	9	<1,950.00>		CARADO	JIMMY	SEWER/CORRECTION
2812	17	<1,162.76>		CRESCENZO	JIMMY	WATER/CORRECTION
2812	17	<1,746.00>		CRESCENZO	JIMMY	SEWER/CORRECTION
3904	77	<1,874.18>		KONTODIMAS	JIMMY	WATER/CORRECTION
4908	2C033	<2,585.80>		WOLF	ROCKY	SEWER/CORRECTION
4912	1C0168	<818.24>		GRUVMAN	JIMMY	WATER/CORRECTION
2003	2	<400.00>		BAGLIVO	ROSIE	SEWER/CORRECTION
4903	24	<6,279.64>		GALIANO	ROSIE	TAX/REFUND OVER PAID

ALL CORRECT BILLS ARE DUE TO READING ERRORS.

WHEREAS, the tax collector be authorized to transfer all credits from 2006 to 2007 on tax, water and sewer.

NOW THEREFORE BE IT RESOLVED by mayor and council to authorize and direct the tax collector to credit, transfer, cancel, refund, or change the above accounts.

#R026-2007 Authorize Tax Sale

#R 26-2007

RESOLUTION AUTHORIZING THE TAX COLLECTOR
TO CONDUCT A TAX SALE
IN ACCORDANCE WITH N.J.S.A. 54:5-19
AND CHAPTER 99, P.L. 1997

WHEREAS, it appearing that delinquent taxes, water and sewer and other municipal charges for the **year 2007** are set forth on the records and books of the Town of Hammonton; and

WHEREAS, the statutes of the State of New Jersey, N.J.S.A. 54:5 mandate a tax sale for the collection and enforcement of delinquencies; and

WHEREAS, proceeding are to be commenced when a property is in arrears after the eleventh day of the eleventh month of the fiscal year in question, and with the tax sale taking place any time thereafter;

WHEREAS, New Jersey Statute, sets forth the conditions pursuant for said tax sale, advertising, etc. to be conducted after November 11th of the fiscal year; and

WHEREAS, the Tax Collector of the Town of Hammonton is empowered by statute to conduct and preside over liens.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Hammonton that the Tax Collector is authorized to conduct a tax sale for all **2007** delinquent taxes, utilities and other municipal charges.

BE IT FURTHER RESOLVED, that on the **26th day of December, 2007**, Rosemarie Jacobs, Tax Collector/Treasurer is authorized to sell by assignment the various tax sale certificates.

#R027-2007 Award Bid Aquifer Testing

Resolution # 27-2007

RECOMMENDATION OF AWARD
AQUIFER TESTING PROGRAM TO AC SCHULTES INC.

WHEREAS, the Mayor and Town Council of the Town of Hammonton is in the process of applying to the NJDEP for an increase in the monthly and annual diversion rights assigned to the Town's water system; and

WHEREAS, a prerequisite of obtaining said approval from the NJDEP requires that the Town's current water supply system be tested to obtain the feasibility of whether the supplying aquifers could withstand the requested increase in diversion; and

WHEREAS, the means to determine the aquifer's capability is through the performance of an aquifer testing procedure; and

WHEREAS, bids for the aquifer testing procedure were taken on January 10, 2007 ; and

WHEREAS, the scope of work consisted of a base bid and unit pricing to complete testing at one or all facilities based on the ultimate requirements of NJDEP to which awrd of this bid should be conditioned; and

WHEREAS, from the time the bids were received and evaluated, the NJDEP formally set forth its requirement that all three well facilities must be covered under the testing program ; and

WHEREAS, the structuring of the bid allowed for an award based on the ultimate NJDEP requirements; and

WHEREAS, the Town Engineer has reviewed the bids and made a recommendation to the Water and Sewer Sub-Committee; and

WHEREAS, Sub-Committee has reviewed and accepted the recommendation of the Town Engineer to award the contract to the lowest responsible bidder for the base bid and the unit pricing to address the December 8, 2006 requirements of the NJDEP; and

THEREFORE BE IT RESOLVED, that the Mayor and Council of the Town of Hammonton hereby awards the contract to AC Schultes, Inc. of Woodbury, NJ whose base bid of \$63,200.00 along with a projected cost to implement testing at the other locations required by NJDEP for an additional \$33,000.00 resulting in a total contract award of \$96,200.00 per the attachment and subject to the following conditions:

1. Review and Approval of the bid documents by the Town Solicitor.
2. Certification as to the availability of funds from the Town's Chief Financial Officer.
3. Receipt of final determination form NJDEP which may reduce scope of project.

That the residing officer (Mayor) of this body be and is hereby directed to sign for and on its behalf the contract in the prescribed form for said construction.

BASIS OF AWARD

<u>Description</u>	<u>AC Schultes</u>
Base Bid	\$63,200.00
Additional 72 pump test at Wells 1 and 3	\$10,000.00
One Deep Observation well at Well 1 (300')	\$5,500.00
Additional 72 pump test at Well 4	\$10,000.00
Move of 1 of the 5 Observation well for #5 to #4 (added depth)	\$500.00
Additional Deep Observation well at Well 4 (250')	\$5,000.00
Additional Shallow Observation well at Well 4	\$1,000.00
Estimates cost of stream gauge at Well 4	\$1,000.00
TOTAL	\$96,200.00

#R028-2007 Professional Services Craig Testing

#R 28-2007

RESOLUTION AUTHORIZING A **PROFESSIONAL SERVICES** AGREEMENT WITH CRAIG TESTING LABORATORIES INC. FOR **FIELD TESTING** FOR THE TOWN OF HAMMONTON, ATLANTIC COUNTY, NEW JERSEY FOR TOWN HALL CONSTRUCTION PROJECT

WHEREAS, there exists a need for field testing at the site of the Town Hall Construction Project;

WHEREAS, Craig Testing Laboratories Inc. submitted a proposal as follows:

Soil Field Services

Soil washed gradation only (mechanical analysis)	\$40.00
Laboratory Control curve (proctor) and washed gradation (mechanical analysis). Unit price per sample	\$120.00
Soil samples for laboratory testing that require a special trip to jobsite. Unit price per sample	\$100.00
<u>Field Soils Technician with Nuclear Moisture Density Meter</u>	
Field soil tech to monitor and test placement and compaction of fill. Unit price per trip	\$195.00
Overtime rate unit price per hour	\$36.75
<u>Concrete Testing & Inspection</u>	
Field concrete technician monitor the consistency of each load of concrete.	
Unit price per trip	\$180.00
Overtime rate unit price per hour	\$33.75
<u>Concrete Cylinder Testing</u>	
Unit price per cylinder	\$12.00
Unit price per trip	\$40.00

Footing Bottom Inspection

Unit price per trip	\$210.00
Overtime rate unit price per hour	\$39.50

Masonry/Mortar Field Services

Unit price per trip	\$220.00
Overtime rate unit price per hour	\$41.25

Mortar Cube Testing

Unit price per cube	\$12.00
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Structural Steel Testing & Inspection

Unit price per trip	\$260.00
Overtime rate unit price per hour	\$48.75

*2 or more services may be provided by one inspector if scheduled in advance (and if feasible) and will be charged at the higher of the quoted rates plus \$25.00/for each add'l inspection service.

Additional costs and terms of this agreement:

1. Overtime rates applicable for hours prior to 8:00 a.m. or after 4:30 p.m. and will be charged at 1 ½. Double time on Sunday and holidays
2. Scheduling calls prior to 3:00 p.m. day prior. Town will be charged for cancellations other than inclement weather.
3. A cancellation charge will be charged when personnel are cancelled or arrive on site and are not utilized.
4. Billing is on monthly basis. Service charge of 2 percent per month will be charged on all bills passed due 30 days.
5. Craig testing will charge any additional insurance certificate costs requested by client to client.
6. If this quotation is not accepted within three months, Craig Testing reserves right to submit a current proposal.
7. On anniversary of quotation all rates shall be subject to increase of 10 percent.
8. In any suit brought to collect fees due under this agreement, the customer agrees to pay all of Craig Testing collection costs.
9. Unless stipulated otherwise, round trip mileage will be charged at \$20.00 per diem.

- 10. Three copies of reports will be provided at part of our contract. Add'l copies of reports requested will be prepared and billed at \$.25 per page.
- 11. Costs for fees, permits or other items required by Local, State or Governmental Agencies will be invoiced to client at direct cost at completion of project.
- 12. An administrative charge of 5.0% of the monthly invoice fee will be charged to cover costs of reports, postage, facsimile transmittals and other incidental expenses.
- 13. Management time, other than our Professional Engineer, will be billed at \$85.00/hr (4 hr min) for attendance at meetings when requested by the client.

WHEREAS, funds are available under appropriate Ordinance; and

WHEREAS, N.J.S.A 40:A:11-1-et seq. requires that the resolution authorizing the award 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 COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY that the Mayor and Town Clerk are hereby authorized to enter into an agreement with **Craig Testing Laboratories Inc.**, to do all necessary field testing at the site of the New Town Hall Construction Project.

BE IT FURTHER RESOLVED that the contract is awarded without competitive bidding as a professional service accordance with N.J.S.A. 40:A11-5(1)(a) of the Local Public Contracts Law because said services to be rendered or performed require knowledge of an advanced type in a field of learning acquired by the prolonged formal course of specialized instruction distinguished from general academic instruction or apprenticeship and training.

#R029-2007 TEA Grant

Resolution #029-2007

**AUTORIZATION FOR THE GOVERNING BODY TO EXECUTE
GRANT AGREEMENTS FOR THE
TRAIN STATION AND HISTORIC DOWNTOWN PEDESTRIAN LINK, PHASES II & IV**

WHEREAS, the Mayor and Town Council of the Town of Hammonton wishes to revitalize its historic downtown through curb, sidewalk, and landscape improvements; and

WHEREAS, \$410,000 in grant funds are available to the Town of Hammonton through the Transportation Enhancement Program; and

WHEREAS, the Town wishes to obtain said grant money and pledge it towards the project as named above.

THEREFORE BE IT RESOLVED, that the clerk and Mayor of this body be and is hereby directed to sign all documents necessary to fully secure the \$410,000 grant from the funding agency.

Motion by Councilperson Bertino, seconded by Councilperson Marino, resolutions numbered 18 through 29 be adopted.

Councilperson Vitalo questioned definition of JIF safety director.

The Clerk advised safety director mandated by JIF and oversees and enforces safety program of the Town of Hammonton.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

LICENSE APPROVAL

- Friends of St. Anthony of Padua (ABC) 3/24/07 and 6/3/07
- St. Martin Altar Rosary Society (Raffle) 3/13/07
- Holy Name Society St. Joseph's (Raffle) 2/20/07

Motion by Councilperson Colasurdo, seconded by Councilperson Bertino, approve license applications. Motion carried.

PUBLIC HEARD

Mark Santora - 385 Old Forks Road

Mr. Santora once again discussed ongoing Pulte retention pond specifically on Thanksgiving Day when he viewed water in main basin lowering and water running over and draining under Old Forks Road dam. He advised at this point the retention basin is not retaining any water and there are also thousands of fish present in the water. He is requesting repair to same. He questioned if Mayor DiDonato has attempted to contact anyone in this regard?

Councilperson Vitalo questioned why is there not a fence around the basin?

Mr. Vettese advised Mr. Vitalo to review Planning Board documentation as the present circumstance is what was approved at Planing Board level.

Councilperson Vitalo stated even if Planning Board approved same he still thinks this Mayor and Council should enforce a fence.

Mr. Santora requested he be kept abreast of the situation in writing.

Sam Giordano - 18 Gerry Lane

Mr. Giordano requested Solicitor look into Bowman Co. as there is a rumor they are going bankrupt and questioned if they do go bankrupt what does this mean for the current bonds?

Solicitor advised bonds will remain in effect but he will look into Bowman bankruptcy allegation.

Craig Testing Cap

Motion by Councilperson Colasurdo, seconded by Councilperson Vitalo, place a cap on Craig Testing billing in the amount of \$1500 and discuss pricing at each monthly meeting where it appears on bill list.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Taxi Cab Insurance Requirements

Solicitor questioned taxi cab insurance requirements and stated he will follow up with PJ Pullia, RMC concerning same.

#R 30 -2007 Resolution Enter Into Executive Session

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. Approve Executive Session Minutes
- 2. Personnel
- 3. Litigation

BE IT FURTHER RESOLVED, that the minutes of said Executive Session shall be released only after same will have no adverse effect on the matters involved as determined by the Mayor and Common Council.

Motion by Councilperson Colasurdo, seconded by Councilperson Marino, the resolution be adopted.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y

Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Resume Regular Order of Business

Motion by Councilperson Colasurdo, seconded by Councilperson Bertino, resume regular order of business. Motion carried.

Pay Police Comp Time accumulated in 2006

Motion by Councilperson Marino, seconded by Councilperson Colasurdo, pay police comp time accumulated in 2006 and carry over up to 40 hours each employee per contract.

ROLL CALL

Councilpersons:
Bertino - Y
Colasurdo - Y
Marino - Y
Massarelli - Y
Vitalo - Y
Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Ratify Police Settlement

Motion by Councilperson Colasurdo, seconded by Councilperson Vitalo, ratify police settlement.

ROLL CALL

Councilpersons:
Bertino - Y
Colasurdo - Y
Marino - Y
Massarelli - Y
Vitalo - Y
Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Pay Radio and Computer Tech comp time from 2006

Motion by Councilperson Colasurdo, seconded by Councilperson Bertino pay Radio Department and Computer Tech comp time from 2006.

ROLL CALL

Councilpersons:
Bertino - Y
Colasurdo - Y
Marino - Y
Massarelli - Y
Vitalo - Y
Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Authorize Police to Take Police Vehicles Out of Town Temporarily

Motion by Councilperson Colasurdo, seconded by Councilperson Marino, authorize police to take police vehicles out of town, rather than leave parked in Town Hall parking lot, during construction of new Town Hall only at which time they will resume parking vehicles after shift.

ROLL CALL

Councilpersons:
Bertino - Y
Colasurdo - Y
Marino - Y
Massarelli - Y
Vitalo - Y
Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

PBA Grievance - Funeral Leave

Motion by Councilperson Colasurdo, seconded by Councilperson Bertino grant Jerry Martinez 1 funeral leave day per PBA Grievance.

ROLL CALL

Councilpersons:
Bertino - Y
Colasurdo - Y
Marino - Y
Massarelli - Y
Vitalo - Y
Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

#R31-2007 Employee Severance Plan

#R 031-2007

EMPLOYMENT SEVERANCE PLAN

The Town of Hammonton hereby resolves as follows:

1. Any employee who has at least (30) years of employment service to the Town is eligible to elect to participate in this plan.
2. Eligible electing employees will also receive the equivalent of one year of their 2007 salary (including longevity) paid out over four years in equal installments in April of each year, beginning in April 2008. Example: If 2007 salary was \$40,000.00, the electing employee would receive four payments of \$10,000.00 in April 2008, 2009, 2010 and 2011.
3. An eligible, electing employee will receive compensation for unused sick time and vacation time as per the Town ordinance.
4. The election must be made on or before February 22, 2007 by completing and signing the appropriate form and filing it with the Town Clerk. Failure to file within this time period bars the employee from participation.
5. Contemporaneous with the election, the employee must submit to the Town Clerk his/her irrevocable letter of separation from employment, which date of separation must be prior to June 1, 2007.
6. Mayor and Council reserve the right to rescind this resolution prior to implementation of the severance plan if they determine that implementation will have an adverse financial and/or operational impact.

Motion by Councilperson Colasurdo, seconded by Councilperson Vitalo, the resolution be adopted.

ROLL CALL

Councilpersons:
Bertino - Y
Colasurdo - Y
Marino - Y
Massarelli - Y
Vitalo - Y
Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

ADJOURN

Motion by Councilperson Vitalo, seconded by Councilperson Bertino, the meeting be adjourned. Motion carried.

Minutes prepare by April Boyer Maimone, Assistant Municipal Clerk

Minutes approved by Susanne Oddo, Town Clerk/Adm.