

REGULAR MEETING OF COUNCIL

Held in Town Hall Council Chamber

100 Central Avenue, Hammonton, N.J.

Monday, February 27, 2006 at 7:00 P.M.

MEETING CALLED TO ORDER BY MAYOR DIDONATO at 7:00 p.m.

ROLL CALL

Mayor DiDonato

Councilpersons: Bertino, Colasurdo, Falcone, Massarelli, Wuillermin

Absent: S. Lewis

PRESENT ALSO

Brian Howell, Town Solicitor

Bob Vettese, Town Engineer

PLEDGE OF ALLEGIANCE

PUBLIC SAFETY NOTICE

This meeting has been properly posted on the bulletin board reserved for such notices on the first floor of the Town Hall 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.

APPROVAL OF MINUTES

Motion by Councilperson Falcone, seconded by Councilperson Wuillermin, the minutes of the Regular Meeting of 2/13/06 be approved and reading of same dispensed with. Motion carried.

PUBLIC HEARD FOR AGENDA ACTION ITEMS

Mayor DiDonato opened the meeting to the public.

No one desired to be heard.

Motion by Councilperson Colasurdo, seconded by Councilperson Bertino, the public portion be closed. Motion carried.

COMMITTEE REPORTS

COUNCILPERSON BERTINO

## Public Works and Transportation Committee

### Streetlight Committee Report

The Towns streetlight committee recently reviewed the lighting plans for the Tomasello and Continisio subdivision on Walnut St. The committee reviewed the engineers suggestions and modified the plans to coincide with the preferred streetlight locations we discussed. Therefore, tonight the committee is requesting council's approval of this lighting plan. (needs a motion)

### Shade Tree Commission Report

At the shade tree commission meeting of February 2<sup>nd</sup> the commission took the following actions:

Heard testimony from Mr. Presti from Walmer St. regarding a tree on his property that needed to come down because of danger to his home as indicated by his insurance comp. Town Solicitor Brian Howell who was in attendance requested a copy of the insurance comp letter and the commission approved the removal.

The commission denied the removal of trees at the following locations:

651 E. Pleasant St.

211 S. Liberty St.

Pat Mahoney of Asplundh was requested to provide the commission with a quote to do the necessary tree work on Bellevue Ave so we can include it in the budget requests to council this year. Asplundh is planning to do some Atlantic City Electric work on the same Bellevue Ave trees this year and we believe doing the towns work at the same time will save us a lot of money.

### Rent Control Board Meeting

The rent control board met February 22. That evening the board heard testimony from residents of MarJar Apts with some concerns about building and rent issues they were experiencing. Also, pursuant to the provisions of the Rent Control ord adopted by Mayor and Council the new ceiling rent for all apt units subject to this ord has been determined to be 371.80 % of the certified base rentals registered and on file with the Bd. This increase represents the % increase of the CPI index as published by the US Dept of Labor for all Urban Consumers in the Phila-Wilmington-AC Area for Dec 2005. This excludes any sewer surcharge that may have been granted in the calculations. It is applicable to all rental units subject to rent control in the town.

### Egg Harbor Rd, Central Ave Rd Project

The Public Works Commission has scheduled a meeting with representatives of Atlantic County to review the status of the Central

Ave and Egg Harbor Rd and utility project. The meeting is scheduled for March 3 and I will keep Mayor and Council informed of our progress.

#### Airport Committee Report

DY Consultants, the Town's Airport Engineers, and Dan Chiofalo, the Airport Advocate, recently met with representatives of the FAA to discuss the town's plans for airport capital improvement projects for this year. The FAA has made the following suggestions for funding:

Structure the bid so that half of the apron and half the detention basin comprise the first phase which is approx \$680,000.00 and add the entire basin as an alt bid approx \$800,000.00 (This project relates to the aircraft parking apron on the bean field side of airport). Begin the design and permitting for a new access road that will be located on the newly acquired bean field property and will be used to access the proposed t-hangars and automobile parking. Road relocation to relocate Academy drive due to the fact that it is an obstruction to the current runway and needs to be moved, this project was contingent on the land acquisition of the Master Wire Fence Company which Mayor and Council already authorized the solicitor to complete the purchase of.

Atlantic City Electric has been working with Andy Kondrach, our Airport Administrator, and to date these issues have been resolved. All of the red warning lights have been repaired on the wires around the airport and should be working, the Electric Company's Forestry Division will cut the dead tree just north of the fuel tanks on Academy Drive to a level below their lines.

The Airport Committee has had a meeting with a prospective tenant for our south hangar. We will be meeting with them again shortly and our first meeting went very well and the committee will be coming to council with a proposal for rent shortly.

#### Authorize Street Light Plan - Walnut Street subdivision

Motion by Councilperson Bertino, seconded by Councilperson Falcone authorize Street Lighting Plan for Walnut Street subdivision. Engineer to provide lighting plan to Clerk office to place order with Atlantic City Electric Rick Cressey.

All present members of council voted in the affirmative. Absent: Councilperson S. Lewis.

Mayor DiDonato declared the motion carried.

#### Rent Control Board Thank You

Councilperson Colasurdo thanked Linda Frankenfield and Michael Juan for their work on Rent Control Board.

#### Shade Tree Removal Request

Councilperson Colasurdo questioned a previous tree removal request that was denied in 2005 due to the tree being healthy as well as being located on a county roadway. He stated the tree is located at the property of Dora Berenato S. First Road.

Mr. Anthony Marino, Shade Tree Chairman, was present and confirmed that the tree located on Mrs. Berenato's property is not dead and does not need to be removed.

#### New Trash Toters

Councilperson Massarelli stated she received requests from homeowners in need of additional toters at their residences.

Councilperson Bertino advised that the first round of toters are still being delivered to residents and after all toters have been dispersed, the property owner may request an additional toter at no charge.

Councilperson Colasurdo wanted to go on record as being in favor of giving the resident an extra toter and not charging for same as he feels the trash removal for the town may be contracted out in the future.

#### COUNCILPERSON FALCONE

I attended the Hammonton Board of Education's February 16<sup>th</sup> meeting. The following issues were discussed:

1. The bids for the demolition of the two houses located on the White Horse Pike have been received.
  - a. The rumor that the demolition was part of the recently passed referendum was said to be not true. The demolition was not part of the referendum.
1. The BOE'S Bond Council will be at their next meeting on March 16<sup>th</sup>. The public will be heard and may ask questions.
  - a. Refinancing of the debt will be discussed. If there is no cost savings there will be no refinancing.
1. Bids for the new road will be received on March 14<sup>th</sup>.
2. The Architect is work on the Addition Plan.
3. The Board is working on a policy to televise their meeting.
4. The Board received the Special Education Monitoring Summary; this is a State of New Jersey evaluation of the Special Education Program. The Hammonton District was commended by the State on their Self Assessment. The areas needing improvement are being addressed.
5. Is there a decision on the meeting dates to be held between the Education Committee (Falcone & Bertino), Mr. Howell and the appropriate Board members? Subjects to discuss are Shared Services and the Early Payment.

COUNCILPERSON S. LEWIS

In the absence of Councilperson S. Lewis the Town Clerk read her report as follows:

Park Commission

At the Park Commission meeting of February 21<sup>st</sup> the Commissioners voted to support the authorization of Gowers to rehab 2 fields and seed Phase I of Boyer Avenue, if we can continue to use the 11<sup>th</sup> Street fields, if not then the Commissioners support sod for this project. The cost of seeding is \$39,000. The cost of sodding is \$98,600. Brian Howell may have an answer from Green Acres as to the ability to use the 11<sup>th</sup> St site or not. Based on his information I recommend Mayor and Council vote for the appropriate recommendation from the Park Commission.

Brian Kling from Clean Flo was present to explain the Continuous Laminar Flow and Oxygenation System to the new commissioners and provide evidence and answer questions regarding the effectiveness of this product for cleaning the lake.

Mr. Kling offered a proposal to provide one unit at the beach for approximately 6 months, at a cost of \$36,650. This would be a pay as you go plan. One Sixth of the total would be done each month for six months. The process must be in place by the end of April. Clean Flo will do the maintenance Mr. Kling guarantees that the beach won't close, and also guarantees satisfaction. If we are not satisfied then we would be reimbursed the entire amount of \$36,650. The Commissioners support this proposal. A proposal will be available from Mr. Kling for the Solicitor to review. Also, we need guidance as to the bid process since Clean Flo appears to be a fairly unique product. Can we do a resolution for Special Service? Does the need to go out for competitive bid? In any event I would like to support of Mayor and Council to move this process forward subject to any conditions as deemed necessary by the Solicitor.

11<sup>th</sup> Street Recreational Facility

Brian Howell, Solicitor, advised on status of 11<sup>th</sup> Street Ball Field. Green Acres requires historic data on property such as: was property designated as industrial at the onset, what was the intention at the time the 11<sup>th</sup> Street hockey rink was placed at that location. The Town needs to supply information as to determine whether this property should be considered recreational or industrial. The Solicitor stated it is his opinion that the property is considered industrial.

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino, authorize one year extension on the 11<sup>th</sup> Street Recreational Facility Fields and authorize seeding of Boyer Avenue Rec Fields in an amount \$39,000.00.

ROLL CALL:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Yes

S. Lewis - Absent

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

COUNCILPERSON WUILLERMIN

Various Projects

Councilperson Wuillermin highlighted several items that will appear on Engineer Report and also appear under New Business this evening such as the Award of Bid for Well #7, USRD Bellevue Avenue Rt. 54 Project, Cottage Avenue Project, Central Avenue water main extension, and the Kessler Hospital Foundation Project.

Councilperson Falcone questioned the additional debt taken on should this Mayor and Council approve the Rt. 54 Project?

Councilperson Bertino stated that even though you are only applying for the grant for Rt. 54 Project, if we do receive the funding the town must make them part of this years budget.

Councilperson Wuillermin advised that he is aware of same.

MUAC Recommendation

The Solicitor advised upon his investigation of same he found that the MUAC was created by Council and this Mayor and Council certainly have a right to dissolve MUAC.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, authorize Solicitor to prepare ordinance to dissolve MUAC.

ON THE QUESTION:

Councilperson Bertino once again expressed his concerns in dissolving MUAC. Councilperson Bertino stated there are many committees and boards of the town, including MUAC, who's volunteers have done a great job in serving the town. He once again stated many reasons for keeping the MUAC Committee. He stated that the applicants may be intimidated by making application on television before Mayor and Council. He asked for council to consider what he has told them when voting on dissolving MUAC.

Councilperson Falcone stated MUAC meetings last several hours and are very much in depth. He also mentioned this Mayor and Council have created additional oversight committees and does not understand why they are signaling out MUAC. Councilperson Falcone stated the amount of

discussion and research MUAC provides to the public cannot compare to the discussion if they were to come before Mayor and Council.

Councilperson Wuillermin stated he agrees with the valuable contributions the volunteers and appointed officials have made to the municipality and he appreciates them greatly. However, we cannot have all our town committee meetings televised and he feels the projects should come before council and be televised so that the public can appreciate how those decisions are made.

Councilperson Bertino still feels MUAC provides additional in depth review of proposed projects and that helps Mayor and Council in making their decision as well as takes the burden off of them. For instance, MUAC committee has made judgements to extend water/sewer to industrial/commercial areas to better serve the town.

Councilperson Colasurdo welcomed current MUAC members attendance at council meetings. He also stated if we cut back on 2 meetings per month on certain months, we can have an additional committee meeting that will concentrate only on applications for water/sewer extensions. He does not like that recommendations are being made by MUAC to waive back payments as this places a burden on Mayor and Council who know this is not procedurally correct.

ROLL CALL:

Bertino - No

Colasurdo - Yes

Falcone - No

Massarelli - Yes

S. Lewis - Absent

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

COUNCILPERSON MASSARELLI

I would like to address a letter dated February 23, 2006 to the Members of Mayor and Council from the Chief of Police regarding the use of town telephones and cell phones in response to a letter dated February 10, 2006 from Deputy Clerk, April Maimone.

We have been reviewing the town's telephone plans in an effort to streamline costs. We have achieved a better rate for long distance and local rates through Verizon and our cell plans are being evaluated now. However, it has come up in previous meetings to use of telephones for

personal use, etc. We do require certain personnel to have communication 24/7 with one another. I believe it is in the best interest of the town to continue to let these individuals use the cell phones in particular for business use and if need be for limited personal use. I think they have all have professional use in mind, as we have not exceeded our bucket of minutes.

Total Bucket 13, 200

November - 9474

December - 7188

January - 8336

Chief Ingemi requested that we move the officer's phones to a reimbursement program. I would like to decline the request at this time, as the plan is not being abused. We have a contract in place at this time. I would like to further evaluate the total need for cell phones in the total plan and who exactly needs them. We will be able to redo the contract and better utilize the cell phone schedule to fit our needs.

#### Matter of Method of Payment of Bills

I have concern of Method of Requisition of reoccurring bills. I see that it is on the Agenda later. I will await discussion on it. I just want to confirm that we will be addressing a method of accomplishing this task as it has become quite time consuming and raised some confusion as to the procedure.

#### National Time Systems

In anticipation that it will be budget approved. Once of the capital projects that Administration has been long investigating that I have now become a part of is a Time and Accountability Management System. Nick DeStefano, April Maimone and I will be working in the coming months to present to Council a system that will enable us to have accountability for all employees entering and leaving the town owned buildings as well as automate our time management system for payroll purposes. To date, this has always been manual. We are working with one company right now that provides software to many municipalities but I do plan on getting a quote from another source to compare all options.

This system will provide many benefits once fully integrated. It will offer accountability of employees in our facilities that we have never been able to do. We will accurate time management of employees. Reporting for budgeting and state required reports would be able to be generated in house, etc.

#### Greater Hammonton Chamber of Commerce Meeting - March 9, 2006

Once again, I would like to remind everyone about the new format for the Chamber of Commerce's Board Meeting which will be held on Thursday,

March 9, 2006 at 4pm at Trina's on Bellevue Avenue. I encourage all members to attend our meeting. Please RSVP to Irma at the Chamber's Office as soon as possible so they may prepare.

The Deputy Clerk advised that she agrees fully with Councilperson Massarelli's report on cell phone usage. However, she wished to advise Mayor and Council that the letter forwarded to employees concerning town telephone and cell phone usage was at the request of Councilperson Colasurdo and did not state that the cell phone holders and plans would change. The letter simply requested all employees to ensure they do not go over allowable minutes because of personal calls or dialing 411 for information. The letter also acknowledged the necessity of personal calls at certain times.

#### COUNCILPERSON COLASURDO

##### Water/Sewer

Councilperson Colasurdo requested citizens to become more frugal with their town water use in an attempt to bring down the maximum used by our town wells as there is currently no room for expansion according to NJ DEP.

##### Police Car Radios

Councilperson Colasurdo stated 4 police car radios were previously ordered and have come in prior to the freeze placed on ordinances by Mayor and Council at the 2/13/06 council meeting. He recommended approval of payment for same.

Motion by Councilperson Colasurdo, seconded by Councilperson Wuillermin, authorize purchase of 4 police car radios for police department to be expended from funds that were previously frozen at the 2/13/06 council meeting.

##### ROLL CALL:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Yes

S. Lewis - Absent

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

### Recognize Police Chief

Mayor DiDonato recognized the police chief in audience this evening.

Chief Ingemi thanked everyone for their concern during his recent accidents.

### Transient Village/Smart Growth

Councilperson Colasurdo stated he will conduct a business meeting trip to view the transit village and how it will affect our community.

### Commend Police Chief

Councilperson Colasurdo commended Chief Ingemi for the downtown walking patrol that the citizens are complimenting the town officials for.

### ENGINEER REPORT

#### **SEWER & WATER - ACTION ITEMS**

##### **1. Well #7 (11-30131):**

Bids were received on February 8, 2006. The lowest responsible bidder was JPS Construction in the amount of \$671,000.00. On February 22, 2006, the Water and Sewer Subcommittee met to discuss the ability to award this contract. It was determined that existing ordinances are available without the need for modification to allow for the issuance of a certification of availability of funds. Therefore, it is our recommendation to award the contract to JPS Construction.

Additionally, we are including a proposal for ARH's construction management portion of the project. The proposal is attached hereto and conforms with Manual 45 values for CM/Inspection based on a project value of \$671,000.00. The amount of the proposal is \$36,000.00.

##### Bid Results Well #7

AC Schulze, Woodbury Heights, NJ \$771,000.00

B & M Contracting, Somers Point, NJ 786,200.00

Level I Construction, Berlin, NJ 765,000.00

JPS Construction Co., Williamstown, NJ 671,000.00

##### Authorize Award Contract JPS Well #7

Award contract to JPS Construction for a total bid of \$671,000.00 and award the construction management contract to ARH in the amount of \$36,000.00. Resolutions have been prepared for these purposes.

\*Refer to New Business for resolution to award bid and also appoint professional construction manager.

**2. Route #54, Water, Sanitary Sewer, Road Restoration Phase II (11-50120):**

We received notification from USRD regarding our application to fund the water and sewer main replacement along Bellevue Avenue between Valley Avenue and Third Street. Our estimates also include replacement of sidewalk, curbing, and roadway reconstruction. The total estimated cost of the project submitted to USRD was \$1,243,000.00. USRD has committed the following funds to the project:

Grant ~ \$303,000.00

Loan ~ \$940,000.00

Total ~ \$1,243,000.00

Accordingly, we are seeking authorization to permit the Mayor to execute documents which commit the funds to this project. In the event for any reason the Town decides not to pursue this project, they can simply notify USRD of their decision and de-obligate the commitment. In summary, execution of loan/grant documents in no way obligates the Town, but rather earmarks the appropriation to the Town from the Federal Government.

**Authorize Mayor Execute Loan/Grant Documents USDA RUS**

Authorize the Mayor to execute the Loan/Grant documents as required by the USDA-RUS. A resolution has been prepared for this purpose.

\*Refer to New Business for resolution.

**3. SMA Development (11-20157):**

On August 22, 2005, Council took action to extend the prior water extension approvals for the above noted subdivision since the developer was approaching the expiration listed on the permit. This action was forwarded to NJDEP, however, the NJDEP received the formal request for extension past the point where the permit had actually expired. Therefore, on January 25, 2006, the NJDEP issued a letter to the Town indicating that the permit had expired and the process would need to be re-initiated. By the action of Council on August 22, 2005 it was the intent to grant the extension

due to the time frame that had passed during the litigation. The plans and specifications remain unchanged. Therefore, the developer is faced with initiating the approval process again. Consequently, they are in need of a formal resolution preliminarily approving the water system plans and allowing the Mayor to execute the applicable BSDW application.

Since it was the intent of the Town in August of 2005 to allow this project to proceed through the NJDEP approval process, there is no reason not to re-approve the water system plans. Please be reminded that the developer has received an extension on the corresponding NJDEP Treatment Works Approval for the sanitary sewer system.

We have enclosed a copy of a resolution for Council's consideration.

Authorize Re approval SMA Development

Passage of the resolution granting the re-approval of the preliminary

water system design for this project and allow the Mayor to endorse the

applicable NJDEP-BSDW forms.

\*Refer to New Business for resolution.

**4. Pressey Street Sanitary Sewer Replacement (11-40019):**

The contractor has been substantially complete with the project and final payment has been withheld until such time as additional authorized work was completed by the contractor. A Maintenance Bond (104360654) has been provided by TSB associates in the amount of 15% of the final contract value or in this case, \$14,655.01. Final Payment has been placed on this month's bill list for payment consideration.

Approve Final Payment TSB for Pressey Street Project

Authorize Release Performance Bond TSB - Pressey Street Project

Motion by Councilperson Wuillermin, seconded by Councilperson Massarelli, approval of the Final Payment Application to TSB Associates which would reduce the overall project cost by \$8,125.00 and release the Performance Guaranty (Bond #104360654 in the amount of \$102,625.00) posted by the Contractor upon acceptance of the Maintenance Guaranty (Bond #104360654 in the amount of \$14,655.01).

All present members of council voted in the affirmative.  
Absent: S.

Lewis.

Mayor DiDonato declared the motion carried.

**5. Elm Avenue/Cottage Street Sanitary Sewer Extension (11-50125):**

The majority of the design work has been completed for the project and upon approval from Mayor and Town Council, a bid date for the sanitary sewer and lateral replacement portion of the project could be established and advertised accordingly.

**Authorize Engineer Advertise for Receipt of Bids**

No action. Held for 2006 budget consideration.

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

We are expecting approval from NJDEP-BSDW within the next week. Two other permits are required:

- NJDOT
- Atlantic County Road Opening

The Water and Sewer Subcommittee met on February 22, 2006 and discussed the project. It was decided to incorporate certain needed sewer system repairs while a utility contractor is mobilized for the water system improvements. These repairs will include manhole casting rehabilitation to adhere to OSHA standards as well as presenting line items for the installation of laterals to vacant lots, if and where directed. The sewer system items will be identified in the bid as an alternative to the base bid which is the water main extension from Golf Drive to Bellevue Avenue. There are funds available in an existing sewer ordinance that will be renamed to cover the expense of these proposed improvements. The reason for incorporating the sewer system improvements with the water main project are as follows:

1. Bidding economy of scale
2. Protection of the integrity of the ultimate road restoration project by allowing for proper settlement over the manhole and lateral installations

At this time, we expect the permits to be available shortly thus allowing the Town at this meeting to authorize the advertisement for bid during the next month at the discretion of the Engineer.

Authorize Engineer to Advertise Central Avenue Water/Sewer Improvements

No action. Hold this project contingent upon availability of funding

from Tara Russo, Accountant and request she report to Sewer/Water Committee

on same.

**7. DiNatale ~ On-Site Storage LLC (11-20193):**

We reviewed the following documents from the applicants attorney related to the sanitary sewer service for the above noted property.

a. A quit claim deed from SJ Transportation Authority allowing On-Site Storage to use their old force main within Route #54.

b. Memorandum of Understanding and Hold Harmless Agreement between the Town of Hammonton and the principals and On-Site Storage LLC, its successors or assigns placing the burden of responsibility for maintenance, repair, replacement or upgrade of the existing force main within the Route #54 right-of-way exclusively with On-Site Storage LLC and not the Town.

This information was forwarded to the Town Solicitor for review and to advise the Mayor and Council as to whether the agreement could be executed by the Mayor on behalf of the Town.

Direction from the Town Solicitor related to execution of the agreement by the Town in its present form or amendments thereto.

Solicitor advised all documents have been approved.

Councilperson Colasurdo stated Environmental Commission has an issue with trees being taken down on this property right now.

Councilperson Wuillermin referenced ordinance with respect to trees which contains a very specific procedure for applications for developments for those applying to Planning Board.

Mayor DiDonato opened meeting to James DiNatale who handed out a landscape scheme of the property for Mayor and Council review. He described trees that were removed from the property and his landscaper forwarded a letter to Frank

Spataro in reference to these trees that were rotted. He also pointed out 7 scarlet oaks that he will be planting in their place. He mentioned other types of trees he is planting. If Mayor and Council wish for him to add 4 additional trees he is willing to do so.

Councilperson Wuillermin requested a copy of modified EIS to which Mr. DiNatale stated he did not have.

Mayor DiDonato stated he feels this plan should be brought before the Hammonton Planning Board.

Councilperson Colasurdo asked if Mayor and Council could vote on Hold Harmless and Quick Claim and forward this issue back to Planning Board.

Dr. Michael Hozik stated his concern is protection of large trees.

He advised that at the new Eckert Drug Store an agreement was made to have a certified tree expert evaluate the tree value at \$5000 and in exchange for permission to take it down the owner contributed the value of that tree to the Shade Tree Commission for replanting.

Mr. DiNatale stated he does not wish to donate funds for taking down trees.

Motion by Councilperson Colasurdo, seconded by Councilperson Bertino,

authorize Hold Harmless and Quick Claim contingent upon Mr. DiNatale

applying to Planning Board as well as Environmental Commission.

All present members of council voted in the affirmative.  
Absent: S.

Lewis.

Mayor DiDonato declared the motion carried.

#### **PUBLIC WORKS - ACTION ITEMS**

##### **8. Transportation Enhancements, Front Street Walk (11-01056):**

The Contractor has completed the punchlist items as requested by ARH. Additionally, the NJDOT has completed a final inspection and concurs with our findings. Therefore, the Town may move forward with closing out the project. In

order to do so, the Contractor must be awarded Final Payment. Accordingly, ARH has submitted the Final Payment request and Engineer's estimate of costs for payment consideration on this month's bill list. Additionally, the Town must execute a Final Contract Change Order for the project. This document will be provided for execution by the Mayor upon approval of the Final Payment. It should be noted that a balance will remain on the Purchase Order to the Contractor as a credit to the Town. Whichever procedure is appropriate to close out the remainder of the PO should be carried out by the Town.

Approve Final Payment Marandino Concrete \$10,983.51

Authorize Release Performance Bond Marandino Concrete with Contingencies

Authorize Mayor to Execute Change Order

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino, approval of the Final Payment Application to Marandino Concrete Company which would reduce the overall project cost by \$10,983.51 and release the Performance Guaranty (Bond #44BCSDL2718 in the amount of \$274,730.25) posted by the Contractor upon acceptance of the Maintenance Guaranty Bond #44BCSDL2718 in the amount of \$263,746.74 and authorize the Mayor to execute the Final Quantities Change Order for the project so that the Town may move forward with reimbursement through the NJDOT.

ON THE QUESTION:

Councilperson Bertino questioned status on his request to David Cella on purchase of trash containers?

Mr. Vettese stated he would have to get back to Councilperson Bertino with that answer.

All present members of Council voted in the affirmative. Absent: S. Lewis.

Mayor DiDonato declared the motion carried.

**9. FY 2006 CDBG Program (11-01000):**

Similar to prior year's programs, the Atlantic County Improvement Authority has recently notified the Town that \$69,804.00 has been allocated for use by the municipality. In previous years the Municipality has used these funds to construct Handicapped Accessible ramps throughout various locations within the Town. The FY 2005 funding completed roughly 90% of those intersections listed in the Town's 5-year compliance plan. The FY 2006 allotment should allow enough funds to complete the 5-year compliance plan as well as fund a portion of drainage and roadway improvements

along Washington Street. In order for the Town to officially be allocated the funds a formal application must be provided to the ACIA by the deadline of March 10, 2006 stipulating the Town's intent on the usage of the funds. We have attached a copy of the ARH proposal to complete the work required to prepare the funding request if authorized by Council.

Authorize ARH Perform Work on FY 2006 CDBG Program

Motion by Councilperson Wuillermin, seconded by Councilperson

Bertino, approval of ARH proposal #06-0100 in the amount of \$1,000.00 (subject to the availability of funds) to complete the necessary funding application including all supporting documents as required by the ACIA. The intended funding request will include the construction of the remaining handicapped curb and walks throughout the Town and the remaining funds will be dedicated for use on Washington Street reconstruction as discussed with the Public Works Committee.

ROLL CALL:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Yes

S. Lewis - Absent

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

SEWER & WATER INFORMATION ITEMS

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

We have completed the design plans for project permitting. We will submit the design plans to the Pinelands Commission later this week for review. Submissions are also being prepared for submission to the NJDEP and the Atlantic County Department of Public Works for their review and approval. The Solicitor is presently reviewing the documents received from the affected property owners related to easement requests. Once he completes his review a concentrated effort will be put forth to secure the

remaining easements. We will assist the Solicitor in this endeavor. We will also be meeting with the Sewer and Water Committee to ensure proper funding is established in the 2006 budget to complete this work.

**11. Kessler Hospital Foundation Professional Center Water Service ~ Block 3801, Lot 75-79 (11-30000):**

A meeting was held with KMH Representatives on February 15, 2006. The purpose of the meeting was to discuss the eminent needs of the hospital as it relates to facilitating the Kessler Professional Complex. The discussion involved identifying the cost of the actual construction. The discussion concluded with the suggestion by the Water and Sewer Subcommittee that the Town entertain a proposal from ARH to design the 12" water main from Lakeview Drive to where the main terminates across from Sea Grove Avenue.

The decision to entertain the proposal was based on the fact that the Town has always maintained this project within their master plan objectives. Therefore, the actual design and permitting of this project would not be counterproductive and would be necessary at some point in time. The actual design would allow Kessler Representatives to determine through a private endeavor as to whether they could advance the project for their immediate needs (address the contamination) and their ultimate needs for their potential business expansion objectives. We will have the proposal available by the next Council meeting.

**12. UST Removal at Wells #4 & 5 ~ Block 4604, Lot 23 - Block 1709, Lot 30.01**

**(11-30125):**

The contractor has been has completed the majority of the work on the removal of the UST's at the Well #4 and #5 sites. The contractor will complete the restoration work later this spring. We received test results of the soil surrounding the tanks and the initial reports appear satisfactory. We are presently completing the required reporting forms for submission to the NJDEP.

We have also completed the registration information has required and forwarded these documents to the NJDEP.

**13. Egg Harbor Road Utility Extension TSB - Infill Extensions (11-50122):**

The contractor has completed the sanitary sewer pipe installation and the initial base pavement restoration. The contractor will return in the spring to complete the final restoration work. Once completed, we could proceed with final payment and project close-out.

**14. White Horse Pike/Moss Mill Road Sanitary Sewer Extension (11-50124):**

Preliminary design plans have been prepared for the project. ARH staff will meet with the Town's Finance Department to determine the available funds for the project. At the present time, this project has been placed on the freeze list by the Mayor and Council. We will await further direction before proceeding further.

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

As previously noted, the project plans and specifications have been substantially completed. Subsequent to the last Council meeting, ARH has met with the Town's Finance Department to determine the available funds for the project. Based upon that meeting, the bidding documents required changes to incorporate various bidding scenarios to fit the Town's current budget. ARH will forward the standard PS&E package to the NJDOT for review and approval. Upon notice of DOT approval, the Town can set a date and advertise for the receipt of bids for the project to be developed in phases unless otherwise directed.. In the interim, the Town may wish to consider allocating additional funds within the 2006 budget to complete the full project scope extending from Egg Harbor Road to Fourth Street. We will be guided by Council's direction.

**16. Water Allocation (11-30088):**

The Town previously authorized ARH to initiate the investigative phase to increase diversion and to locate a new source of supply. A meeting was held on February 6, 2006 with representatives of NJDEP-Water Allocation and Bureau of Safe Drinking Water. The goal was to obtain direction on how to obtain additional diversion rights in the short term and long term. The long term goal would be the construction of a new source supply which from initiation of site selection and test well proceedings to a point of final approval could lapse from 3 to 5 years.

At the conclusion of the meeting, it was decided that a reasonable and practical interim solution would be to investigate the ability to either maintain the rights to Well #1 (planned to be decommissioned with the construction of Well #7) or pursue the ability to construct a standby well at the Well #5 location at a rated capacity of 1500 gpm.

This dialogue occurred with Vince Monaco of the Bureau of Safe Drinking Water and can be accomplished through a minor modification proceeding. We have a preliminary concept that we believe would be favorable to the Town but we need to review the alternatives for the interim measure with the Water and Sewer Subcommittee. Ultimately, the goal would be

to increase the firm source capacity with minimal expense. As a result, we will be requesting a meeting with the Subcommittee in the short term.

In a related matter, a letter was sent on February 21, 2006 to Magdy Banuit of the NJDEP to assure that water allocation/firm source calculation that was prepared by our office can be acknowledged. As a result, the Town would be in position to process upcoming BSDW applications for proposed development activities.

**17. Sludge Management (11-50058):**

There have been several issues that have preempted focus on the alternatives for sludge management. In addition to investigation of the practicality of pursuing the "Cannibal" System, the Water and Sewer Committee discussed local alternatives in which to compare to this capital investment.

Yet to be scheduled is a site visit to a Richmond, VA facility to view the sludge disposal alternative procedure known as the "Cannibal" System.

**PUBLIC WORKS - INFORMATION ITEMS**

**18. Atlantic County Farmland Preservation Easement (11-01000-88):**

Authorized last meeting, we are preparing the legal descriptions to request the dedication of a 5 foot right-of-way easements along Laurel Avenue for Block 5302, Lot 7 in conjunction with the County's Farmland preservation program. Once prepared we will forward the legal description to the Solicitor so that he could prepare the deeds for execution.

**19. New Town Hall (11-01060):**

At the request of the Town Hall committee, a preliminary submission was made to the Pinelands Commission. It is anticipated that a complete submission will be made prior to the next reporting period.

There has been work performed by Richard Grubb & Associates Inc., during which it has been discovered, beneath the parking lot, that there is evidence of artifacts relating to the use of an old dwelling. In order to proceed with the project, and the acquisition of a Pinelands permit for public development, additional work will be required. Richard Grubb's office is preparing a proposal for the additional work.

Additionally per recent conversation with the Town Hall Committee, our office will be preparing separate Pinelands applications for 1) the New Town Hall site and 2) the Historic Building Relocation Site.

**20. 2005 Road Program (11-40023):**

As authorized by the Mayor and Town Council, construction will take place on the following roadway projects:

A. Packard Street - Bellevue Avenue/Route #54 to Fairview Avenue County Route #678 - Roadway reconstruction and utility improvements as required.

B. Horton Street - Bellevue Avenue/Route #54 to Pleasant Street - Roadway reconstruction and utility improvements as required.

The project is scheduled to start February 27, 2006. Since the last reporting period there have been discussions regarding project scope between Town Officials, concerned citizens and our office. It should be noted that we have been directed by the Shade Tree Commission to only cut down one tree, which is located on Packard Street in front of house #19.

Additionally on Horton Street there was discussion to continue the downtown brick ribbon theme for the duration of the building length, along with removal and replacement of trees to match the downtown theme within a portion of the first block. After discussion and meeting with the Solicitor, the contractor was directed to simply provide replacement of curb & sidewalk on the Marcello's side of the street and replacement of curb and sidewalk (when unavoidable) on the opposite side of the street.

**21. Transportation Enhancements, Bellevue Ave-12<sup>th</sup> Street Improvements (11-40011):**

Subsequent to the last meeting, ARH representatives met with the Town Solicitor to review the status of the Easements required to bid the project. On February 14, revised legal descriptions were forwarded to the Solicitor. To date there still remains approximately 10 easements in various forms which have not been secured. ARH is moving forward with an Authorization to bid Package to the NJDOT in an effort to get the project logged in with the State and to reassure both the NJDOT and FHWA that the project is moving towards bid. However, a formal approval cannot be granted by the FHWA without certification from the Town Solicitor that all of the necessary Right of Way, or in this instance, easements have been secured on behalf of the Town. Once all the easements are secured, the certification from the Solicitor will be forwarded to the NJDOT under a separate cover.

**22. FY 2005 CDBG A Curb/Sidewalk Replacement (11-40020):**

Construction on the project has commenced and is progressing in a timely manner. As of the date of the Council Meeting, approximately 50% of the ramps scheduled for installation will be completed. Payment application #1 appears on this month's bill list for Council's consideration.

**23. Oak Road/White Horse Pike Intersection Drainage Relief (11-40000-24):**

ARH field crews have completed the locations and elevations at the project intersection. A base plan has been prepared and a initial design completed. We will meet with the Highway Superintendent to discuss the reconstruction options and consideration for repair within the 2006 budget.

**24. 2006 Capital Improvement Program (11-01000-89):**

We met with the Water, Sewer and Highway Superintendents along with representatives from the various committees to review potential projects for 2006. We have completed the preparation of construction cost estimates for each of the projects under consideration. A listing of project priorities was recommended by the Mayor and Council for the 2006 budget.

**25. Boyer Avenue Recreation (11-50099):**

Phase I

Previously our office was authorized to produce a bidding document to complete the rehabilitation of the Phase I fields. This has been put on hold and will commence contingent upon the action taken for the Phase II Change Order (see next section).

Phase II

*Construction:*

The Contactor has been active on the site since the last reporting period. A majority of the storm sewer system is complete. The Contractor's second payment request is on this month's bill list. As the project progresses we will continue to keep Mayor and Council updated.

Additionally the Contractor has provided our office with quotations to complete the restoration of the Phase I fields, concurrently with the construction of the Phase II fields. This issue was discussed at the 2-21-06 Parks and

Recreation Committee meeting. Council's options are summarized as follows:

1. Authorize Gower's Inc. to provide services including a SOD turf: \$98,600.00
2. Authorize Gower's Inc. to provide services including a SEED turf: \$39,000.00
3. Reject both of Gower's quotes and ARH will continue with Phase I bidding documents.
4. Reject both of Gower's quotes and explore other alternatives (ARH no longer involved in the maintenance of Phase I).

We anticipate one of these options will be recommended by the Recreation Committee for Council's consideration.

**PENDING ISSUES:**

Kramer Beverage Commerce Way Basin

NJDEP Surface Water Permit

Boyer Avenue Land Application - Pinelands/USGS Study

Storm Water Management Plan and Ordinance Revisions

SOLICITOR REPORT

Santiago Litigation - authorize hiring of expert

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino, authorize the hiring of expert for Santiago vs. Hammonton.

All present members of Council voted in the affirmative. Absent: S. Lewis.

Mayor DiDonato declared the motion carried.

Historic Preservation Commission Ordinance

\*Refer to New Business for ordinance introduction this evening.

Sprint Radio Tower Update

Solicitor stated representative is interested in Sewer Dept location and is seeking direction from Mayor and Council. If interested we can prepare bid specifications.

Mayor and Council requested Solicitor to report back that they are not interested.

Green Acres - 11<sup>th</sup> Street Athletic Fields

Status of Easements - downtown sidewalks & Egg Harbor Road

Acquisition of Master Wire Contract Status

MUAC Dissolution Legalities

Chamber of Commerce/Red White Blueberry

DCA Ability to Reject Budget Review Waiver

Congressman LoBiondo Grant

Vine Street Sidewalk maintenance

Reminder letter to roll back operator to use Cumberland County facility

Resolution of Rucha tax appeal

Letter Property Owners Vine Street Clean Sidewalks/Curb During Snow

Letter United Roll Off - re: Trash Disposal

MAYOR REPORT

As we close in on our first 60 days, we have been working to get a handle on all budgetary items as well as thoroughly reviewing the 2005 year end financial statements. We have frozen or prioritized previous projects and we have been working with department heads to move closer to a centralized purchasing policy. Over the next 60 days we will be scrutinizing & adopting the 2006 budget. We will move forward with our prioritized projects, and we will begin to bring our town in to the information world. We will be updating our website, TV station, and other information systems of the town. We will also start discussing the much-talked about Senior Citizen Discount Card.

Our Mayor's Action team has been busy working with Federal, State, and County governments to facilitate grants for the prioritized projects of our town. As the weather breaks you will begin to see projects that have been talked about for years moving forward.

Lastly, I would like to commend the owners of the shopping center on the White Horse Pike, across from Fire Hall #2, for their extensive renovation project to the center. This is the kind of positive change that can happen when we all work together. It's a benefit to the town, taking this under-performing property and transforming it into a solid ratable. We are starting to see this happen all over, from the Pike to our Downtown to some of the earlier neighborhoods. The renovation of these older buildings and homes benefits everyone and sets the tone for a united community on the move.

TOWN CLERK/ADMINISTRATOR REPORT

1. Free Rabies Clinic Sat. Mar. 18 1-3 pm Shore Vet WHP

2. Authorize Release Maint Bond Ole Hansen approved by R&V

Motion by Councilperson Colasurdo, seconded by Councilperson Wuillermin,

authorize release of Ole Hansen Maintenance Bond No. 2003-041 in the amount of \$65,029.43 contingent upon payment of all outstanding invoices to R&V.

All present members of Council voted in the affirmative. Absent: S. Lewis.

Mayor DiDonato declared the motion carried.

3. Report on ltr forwarded to Dennis Levinson tree removal request

(County responded no, need authorization for town to remove)

Anthony Marino suggested Highway Department remove the tree at N. Third Street. Councilperson Colasurdo concurred.

Councilperson Bertino requested Solicitor to write to county inquiring as

to what has changed since last years agreement that County would remove trees on county roadways when requested by the Clerk office on behalf of Mayor and Council.

Matter referred to Highway Department Superintendent for tree removal.

4. Authorize change April 10 CM to April 3<sup>rd</sup> at 7 pm

Motion by Councilperson Colasurdo, seconded by Councilperson Massarelli,

authorize Clerk to advertise for a change in meeting dates from April 10 to April 3 at 7 pm.

All present members of Council voted in the affirmative. Absent: S. Lewis.

Mayor DiDonato declared the motion carried.

5. Clerk advised Mayor and Council on the method of Payment for Town Bills

(monthly fixed costs to be distinguished with those not fitting description by the Clerk in a letter to employees)

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo,

Councilperson Wuillermin to work with Fiscal Oversight Committee and report back on their input at the next meeting.

All present members of Council voted in the affirmative. Absent: S. Lewis.

Mayor DiDonato declared the motion carried.

#R 36-2006 Transfer Resolution

#R 36 -2006

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 **2005 Reserve Funds**:

FROM: IN CAP

Fire OE \$ 4,858.72

TO: IN CAP

Police OE \$ 4,858.72

Motion by Councilperson Colasurdo, seconded by Councilperson Bertino, approve Resolution 36-2006, bill list, payroll, and overtime as prepared by the Clerk.

ROLL CALL:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Yes

S. Lewis - Absent

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

COMMUNICATIONS

1. Various school/seminar requests as follows:

James Massara NJAWWA Mar 21-24 \$225.00

Lou Rodio Sports Clinic Mar 19 \$279.00

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino, authorize school/seminar attendance and payment for same.

ROLL CALL:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Yes

S. Lewis - Absent

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

2. From FIRE CO. #2 requests:

Accept David Perone - Junior Member

Accept Thomas Whitcraft

Motion by Councilperson Colasurdo, seconded by Councilperson Falcone, approve Fire Co. #2 requests.

All present members of Council voted in the affirmative. Absent:  
S. Lewis.

Mayor DiDonato declared the motion carried.

3. From FIRE CO. #1 requests:

Accept Nick DeStefano

Resignation Joe Marino & Andy Meyer

Accept David Lasassa

Motion by Councilperson Colasurdo, seconded by Councilperson Falcone, approve Fire Co. #1 requests.

All present members of Council voted in the affirmative. Absent:  
S. Lewis.

Mayor DiDonato declared the motion carried.

4. From NEIGHBORS ON JACOB STREET expressing gratitude to Sgt Ruggeri for plowing entire block during snow storm

Copy placed in Sgt. Ruggeri's personnel file.

Mayor DiDonato commended Sgt. Ruggeri on his efforts and requested that

the Clerk be sure that all correspondence placed on agenda in future contain signatures.

5. From ROBERT SELIGMAN requesting double lines be painted on S. First Road

Motion by Councilperson Bertino, seconded by Councilperson Falcone,

authorize Clerk to forward letter of request to Atlantic County for traffic study. Motion carried.

#### REPORTS-January 2006

Report of the Town Clerk, Registrar, Construction Official for the month of January 2006, a copy having been given to each member of the governing body prior to this meeting, was ordered received and filed.

#### NEW BUSINESS-ORDINANCES

#### Ordinance #3-2006 Historic Preservation Commission

### **ORDINANCE # 3-2006**

#### ORDINANCE ESTABLISHING A HISTORIC PRESERVATION COMMISSION

Adopted 5-22-1989 by Ordinance No. 17-1989;

Amended in its entirety 11-27-1989 by Ordinance No. 41-1989

WHEREAS, Pursuant to § 6-34 (Purpose), it is deemed to be in the public interest for the Town of Hammonton to create a Historic Preservation Commission, which shall review those structures and areas within the Town that are or may be of Historic or architectural significance. It is determined as a fact that, in light of the creation of an Historical district in the Town of Hammonton pursuant to a study conducted under the auspices of the County of Atlantic and because of ongoing studies

of other Historic areas within the Town, an independent commission is created to administer the review function and advisory function as such relate to those structures which could be classified as either architecturally significant, historically significant or as landmarks of the Town of Hammonton.

NOW, THEREFORE, BE IT ORDAINED BY COUNCIL OF THE TOWN OF HAMMONTON, as follows:

§ 6-35 (Membership)

- A. The Historic Preservation Commission of the Town of Hammonton shall consist of ~~five~~ seven regular members and two alternate members. One of the regular members shall be a Class A member who shall be knowledgeable in building design, construction or architectural history and may reside within or without the Town of Hammonton. One of the regular members shall be a Class B member who has demonstrated interest and/or knowledge of local history and may reside within or without the Town of Hammonton. The remaining three regular members shall be Class C members who shall hold no other municipal office nor employment except for membership on either the Planning Board or the Board of Adjustment.
- B. All appointees shall be designated by class at the time of their appointment.
- C. The alternate members shall meet the same classifications as Class C members and shall be designated as Alternate No. 1 and Alternate No. 2, with said designations being made by the Mayor at the time of appointment; and

§ 6-36 (Terms of office)

The terms of the original appointees to the Historic Preservation Commission shall be as follows:

- A. Two of the original appointees shall be appointed for terms to expire December 31, 1992; one of said original appointees shall be for a term to expire December 31, 1991; one of said appointees shall be for a term to expire December 31, 1990; and the last original appointee shall be for a term expiring December 31, 1989.
- B. As to alternate members, one of said alternate members shall be appointed at the time of original appointment for a term to expire December 31, 1990, and the second alternate member shall be appointed for a term to expire December 31, 1989.
- C. At the expiration of each appointment, the term of the regular appointee replacing the original appointee as a member of the Commission shall be four years. At the expiration of each alternate member's term, a successor shall be appointed for a two-year term. All terms thereafter shall be for four years for regular members and two years for alternate members.
- D. Should a vacancy occur during any appointee's term, whether such be a regular or alternate member, said vacancy shall be filled by an appointment for only the unexpired term then remaining; and

§ 6-37. Appointment.

All appointments to the Historic Preservation Commission shall be made by the Mayor of the Town of Hammonton.

§ 6-38. Functions.

- A. The Historic Preservation Commission shall have all of the functions as enumerated in N.J.S.A. 40:55D-109.
- B. In addition to said responsibilities as set forth in § 6-38A, the Historic Preservation Commission shall be expressly directed to make recommendations to the Planning Board for the purpose of maintaining, preserving and/or restoring those structures and areas that are historically or architecturally significant within the Town of Hammonton and for making recommendations for inclusion into the National Register of appropriate structures and areas. The Planning Board shall have the right to amend any recommendation before submission of the same to the Mayor and Council.
- C. If an area is designated as an Historic site or district and such sites and districts are regulated by the Chapter 175, Land Development, all applications for issuance of permits pertaining to Historic sites or property in Historic districts shall be submitted to the Historic Preservation Commission for a written report on the application of the zoning ordinance provisions concerning Historic preservation to any of those aspects of the change proposed which aspects were not determined by approval of an application for development by a municipal agency pursuant to N.J.S.A. 40:55D-111. The Historic Preservation Commission shall submit its report to the Planning Board, which may amend any recommendation contained in the report before submission of the same to the administrative officer.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, the ordinance be taken up for and pass first reading.

ROLL CALL:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Yes

S. Lewis - Absent

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino, the ordinance be given legal publication and notice of hearing. Motion carried.

RESOLUTIONS

#R37-2006 Temporary Emergency General Budget

#R 37 -2006

RESOLUTION

WHEREAS, an emergent condition has arisen with respect to the 2006 budget not being adopted at the Regular Meeting of Council and no adequate provision has been made in the 2006 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A-4-2 provides for the purpose above mentioned, and

NOW THEREFORE BE IT RESOLVED that an emergency temporary appropriation be and the same is hereby made and that said emergency temporary appropriations will be provided for in the 2006 budget under the title of:

Administration

Salaries & Wages 105,000.

Other Expenses 8,000.

Elections

Other Expenses 2,700.

Finance

Salaries & Wages 45,000.

Annual Audit

Other Expenses 6,000.

Assessment of Taxes

Salaries & Wages 25,000.

Other Expenses 5,000.

Collection of Taxes

Other Expenses 5,000.

Legal

Salaries & Wages 16,000.

Other Expenses 15,000.

Engineering

Other Expenses 10,000.

Public Buildings & Grounds

Salaries & Wages 8,000.

Other Expenses 10,000.

Natural Gas

Other Expenses 15,000.

Electricity

Other Expenses 25,000.

Telephone

Other Expenses 32,000.

Gasoline

Other Expenses 40,000.

Planning Board

Salaries & Wages 12,000.

Other Expenses 4,000.

Board of Adjustment

Salaries & Wages 1,000.

Other Expenses 1,000.

Rent Control

Salaries & Wages 300.

Shade Tree

Salaries & Wages 400.

Other Expenses 7,000.

Environmental Commission

Salaries & Wages 400.

Other Expenses 1,000.

Economic Development

Other Expenses 2,000.

Computer

Salaries & Wages 17,000.

Other Expenses 4,000.

Temporary Disability Insurance

Other Expenses 4,000.

Fire

Other Expenses 60,000.

State Fire Prevention

Salaries & Wages 7,000.

Other Expenses 6,000.

Police

Salaries & Wages 720,000.

Other Expenses 100,000.

Police Radio Communications

Salaries & Wages 75,000.

Other Expenses 5,000.

Municipal Court

Salaries & Wages 50,000.

Other Expenses 3,000.

Special Services

Other Expenses 1,500.

Streets & Roads

Salaries & Wages 195,000.

Other Expenses 233,000.

Street Lighting

Other Expenses 90,000.

Dog Regulations

Salaries & Wages 7,500.

Other Expenses 3,000.

Registrar of Vital Statistics

Other Expenses 2,200.

Parks

Salaries & Wages 2,900.

Other Expenses 6,500.

Recreation

Salaries & Wages 23,000.

Other Expenses 18,000.

Celebration Of Public Events

Other Expenses 1,600.

Property Maintenance Officer

Salaries & Wages 9,000.

Other Expenses 2,200.

Construction Official

Salaries & Wages 50,000.

Other Expenses 3,000.

Advertising

Other Expenses 20,000.

Municipal Airport

Salaries & Wages 1,000.

Other Expenses 3,000.

Prosecutor

Salaries & Wages 6,000.

Social Security

Other Expenses 65,000.

Insurance

Other Expenses 2,890.18

Group Ins. Plan

Other Expenses 350,000.

Municipal Drug Alliance

Other Expenses 16,615.55

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino, resolution 37 be adopted.

ON THE QUESTION:

Councilperson Wuillermin questioned if we can add funds to Planning Board budget to cover cost of COAH expenses at approximately \$18,000.00?

The Clerk responded yes this can be done at the March 13 council meeting and asked Councilperson Wuillermin to ascertain the cost for same.

ROLL CALL:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Yes

S. Lewis - Absent

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

#R38-2006 Temporary Emergency Utilities Budget

#R 38 -2006

R E S O L U T I O N

Resolution of the Mayor and Common Council of the Town of Hammonton, County of Atlantic, State of New Jersey, making Temporary Appropriations for the operation of Publicly owned and operated utilities of the said Town of Hammonton.

Whereas, Article 2, Section 212 and Article 3 of the Local Budget Act of the State of New Jersey, make it obligatory for the Water Utility and Sewerage Utility of the Town of Hammonton to be operated under the provision of the said Local Budget Act; and

Whereas, Section 110 of the Local Budget Act provides that where any contracts, commitments or payments are to be made prior to the final adoption of the 2006 Budget, Temporary Appropriations should be made for the purpose of amounts required.

Now, Therefore Be It Resolved by the Mayor and Common Council of the Town of Hammonton, New Jersey, that for the **Water Utility** the following Temporary Appropriations be and they are hereby made:

Operating Costs

Salary & Wages 53,050.00

Other Expenses 200,800.00

Social Security 14,697.50

PERS 2,000.00

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Subtotal 270,547.50

Be It Further Resolved, that the following Temporary Appropriations for the **Sewerage Utility** be and they hereby are made:

Operating Costs

Salaries & Wages 70,000.00

Other Expenses 453,000.00

Social Security 18,312.19

PERS 2,000.00

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Subtotal 543,312.19

**GRAND TOTAL 813,859.69**

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, resolution 38 be adopted.

ROLL CALL:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Yes

S. Lewis - Absent

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

#R39-2006 Authorize Home Show April 22

RESOLUTION # 39 -2006

RESOLUTION AUTHORIZING AND ENDORSING

HOME SHOW

WHEREAS, the Greater Hammonton Chamber of Commerce has and continues to promote the Town of Hammonton with scheduled events in the downtown business district such as the Home Show; and

WHEREAS, Mayor and Council has and continues to support the efforts of the Greater Hammonton Chamber of Commerce Home Show; and

WHEREAS, Saturday, April 22, 2006 is the scheduled date for the Home Show from 10:00 a.m. to 3:00 p.m.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, STATE OF NEW JERSEY, that the April 22, 2006 Home Show is acknowledged and endorsed with the following streets being closed:

N. Egg Harbor Road (between Orchard Street and Pleasant Street)

#R40-2006 Authorize Cruisin Mainstreet Event May 19

RESOLUTION # 40 -2006

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, Friday, May 19, 2006 (rain date May 20th) is the scheduled date for the MainStreet Hammonton Annual "Cruisin MainStreet-Remember Friday Nights" event during the hours of 5:00 p.m. to 9:30 p.m.

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;

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

West side of Rt. 54 between Third Street and West End Avenue;

East side of Rt. 54 between Third Street and Egg Harbor Road;

Both sides of Railroad Avenue between 12<sup>th</sup> Street and Pleasant St;

Both sides of Egg Harbor Road between Bellevue Ave. and Pleasant St;

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

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;

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 19, 2006 (rain date May 20th) "Cruisin' Main Street" event, including the above requests for street closures, reservation of parking spaces, posting of "NO PARKING" signs and two police officers are acknowledged, approved and endorsed;

#R41-2006 Authorize Red White Blueberry Festival June 25

#R 41 -2006

RESOLUTION APPROVING THE TEMPORARY ROAD CLOSURE OF A PORTION OF LIBERTY STREET AND SUPPORTING THE TEMPORARY ROAD CLOSURE OF A PORTION OF FAIRVIEW AVENUE TO ASSIST ON TRAFFIC CONTROL DURING THE RED, WHITE AND BLUEBERRY FESTIVAL

WHEREAS, the Hammonton Chamber of Commerce with the support of the Town of Hammonton presents the annual Red White and Blueberry Festival; and

WHEREAS, said event takes place at the Hammonton Middle School located at the intersection of Fairview Avenue and Liberty Street; and

WHEREAS, in 2004 the event was switched from a downtown location to its current site; and

WHEREAS, in an effort to better accommodate the traffic flow and facilitate pedestrian safety of the patrons attending the event, the Chamber has requested that the Town close Liberty Street from Pleasant Street to Fairview Avenue and Fairview Avenue from Linda Avenue to Fourth Street; and

WHEREAS, the Town is agreement to the temporary closure of Liberty Street from Pleasant Street to Fairview Avenue between the hours of 10:30 a.m. and 3:30 p.m. on Sunday, June 25, 2006 for the intended purpose; and

WHEREAS, the Town is aware that the Chamber has applied to the County for closure of County Route 678 (Fairview Avenue) from Linda Avenue to Fourth Street on the same date and time; and

WHEREAS, the County requires a resolution of support regarding County road closures within the municipality;

NOW, THEREFORE, BE IT RESOLVED by the MAYOR and TOWN COUNCIL of the TOWN of HAMMONTON that:

1. The Town accepts the Chamber of Commerce's request to close Liberty Street from Pleasant Street to Fairview Avenue.
2. The Town supports the Chamber of Commerce's application to the County of Atlantic to close Fairview Avenue from Linda Avenue to Fourth Street.
3. The road closures have been reviewed by the Town of Hammonton Police Department and uniform traffic control will be provided at the closure points as assistance to the day's events.
4. The County and the Town roads where designated will be closed from 10:30 a.m. and 3:30 p.m. on Sunday, June 25, 2006.

#R42-2006 Authorize Mt. Carmel Event July 10-16

RESOLUTION # 42 -2006

RESOLUTION AUTHORIZING AND ENDORSING THE ANNUAL

"FEAST OF OUR LADY OF MT. CARMEL" PROCESSION AND CARNIVAL

WHEREAS, the Mt. Carmel Society continues to promote the Town of Hammonton with their annual "Feast of Our Lady of Mt. Carmel" procession and carnival; and

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

WHEREAS, the week of **July 10<sup>th</sup> through July 16<sup>th</sup>** is the scheduled date for the Lady of Mt. Carmel carnival and events in the Town of Hammonton; and

WHEREAS, the Mt. Carmel Society has requested assistance of the Town of Hammonton Police Department for the week of July 10<sup>th</sup> through July 16<sup>th</sup>; and

WHEREAS, July 16<sup>th</sup> is the scheduled date for processions, one at 9:00 A.M. and one at 4:00 P.M., (times may vary at discretion of Hammonton Police Chief) and the Mt. Carmel Society requests police protection and road closures of the following streets in the Town of Hammonton for said procession:

9:00 a.m. procession

From Mt. Carmel Hall (Tilton St. to Bellevue Ave.)

Right on Bellevue proceed to Washington St.

Left onto Bellevue and proceed to Central Ave.

Left onto Third St. and proceed to Pratt St.

Right onto Pratt St. and back to Tilton St.

4:00 p.m. procession

From St. Joseph Church west (S 3<sup>rd</sup> Street to intersection of 3<sup>rd</sup> & Fairview)

Continue south to the (intersection of Fairview & Egg Harbor Road)

Continue east to the (intersection Egg Harbor Rd./Railroad Ave & Bellevue)

Continue north on Bellevue to (intersection of Bellevue & 3<sup>rd</sup> St.)

Conclude parade at place of origin traveling west to (St. Joseph Church)

WHEREAS, the Mt. Carmel Society is also requesting the closing of Tilton Street (from French St. to Pratt St.) from July 10<sup>th</sup> to July 16<sup>th</sup> inclusive to sponsor carnival which will be situated on Mt. Carmel grounds bound by Third, Pratt and French streets, Tilton to be used as part of the midway;

WHEREAS, the Mt. Carmel Society is also requesting the closing of Third Street (from Pratt to Pleasant) from July 10<sup>th</sup> to July 16<sup>th</sup>;

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 July 16<sup>th</sup> week of carnival and events and the July 16<sup>th</sup> week of carnival and events and the July 16<sup>th</sup> Our Lady of Mount Carmel Society procession of streets is acknowledged and endorsed by the Town of Hammonton contingent upon the following:

1. Filing of necessary insurance certificates and hold harmless agreements by Mt. Carmel Society and Carnival as required by the Town of Hammonton.
2. Filing of required State and County written approvals for street closures with the Town Clerk's office and the Chief of Police at least two weeks prior to event.

#R43-2006 Tax Resolution February

#R 43 -2006

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 CORRECTION ACCOUNT**

2522 14 <2,615.28> 1,500.00 SEWER READING

2522 14 < 909.12> 408.00 WATER READING

2709 8 <1,055.45> 250.00 SEWER READING

2709 8 < 636.68> 69.00 WATER READING

2803 7.1 <1,500.00> 250.00 SEWER READING  
2803 7.1 < 408.00> 69.00 WATER READING  
2803 7 < 885.08> 952.28 WATER READING  
2803 7 2,000.00 SEWER READING  
2412 29 <1,282.65> 82.05 WATER READING  
3904 40 <15,364.34> 8,500.00 SEWER READING  
3904 40 <5,566.11> 2,301.00 WATER READING  
2005 7 < 957.80> 400.00 SEWER READING  
3801 38.01 < 610.57> SEWER HOUSE TORN DOWN  
3801 38.01 < 633.15> WATER HOUSE TORN DOWN  
2905 44 < 749.80> 399.16 SEWER READING  
2905 44 < 82.05> 69.00 WATER READING  
3904 85 < 624.74> 400.00 SEWER READING  
3904 85 < 622.52> 70.50 WATER READING  
2803 17 <3,352.20> 250.00 SEWER READING  
2803 17 <2,251.80> 73.50 WATER READING  
3401 6 <27,547.55> 69.00 WATER READING  
3905 3 < 83.55> 70.50 WATER READING  
2713 2 < 449.44> 400.00 SEWER READING  
2713 2 <1,407.71> 68.99 WATER READING  
2704 5 < 621.80> 442.70 SEWER READING  
1807 32 < 84.92> 70.50 WATER READING  
3712 4 < 541.80> SEWER HOUSE BURNED  
3712 4 < 95.10> WATER HOUSE BURNED  
4501 46.1 <2,000.00> SEWER CONNECTION WAIVED  
1803 11.15 < 335.94> 335.94 TRANSFER FR TAX TO WATER

1803 11QFARM < 1.57> TAX CANCEL CREDIT  
1803 11 < 10.00> 10.00 TRANSFER CREDIT 2005  
4602 22 <1,447.93> 1,447.93 TRANSFER TO 4602-24  
4912 1C0073 < 806.56> REFUND OVERPAYMENT  
4110 3 <2,281.08> 1,600.00 SEWER READING  
1201 48 < 375.00> DISCONNECT FR SEWER  
2522 12 < 500.00> REMOVE BILL OFF SEWER  
2522 12 < 136.12> REMOVE BILL OFF WATER  
2808 9 < 350.00> REFUND REBATE TAX  
4501 46.1 < 835.60> EXEMPT FR SEWER HOOKUP

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.

Motion by Councilperson Wuillermin, seconded by Councilperson Falcone, resolutions numbered 39 through 43 be adopted.

All present members of council voted in the affirmative. Absent: S. Lewis.

Mayor DiDonato declared the motion carried.

#R44-2006 Waive Municipalities Right to Examine Budget

#R 44 -2006

RESOLUTION WAIVING THE MUNICIPALITY'S RIGHT

TO EXAMINE THE BUDGET LOCALLY

WHEREAS, the local budget is subject to examination by the appointed Chief Financial Officer for the Director of the Division of Local Government Services; and

WHEREAS, this option cannot be selected by the Chief Financial Officer of the Town of Hammonton; and

WHEREAS, the governing body must by Resolution waive its rights to examine the budget locally; and

WHEREAS, upon the recommendation of the Town Auditor, the interests of the Town of Hammonton would be best served by the Director of the Division of Local Government Services conducting this examination.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Town of Hammonton does by virtue of this Resolution waive its right to locally conduct the budget examination; and

BE IT FURTHER RESOLVED, that the budget examination be conducted by the Director of the Division of Local Services.

Motion by Councilperson Wuillermin, seconded by Councilperson Falcone, Resolution 44 be **TABLED**.

ROLL CALL:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Yes

S. Lewis - Absent

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the resolution **TABLED**.

#R45-2006 Authorize Good Friday Procession April 14

RESOLUTION # 45-2006

RESOLUTION AUTHORIZING AND ENDORSING

THE ANNUAL "SPANISH COMMUNITY GOOD FRIDAY PROCESSION"

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

WHEREAS, Mayor and Council has and continues to support the efforts of St. Joseph Church; and

WHEREAS, Friday, April 14, 2006 is the scheduled date for the Spanish Community Good Friday Procession; and

WHEREAS, St. Joseph Church has requested assistance of the Town of Hammonton Police Department for this scheduled event and closure of the following streets in the Town of Hammonton for stations of the cross and procession:

Spanish Community Good Friday Procession April 14<sup>th</sup> at 4:00 p.m.

From St. Joseph Church (N. Third St.) to French Street

Right onto Packard Street

Right onto Pleasant Street

Right onto N. Third Street

Return to Church (N. Third Street)

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 Friday, April 14, 2006 Spanish Community Good Friday Procession as listed above is acknowledged and endorsed by the Town of Hammonton contingent upon the following:

3. Filing of necessary insurance certificates by St. Joseph Church as required by the Town of Hammonton.
4. Filing of required State and County written approvals for street closures with the Town Clerk's office and the Chief of Police at least two weeks prior to event.

Motion by Councilperson Wuillermin, seconded by Councilperson Falcone, resolution 45 be adopted.

All present members of Council voted in the affirmative. Absent: S. Lewis.

Mayor DiDonato declared the motion carried.

#R46-2006 Award Bid Well 7

**RESOLUTION # 46-2006**

**AWARD OF CONTRACT FOR WELL #7**

WHEREAS, the Town of Hammonton has obtained approval from NJDEP to upgrade Well #7; and

WHEREAS, the construction of Well #7 will replace an antiquated facility identified as Well #1 and yield 1,000 gallons per minute; and

WHEREAS, the construction of Well #7 will protect the health and safety water customers of the Town of Hammonton; and

WHEREAS, the Town of Hammonton has properly advertised and received bids for the project; and

WHEREAS, the lowest responsible bidder for the project was JPS Construction of Williamstown, NJ with a total bid of \$671,000.00; and

WHEREAS, the Town is desirous of awarding the contract to JPS Construction in an amount not to exceed \$671,000.00; and

WHEREAS, the award shall be subject to the approval of the Town Solicitor and certification of the availability of funds; and

NOW, THEREFORE BE IT RESOLVED THAT the Mayor and Town Council of the Town of Hammonton hereby award the Well #7 project to JPS Construction of Williamstown, NJ in the amount of \$671,000.00 subject to review and approval by the Town Solicitor and certification of the availability of funds.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, resolution 46 be adopted subject to review by Solicitor and certification of availability of funds.

ROLL CALL:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Yes

S. Lewis - Absent

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

#R47-2006 Construction Management Well 7

**RESOLUTION # 47-2006**

**AWARD OF CONSTRUCTION MANAGEMENT**

**CONTRACT FOR WELL #7**

WHEREAS, the Town of Hammonton has awarded a project for construction of Well #7 in the amount of \$671,000.00; and

WHEREAS, construction management and inspection services are needed for this project; and

WHEREAS, a proposal has been submitted from the Town Engineer to provide said services in the amount of \$36,000.00; and

WHEREAS, the Town is desirous of awarding the construction management contract to Adams, Rehmann & Heggan Assoc., Inc. in an amount not to exceed \$36,000.00 for a 150 day construction time frame; and

WHEREAS, the award shall be subject to the approval of the Town Solicitor and certification of the availability of funds; and

NOW, THEREFORE BE IT RESOLVED THAT the Mayor and Town Council of the Town of Hammonton hereby award the Well #7 construction management contract to Adams, Rehmann & Heggan Assoc., Inc. in the amount of \$36,000.00 subject to review and approval by the Town Solicitor and certification of the availability of funds.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, resolution 47 be adopted.

ROLL CALL:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Yes

S. Lewis - Absent

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

#R48-2006 USDA RUS

**RESOLUTION # 48-2006**

**AUTHORIZING EXECUTION OF GRANT AND LOAN DOCUMENTS FOR THE BELLEVUE AVENUE WATER AND SEWER REPLACEMENT PROJECT FUNDED THROUGH USDA - RUS**

WHEREAS, the Town of Hammonton has been allocated \$1,243,000.00 in grant and loan funding from the United States Rural Development (USRD) for the Bellevue Avenue Water and Sewer Replacement Project; and

WHEREAS, the funding agency requires certain documents to be executed earmarking the funds for the Municipality; and

WHEREAS, the Town will be expecting a grant allocation in the amount of \$303,000.00; and

WHEREAS, The Town will be expecting a loan allocation in the amount of \$940,000.00; and

NOW, THEREFORE BE IT RESOLVED THAT the Mayor and Town Council of the Town of Hammonton hereby authorizes the Mayor to execute the Grant and Loan documents required by the USRD for the Bellevue Avenue Water and Sewer Replacement project; and

NOW, THEREFORE BE IT FURTHER RESOLVED THAT by authorizing the Mayor to execute the closing documents, the Mayor and Town Council hereby acknowledges the following:

1. Execution of USRD documents earmark \$1,243,000.00 in project funding from the Federal Government
2. In the event for any reason, the Town decides not to pursue this project, the Town would not be obligated to secure the grant and low interest loan.
3. In the event that the Town does not pursue the project, formal notice to USRD would be required to de-obligate the funds appropriated for this endeavor

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, resolution 48 be adopted.

ROLL CALL:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Yes

S. Lewis - Absent

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

#R49-2006 SMA

**RESOLUTION 49-2006**

**RESOLUTION RE-APPROVING PRELIMINARY APPROVAL TO SMA LAND DEVELOPERS,  
LLC DUE TO EXPIRATION OF THE BSDW PERMIT**

WHEREAS, SMA LAND DEVELOPERS, LLC., made application to the TOWN OF HAMMONTON for water and sewer extensions for a project located on Lots 1, 24, and 25 in Block 1706 on the Tax Map of the Town of Hammonton.

WHEREAS, the proposed project consists of the construction of approximately 6025 linear feet of 8" and 12" water main to service twenty seven (27) single family homes at estimated flow of 8,100 gallons per day; and

WHEREAS, the TOWN OF HAMMONTON originally granted an approval for said water and sewer extensions on June 18, 2001 under Resolution #121-2001; and

WHEREAS, the Town of Hammonton adopted a resolution on August 22, 2005 with the intent of endorsing an extension application to NJDEP since the permit for said project was set to expire; and

WHEREAS, the NJDEP records did not indicate receiving a formal request for an extension of the BSDW permit; and

WHEREAS, as a result of the NJDEP not receiving a formal extension request, the NJDEP issued a letter terminating Permit #W-12-01-7032; and

WHEREAS, the termination of said permit requires the developer to seek re-approval from the Town; and

WHEREAS, the projects water system design remains unchanged from the previous approval; and

WHEREAS, the intent of the Town per action taken on August 22, 2005 to extend the time frame, has remained unchanged; and

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL of the Town of Hammonton of the County of Atlantic, State of New Jersey that the Mayor is hereby authorized to execute the appropriate documents that are associated with the re-application of NJDEP-BSDW for the water distribution system as preliminary approved by the Town on June 18, 2001

BE IT FURTHER RESOLVED the following:

1. That said water main extension re-application for the SMA project must meet all applicable design and allocation standards of the NJDEP in order for the permit to take effect.
2. The developer shall return to Mayor and Council to seek final water main extension approval once the NJDEP permit is obtained.

3. Prior to the start of construction the DEVELOPER is required to upgrade the construction estimates that were originally prepared for the project improvements upon which performance bonds and inspection escrow will be based.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, resolution 49 be adopted.

All present members of Council voted in the affirmative. Absent: S. Lewis.

Mayor DiDonato declared the motion carried.

#### LICENSE APPLICATIONS

Bingo St. Joseph RC Church various dates 2006

Raffle Hammonton Band Booster 3/29/06

ABC St. Anthony Church 2/17 & 6/4

Motion by Councilperson Bertino, seconded by Councilperson Falcone, authorize license approval. Motion carried.

#### PUBLIC HEARD

##### John Bee

Mr. Bee requested Mayor and Council form a committee for redevelopment zone in Hammonton. He stated he has plans for senior citizen community on West End Avenue and he does not want to go any further with proposed project until Mayor and Council look at the plans. He advised that all trees will remain on premise as the buildings have been designed around the trees. He further stated that he is under the impression that this Mayor and Council are very fiscally responsible placing freezes on budget items. If his development goes forth, this will become a tax ratable for the Town of Hammonton.

Mayor DiDonato requested Councilpersons Wuillermin and Bertino to sit on the committee with the Mayor and meet with Mr. Bee and report back to Council with same.

Councilperson Bertino stated he can meet with Mr. Bee but the town must formulize the redevelopment plan and apply to Pinelands before any agreement may be made.

Mr. Bee agreed with Councilperson Bertino.

Councilperson Wuillermin encouraged Mr. Bee not to proceed with his plans until this Mayor and Council have had time to thoroughly review same.

Councilperson Bertino advised that there was no understanding at all with Mr. Bee and the former council. He continued that a meeting was held wherein Mr. Bee presented his plans but no formal decision was made by Council.

Councilperson Falcone once again questioned if Mr. Bee's senior housing would be funded by HUD?

Mr. Bee responded no.

Fred Melendez - Old Forks Road

Mr. Melendez referring to a letter he received from Triad Developers which states a neighbor complained of the PR Civic Assoc. septic not working properly and requested a pump and pipe on the property. He spoke to Bob Vettese of ARH and questioned if this is not a workable drainage system, who will be responsible for fixing same in the future, the Town or the Club? Is there an annual fee after hook up to town sewer system? He is also concerned as he already applied to town for sewage extension to his own property which was denied prior to them placing the existing line going toward the White Horse Pike.

Mr. Vettese advised he will provide a proposal for that area. Whether it is gravity sewer or sewer main which were both looked into, the PR Civic Assoc. would still have to supply a grinder pump. He also advised the property owner receives a bill for same which is a flat fee \$400. Mr. Vettese further advised that in the letter from Triad to Mr. Melendez that Triad is asking for Mr. Melendez's permission to enter his property.

#R 50 -2006 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 Falcone, seconded by Councilperson Colasurdo, resolution 50 be adopted.

All present members of Council voted in the affirmative. Absent: S. Lewis.

Mayor DiDonato declared the motion carried.

Resume Regular Order of Business

Motion by Councilperson Falcone, seconded by Councilperson Wuillermin, resume regular order of business. Motion carried.

Terminate Frank Spataro

Motion by Councilperson Falcone, seconded by Councilperson Colasurdo, terminate Frank Spataro effective 2/28/06 and authorize severance pay and payment of accumulated vacation and personal days due.

ROLL CALL:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Yes

S. Lewis - Absent

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Terminate K. Scott Fox

Motion by Councilperson Bertino, seconded by Councilperson Wuillermin, terminate K. Scott Fox effective 2/27/06 and authorize payment of vacation and personal days due.

ROLL CALL:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Yes

S. Lewis - Absent

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

MEETING ADJOURNED at 11:10 p.m.

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

April Boyer Maimone, Deputy Clerk

approved by Susanne Oddo, Town Clerk/Adm.