

REGULAR MEETING OF COUNCIL

Monday, July 25, 2005 at 7:00 P.M.

The Regular Meeting of Mayor and Council was held, Monday, July 25, 2005, at the hour of 7:00 p.m., Mayor Ingemi presiding.

ROLL CALL

Mayor Ingemi

Councilpersons: Bertino, Falcone, Morano, Olivo. Absent: S. Lewis.
Entering late: Clark.

PRESENT ALSO

Angela Maione Costigan, Town Solicitor

Bob Vettese, ARH Engineer

ROLL CALL DEPARTMENT HEADS

John Aloisio

Frank Ingemi

Rosemarie Jacobs

James Massara

Susanne Oddo

Louis Rodio

Lance Schiernbeck

ABSENT

Anthony DeCicco

ENTERED LATE

MaryJoan Wyatt

PLEDGE OF ALLEGIANCE

MAYOR'S STATEMENT

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 Morano, the minutes of the Regular Meeting of June 27, 2005 be approved as recorded by the Clerk and reading of same dispensed with. Motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

Motion by Councilperson Bertino, seconded by Councilperson Morano, dispense with regular order of business. Motion carried.

Swartz & Co. Auditor Report

Robert Swartz, Town Auditor, was present this evening to briefly review the 2004 Town of Hammonton Audit as follows:

1. Fund Balance increased by \$900,000 from \$3.3 million \$4.2 million. To prepare for new projects that increase was put into your 2005 budget.
2. Percentage of tax collection is a major contributor - 2004 % was 99.54%. To help maintain the rate it is important to eliminate tax title liens - there were 52 open liens at December 31.
3. State Aid continues to be flat this means that any increases in budget, even inflationary increases, must come from Town growth or.....taxes.
4. Audit did not disclose any findings significant enough to warrant an audit recommendation.
5. The Town continues to be very successful in obtaining grant funds. It is important that the grants be closely monitored to ensure you receive your money as soon as possible.
6. As of December 31, you had used approximately 40% of your available borrowing capacity. We do suggest that now is the time to permanently bond the temporary financing.
7. Computers Computers Computers Computers - they are true time savers and up to date hardware and software is essential. Our understanding is that it is coming.
8. We are prepared to address any questions or concerns related to our audit report or management letter.

Mr. Swartz complimented the Town of Hammonton staff and stated he sensed a genuine concern for work among the employees of the Town.

Mayor Ingemi thanked Mr. Swartz and he was excused.

Ord 21-2005 Salaries Certain Officials

Ordinance #21-2005 entitled "AN ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICIALS AND EMPLOYEES OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, NEW JERSEY," was read by title only.

Motion by Councilperson Bertino, seconded by Councilperson Morano, the ordinance be taken up for second reading. Motion carried.

ON THE QUESTION

Councilperson Olivo questioned the overall percentage salary increase?

Clerk responded approximately 2.5 to 3 percent.

Councilperson Bertino questioned what is the Consumer Price Index (cost of living increase)?

Clerk responded over 4 percent.

HEARING

Mayor Ingemi announced a hearing on this ordinance will now be held and anyone desiring may now have the opportunity to be heard.

No one desired to be heard.

Motion by Councilperson Morano, seconded by Councilperson Bertino, the hearing be closed and the ordinance be adopted.

ROLL CALL - Yeas: Bertino, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: Clark, S. Lewis

Mayor Ingemi declared the motion carried.

Motion by Councilperson Falcone, seconded by Councilperson Bertino, the ordinance be given legal publication as required by law. Motion carried.

Ord 22-2005 Salaries White Collar

Ordinance #021-2005 entitled "AN ORDINANCE FIXING THE SALARIES OF THE

WHITE COLLAR EMPLOYEES FOR THE TOWN OF HAMMONTON," was read by title only.

Motion by Councilperson Bertino, seconded by Councilperson Morano, the ordinance be taken up for second reading. Motion carried.

HEARING

Mayor Ingemi announced a hearing on this ordinance will now be held and anyone desiring may now have the opportunity to be heard.

No one desired to be heard.

Motion by Councilperson Bertino, seconded by Councilperson Morano, the hearing be closed and the ordinance be adopted.

ROLL CALL - Yeas: Bertino, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: Clark, S. Lewis

Mayor Ingemi declared the motion carried.

Motion by Councilperson Morano, seconded by Councilperson Bertino, the ordinance be given legal publication as required by law. Motion carried.

Ord 23-2005 Salaries WWTP

Ordinance #023-2005 entitled "AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE WASTEWATER TREATMENT PLANT FOR THE TOWN OF HAMMONTON," was read by title only.

Motion by Councilperson Morano, seconded by Councilperson Falcone, the ordinance be taken up for second reading. Motion carried.

HEARING

Mayor Ingemi announced a hearing on this ordinance will now be held and anyone desiring may now have the opportunity to be heard.

No one desired to be heard.

Motion by Councilperson Falcone, seconded by Councilperson Bertino, the hearing be closed and the ordinance be adopted.

ROLL CALL - Yeas: Bertino, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: Clark, S. Lewis

Mayor Ingemi declared the motion carried.

Motion by Councilperson Morano, seconded by Councilperson Bertino, the ordinance be given legal publication as required by law. Motion carried.

Ord 24-2005 Salaries Highway

Ordinance #024-2005 entitled "AN ORDINANCE FIXING THE SALARIES OF THE HIGHWAY DEPARTMENT EMPLOYEES FOR THE TOWN OF HAMMONTON," was read by title only.

Motion by Councilperson Morano, seconded by Councilperson Falcone, the ordinance be taken up for second reading. Motion carried.

HEARING

Mayor Ingemi announced a hearing on this ordinance will now be held and anyone desiring may now have the opportunity to be heard.

No one desired to be heard.

Motion by Councilperson Bertino, seconded by Councilperson Morano, the hearing be closed and the ordinance be adopted.

ROLL CALL - Yeas: Bertino, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: Clark, S. Lewis

Mayor Ingemi declared the motion carried.

Motion by Councilperson Falcone, seconded by Councilperson Morano, the ordinance be given legal publication as required by law. Motion carried.

Ord 25-2005 Salaries Radio

Ordinance #025-2005 entitled "AN ORDINANCE FIXING THE SALARIES OF THE RADIO DISPATCHERS EMPLOYEES FOR THE TOWN OF HAMMONTON," was read by title only.

Motion by Councilperson Bertino, seconded by Councilperson Falcone, the ordinance be taken up for second reading. Motion carried.

HEARING

Mayor Ingemi announced a hearing on this ordinance will now be held and anyone desiring may now have the opportunity to be heard.

No one desired to be heard.

Motion by Councilperson Bertino, seconded by Councilperson Morano, the hearing be closed and the ordinance be adopted.

ROLL CALL - Yeas: Bertino, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: Clark, S. Lewis

Mayor Ingemi declared the motion carried.

Motion by Councilperson Falcone, seconded by Councilperson Morano, the ordinance be given legal publication as required by law. Motion carried.

Ord 26-2005 Salaries Water

Ordinance #026-2005 entitled "AN ORDINANCE FIXING THE SALARIES OF

CERTAIN EMPLOYEES OF THE WATER DEPARTMENT FOR THE TOWN OF HAMMONTON," was read by title only.

Motion by Councilperson Bertino, seconded by Councilperson Falcone, the ordinance be taken up for second reading. Motion carried.

HEARING

Mayor Ingemi announced a hearing on this ordinance will now be held and anyone desiring may now have the opportunity to be heard.

No one desired to be heard.

Motion by Councilperson Bertino, seconded by Councilperson Falcone, the hearing be closed and the ordinance be adopted.

ROLL CALL - Yeas: Bertino, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: Clark, S. Lewis

Mayor Ingemi declared the motion carried.

Motion by Councilperson Bertino, seconded by Councilperson Morano, the ordinance be given legal publication as required by law. Motion carried.

Ord 27-2005 Turn 8th Street

Ordinance #027-2005 entitled "AN ORDINANCE ESTABLISHING RIGHT TURN

ONLY ON 8TH STREET IN THE TOWN OF HAMMONTON NORTHBOUND AND REPEALING A ONE-WAY DESIGNATION SOUTHBOUND ON 8TH STREET AS PROVIDED IN ORDINANCE #271-20," was read by title only.

Motion by Councilperson Morano, seconded by Councilperson Falcone, the ordinance be taken up for second reading. Motion carried.

HEARING

Mayor Ingemi announced a hearing on this ordinance will now be held and anyone desiring may now have the opportunity to be heard.

No one desired to be heard.

Motion by Councilperson Falcone, seconded by Councilperson Morano, the hearing be closed and the ordinance be adopted.

ROLL CALL - Yeas: Bertino, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: Clark, S. Lewis

Mayor Ingemi declared the motion carried.

Motion by Councilperson Falcone, seconded by Councilperson Morano, the ordinance be given legal publication as required by law. Motion carried.

Ord 28-2005 Jake Brake

Ordinance #028-2005 entitled "AN ORDINANCE PROHIBITING THE USE OF COMPRESSION RELEASE ENGINE BRAKES UPON ALL TOWN OF HAMMONTON AND ALL COUNTY OF ATLANTIC ROADWAYS," was read by title only.

Motion by Councilperson Morano, seconded by Councilperson Falcone, the ordinance be taken up for second reading. Motion carried.

HEARING

Mayor Ingemi announced a hearing on this ordinance will now be held and anyone desiring may now have the opportunity to be heard.

No one desired to be heard.

Motion by Councilperson Bertino, seconded by Councilperson Falcone, the hearing be closed and the ordinance be adopted.

ROLL CALL - Yeas: Bertino, Falcone, Morano,
Olivo, and Mayor Ingemi.

Nays: None.

Absent: Clark, S. Lewis

Mayor Ingemi declared the motion carried.

Motion by Councilperson Morano, seconded by Councilperson Falcone, the ordinance be given legal publication as required by law. Motion carried.

Ord 29-2005 Sewer Rates

Ordinance #029-2005 entitled "AN ORDINANCE AMENDING CHAPTER 226-9 ENTITLED DOMESTIC SEWAGE; RENTS," was read by title only.

Motion by Councilperson Bertino, seconded by Councilperson Falcone, the ordinance be taken up for second reading. Motion carried.

HEARING

Mayor Ingemi announced a hearing on this ordinance will now be held and anyone desiring may now have the opportunity to be heard.

No one desired to be heard.

Motion by Councilperson Bertino, seconded by Councilperson Morano, the hearing be closed and the ordinance be adopted.

ROLL CALL - Yeas: Bertino, Falcone, Morano,
Olivo, and Mayor Ingemi.

Nays: None.

Absent: Clark, S. Lewis

Mayor Ingemi declared the motion carried.

Motion by Councilperson Bertino, seconded by Councilperson Morano, the ordinance be given legal publication as required by law. Motion carried.

Ord 30-2005 Vendor Fees

Ordinance #030-2005 entitled "AMENDMENT TO ARTICLE III, CHAPTER 204 OF THE

GENERAL CODE OF THE TOWN OF HAMMONTON," was read by title only.

Motion by Councilperson Falcone, seconded by Councilperson Bertino, the ordinance be taken up for second reading. Motion carried.

HEARING

Mayor Ingemi announced a hearing on this ordinance will now be held and anyone desiring may now have the opportunity to be heard.

No one desired to be heard.

Motion by Councilperson Bertino, seconded by Councilperson Falcone, the hearing be closed and the ordinance be adopted.

ON THE QUESTION

Councilperson Olivo questioned what exactly does the amendment to the vendor ordinance do?

Solicitor advised it places a \$25.00 vendor fee for special events.

ROLL CALL - Yeas: Bertino, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: Clark, S. Lewis

Mayor Ingemi declared the motion carried.

Motion by Councilperson Falcone, seconded by Councilperson Bertino, the ordinance be given legal publication as required by law. Motion carried.

Ord 31-2005 Grading

Ordinance #031-2005 entitled "AN ORDINANCE OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY ESTABLISHING REQUIREMENTS FOR CONTROL OF GRADING AND DRAINAGE OF RESIDENTIAL LOTS," was read by title.

Motion by Councilperson Falcone, seconded by Councilperson Bertino, the ordinance be taken up for second reading. Motion carried.

HEARING

Mayor Ingemi announced a hearing on this ordinance will now be held and anyone desiring may now have the opportunity to be heard.

No one desired to be heard.

Motion by Councilperson Bertino, seconded by Councilperson Morano, the hearing be closed and the ordinance be adopted.

ROLL CALL - Yeas: Bertino, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: Clark, S. Lewis

Mayor Ingemi declared the motion carried.

Motion by Councilperson Morano, seconded by Councilperson Bertino, the ordinance be given legal publication as required by law. Motion carried.

Ord 32-2005 Eastern Brewery

Ordinance #032-2005 entitled "WHEREAS, the Town of Hammonton owns certain real estate along West End Avenue, more particularly described as Block 2416, Lot 1 on the Official Tax map of the Town of Hammonton," was read by title only.

Motion by Councilperson Falcone, seconded by Councilperson Bertino, the ordinance be taken up for second reading. Motion carried.

ON THE QUESTION

Councilperson Olivo questioned was this ordinance previously discussed by Mayor and Council?

Solicitor responded, yes.

HEARING

Mayor Ingemi announced a hearing on this ordinance will now be held and anyone desiring may now have the opportunity to be heard.

John Woods - 229 Messina Avenue

Mr. Woods noted he is present this evening as a property owner and not a Mainstreet Representative. He passed out pictures of the Eastern Brewery and Town of Hammonton property affected by this ordinance to Mayor and Council. He pointed out changes made to the properties over the past couple years as noted in the photos. He noted the changes have taken place on public property with no indication of the Town of Hammonton granting permission for same. He also noted that this area is being used for parking which was not the original plan. He stated that he feels discouraged that so little effort has been made to right this situation. He stated he does not recall any easements or approvals being granted for a parking lot being placed here. He stated that he feels the town will need to purchase back this property in the future

as a possible redevelopment site. He also stated he does not wish the Eastern Brewery owners any ill will. However, he feels that they should be subject to the same requirements that anyone else would be subject to.

Councilperson Bertino questioned was this landswap reviewed at the Hammonton Planning Board?

Mr. Vettese responded yes.

Councilperson Bertino stated the parcel the Town is acquiring from the Brewery is larger than the parcel the Brewery is receiving from the Town.

Mr. Vettese added there was also a storm sewer easement granted to the Town in this area.

Councilperson Olivo questioned did we perform an environmental study?

Councilperson Bertino stated no, it was too costly and was not necessary.

Mr. Vettese advised an environmental study was a recommendation but it was not mandatory.

Councilperson Falcone stated he feels the Town will come out ahead in this land swap agreement.

Councilperson Olivo stated he feels the wrongdoing was the changes made to property without proper permits during recent years at least when the Town owned the property.

Motion by Councilperson Bertino, seconded by Councilperson Morano, the hearing be closed and the ordinance be adopted.

ROLL CALL - Yeas: Bertino, Clark, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: S. Lewis

Mayor Ingemi declared the motion carried.

Motion by Councilperson Falcone, seconded by Councilperson Morano, the ordinance be given legal publication as required by law. Motion carried.

Ord 33-2005 Sale Property

Ordinance #033-2005 entitled "AN ORDINANCE AUTHORIZING THE

ADVERTISING FOR BIDS TO PURCHASE A PART OF LOT 44 OF BLOCK 1201 WHICH IS OWNED BY THE TOWN OF HAMMONTON," was read by title only.

Motion by Councilperson Clark, seconded by Councilperson Bertino, the ordinance be taken up for second reading. Motion carried.

ON THE QUESTION

Councilperson Olivo questioned where is this property located?

The Clerk advised on 11th Street.

HEARING

Mayor Ingemi announced a hearing on this ordinance will now be held and anyone desiring may now have the opportunity to be heard.

No one desired to be heard.

Motion by Councilperson Falcone, seconded by Councilperson Morano, the hearing be closed and the ordinance be adopted.

ROLL CALL - Yeas: Bertino, Clark, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: S. Lewis

Mayor Ingemi declared the motion carried.

Motion by Councilperson Morano, seconded by Councilperson Bertino, the ordinance be given legal publication as required by law. Motion carried.

RESUME REGULAR ORDER OF BUSINESS

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

COMMITTEE REPORTS

COUNCILPERSON S. LEWIS REPORT READ BY COUNCILPERSON OLIVO IN HER ABSENCE

Park Commission

A sub committee of the Park Commission met with ARH. The major focus of the meeting was the Boyer Ave Recreation Complex. We discussed the imminent need for a fence around a water basin which currently has a downed plastic orange fence around it. We discussed Phase II and the

plans to move forward with bids. Also discussed was a 2yr maintenance contract for the Phase I playing fields. All of the above information was reported to the entire Park Commission. At the regular meeting some members of the Commission raised concerns regarding moving ahead with Phase II. Some preferred to explore other possible sites for recreation in our town. The Engineer's report will describe these items in detail. I would ask the Engineer to hold off on Phase II until the Commission provides direction after they evaluate other areas.

Also discussed was the need to revive the "Clean Flo Project". As you may recall this was a process for which we had been seeking a grant to clean up the Hammonton Lake.

Mary Lucca was heard regarding a complaint against the organizer of the 4th of July celebration. The matter was referred to Mayor and Council for closed session.

John Rodio was heard regarding organizing a town picnic at the lake park for all Mayor and Council candidates. He continues to work with Lou Rodio regarding the required paperwork.

Trish Donio provided an extensive report regarding many collaborative projects that she and Lou Rodio have worked on together.

COUNCILPERSON BERTINO

Sewer and Water Commission

Egg Harbor Rd Water and Sewer from 9th Street to the Lake Park

ARH , the Town Engineer have completed the plans for the extension of Sewer and Water mains along Egg Harbor Rd from the Lake Park to the White Horse Pike. The Pinelands Commission is requesting a study to be completed as an endangered plant that may exist along the project route. ARH has received price quotes from the Consultants to complete the study. I am asking Mayor and Council's approval that Wander Ecological Consultants be awarded the contract at a cost not to exceed \$1,320.00, the project will be broken up into two phases so not to hold up the approval process.

Old Sewer Plant Demolition

The contractor has completed most of the demolition of the old town sewer plant located on Pleasant Mills Rd. The contractor Winzinger Construction must finish the final stabilization and purchase list items which should be completed shortly.

Envirex sludge disposal Plan

The town has received a proposal from Envirex/US Filter that would eliminate generation of sludge from our sewer treatment plant. The detailed proposal provided the cost comparison of current operations and the cost of sludge disposal estimated to be about \$380,000 per year. The Water and Sewer Committee has requested Envirex assure the

town that the conditions of both the surface water and ground discharge permits will not be at risk, if we implement this procedure.

The other Water and Sewer Issues can be covered under the Engineer's Report.

Planning Board

At the Planning Board meeting for Wednesday July 6th the Board heard from Kathy Simon seeking a conceptual review of the proposed plans for lighting to be added to the St. Joseph High School athletic complex located at Wood 3rd and 2nd Streets. An informal discussion of some issues that needed to be addressed ensued. Ms. Simon was encouraged to seek professionals to resolve the issues.

COUNCILPERSON MORANO

Public Works Projects

Councilperson Morano reported on various public works projects as follows: 4th Street, Packard Street, Horton Street, Third Street, Egg Harbor Road, Pleasant Street, Pressey Street.

Chief Ingemi Report

13th Street Striping Request

Chief Ingemi stated he received suggestions from 13th Street residents for a "No Passing Zone" which he is investigating.

ARH, Town Engineer, authorized to write a letter to proper authority concerning striping of 13th Street.

Complaints-Starting Hours-Contractors

Chief Ingemi also stated he received complaints concerning contractors beginning work prior to the allowable hour. Since the Highway Department begins work at 6 am during summer months it was felt that the contractors should be allowed to begin work at 6 am.

Councilperson Bertino stated he does not feel because Mayor and Council allow the Highway Department to begin work at 6 am during summer months, they should extend the same courtesy to the road contractors who are making more noise consistently.

Councilperson Olivo agreed with Councilperson Bertino.

COUNCILPERSON CLARK

Highway Department

The clean up for 16th of July Festival went smoothly. Streets and grounds were picked up right on time.

Continuing to pick up totters at Barnegat township yard.

Starting to train one employee a week at the Boro of Berlin, for the use of the Automated truck and system. They can observe and ask questions for the proper use of the vehicle.

Personnel permitting, curb cleaning will start on our local streets.

Requesting to replace street signs in the town areas.

Requested Chief to look into bio fuel for town vehicles.

COUNCILPERSON FALCONE

16th of July

Councilperson Falcone advised he received numerous positive comments concerning Hammonton Police Department during the 16th of July event. He thanked the Police Department for a job well done and requested the Clerk forward a letter of accommodation to the Chief on behalf of entire Police Officers and Crossing Guards.

COUNCILPERSON OLIVO

Authorize Independent Study Hammonton Airport

Motion by Councilperson Olivo, seconded by Councilperson Clark, authorize a purchase order to McFarland - Johnson for independent study at Hammonton Airport for \$1500.00.

ROLL CALL - Yeas: Bertino, Clark, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: S. Lewis

Mayor Ingemi declared the motion carried.

Park & Recreation Meeting Events

Councilperson Olivo stated he believes we will have to take this matter up under closed session.

Councilperson Olivo requested the Clerk read a letter of a family member who wishes her opinion to be read in full at this council meeting.

Solicitor questioned if the letter deals with Ms. Ripa's position with the Town?

Councilperson Olivo stated no.

The Clerk reviewing the letter stated she felt it did reflect on Ms. Ripa's position with the Town.

Solicitor requested to read letter first as to determine whether the Clerk may read same aloud.

Councilperson Olivo stated for the record that he is not taking sides on this issue.

Councilperson Bertino advised Councilperson Olivo that he believes the Solicitor is reviewing letter beforehand as to protect the Town against any legal ramifications that may occur out of the reading aloud of same.

Upon Solicitor's recommendation the Clerk read the following letters into the minutes:

The Clerk began reading the letter per Solicitor's instructions and once again stopped and questioned the Solicitor if she should continue reading same as she felt this letter should have been discussed in closed session.

To: Mayor and Council

Signed: Mary Lucca

I am sure this meeting will go into closed session. I am requesting Mr. Olivo read it, to the people present, and the public, in its entirety, before the closed session takes place. Yesterday, Tyler and I left for his trip. Although I would very much like to be reading this myself, I truly am where I need and prefer to be. He started his school today. He is doing the thing he loves most. I wouldn't miss this experience with him, for the world. Upon returning, the plan is to go from fundraiser to foundation. This foundation will benefit children in Hammonton who fall under the Autistic spectrum. He will no longer benefit from this. A foundation cannot benefit one person. It will only carry his name. I could easily walk away, especially after the past few weeks. I could thank people for their support and generosity, and be done. Fundraising isn't fun. It's hard work. It's never ending of your time, and efforts. But, I can't walk away. I personally know how overwhelmed people's lives are affected with any special needs child. There are many parents and children who need help. But, foremost, I promised Tyler months ago, we would continue his "WISH" to others. I have never purposely broken a promise to him, and I'm not going to start now.

Just in case there is someone left in Hammonton that doesn't know what this is all about, I'll sum it up briefly as I can. This letter is from Mary Lucca. I am the proud grandmother of Tyler Lucca. He is the sweet eleven year old boy who was at my side when a town employee, working in a volunteer capacity, threatened to have us removed from the park, with two police officers at her side, on Independence Day. Why was this done? Because we attempted to sell his "Blueberry Lemonade", for a

fundraiser. He has done this at almost every local event since Easter. Did we have permission for the spot? Yes. The discrepancy comes from can two vendors, sell the same thing. According to the rules of Robin Ripa, No. According to the Parks and Recreation ordinances, no such rule exists. How about the rules and regulations for special events?- they don't exist. Were there two vendors selling funnel cake, right next to each other?., YES. Should I be upset over lemonade? That depends., Should I be upset over a town employee abusing her power with the police? YES. Should a secretary be able to summon the police force to have the citizens of Hammonton intimidated? I don't think so. If real laws are broken, we all have the right to summons them. I think we have a real problem here. Who is running the police force? Even after this clear abuse, I only wanted an apology. Was she told to do that? That's what the mayor said. Did she listen to the man who appointed her? No. If Ms. Ripa had called, as the mayor told her to, it would have ended there. But next thing I knew the town solicitor calls. However, once I spoke with Frank DiMattio again someone over Ms. Ripa, he stated "I will take care of the solicitor problem." And low and behold, she never called again. Do I want the solicitor to call? NO. But, again I ask who is running things? Why did Mr. DiMattio want to immediately to a closed session at last weeks Park and Recreation meeting? Why did Ms. Ripa refuse to answer anyone's questions? When I was there to confront her with the written local, state and government laws, why was her reply, "I won't answer any questions without an attorney by my side" There was no attorney at my side. If I had broken as many ordinances and laws, believe me, I wouldn't be in Seattle. I would be sitting in Mays Landing.

Not only did Ms. Ripa threaten us, embarrass us, and most of all frighten this little boy, she repeated it in the local papers on July 20th. Her article was so distorted, mean spirited, slanderous that I couldn't even finish reading it in one sitting.

This entire situation is so out of control, I don't think anyone can believe it. Do I take responsibility for it being so public. Yes. But again, it was your employee and representative, who took the first swing.

I am a strong, oblivious outspoken woman. I know how things work. It has always been, and probably always will be what your last name is, how much money you have, and who you know. If you can't get things done, thru those channels, too bad. I can take whatever anyone can dish at me. I know who I am. I know all the wrong things I have done in my life. Trust me, I can tell you twenty stories to anybody's one, about me. But, this is not about me. It is about a wonderful, beautiful boy, who has probably overcome more true obstacles then all the people in this room put together. When it comes to any of my Grandchildren, but especially Tyler, I am a relentless advocate. I will protect him to the day they bury me on 1st Rd.

The other day, prior to leaving with Tyler, I thought maybe I should let it go. Then I stopped by my niece's house to pick something up. She said Aunt Mary, an older gentlemen said something to me the other night. I know how much Grandpop meant to you, so I thought I should tell you. He asked her, Do you know who this is in this picture? She said, yes, that's my Grandfather. The man shook his head and said, this

man was a WW II hero, I can't believe they tried to throw his Great-Grandson out of the park on Independence Day. My father like I, didn't always say or do the right thing. But, his time in the war was the proudest days of his life. My dining room is dedicated to him. There is a huge wall that frames his war pictures, planes, missions flown, and diplomas from gunnery school. Over the hutch is his flag, from the day we buried him. I took Tyler, as I often do, to talk to him on First Road. I remembered how he came to my house everyday to take Tyler for a ride in that old burgundy Jeep. I knew my father better than anyone. I know what his words would have been. I fought for this country. I fought for the very rights that were trampled on that day. I'm sure he turned over in his grave on Independence Day. I don't know who that man was, but, if you are listening, Thank you. The First Amendment does still apply, even in Hammonton.

I want everyone to know, I refuse to accept what happened that day. I will not let anyone suppress me, or this precious child. He has fought from the day he was born. He now is afraid to use his lemonade stand. He now is afraid of the police. Was your need to control things that day worth what has happened to this boy? Until this mayor and council resolves this to my satisfaction and fairness to Tyler, I will not go away. I will be at every Parks and Recreation meeting. I will be at every council meeting. I will go door to door, if I have to.

I will hold any and all that are involved. I will start with Ms. Ripa, and go right up the line, to Mr. DiMatteo, you Mayor Ingemi, and so on. I want you to look at your ordinances. Look at the Green Acres Laws. Look at the First Amendment. Do your job. Stop making up the rules as you go along. That is exactly what has gotten you where you are. The eyes of Hammonton are upon you.

To: Mayor Ingemi

Signed: Mary Lucca

I made you aware of the incident at the park on Tuesday Morning July 5, 2005. You apologized and stated you would take care of it.

On Thursday, July 7, 2005, I called you again and asked when were you going to take care of it. You stated you thought you had. You had called Ms. Ripa on the 5th, and told her to apologize. I explained she had called me from work, and told me my problem was, I just wanted to have my way. She also denied to you about calling the solicitor regarding "the secret raffle". You again said, I'll look into this. Today is Monday, July 25. I have yet hear back from you. It has been twenty days, Sir.

Also, last Wednesday, July 20th, the Atlantic City Press quoted you "I have no comment regarding the lemonade incident." I think all of Hammonton should be appalled by such lack of leadership qualities.

I still want to have faith that you will rise to the occasion, and do the right thing.

To: Jeanne Sparacino-Lewis

Signed: Mary Lucca

I'm sorry to say I never met or spoke to you before this unfortunate event. It is truly my loss. You have conducted yourself with kindness, compassion, and grace. You don't meet many true ladies these days. I have no doubt you always try to do the right thing. Hammonton is lucky to have you.

To: Anthony Falcone

Signed: Mary Lucca

My family and I know both you and your lovely wife Gracie.

However, I was disappointed with your reply on the 15th. "The event is over. It's too late to do anything now."

After the Parks and Recreation meeting, it was Ms. Ripa you went to comfort.

Were you at all concerned how my Grandson was doing? You sure didn't ask.

Will your sign be on my lawn this fall, as it has been, the last two times you ran? I'll let you know when I get back.

To: Ralph Morano

Signed: Mary Lucca

I had the pleasure of meeting your wife last week at the Parks and Recreation meeting. She stated, as a Grandmother, she would never want this to happen to any of her five Grandchildren.

I also want to publicly thank you both for the donation to Tyler's Wish Fund.

I want to believe as a Grandfather, and a representative of the community, you will do the right thing.

To: William Olivo

Signed: Mary Lucca

Here is another person I never spoke to prior to this explosion. A man who speaks the truth, behind, and in front of the cameras. I know he speaks the same in open and closed sessions. It is hard to believe, such an honest man, holds a political position. You Sir, could run for anything, anywhere, anytime, and you have my vote, I'm sure there isn't a person in this room, who couldn't benefit from following your character and integrity. That certainly includes myself, I must say. Over the past few weeks, you have seen me cry more than anyone. I thank you for the support.

To: Russell Clark

Signed: Mary Lucca

We have known each other for about twenty-five years. By no means personally, but from sight. I called you Thursday, July 15, 2005. I'm still waiting for that return call.

Since you are chairperson of the Parks and Recreation committee, I did expect to see you Tuesday night. I know you run a farm, but, the meeting started @7:30. The sun had set.

With all this going on you didn't care enough about this child to either call or attend the meeting. Again, a great example of representation of the people. He is just a small boy, but you do represent him too.

I will give you the benefit of the doubt. Maybe you hadn't heard about Tyler. But now you have.

To: James Bertino

Signed: Mary Lucca

Last, but by no means least. We have joked many times about your reputation. Please don't let anyone know you are a nice guy. Sorry, the cat is out of the bag. You have supported Tyler's Wish fund from day one. I believe you were one of the very first to sponsor a child for the Bowl-A-Thon. You were the only politician who took the time on Saturday, to come to the Bowl-A-Thon. You met Tyler that day, and have been by his side ever since. You, not Gabe Donio, per Ms. Ripa's rebuttal, have directed me down many avenues. Wasn't it you who also brought literature on the Tyler's Wish Fund to the Mayor? He did read that at a public meeting, correct? Yet, another venue to find information about him. Even as a politician, you gasped when you heard of the display on the 4th. In the last two weeks, I think you made as many phone calls as I did. I thank you publicly for greatly aiding Tyler in reaching his goal. I also know you hate when I ask you this, but here it goes again. Please look at what is right and wrong. Look at the real Do's and Don'ts. Read the ordinances, and laws. Do what's right from your heart. Don't answer me as a politician.

Solicitor's Response to Ms. Lucca's Letters:

The Solicitor stated, responding to Ms. Lucca's letters concerning the 4th of July event, that the 4th of July event has been successfully run by Robin Ripa for the past several years. Ms. Ripa has sought donations to run this event without asking the Town for any type of funding. She has brought fireworks back to Hammonton. This event is run on the donation of sponsors. The Town of Hammonton does not sponsor the 4th of July event and therefore is not considered a Town function. Ms. Ripa became a town employee during this year only, even though she has successfully sponsored this event for several years as a volunteer. At this year's event an unfortunate incident occurred between Ms. Lucca and Ms. Ripa. Also, during the event, the group called "Hammonton 1st" and Ms. Ripa were also involved in an incident. The two separate events converged and there are now political issues and power issues but there

are not Town issues. The issues raised by Ms. Lucca in her letter may be State issues, which should be taken to state courts. Ms. Lucca also raised Civil Rights issues, which should be handled by appropriate Civil Rights Courts. Any ordinances violated should be handled at the appropriate Municipal Courts. There are proper forums to raise complaints and Ms. Lucca should use those forums in this matter.

Councilperson Olivo questioned the Solicitor if she thought Ms. Ripa should be discussed and investigated further?

The Solicitor responded that what Councilperson Olivo is bringing up concerns Ms. Ripa as a volunteer not a Town employee. If there is an issue that directly concerns Ms. Ripa's employment with the Town of Hammonton then that should be discussed in closed session.

The matter was closed.

SOLICITOR REPORT

NEON COMMUNICATIONS - resolution for Mayor and Council

Town Hall - Meeting of July 11, 2005 on Transit Village, Transit Village resolution for approval and USRD Funding

Authorize Bond Counsel to Pursue USRD Funding

Motion by Councilperson Bertino, seconded by Councilperson Falcone, authorize Bond Counsel to pursue USRD funding for new town hall and prepare appropriate bond ordinance in this regard.

ON THE QUESTION

Councilperson Olivo questioned amount of funding?

Solicitor responded \$7 million dollars.

Councilperson Olivo questioned will we require additional property?

Solicitor stated no. NJ Transit encroaches on the Town's site and we have asked them to remove their parking

Councilperson Morano questioned can we utilize only the amount of funds needed for project?

Solicitor advised yes, we did check with USRD concerning this issue.

ROLL CALL - Yeas: Bertino, Clark, Falcone, Morano,

and Mayor Ingemi.

Nays: Olivo.

Absent: S. Lewis

Mayor Ingemi declared the motion carried.

Airport - Larson Contract for helicopter

Motion by Councilperson Clark, seconded by Councilperson Olivo, authorize Solicitor to prepare a contract with Larson for \$600.00 additional per month.

Motion carried.

ENGINEER REPORT

SEWER & WATER - ACTION ITEMS

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

As directed by Mayor and Town Council, ARH has begun the design work associated with the sewer and water replacement along Bellevue Avenue. It is anticipated that all necessary permit applications will be filed within the next few months.

To fund the project, the Town has previously requested that ARH apply to the United States Department of Agriculture, Rural Utilities Services under their grant/loan program. As requested, ARH has begun to prepare the funding application to accompany the application a resolution must be adopted that will formally allow the Town to submit the application and construct the project. A second resolution will be drafted for next meeting that will formally authorize the Town to enter into a professional services agreement to design, manage and administer the contract. We have attached the first resolution to file the application for Council's consideration.

Action Requested:

1. Approve the application to USDA, RUS and construction of the project by way of a formal resolution.

Refer to New Business for resolution.

2. Egg Harbor Road Water Loop - 9th Street to Lake Park (11-30132):

We have completed the design plans for both the sanitary sewer and water main extension along Egg Harbor Road extending between the Hammonton Lake Park to the White Horse Pike. Submission of the design plans has been made to the NJDEP and the Pinelands Commission. We have received a

response from the Pinelands Commission requesting that a study be completed on a threatened and endangered plant species known as Sessile-Leaved Tick-Trefoil which may exist in a certain area of the project route. We have requested and received price quotes from the following consultants to complete the study.

A. Wander Ecological Consultants

28 Warner Road

Newton, NJ 07860

Cost \$1,200.00 plus estimate 10% expenses = Total \$1,320.00

B. Trident Environmental Consultants

1658 Route 9

Toms River, NJ 08755

Cost \$2,500.00

Due to the limited value of the contract and upon checking with the appropriate committee and Town Officials, we requested that Wander Ecological Consultants schedule to complete the work subject to approval of the full Mayor and Council.

Also so as to not hold up the project approval process, the utility extension for this part of the project was broken into two phases consisting of the following limits:

Phase II - Egg Harbor Road Utility Extension

Water Main Extension - Lake Park to the White Horse Pike 8th Street, Moss Mill Road intersection

Sanitary Sewer Extension - 9th Street to SE limit of Victory Bible Church parcel.

Phase IIA - Egg Harbor Road Utility Extension

Sanitary Sewer Extension - SE limit of Victory Bible Church parcel to the 300 feet ± NE of the White Horse Pike intersection.

Motion by Councilperson Bertino, seconded by Councilperson Falcone, authorize award for the endangered specie study to Wander Ecological Consultant of Newton, NJ at a total cost of \$1,320.00.

ROLL CALL - Yeas: Bertino, Clark, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: S. Lewis

Mayor Ingemi declared the motion carried.

3. Egg Harbor Road Utility Extension (11-50111):

We have made submissions to and have received approvals from the various agencies for the Phase I and Phase IA portion of the sanitary sewer extension project consisting of the following areas:

A. Egg Harbor Road Sanitary Sewer - Harbor Drive to Eleventh Street

B. Eleventh Street - Egg Harbor Road to 125 feet past Washington Street intersection

C. Washington Street - Eleventh Street to 700 ft. NW.

We are still waiting for the written approval from NJ Transit for the track crossing, but we would like to bid this portion of the project on August 11th if acceptable to the Mayor and Council. We have also been in contact with the County relating to this project. We have attached a copy of a proposal for ARH to complete the construction management and related tasks for the project totaling \$22,150.00 for Councils consideration.

Action Requested:

1. Authorization from Mayor and Council to advertise for receipt of project bid for Phase I and IA on Thursday, August 11, 2005 @ 10:00 a.m.

Motion by Councilperson Bertino, seconded by Councilperson Falcone, authorize ARH to bid Phase I and IA Egg Harbor Road Utility Extension. Motion carried.

2. Approve ARH proposal for construction management contract associated with the completion of the Phase I and IA sections and issue a purchase order for same.

Motion by Councilperson Bertino, seconded by Councilperson Falcone,

authorize a purchase order to ARH in the amount of \$22,150.00.

ROLL CALL - Yeas: Bertino, Clark, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: S. Lewis

Mayor Ingemi declared the motion carried.

PUBLIC WORKS ACTION ITEMS:

4. Boyer Avenue Recreation (11-50099):

Phase I

Field Playability:

Our office held a meeting on July 14, 2005 with representatives from the Parks and Recreation Commission, the Committee on Recreation, the Mayor and the Town Solicitor. As a result of the meeting we've determined the next course of action will be to put out a contract for the re-establishment, maintenance and upkeep of the phase I fields. In order to move forward on the project our office has submitted a proposal for the Mayor and Council to consider.

Councilperson Olivo stated he felt the fields should have been playable

when acquired as signed off by ARH.

Mr. Vettese advised because they were not kept up, the fields need

treatment. The field never had a good chance to establish itself.

Phase I

Motion by Councilperson Bertino, seconded by Councilperson Olivo,

authorize purchase order to ARH in the amount of \$19,280.00 to produce bidding documents, advertise for public bid, and make a recommendation of award in accordance with local public contract laws for the re-establishment and maintenance of the Phase I fields to extend over a two year period.

ROLL CALL - Yeas: Bertino, Clark, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: S. Lewis

Mayor Ingemi declared the motion carried.

Phase II

Authorize a purchase order to ARH in the amount of \$35,130.00 to provide assistance managing the contract including inspection of work (as needed), process of payments, review of shop drawings, etc. in order to keep the project moving forward in a positive direction including the following Phase II work:

Phase II

Construction:

Our office will be completing the bidding documents in anticipation of an August bidding date. It is planned to make a recommendation of award at the next regularly scheduled Council Meeting (8-22-05). Also we've been requested to put out an additional contract for the installation of fencing around the existing stormwater management basin (discussed further in the next section of this report). As a result of the 7-14-05 meeting we've been asked to submit a proposal for Mayor and Council's consideration. Included within the accompanying proposal are construction management services associated with the Phase II portion of work and the installation of fencing.

No action taken at this time. Hold Phase II until August meeting.

Fencing Quotes

Master Wire Mfg Inc. \$15,660.00

Atlantic Coast Fence \$23,370.17

Fondacaro Fencing Inc. No Quote Submitted

Motion by Councilperson Olivo, seconded by Councilperson Clark,

authorize a purchase order to low quoter Master Wire Mfg Inc. in the amount

of \$15,660.00.

ROLL CALL - Yeas: Bertino, Clark, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: S. Lewis

Mayor Ingemi declared the motion carried.

5. FY 2005 CDBG Applications, ADA Curb/Sidewalk Replacement (11-40020):

Our office has advertised and received bids for the Ramp Project. There was one responsible bidder in Marandino Concrete Company of Vineland, NJ. Upon review of the bids it does not appear as though the Town has allocated sufficient funds to award the entire contract. Therefore, should the Town wish to do so, the Mayor and Council may award the project in the amount of the available funds. Any such award should be contingent upon certification from the CFO and approval of the bidding documents by the Town Solicitor and Atlantic County Improvement Authority. One bid was received as follows:

ONLY BIDDER Marandino Concrete Co. \$167,230.00

Action Requested:

Approve and passage of the resolution for the award of the ADA Project, Phase IV to Marandino Concrete Company subject to the amount of available funds of \$148,605.70 and approval of the bidding documents by both the Town Solicitor and ACIA. We have included a copy of the typical resolution for Council's consideration.

Refer to New Business for resolution.

6. Pressey Street Roadway Reconstruction (11-40019):

Our office has advertised for the receipt of bids and by the time of the Council meeting, will have received bids for the Pressey Street Roadway Reconstruction project. A subsequent report on the project will be provided prior to the meeting for Council's review and award consideration. ARH would recommend that Council consider awarding the contract to the lowest responsible bidder subject to the availability of funds and upon approval of the bidding documents by the Solicitor.

Asphalt Paving Systems \$116,490.00

Marandino Concrete Co. \$122,506.00

Authorize the passage of the resolution for the award of the Pressey Street Roadway Reconstruction Project to the lowest responsible bidder subject to the availability of funds and upon approval of the bidding documents by the Town Solicitor. The resolution will be provided at the Council meeting.

Refer to New Business for resolution.

7. Woodbridge Development (11-20184):

The Developer of the project has requested release of the Maintenance Bond posted for the project. Our office had recommended and the Town had approved the release of the Performance Bond and posting of a Maintenance Bond at the May 27, 2003 meeting. Since the two year time period has lapsed on the Bond #B2-1878778 we completed a final inspection of the site improvements. The Developer has since returned to the site and completed the necessary items as required per approval. Therefore, we are recommending release of the Maintenance Guaranty in the amount of \$90,000 to Tim Schaeffer Communities. Any such approval should be contingent upon verification that all outstanding professional services fees have been satisfied.

Motion by Councilperson Bertino, seconded by Councilperson Morano, authorize the release of the Maintenance Bond #B2-1878778 to Tim Schaeffer Communities contingent upon verification that all professional service invoices have been satisfied.

ROLL CALL - Yeas: Bertino, Clark, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: S. Lewis

Mayor Ingemi declared the motion carried.

8. Eleventh Street/Washington Street Town Hall Site (11-01065-05):

As related to Phase II investigation for the site, we have enclosed the following update:

1. June 16, 2005 - report forwarded to NJDEP for Memorandum of Agreement
2. July 11, 2005 - installed on-site monitoring well
3. July 25, 2005 - test well water samples to be collected
4. August 15, 2005 (tentative) - lab results should be available from well tests

We have met with the Town Design professionals on Tuesday, July 19, 2005 to discuss possible site plan adjustments to reflect discussions with NJ Transit regarding parking lot conflict, shared access/parking etc. We will also be meeting on Friday, July 22, 2005 to further discuss the site plan related items so that the process for design and approval can proceed. In conjunction with the approval

process, we have requested a proposal from Horner and Canter Associates to complete a traffic study and air quality assessment report. It is felt that the County and Pinelands Commission will require these studies as part of their review process. We have attached a copy of the Horner and Canter Associates for Council's consideration. The Architect, Construction Manager and ARH will keep Council informed of further progress.

Motion by Councilperson Morano, seconded by Councilperson Clark, authorize Horner and Canter Associates proposal dated 6/16/05 totaling \$7,300.00 to complete the traffic impact study and air quality assessment for the project area and issuance of the purchase order for same.

ROLL CALL - Yeas: Bertino, Clark, Falcone, Morano,

and Mayor Ingemi.

Nays: Olivo.

Absent: S. Lewis

Mayor Ingemi declared the motion carried.

SEWER & WATER INFORMATION ITEMS

9. Plant Demolition (11-50073):

The project is substantially complete. The contractor must finish final stabilization and punchlist items. In time for the next reporting period we anticipate being able to close out the contract.

10. Colwell/Railway/Wood Street Utility Extension (11-50116):

As noted in last month's report, TSB Associates has been provided with a punchlist of items to complete for the project. Since the issuance of the punchlist, as-built information in the form of surveyed plans and video has been provided by the Contractor. Our office is currently reviewing the submitted information for compliance with the design plans. The Contractor should be able to complete the roadway resurfacing work during the month of August.

11. Surface Water Permit (11-50047):

On May 17, 2005, Omni Environmental representatives and the Superintendent met with NJDEP representatives to review the intended stream study scope for the lead and phosphorus issues. Based on the on-site meeting Omni Environmental resubmitted the stream study work plan on June 3, 2005 for acceptance by NJDEP. On June 16, 2005, the NJDEP responded

to Omni with regard to the revised work plan. The revised work plan was accepted, thus allowing the study to commence. As a reminder, the Town of Hammonton Sewer personnel are gathering the samples to assist Omni in order to keep the overall cost of the study in check.

The first round of sampling required as part of the work plan will be critical to whether the stream study will provide any conclusive results. The reason that the phosphorus study is difficult is due to the acknowledgement by NJDEP of condition of the stream. The NJDEP letter specifically indicates their observation of the stream by the following sentence:

Since the receiving stream is visibly over-burdened with plant growth, an evaluation and/or a discussion of these data with the members of your staff and those of the permittee will determine if there are any grounds for continuation of this study.

Ray Ferrara of Omni Environmental has advised us of additional rule changes currently proposed by NJDEP. These rule changes will have additional affect on the Town's ability to achieve the phosphorus standard. Dr. Ferrara is organizing a consolidated reaction opposing the new standards since they affect other communities besides Hammonton. We will keep the Town apprised of the status of Dr. Ferrara's actions.

12. Lincoln Street Well Strategies (11-30131):

Initially, it was our understanding that the NJDEP would allow the construction to occur under and an Administrative review process. Recently we received a letter from the Bureau of Safe Drinking Water (BSDW) requiring that the Town file for construction permits on the facility prior to bid. The NJDEP responded to our inquiry indicating that a BSDW application is warranted.

Plans and specifications have been completed and submitted to NJDEP for a Safe Drinking Water Permit. The NJDEP plans do not require the electrical portion. Once the permit is received from NJDEP and the electrical design is authorized and completed, we will advertise for bids.

13. Boyer Avenue Land Application Project (11-50058):

On behalf of the Town, two letters were written (October 11, 2004 and November 29, 2004) to the NJDEP presenting the case for extending the AACO deadline for the complete cessation of discharge to the Hammonton Creek. The major reason for the request for postponement dealt with the various agencies lack of agreement on what protocol the Town should exercise in pursuit of a resolution. During this timeframe, two other events with the Pinelands have

transpired. The first was a request for Pinelands funding to address/study the less than desirable percolation at the site. The second involved a co-application (Pinelands and Town of Hammonton) for a EPA grant to have the highly respected EPA scientists study the pending problem.

Pinelands was awaiting a definitive response to the EPA Application before passing judgment on the release of their own funds towards this cause. A response from EPA has recently been received whereby the Town of Hammonton/Pinelands application did not receive a funding appropriation. Notwithstanding the current status, the Bureau of Southern Enforcement has agreed to await some definitive movement from Pinelands before instituting a revised deadline. Specifically, the Bureau of Southern Enforcement writes:

It is the Department's understanding from its October 2004 meetings with Pinelands Commission representatives that the additional investigative measures required for Hammonton to determine the wastewater disposal capacity of the Boyer Avenue site will be specified in a forthcoming letter from the Pinelands Commission.

Therefore, the Department hereby approves Hammonton's Force Majeure requests to continue discharging 2/3 (66%) of its wastewater to Hammonton Creek until such time as the Pinelands Commission provides Hammonton with written guidance concerning the additional investigation required to determine the ultimate wastewater disposal capacity of the Boyer Avenue site and the Department determines that Hammonton can reliably discharge more than 34% of its flow to the Boyer Avenue site, with the specific condition that Hammonton continues working actively with the Pinelands Commission to resolve this compliance issue and provides written quarterly progress reports to both the Department and the Pinelands Commission concerning its investigation of the Boyer Avenue site.

We have corresponded with the Pinelands to request Pinelands funding to proceed with the necessary study now that the EPA decision has been rendered.

14. ACUA Disposal (11-50058):

At the last Council meeting we reported on a proposal received from Envirex/US Filter on a new method of sludge disposal that we reviewed along with the Superintendent. The method, if installed would eliminate the need for the contract with the ACUA since the sludge generation would be significantly reduced.

The detailed proposal provides the capital cost of the new equipment as well as a cost comparison of operations with and without the new method. The cost of the sludge disposal

equipment is estimated to be approximately \$860,000.00. However, the cost of sludge disposal under the current process with an average daily flow of 1.0 million gallons is estimated at \$380,000.00 per year including the following expenses:

- ACUA disposal contract
- Power Cost
- Chemical Cost

According to the report the anticipated cost to operate the new process would be approximately \$57,500.00 or a savings of over \$323,000.00 per year. Should the system be installed the capital expenditure would be covered in less than three years. The savings would be greater at higher average daily flows.

The sub-committee members requested that we obtain information from Envirex/US Filter to assure that the conditions of both the Surface Water and Groundwater Discharge Permits will not be at risk if we implement this procedure. Following our inquiry to US Filter, we will report their observations to Council.

15. TSB Contract Extension - Egg Harbor Road/Third Street (11-50122):

TSB completed the sanitary sewer installation for the section of Egg Harbor Road extending between 100 feet ± NW of Walmer Street to 250 feet ± NW of same. Two service laterals were installed. The contractor must still complete the sidewalk restoration work.

TSB will now proceed to complete the sanitary sewer installation from Cherry Street to 200 feet ± SE of same once all easements are obtained.

16. Old Forks Road, Melendez, Santora, Puerto Rican Civic Association Sanitary Sewer Service Feasibility (11-01000-81):

As authorized by the Mayor and Council, we have completed the following tasks:

- Use of existing data, elevations, pipe inverts, etc. to investigate the feasibility to extend public sanitary sewer to the properties noted above.
- Sent all a request to various property owners within the Northeastern section of the Town requesting their response for interest in public water and sanitary sewer service.

We will be presenting this information to the Sewer and Water Committee along with MUAC for the review and recommendation. We have also sent a letter of response to the Assistant County Counsel relating to this matter as requested by the Solicitor.

Councilperson Olivo questioned what is the status on this project?

Mr. Vettese advised possibly Santora property can be serviced by gravity sewer.

Councilperson Olivo requested a recommendation be made by Mr. Vettese at next council meeting.

PUBLIC WORKS - INFORMATION ITEMS

17. 2004 State Aid Linda Avenue Reconstruction (11-40014):

The Contractor, Humbert DeFalco is substantially complete the reconstruction project. We have scheduled Craig Testing Labs to complete the pavement cores. Once results have been obtained we will close out the contract and seek NJDOT reimbursement of expended funds.

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

Our office is presently progressing on the design plans for the sanitary sewer replacement, storm sewer work and roadway reconstruction work. We will keep Council informed of further progress. We will be meeting with the various Town Committees in the near future to seek their input on design related issues.

19. Old Forks Road Reconstruction (11-40007):

The Contractor is in the process of completing the installation of storm water piping. It is anticipated that the concrete curb and sidewalk will be completed in the next couple of weeks. Prior to the next reporting period we anticipate a substantial amount of work being completed, and we will be pushing to have the roadway paved by the next regularly scheduled council meeting.

20. Transportation Enhancements Front Street Walk (11-01056):

The Contractor previously mobilized to the site and has completed roughly half of the work associated with the project. The large items which remain unfinished are the Pavilion, reconstruction of the roadway, and landscaping installation. The Contractor has requested, and ARH has recommended, Payment #1 to Marandino Concrete. Payment

consideration is reflected in the bill list for work completed to date.

21. 2005 Road Program (11-40023):

As authorized by the Mayor and Town Council, our survey crews have completed the collection of the field data related to the following project roadways:

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

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

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

The base plan for Horton Street has been completed and it is expected the remaining base plans will be prepared later this week. Design work should begin this month. We will be meeting with the Public Works Committee along with the Sewer and Water Committee later this month to review the project design parameters, concerns and constraints.

MAYOR REPORT

Comcast Cable Report

Mayor Ingemi advised the he received correspondence concerning the changing of Channel 2 to Channel 13 as the local channel in the Town of Hammonton which will take place on or about August 1st.

Transit Village Development

Mayor Ingemi read into the minutes correspondence concerning Transit Village Development:

On this evening's agenda there is a resolution identifying a proposed transit village district. The Town of Hammonton has engaged in discussions with the State of New Jersey Officials to explore the possibility of having certain areas in the town designated as a transit village district. The areas proposed comprise the traditional downtown section as well as the railroad corridor from the vicinity of 11th Street to 13th Street. The designation of transit village will assist the town's revitalization efforts and promote more opportunities for pedestrian usage of the traditional business district of the town. Equally important will be the availability of funding to assist the town in its pursuit of redevelopment and promotion of: walkable mixed uses, transit-supportive development, complementary residential development, pedestrian and bicycle routes, creation of centers of

place and preservation of historic and architectural integrity. The existing characteristics of the town allow the town to be strongly considered for the transit village designation and avail itself of potentially \$1.0 million in NJDOT funding.

The transit village development district encompasses the current mixed use zone (M-D), mixed use age restricted/affordable zone (MDA) and the traditional Business Zone (B-1). Construction of the town hall within this zone and of the construction of a state office facility are added features to the plan but are not requirements for the town to achieve the designation.

The transit village designation does not require the town to place affordable housing within the designated area as a prerequisite of the program. Should the town obtain the designation, the existing zones would be evaluated to promote the goals of the transit village criteria.

The existing zones allow for the following development:

B-1 Business District - permitted uses include the local retail activities which comprise the existing character of the town with a minimum lot size of 2500 SF.

M-D Mixed Use District - permitted uses in the MD zone include single family detached/two family dwellings as also permitted in the R-1 zone. As for the commercial establishments, the minimum lot size is 10,000 SF.

MDA Mixed Use Age Restricted/Affordable - the MDA District is designated specifically for Block 2605, Lot 1. The district shall exclusively permit age-restricted affordable housing pursuant to and in compliance with the COAH requirements. A density of 10 residential age restricted units per acre shall be permitted, provided that the property is served by public sewer.

The pursuit of a transit village designation provides opportunities for the town and will facilitate the goals of redevelopment, revitalization, business attraction and business retention.

TOWN CLERK/ADMINISTRATOR REPORT

Approve 2005 Employee Contracts As Follows:

Town Clerk

Deputy Clerk

Administrator

Accountant

Police Chief

Tax Collector

Recreation

Tax Assessor

Fire Official

Construction Official

Sewer Sup't

Water Sup't

Municipal Court Clerk

Road Sup't

School Crossing Guards

Laborer Recreation

Laborer Buildings & Grounds

Radio

White Collar

Highway

Water

WWTP

Motion by Councilperson Bertino, seconded by Councilperson Clark, approve Town of Hammonton Employment Contracts for year 2005 as listed by the Clerk.

ROLL CALL - Yeas: Bertino, Clark, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: S. Lewis

Mayor Ingemi declared the motion carried.

Authorize Change Orders - Airport as follows:

Pole Tavern Equipment Sales \$429.00

Hammonton, NJ

Ted Kingston Inc. \$2,466.60

Strathmere, NJ

Laurel Lawnmower Service Inc. \$135.00

Blackwood, NJ

Motion by Councilperson Olivo, seconded by Councilperson Clark,
authorize Airport Change Orders as recorded by the Clerk.

ROLL CALL - Yeas: Bertino, Clark, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: S. Lewis

Mayor Ingemi declared the motion carried.

BILLS/PAYROLL/OVERTIME

JULY 2005 BILL LIST

		<u>2004/Reserve</u>	<u>2005</u>
ADMINISTRATION			
0-01-20-101-000			
Jacobs, Rosemarie, Treas.	payroll 7/1		11,288.46
Jacobs, Rosemarie, Treas.	payroll 7/15		11,467.07
Jacobs, Rosemarie, Treas.	payroll 7/29		24,652.39
Jacobs, Rosemarie, Treas.	ot 7/29		75.37
Apple Printing	business cards		42.40
Casa Payroll	payroll processing		431.43
Employee Data Forms	calendar sheets		37.25
Executive Business	supplies		168.53
Federal Express	charges		85.59
Garden State Color Corp	photo's		34.02
UPS	charges		400.00
			48,682.51

FINANCE

0-01-20-103-000		
Jacobs, Rosemarie, Treas.	payroll 7/1	6,089.47
Jacobs, Rosemarie, Treas.	payroll 7/15	6,089.47
Jacobs, Rosemarie, Treas.	payroll 7/29	10,723.39
		22,902.33

ASSESSMENT OF TAXES

0-01-20-104-000		
Jacobs, Rosemarie, Treas.	payroll 7/1	3,536.54
Jacobs, Rosemarie, Treas.	payroll 7/15	3,536.54
Jacobs, Rosemarie, Treas.	payroll 7/29	6,276.89
Comcast	charges	196.00
Executive Business	supplies	74.14
Tapper	supplies	63.73
Wachovia Bank	rental-deposit box	55.00
		13,738.84

COLLECTION OF TAXES

0-01-20-105-000		
Jacobs, Rosemarie F.	reimb. Mileage	51.39
Tapper	supplies	342.05
		393.44

LEGAL

0-01-20-106-000		
Jacobs, Rosemarie, Treas.	payroll 7/1	2,500.00
Jacobs, Rosemarie, Treas.	payroll 7/15	2,500.00
Jacobs, Rosemarie, Treas.	payroll 7/29	2,500.00
Angela Costigan	svc.	565.50
Hammonton Gazette	notices	1,117.89
Press of Atl. City	notices	31.85
Thomson West	charges	69.00
		9,284.24

ENGINEER

0-01-20-107-000		
Adams, Rehmann & Heggan	svc.	1,499.50
		1,499.50

COMPUTER

0-01-20-133-000

Jacobs, Rosemarie, Treas.	payroll 7/15	1,730.77
Jacobs, Rosemarie, Treas.	payroll 7/29	1,384.62
		3,115.39

PLANNING BOARD

0-01-21-109-000

Jacobs, Rosemarie, Treas.	payroll 7/1	1,466.15
Jacobs, Rosemarie, Treas.	payroll 7/15	1,397.54
Jacobs, Rosemarie, Treas.	payroll 7/29	1472.94
Jacobs, Rosemarie, Treas.	ot 7/1	137.42
Jacobs, Rosemarie, Treas.	ot 7/15	22.87
Jacobs, Rosemarie, Treas.	ot 7/29	37.83
Executive Business	supplies	136.10
Hammonton Gazette	notice	24.18
Karabashian Eddington Planning	svc.	37.60
Press of Atl. City	notice	15.68
		4,748.31

BOARD OF ADJUSTMENT

0-01-21-110-000

Jacobs, Rosemarie, Treas.	payroll 7/1	142.31
Jacobs, Rosemarie, Treas.	payroll 7/15	142.31
Jacobs, Rosemarie, Treas.	payroll 7/29	142.31
Executive Business	supplies	148.42
Hammonton Gazette	notice	105.40
		680.75

RENT CONTROL

0-01-21-111-000

Jacobs, Rosemarie, Treas.	payroll 7/1	34.61
Jacobs, Rosemarie, Treas.	payroll 7/15	34.61
Jacobs, Rosemarie, Treas.	payroll 7/29	34.61
		103.83

SHADE TREE

0-01-21-112-000

Asplundh	tree removal	2,946.43	16,078.57
Rodio Tractor	saw chain		94.04
Tapper	supplies		127.35
		2,946.43	16,299.96

CONSTRUCTION

0-01-22-126-000

Jacobs, Rosemarie, Treas.	payroll 7/1		6,635.00
Jacobs, Rosemarie, Treas.	payroll 7/15		6,703.61
Jacobs, Rosemarie, Treas.	payroll 7/29		10,800.10
Executive Business	supplies		188.92
			24,327.63

OTHER CODE ENFORCEMENT

0-01-22-127-000

Jacobs, Rosemarie, Treas.	payroll 7/1		1,269.23
Jacobs, Rosemarie, Treas.	payroll 7/15		1,269.23
Jacobs, Rosemarie, Treas.	payroll 7/29		2,538.53
All-Scape Landscaping	cutting of lawn		90.00
NAPA	parts		156.86
			5,323.85

GROUP INSURANCE

0-01-23-114-000

Delta Dental	july rpt.		4,249.43
NJSHBP	report		73,389.94
Prudential	july rpt.		495.91
Vision Service Plan	july rpt.		2,629.94
			80,765.22

INSURANCE

0-01-23-115-000

Atlas Flasher & Supply	barricades		1,859.00
			1,859.00

NJ DISABILITY INS.

0-01-23-148-000

Jacobs, Rosemarie, Treas.	ins. 2nd qtr.	3,972.34
		3,972.34

FIRE

0-01-25-117-000

Action Auto Body	repairs	195.32
Bruno's	batteries	313.47
Continental Fire & Safety	equipment	1,433.50
Fire One	pump test	1,500.00
Forsight Optical	lenses	99.00
Wm. B. Kessler Hosp.	hepatitis vaccine	75.00
		3,616.29

UNIFORM FIRE

0-01-25-118-000

Jacobs, Rosemarie, Treas.	payroll 7/1	738.46
Jacobs, Rosemarie, Treas.	payroll 7/15	858.46
Jacobs, Rosemarie, Treas.	payroll 7/29	1,373.11
Ford Motor Credit	pmt.	412.60
		3,382.63

POLICE

0-01-25-119-000

Jacobs, Rosemarie, Treas.	payroll 7/1	81,697.82
Jacobs, Rosemarie, Treas.	payroll 7/15	81,697.82
Jacobs, Rosemarie, Treas.	payroll 7/29	97,487.83
Jacobs, Rosemarie, Treas.	ot 7/15	1,126.11
Jacobs, Rosemarie, Treas.	ot 7/29	1,460.46
Al & Rich's	gas	30.20
Atl. Cty Assoc. of Chiefs	training fee	200.00
Carrelli, Michael	clothing allowance	48.00
Carrot-Top Industries	banners, artwork	396.74
Executive Business	supplies	379.55
Ford Motor Credit	lease pmt.	4,351.12
Gall's	batteries	178.96
Lawmen Supply	supplies	359.19
Nat'l Public Safety	directory	116.10
Pro Pedals	supplies	306.05

Red the Uniform Tailor	equipment	876.05
Rovani Graphics	patrol sheets	534.64
Solutions 4 Sure	supplies	353.06
Somerset Co. Police Academy	seminar	30.00
This & That Uniforms	biking shorts	966.00
Wm. B. Kessler Mem. Hosp	charges	94.92
Zoyac, Stephen	clothing allowance	36.22
		272,726.84

RADIO

0-01-25-120-000

Jacobs, Rosemarie, Treas.	payroll 7/1	8,329.11
Jacobs, Rosemarie, Treas.	payroll 7/15	8,887.27
Jacobs, Rosemarie, Treas.	payroll 7/29	16,921.74
Jacobs, Rosemarie, Treas.	ot 7/15	615.36
Jacobs, Rosemarie, Treas.	ot 7/29	1,073.06
		35,826.54

PROSECUTOR

0-01-25-123-000

Jacobs, Rosemarie, Treas.	payroll 7/1	576.93
Jacobs, Rosemarie, Treas.	payroll 7/15	576.93
Jacobs, Rosemarie, Treas.	payroll 7/29	576.93
Jacobs, Rosemarie, Treas.	ot 7/29	340.91
		2,071.70

BUILDINGS & GROUNDS

0-01-26-108-000

Jacobs, Rosemarie, Treas.	payroll 7/1	961.54
Jacobs, Rosemarie, Treas.	payroll 7/15	961.54
Jacobs, Rosemarie, Treas.	payroll 7/29	2,372.68
American Legion	town of hammonton flags	500.00
Colonial Electric	parts	5.99
Crescent Tire	repairs	1,890.55
Crescenzo's Home & Garden	supplies	11.82
Farmers Daughter	supplies	17.75
IPM	preventive svc.	42.00
J. Morano & Sons	supplies	237.95

Laury Heating	maintenance agreement	2,674.50
Penza's Hardware	supplies	94.12
Schenk Uniform Rental	mat cleaning	34.50
White Star	electric hook-up- trailer	809.63
		10,614.57

HIGHWAY

0-01-26-123-000

Jacobs, Rosemarie, Treas.	payroll 7/1	25,165.92
Jacobs, Rosemarie, Treas.	payroll 7/15	26,795.85
Jacobs, Rosemarie, Treas.	payroll 7/29	45046.55
Jacobs, Rosemarie, Treas.	ot 7/1	785.95
Jacobs, Rosemarie, Treas.	ot 7/15	824.30
Jacobs, Rosemarie, Treas.	ot 7/29	2,651.90
Adamucci Oil	55 gal drum	233.44
Apple Printing	supplies	432.60
Arnold Equipment	parts & supplies	439.91
ACUA	recyc.	28,084.43
Bellmawr Truck Repair	parts	799.89
Berco Fleet Svc.	parts	81.86
Bruno's Auto Parts	filters	766.59
Crescent Tire	parts & repairs	1,940.00
Crescenzo's Home & Garden	supplies	105.63
CCUA	tipping fees	20,546.02
DiMeglio Septic	port-o-pots	60.00
Executive Business	supplies	54.98
Garden State Highway	parts & supplies	1,272.02
General Spring Svc.	parts & repairs	1,591.51
Intercon Truck Equip	parts	1,200.00
IPM	preventive svc.	42.00
J. Morano & Sons	supplies	134.55
Mature, Thomas	concrete ramp	1,950.00
McDonalds Saw Svc.	service	67.98
Penza's Hardware	parts & supplies	293.91
Ransome Engines	equipment	332.88
Rodio Tractor	parts	370.13
Storage Creatins	storage	3,076.25
Tri-County Pavement	pmt.	6,575.00

Tri Cell	supplies	49.07
True Value	supplies	24.99
United Roll Off	can pick-up	660.00
Universal Supply	plywood	37.40
		172,493.51

ENVIRONMENTAL COMM.

0-01-27-113-000

Jacobs, Rosemarie, Treas.	payroll 7/1	75.00
Apple Printing	forms	714.40
Hammonton Gazette	notice	1.55
		790.95

DOG REGULATIONS

0-01-27-125-000

Animal Capture	control - july	595.00
		595.00

REGISTRAR

0-01-27-127-000

Tapper Stationery	supplies	662.30
		662.30

PARKS

0-01-28-130-000

Jacobs, Rosemarie, Treas.	payroll 7/1	225.00
Jacobs, Rosemarie, Treas.	payroll 7/15	550.00
Jacobs, Rosemarie, Treas.	payroll 7/29	695.00
Crescenzo's Home & Garden	supplies	70.79
J. Morano & Sons	supplies	307.51
Llynkris Hardware	supplies	36.45
Penza's Hardware	supplies	227.73
Tri Cell	mulch	252.00
Turf & Farm Supplies	supplies	283.84
		2,648.32

RECREATION

0-01-28-131-000

Jacobs, Rosemarie, Treas.	payroll 7/1	3,363.46
Jacobs, Rosemarie, Treas.	payroll 7/15	3,363.46
Jacobs, Rosemarie, Treas.	payroll 7/29	5,988.46
Al & Rich's	car wash booklet	100.00
Lynkris Hardware	supplies	32.68
McDonald's Saw Svc.	sharpen blades	12.36
		12,860.42

ADVERTISING

0-01-30-136-000

Concepts Advertising	red,white,blue, festival	4,999.31
Conectiv Power	mo. Bill	171.42
G & P Floor Maint.	clean train sta.	60.00
Lighthouse Telecom	replace receptacle	63.03
Mortellite, Anthony	reimb.	500.00
SJ Gas	mo. Bill	19.17
		5,812.93

AIRPORT

0-01-30-137-000

Jacobs, Rosemarie, Treas.	payroll 7/1	115.39
Jacobs, Rosemarie, Treas.	payroll 7/15	115.39
Jacobs, Rosemarie, Treas.	payroll 7/29	115.39
Colonial Electric	parts & supplies	10.95
Rodio Tractor	parts & supplies	25.92
		383.04

GASOLINE

0-01-31-11E-000

E.O. Habhegger Co.	printer repairs	296.10
S & W Svc.	repairs	272.04
		568.14

NATURAL GAS

0-01-31-11F-000

SJ Gas	mo. Bill	125.61
		125.61

STREET LIGHTING

0-01-31-138-000

Atlantic City Electric	mo. Bill	22,966.75
		22,966.75

ELECTRIC

0-01-31-11G-000

Atlantic City Electric	mo. Bill	7,227.75
		7,227.75

TELEPHONE & TELEGRAPH

0-01-31-139-000

AT & T	july bill	230.45
ATX	july bill	1,607.37
Nextel	july bill	1,956.96
Verizon	july bill	2,045.62
Verizon Wireless	july bill	117.40
		5,957.80

SOCIAL SECURITY

0-01-36-145-000

Jacobs, Rosemarie, Treas.	payment	15,975.34
Jacobs, Rosemarie, Treas.	payment	14,099.24
		30,074.58

NJ CLEAN COMMUNITY

0-01-41-209-000

Jacobs, Rosemarie, Treas.	payroll 7/1	2,320.00
Jacobs, Rosemarie, Treas.	payroll 7/15	490.07
Twp of Barnegat	purchase toters	18,050.36
		18,050.36
		12,908.04
		15,718.11

ATL CTY MUN ALL

0-01-41-211-000

Photo Center	reprints	2.40
		2.40

MUNICIPAL COURT

0-01-43-201-000

Jacobs, Rosemarie, Treas.	payroll 7/1	6,059.62
Jacobs, Rosemarie, Treas.	payroll 7/15	6,059.62
Jacobs, Rosemarie, Treas.	payroll 7/29	12009.25
Jacobs, Rosemarie, Treas.	ot 7/1	152.55
Jacobs, Rosemarie, Treas.	ot 7/15	73.70
Jacobs, Rosemarie, Treas.	ot 7/29	165.60
Baur Municipal	tickets	275.00
Camorata, Debbie	reimb. Mileage	123.12
Torres, Kim	reimb. Mileage	36.45
		24,954.91

PMT. PRINCIPAL BONDS

0-01-45-401-000

Treasurer, State of NJ	green trust princ.	3,195.38
		3,195.38

INTEREST ON BONDS

0-01-45-402-000

Treasurer, State of NJ	gren trust int	1,468.36
		1,468.36

PUBLIC DEFENDER TRUST

0-01-56-987-000

Jacobs, Rosemarie, Treas	payroll 7/15	461.54
Jacobs, Rosemarie, Treas	payroll 7/15	461.54
Jacobs, Rosemarie, Treas	payroll 7/29	461.54
		1,384.62

CELEBRATION PUBL. EVENTS

0-01-56-993-000

Ripa, Robin	reimb. Supplies	63.83
		63.83

RECREATION TRUST

0-12-56-994-000

Music Theatre International	performance-rental fees	1,450.00
Simply Funds	fundraiser	1,938.00
		3,388.00

DISTRICT SCHOOL TAX

0-01-99-951-000

Jacobs, Rosemarie, Treas.	school tax	1,981,801.50
		1,981,801.50

POL RES CONT

0-01-99-952-000

Jacobs, Rosemarie, Treas.	payroll 7/1	3,780.00
Jacobs, Rosemarie, Treas.	payroll 7/15	4,252.50
Jacobs, Rosemarie, Treas.	payroll 7/29	2,610.00
		10,642.50

TAX OVERPAYMENT

0-01-99-953-000

1001 Grand St. Assoc.	overpayment	6,435.77
		6,435.77

COUNTY TAXES

0-01-99-955-000

Atl. Co. Treasurer	taxes	993,543.98
		993,543.98

RESERVE FOR GRANT

0-01-99-960-000

Jacobs, Rosemarie, Treas.	payroll 7/29	722.48
		722.48

ORD#1-2000 SEC A

0-04-44-439-000

Lgarden State Highway Prod.	road signs	743.50
Sabatino Home Repair	wire for window	850.00
United Roll Off Service	can pick-up	132.00
		1,725.50

ORD#18-2001 SEC A

0-04-44-443-000

Adams, Rehmann, & Heggan	svc.		5,255.00
Marandino Concrete	pedestrian link		6,864.58
Twp of Barnegat	purchase toters		35,382.60
			47,502.18

ORD#26-2002

0-04-44-445-000

Adams, Rehmann, & Heggan	svc.	3355.00	
Statewide Hi-Way Safety, Inc.	old forks rd.	76,077.63	
Marandino Concrete	pedestrian link		94,618.98
		79,432.63	94,618.98

ORD#3-2003

0-04-44-446-000

Adams, Rehmann, & Heggan	svc.	6,230.00	
		6,230.00	

ORD#22-2003

0-04-44-448-000

Adams, Rehmann, & Heggan	svc.		8,205.00
Angela Maione Costigan	prof. Svc.		2,280.00
Garrison Architects	clerk rpt.		17,402.00
			27,887.00

ORD. #7-2004

0-04-44-449-000

Asphalt Paving Sys.	airport seal coat	129,840.00	
Adams, Rehmann, & Heggan	ssvc.		5,831.80
Continental Fire & Safety	equipment		1,637.50
Stone Mountain	mikes & speakers		3,309.50
		129,840.00	10,778.80

ORD. #5-2005

0-04-44-452-000

Twp. Of Barnegat	purchase toters		28,659.00
			28,659.00

ORD. #15-2005

0-04-44-451-000

Adams, Rehmann, & Heggan	svc.	19,875.00
Astaro Internet Security	network security	5,929.52
Edmunds Assoc.	mcs upgrade	10,000.00
Govconnection	printers	3,323.72
Pierce Manufact.	fire apparatus	345,000.00
		384,128.24

WATER		2004/RESERVE	2,005.00
Rosemarie F. Jacobs, Treas	Payroll 7/1/05		9,982.42
Rosemarie F. Jacobs, Treas	Payroll 7/15/05		9,982.42
Rosemarie F. Jacobs, Treas	Payroll 7/29/05		13,942.07
ATX Telecomm. Serv. Ltd	Monthly Telephone Charges		200.00
Barrett Asphalt Corp	Road Repairs		32.47
Bruno's Auto Parts, Inc.	Supplies		90.86
Conectiv Power Delivery	Electric		8,575.02
Colonial Electric	Supplies		42.72
Coyne Chemical Co.	Disinfection Tablets		3,215.00
Delta Dental Plan of N.J.	Monthly Report 2005		302.90
Klenzoid Inc.	Corrosion Inhibitor		4,132.80
Layne Christensen Co.	Well #4 Repairs		5,700.00
Lynkris Hardware	Supplies		58.30
Massara, James	Reimb. Office Supplies		14.00
Mature, Thomas	Repairs to N 3rd St		2,000.00
Nextel Communications	Phone		165.87
NJSHBP	Monthly Report 2005		5,754.18
NJWA	2005 Conference-Jim Massara		200.00
Northern Safety	Lime & Asphalt		390.04
One Call Systems	Markouts		190.54
Prudential Group Insurance	Monthly Report 2005		24.00
Q.C. Inc	Testing and Sampling		500.00
Ransome Engines	Repairs to Generators		408.09
Ron's Gardens	Flowers for Pots		50.00
Rovani Graphics	Postage, Sealing, Mailing for CCR Reports		4,399.91
S.J. Gas Co.	Current Gas Bill		490.21
Schenk Uniform Rental	Uniform Rental		128.25
SLC Meter	Meters		64,233.50

South Jersey Welding Supply Co.	Cylinder Rental	10.86
State of N.J. Div. Of Taxation	Tax on Gallonage	1,554.26
Treas-State of NJ	NJ Safe Drinking Water Annual Invoice	1,580.00
Trico Equipment	Repairs to Backhoe	1,133.04
Universal Instrument Services	Calibration of Meters	2,105.93
Vision Service Plan	Monthly Report 2005	190.28
Water Works Supply Co.	Lateral Materials	373.03
		-
		142,152.97

WATER SOCIAL SECURITY

Rosemarie F. Jacobs, Treas	Payroll 7/1/05	763.66
Rosemarie F. Jacobs, Treas	Payroll 7/15/05	763.66
Rosemarie F. Jacobs, Treas	Payroll 7/29/05	1,066.56
Rosemarie F. Jacobs, Treas	2nd Qtr Disab.	217
		2,810.88

WATER ORD 16-2005

Adams, Rehmann & Heggan Inc.	Engineering Services	3,716.25
NJ Dept. Of Transportation	HER Road Opening Permit	200
		3,916.25

WATER ORD 29-1999

Adams, Rehmann & Heggan Inc.	Engineering Services	3,165.00
Treas. State of NJ	Replace Well Lincoln Street	4,291.00
		7,456.00

SEWER DEPT.

Rosemarie F. Jacobs, Treas	Payroll 7/1/05	10,810.99
Rosemarie F. Jacobs, Treas	Payroll 7/15/05	11,391.97
Rosemarie F. Jacobs, Treas	Payroll 7/29/05	16,084.13
Adams, Rehmann & Heggan Inc.	Engineering Services	557.5
Adamucci Oil Co	Grease	41.79
Arnold Equipment	Asphalt Blade	130
Atlantic County Utilities Auth	Dry Sludge Disposal	14,700.00
ATX Telecomm	Monthly Telephone Charges	200
Conectiv Power Delivery	Electric	14,603.22
Contech Assoc. Inc.	Calibrate Flowmeters	250

D Electric Motors	Switch	73.91
Delta Dental	Monthly Report 2005	374.78
Environmental Resource Assoc	Study Samples	193.28
Executive Business	Office Supplies	207.98
J. Morano & Sons, Inc.	Cleaning Supplies	112.84
J. R. Henderson Labs, Inc.	Lab Testing 2005	2,138.00
Nextel Communications	Wireless Services	172.43
NJSHBP	Monthly Report 2005	5,220.47
Northern Safety Co.	Pallet Truck	287.27
One Call Systems	Markouts	195.54
Penza's Hardware	Supplies	303.66
Prudential Group Insurance	Monthly Report	30
Q.C. Inc.	Lab Testing 2005	1,200.00
Radio Shack	Batteries	12.76
Rodio Tractor Sales	Repair Blower & Parts for Mower	112.16
S.J. Gas Co.	Current Gas Bill	459.6
Schenk Uniform Rental	Uniform Rental	68.4
Sears	A/C for Electrical Room	249.99
Teledyne Isco	Part	252.5
TRC OMNI	Surface Water Permit-Stream	6,740.21
Truckmasters Inc.	Motor Vehicle Service	23
Venus & Mars Locksmith	Keys	30
Vision Service Plan	Monthly Report 2005	240.6
Water Environment Federation	WEF Dues	157
Winzinger Inc.	Plant Demolition	205,065.00
		557.5
		298,618.48
SEWER SOCIAL SECURITY		
Rosemarie F. Jacobs, Treas	Payroll 7/1/05	827.04
Rosemarie F. Jacobs, Treas	Payroll 7/15/05	871.49
Rosemarie F. Jacobs, Treas	Payroll 7/29/05	1,230.43
Rosemarie F. Jacobs, Treas	2nd Qtr Disab.	456.3
		3,385.26
SEWER BONDS		
USDDA/Rural Development	Interest on Bonds	15,126.74
USDDA/Rural Development	Bond Princ.	3,822.26
		18,949.00

SEWER ORD 28-2003

Adams, Rehmann & Heggan Inc.

Engineering Services

580

SEWER ORD 9-2004

Adams, Rehmann & Heggan Inc.

Engineering Services

13,417.25

Motion by Councilperson Clark, seconded by Councilperson Falcone, approve bill lists, payroll and overtime as recorded by the Clerk.

ROLL CALL - Yeas: Bertino, Clark, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: S. Lewis

Mayor Ingemi declared the motion carried.

COMMUNICATIONS

1. From PLANNING BOARD re: No Parking Walnut St.

Refer to Solicitor for ordinance preparation.

2. From HAMMONTON 1st re: Mullica trash transfer

Motion by Councilperson Bertino, seconded by Councilperson Falcone, to prepare a resolution supporting Mullica Townships efforts concerning trash transfer for adoption this evening. Motion carried.

Referred to New Business for resolution.

3. From DEBBIE CAMORATA req. hire "Sit in Judge" Christopher Brown @ \$350.00 per session retro 7/5/05

Motion by Councilperson Morano, seconded by Councilperson Falcone, authorize retroactive hiring of Christopher Brown as a "Sit in Judge" @ \$350.00 per session.

ROLL CALL - Yeas: Bertino, Clark, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: S. Lewis

Mayor Ingemi declared the motion carried.

4. From NJ DOL re: Water Dept. reporting that no safety hazard were found.

Ordered received and filed.

5. From JAMES MASSARA req. attend Water Assoc. Conf. Sept. 21 & 22 @ \$200.00

Motion by Councilperson Clark, seconded by Councilperson Bertino, authorize James Massara to attend Water Assoc. Conf. September 21 & 22 at \$200.00.

ROLL CALL - Yeas: Bertino, Clark, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: S.Lewis

Mayor Ingemi declared the motion carried.

6. From JOHN ALOISIO req. extend employment John Raffa & advising of additional licenses (plumbing & fire)

Motion by Councilperson Falcone, seconded by Councilperson Bertino, authorization be granted to continue John Raffa as a part time assistant to Construction Official and to utilize his additional licenses.

ROLL CALL - Yeas: Bertino, Clark, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: S.Lewis

Mayor Ingemi declared the motion carried.

7. From ROB SCHARLE, CFO, response to Gazette article

The Deputy Clerk read letter in full into the minutes:

I feel an obligation as the Town's Chief Financial Officer to respond to Mr. Donio's Gazzette editorial "OK, now it's all right to begin worrying".

I am a CPA, RMA and a CMFO and have worked in municipal finance for the past twenty-five years. I have worked directly with the

Town of Hammonton and their finances for the past nine years. I have not and currently am not aligned politically with any one political party within the Town of Hammonton. Therefore I have no ulterior motive but to report the facts!! Here are the facts:

Revaluation

Initially, a municipality in the State of New Jersey is mandated to do a revaluation when the County Board of Taxation determines that the ratio of Assessed Valuation to True Value falls below an acceptable threshold determined by the County Board of Taxation. As of the date of this letter, the Atlantic County Board of Taxation has not released the 2005 County Abstract of Ratables. Therefore, here are the facts from 2004. The Town of Hammonton is at a 81.86% ratio of Assessed Valuation to True Value. Of the 23 municipalities in the County of Atlantic, 19 municipalities have lower ratios than the Town of Hammonton, with 10 below 70%. The Town's last revaluation was in 1997. Currently, the Town has no plans in place for a revaluation.

A revaluation DOES NOT raise more tax dollars to be utilized by the municipality. A revaluation is exactly what it says! It revalues all the property within a municipality and then the municipality's tax rate is calculated from the revaluation of the entire Town. The values in the Town rise but the tax rate decreases. Usually, the taxpayers see what I call "a third", a third, a third". About one-third of the taxpayers see an increase in taxes, about one-third of the taxpayers experience no increase in taxes and about one-third of the taxpayers see a decrease in their tax burden. The amount raised by taxation is redistributed but NOT increased.

In 1997, the total assessed value of the Town increased @30% with both the total tax rate and municipal tax rate decreasing by @30%.

Debt Outstanding

Since 1997, both the Water and Sewer Utilities have been self-liquidating. Self-liquidating means that the Utilities have had the ability to pay their operation and debt responsibilities annually with no deficits. In fact, over the past nine years utility customers have experienced rate reductions over this period.

As of April 25, 2005, the Town's debt ratio to the value of the Town is 1.78%. The State of New Jersey allows a 3.5% borrowing power and the Town is at almost half of that limitation. In fact the 2005 Town Budget utilized an additional \$440,000 in Fund Balance to provide a downpayment towards the future new Town Hall. The Town DID NOT "dip into its surplus, raiding it for hundreds of thousands of dollars" to keep taxes down, but to keep it's future debt service down (The Capital Improvement Fund appropriation increased from \$60,000 in 2004 to \$500,000 in 2005 to provide the downpayment).

Municipal Tax Impact

Since 1997, The Town's (municipal) tax rate has only increased 14 cents. That is less than 2 cents per year. Some municipality's tax increase in the area was more than 14 cents for just this year! The Town's Assessed Valuation has increased \$118,501,343 or 18.5%, and this helps offset the tax impact on the taxpayer. Additionally, every year a municipality is involved with municipal employee contracts, this year is no different than any other year in the past. Also, since I have no affiliation with the school district, I am not in a position to comment on the impact of the school's financial condition as addressed in the article.

In conclusion, based on the aforementioned facts, the Town of Hammonton has and will continue to act in a financially responsible manner.

Ordered received and filed.

8. From CHAMBER OF COMMERCE request guardrail re: parking problem

Mayor and Council requested ARH, Town Engineer, to survey property to ascertain exact property line of Train Station and report back at August meeting at which time they can decide on the type of barrier to put into place.

9. From FIRE CO. #1 request approval of new junior member Frank Sacco.

Motion by Councilperson Morano, seconded by Councilperson Clark, approve new junior member Frank Sacco at Fire Co. #1.

ROLL CALL - Yeas: Bertino, Clark, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: S. Lewis

Mayor Ingemi declared the motion carried.

REPORTS-June 2005

Report of the Town Clerk, Registrar, Construction Official, for the month of June, 2005, a copy having been given to each member of the governing body prior to this meeting was ordered received and filed.

UNFINISHED BUSINESS

None.

NEW BUSINESS

RESOLUTIONS

#R107-2005 Lab Services - JR Henderson

#R 107 -2005

RESOLUTION AUTHORIZING A PROFESSIONAL
SERVICES AGREEMENT WITH **J.R. HENDERSON LABS, INC.**

BEACHWOOD, NEW JERSEY, FOR TESTING AT THE

WASTEWATER TREATMENT PLANT, TOWN OF HAMMONTON,

ATLANTIC COUNTY, STATE OF NEW JERSEY

WHEREAS, there exists a need for laboratory testing for the Town of Hammonton in accordance with New Jersey Department of Environment Protection and Energy requirements for the HAMMONTON WASTEWATER TREATMENT PLANT for the **year 2006**; and

WHEREAS, the Town Engineer has recommended that a professional services contract be awarded to J.R. HENDERSON LABS INC. Beachwood, New Jersey; and

WHEREAS, funds are available under the sewer appropriation; and

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

NOW, THEREFORE, BE IT RESOLVED that a professional services contract be entered into with J.R. Henderson Labs Inc., 123 Seaman Ave., Beachwood, N.J. 08722 for lab testing services in the amount of **\$37,000.00**.

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

BE IT FURTHER RESOLVED that a notice of this action taken by Mayor and Council shall be printed once in the designated newspaper of the Town of Hammonton.

#R108-2005 Lab Services - QC

#R 108 -2005

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES

AGREEMENT WITH **Q.C. LABS**, INC, SOUTHAMPTON, PA

FOR LAB TESTING FOR THE TOWN OF HAMMONTON,

ATLANTIC COUNTY, STATE OF NEW JERSEY

WHEREAS, there exists a need for laboratory testing for the Town of Hammonton in accordance with New Jersey Department of Environmental Protection and Energy requirements for the **year 2006** as follows:

Hammonton Airport \$ 1,000.00

Wastewater Treatment Plant \$15,000.00

Landfill \$ 2,500.00

Hammonton Water Department \$11,000.00

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

WHEREAS, Q.C. Labs, Inc. shall perform water quality testing on a quarterly basis, and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires a resolution authorizing the awarding of the contract for professional services without competitive bidding;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, ATLANTIC COUNTY, NEW JERSEY that the Town of Hammonton is hereby authorized and directed to enter into an agreement with Q.C. Labs, Inc., 1205 Industrial Hwy., Southampton, PA 18966 to do all necessary laboratory work and forward reports to the appropriate State and County Agencies with copies forwarded to the Town of Hammonton for the Town of Hammonton; and

BE IT FURTHER RESOLVED that a notice of this action taken by Mayor and Council shall be printed once in the designated newspaper of the Town of Hammonton.

#R109-2005 Amend Budget AERE

#R 109-2005

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Town has received **\$227.13 from Municipal Court Alcohol Education Rehabilitation and Enforcement Fund (AERE)**, and wishes to amend its Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the **2005 Budget in the sum of \$227.13** which is now available as a revenue from:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services - Public and Private Revenues Offset with Appropriations:

Municipal Court Alcohol Education Rehabilitation and Enforcement Fund

BE IT FURTHER RESOLVED, that the Town Clerk forward a certified copy of this resolution to the Director of Local Government Services.

#R110-2005 Amend Budget - Click it or Ticket

#R 110-2005

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Town has received **\$4,000.00 from NJ Division of Highway Traffic Safety "Click it or Ticket"**, and wishes to amend its Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the **2005 Budget in the sum of \$4,000.00** which is now available as a revenue from:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services - Public and Private Revenues Offset with Appropriations:

NJ Division of Highway Traffic Safety "Click it or Ticket"

BE IT FURTHER RESOLVED, that the Town Clerk forward a certified copy of this resolution to the Director of Local Government Services.

#R111-2005 Annual Audit

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2005 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Town Council of the Town of Hammonton, hereby states that it has complied with N.J.A.C. 5:30-6.5

and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

#R112-2005 Salaries Certain Officials

#R 112 -2005

R E S O L U T I O N

WHEREAS, the Mayor and Common Council of the Town of Hammonton, by Ordinance # 21-2005 fixed a salary range for the employment of certain Town Officials of the Town of Hammonton, County of Atlantic, New Jersey; and

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

WHEREAS, the time of service of any employee shall be computed as commencing in January of the year when the employee was hired.

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

Effective January 1, 2005

Employee Classification Salary Longevity Total

John Aloisio Construct.Off. 68,400. 1,600. 70,000.

Zoning Officer

Code Enfor.Off

Anthony DeCicco WWTP Supt'd. 68,600. 1,100. 69,700.

Frank Domenico Fire Official 37,600. 100. 37,700.

Zoning Officer

Frank Domenico Bldg Inspector/ 3,000. -0- 3,000.

FireProtInsp.pt

Debbie Camorata Mun.Ct. Adm. 52,400. 1,900. 54,300.

Rosemarie Jacobs Trea/Col/Search 63,025. 3,100. 66,125.

April B. Maimone Deputy Clerk 51,450. 1,900. 53,350.

James Massara Water Supt. 74,660. 3,300. 77,960.

Susanne Oddo Town Clerk 67,000. 3,000. 70,000.
Susanne Oddo Administrator 20,000. -0- 20,000.
Tara Russo Accountant 44,400. -0- 44,400.
Lou Rodio Rec Sup't 44,100. -0- 44,100.
Lance Schiernbeck Road Supt'd. 62,400. 3,300. 65,700.
Mary Joan Wyatt Tax Assessor 62,000. 3,500. 65,500.
Frank Ingemi Police Chief 101,977. 3,500. 105,477.
Frank Spataro FieldRep/Prop 35,200. -0- 35,200.
Andrew Cavallaro Laborer 27,100. -0- 27,100.
Ralph Capaccio Ass't Rd. Sup't 2,000. -0- 2,000.
Steward Mazza Laborer 27,350. -0- 27,350.
Anthony Ingemi Mayor 8,000. -0- 8,000.
James Bertino Councilperson 6,500. -0- 6,500.
Russell Clark Councilperson 6,500. -0- 6,500.
Anthony Falcone Councilperson 6,500. -0- 6,500.
Ralph Morano Councilperson 6,500. -0- 6,500.
William Olivo Councilperson 6,500. -0- 6,500.
Jeanne S. Lewis Councilperson 6,500. -0- 6,500.

AND BE IT FURTHER RESOLVED that said salary shall be in place effective 1/1/05.

#R113-2005 Salaries Water

#R 113-2005

R E S O L U T I O N

WHEREAS, the Mayor and Common Council of the Town of Hammonton, by Ordinance #26-2005 fixed a salary range for the employment of certain officials and employees of the Town of Hammonton, County of Atlantic, New Jersey; and

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

WHEREAS, the time of service of any employee shall be computed as commencing in January of the year when the employee was hired.

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

EFFECTIVE DATE January 1, 2005

Job

Employee Classification Salary Longevity Total

Michael Perna *Prin.Sr.WaterPlantOper/ 54,578. 2000. 56,578.

Prin.Sr.Water Repairer

Michael Maimone Sr. Water Plant Oper/ 52,578. 1900. 54,478.

Sr. Water Repairer

Michael Ruberton Water Plant Oper/ 50,578. 1600. 52,178.

Water Repairer

AND BE IT FURTHER RESOLVED that the said salary shall be in place for the calendar year 2005.

***Title of Principal Sr. Water Treatment Plant Operator/Principal Sr. Water Treatment Plant Repairer-created for Local Purposes.**

#R114-2005 Salaries White Collar

#R 114-2005

R E S O L U T I O N

WHEREAS, the Mayor and Common Council of the Town of Hammonton, by Ordinance #22-2005 fixed a salary range for the employment of certain officials and employees of the Town of Hammonton, County of Atlantic, New Jersey; and

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

WHEREAS, the time of service of any employee shall be computed as commencing in January of the year when the employee was hired.

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

EFFECTIVE-January 1, 2005

Job

Employee Classification Salary Longevity Total

Susan Carroll Clerk Typist 26,600 -0- 26,600.

Joann Domenico Sr Clk Typist 31,100 100. 31,200.

Danielle Noto Clerk Typist 38,100. 500. 38,600.effect 1/1/05

Danielle Noto Sr Clk Typist 39,100 500. 39,600.effect 3/21/05

Mary Massara Clerk Typist 38,100. 800. 38,900.effect 1/1/05

Mary Massara Sr Clk Typist 39,100. 800. 39,900.effect 3/21/05

Patricia Berenato Sr Clk Typist 39,100. 1000. 40,100.

Lori Faisst Sr Clk Typist 39,100. 1300. 40,400.

Kathy Velardi PrinClkTypist 40,600. 1600. 42,200.

Audrey Mahon PrinClkTypist 40,600. 1700. 42,300.

Martha Silvesti PrinClkTypist 40,600. 1800. 42,400.

June DeFebbo PrinClkTypist 40,600. 2000. 42,600.

Kim Torres Dep.Ct.Clerk 40,600. 1400. 42,000.

Andrea Effinger Tech. Ass't. 40,600. 2000. 42,600.

Sandy Long Clerk Typist 24,200. -0- 24,200.

Lorelei Alden Clerk Typist 22,850. -0- 22,850.

Anna Balsamo Clerk Typist 21,500. -0- 21,500.

Pam DiGerolamo Clerk Typist 24,200. -0- 24,200.

Robin Ripa Clerk Typist 21,500. -0- 21,500.

#R115-2005 Salaries Sewer

#R 115 -2005

R E S O L U T I O N

WHEREAS, the Mayor and Common Council of the Town of Hammonton, by Ordinance #23-2005 fixed a salary range for the employment of certain officials and employees of the Town of Hammonton, County of Atlantic, New Jersey; and

WHEREAS, said Ordinance provides that the amount to be paid to such official or employee within the salary range shall be fixed from time to time by resolution of the Mayor and Council; and

WHEREAS, the time of service of any employee shall be computed as commencing in January of the year when the employee was hired.

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

EFFECTIVE DATE January 1, 2005

Job

Employee Classification Salary Longevity Total

Salvatore Velardi *PrinSr.SewagePlantOper/ 53,600. 3,100. 56,700.

PrinSr.Sewer Repairman

Robert Butkowski Sr.SewagePlantOper/ 51,600. 1,000. 52,600.

Sewer Repairman

Louis Penza SewagePlantOper/ 49,600. 800. 50,400.

Sewer Repairman

Chris Ballin Sewer Plant Oper. 33,850. -0- 33,850.

AND BE IT FURTHER RESOLVED that the said salary shall be in place for the calendar year 2005.

*Title of Principal Sr. Sewage Plant Operator/Sr. Sewer Repairman - created for Local Purposes.

#R116-2005 Salaries Highway

#R 116 -2005

R E S O L U T I O N

WHEREAS, the Mayor and Common Council of the Town of Hammonton, by Ordinance #24-2005 fixed a salary range for the employment of certain officials and employees of the Town of Hammonton, County of Atlantic, New Jersey; and

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

WHEREAS, the time of service of any employee shall be computed as commencing in January of the year when the employee was hired.

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

EFFECTIVE-January 1, 2005

Job

Employee Classification Salary Longevity Total

Ralph Capaccio Mechanic 44,100. 3,000. 47,100.

Larry Bradbury Equipment Oper. 41,700. 2,100. 43,800.

Bobby Bradbury Equipment Oper. 41,700. 1,900. 43,600.

Scott Rivera Equipment Oper. 41,700. 1,100. 42,800.

Russell Milazzo Truck Driver 40,200. 2,600. 42,800.

Jorge Barreto Equipment Oper. 41,700. 1,600. 43,300.

Belinda Santiago Truck Driver 34,600. 100. 34,700.

Steve Taylor Truck Driver 34,600. -0- 34,600.

K.S. Fox Laborer 39,100. 2,800. 41,900.

Dominic Marro Laborer 39,100. 2,400. 41,500.

Juan Figueroa Laborer 39,100. 1,700. 40,800.

Juan Garcia Laborer 39,100. 1,500. 40,600.

William Martinez Laborer 39,100. 1,500. 40,600.

Jesse Torres Laborer 39,100. 1,500. 40,600.

Martin Rodriguez Laborer 29,750. -0- 29,750.

Brian Mascio Laborer 28,450. -0- 28,450.

Brian Hughes Laborer 28,450. -0- 28,450.

Ed Aiello Laborer, p.t. 12.00 hr.

AND BE IT FURTHER RESOLVED that the said salary shall be in place for the calendar year 2005.

#R117-2005 Salaries Crossing Guards

#R 117-2005

R E S O L U T I O N

WHEREAS, the Mayor and Common Council of the Town of Hammonton, by Ordinance # 21-2005 fixed a salary range for the employment of certain officials and employees of the Town of Hammonton, County of Atlantic, New Jersey; and

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

WHEREAS, the time of service of any employee shall be computed as commencing in January of the year when the employee was hired.

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

EFFECTIVE-January 1, 2005

Job Longevity

Employee Classification Salary Adjust. Total

Anthony Amedio School Traffic Grd 10,560. -0- 10,560.

Evelyn Cassidy School Traffic Grd 10,560. -0- 10,560.

Gloria Schiernbeck School Traffic Grd 10,560. -0- 10,560.

Sam Spoto School Traffic Grd 10,560. -0- 10,560.

AND BE IT FURTHER RESOLVED that said salary shall be in place for the calendar year 2005.

#R118-2005 Salaries Radio

#R 118-2005

WHEREAS, the Mayor and Common Council of the Town of Hammonton, by Ordinance #25-2005 fixed a salary range for the employment of certain

officials and employees of the Town of Hammonton, County of Atlantic, New Jersey; and

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

WHEREAS, the time of service of any employee shall be computed as commencing in January of the year when the employee was hired.

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

JANUARY 1, 2005

NAME TITLE BASE LONG. DISP. TOTAL

Theresa Bradbury PubSafTele 41,000. 1500. -0- 42,500.

Dean Humphries PubSafTele 41,000. 1100. -0- 42,100.

Santo Ciruolo PubSafTele 41,000. 1100. -0- 42,100.

Paul Sacco PubSafTele 41,000. 800. -0- 41,800.

Nick DeStefano PubSafTele 36,000. -0- -0- 36,000.

John DeRitis Jr. PubSafTele 28,000. -0- -0- 28,000.

Hourly salary for 2005 will be at the discretion of the Police Chief.

AND BE IT RESOLVED that the said salary shall be in place for the calendar year 2005.

#R119-2005 Confirm Sale Fire Vehicle

#R 119-2005

WHEREAS, a receipt of sealed proposals for used and inoperable vehicles was held 7/13/05, by the Town Clerk/Administrator; and

WHEREAS, all sales to the highest bidder are subject to confirmation of Mayor and Council; and

WHEREAS, the following is a list of items sold, successful bidder and amount of bid:

Item Only Bidder Bid

1991 Dodge Ram Wagon Dave Houser

3B4GM 07Z9M M0405 Mayslanding, NJ \$2,757.00

CREDIT TO: **General Fund 2,757.00**

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey, that all bid prices for the items herein before listed be accepted and the sale to each named individual be confirmed.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Town Clerk/Administrator is authorized to release deposits to the unsuccessful bidders.

#R120-2005 July Tax Resolution

#R 120 -2005

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 REASON ACCOUNT

2416 18 CHARGE MIN SEWER

3605 9 CORRECT BILLING WATER/SEWER2006

403 1 REMOVE BILING SEWER

3706 6 REFUND TAX

1902 25 CORRECT READING SEWER

3403 29.01 CORRECT READING WATER

3605 22 CORRECT READING WATER

3502 3 CHARGE MIN WATER/SEWER

2522 12 REMOVE BILLING WATER/SEWER

3801 51 CORRECT READING WATER

2523 2 CORRECT READING WATER

2419 3 CORRECT READING WATER/SEWER

1201 40 CORRECT READING WATER

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.

#R121-2005 Extend Tax Deadline

#R 121 -2005

R E S O L U T I O N

WHEREAS, the 2005-2006 preliminary tax bills will be mailed late due to state aid figures,

WHEREAS, we do not have an exact date as to when the bills will be mailed,

NOW THEREFORE BE IT RESOLVED by mayor and council to authorize and direct the tax collector to extend the due date of the August quarter taxes to September 6th.

#R122-2005 Renew Liquor License 2005/06 Superior

R# 122 -2005

RENEW LIQUOR LICENSES

Resolution of the Mayor and Common Council of the Town of Hammonton, Atlantic County, New Jersey, relating to the issuance of license for the sale of Alcoholic Beverages in the Town of Hammonton, Atlantic County, for the license year beginning July 1, 2005 and expiring June 30, 2006.

WHEREAS, it is a requirement of the State of New Jersey Division of Alcoholic Beverage Control, that in the matter of the authorization and issuance of license of the sale of Alcoholic Beverages, a resolution must be adopted, which resolution shall specifically determine and name the person, firm or corporation adjudged by such resolution to be entitled to such license as adjudged to be issued, and further such resolution must also fix the name and the licensed premises; and

WHEREAS, such resolution shall order the issuance and delivery of such license, by such Municipal Officer or agent, as the issuing authority shall be resolution designate to sign and deliver such license in its behalf; and

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC AND THE STATE OF NEW JERSEY:

That it is hereby specifically determined and declared that the following named persons and corporation, if any, be and they are hereby adjudged, each and everyone of same, to be entitled to a license of the class hereinafter specified to sell alcoholic beverages at or on the premises as herein fixed and described to wit:

2005-2006 LIQUOR LICENSE

PLENARY RETAIL DISTRIBUTION

D-3 0113 44 016 009 Superior Inc.

(Pocket)

BE IT FURTHER RESOLVED that each and everyone of the foregoing hereinbefore named persons and corporations be and the same are hereby granted a License of the class specified for the sale of Alcoholic Beverages at retail at and on the premises as hereinbefore in connection with each licensee described. Such license shall be for the term of one year.

AND BE IT FURTHER RESOLVED that for the issuance and delivery of such licenses as have hereinbefore by this resolution been granted and authorized issued, that the Town Clerk of the Town of Hammonton be and such Clerk hereby is Designated as the Official Agent of the Town of Hammonton, to sign and deliver such licenses in its, the said Town's behalf.

AND BE IT FURTHER RESOLVED that in each license as issued after authorization, for the sale of Alcoholic Beverages during the license year that "immediately following the line in such license providing for "Special Conditions if any" is set out, the following phrase be added: Rules and Regulations as may be adopted by Council from time to time.

#R123-2005 Neon Communications

#R 123-2005

A RESOLUTION GRANTING NEON, INC. A NON-EXCLUSIVE LICENSE

FOR USE AND OCCUPANCY OF THE PUBLIC RIGHTS-OF-WAY FOR TRANSMISSION FACILITIES IN THE TOWN OF HAMMONTON,

COUNTY OF ATLANTIC

WHEREAS, NEON, Inc ("NEON") has requested a license from the Town of Hammonton ("Town") to use and occupy the public right-of-ways located on Grape Street within the Town for the placement of facilities to provide transmission services; and

WHEREAS, The facilities NEON desires to place consist of fiber optic cables, which are proposed to be located on poles, owned by Verizon New Jersey, Inc.; to whom NEON has also applied for permission; and

WHEREAS, NEON desires to erect its facilities on Grape Street on the Town's right-of-ways, by attaching said facilities to existing utility poles and has agreed to abide by the Town's current and future policies and rules regarding placement of facilities in the public right-of-ways;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR & TOWN COUNCIL OF THE TOWN OF HAMMONTON, AS FOLLOWS:

Section 1. Scope of License

- a. The Town agrees to grant a non-exclusive license to NEON to place facilities in those public right-of-ways on Grape Street within the Town, which are owned, and/or within the jurisdictional control of the Town, for the purpose of providing transmission services. The Town's consent to this license shall be "non-exclusive," meaning that other companies may request and receive licenses from the Town for the same purpose as this Resolution.
- b. No further services other than transmission services as defined herein will be provided without the express consent of the Town,

which must be memorialized in an amendment to this resolution and a written agreement.

Section 2. Definitions.

For the purpose of this Resolution:

"Facilities" means wires, cables, underground conduits, manholes or other structures or appurtenances that allow delivery of transmission services.

"Public right-of-way" means the surface, the air space above the surface, and the area below the surface in which the Town holds a property interest or exercises right of management or control.

"Town" is the Town of Hammonton, County of Atlantic, State of New Jersey.

"Transmission Services" means transport of analog or digital signals for telecommunications originated or terminated inside and/or outside of the Town of Hammonton local service area.

Section 3. Construction Obligations.

- a. NEON shall be subject to the police powers of the Town, other governmental powers, and the Town's rights as a property owner under state and federal laws. NEON is subject to Town requirements and federal and state rules in connection with construction, expansion, reconstruction, maintenance or repair of facilities in the public rights-of-way.
- b. NEON shall place certain facilities underground according to applicable Town requirements.
- c. Prior to the start of any construction or placement of its intended facilities within the Town's public rights-of-way, NEON shall notify the Town through its Construction Code Official, Town Engineer and Highway Superintendent. At the Town's request, NEON shall furnish the Town accurate and complete information relating to the construction, re-construction, removal, maintenance, operation and repair of the facilities performed by NEON in the public right-of-ways. If any information furnished is erroneous as to the location of facilities, and reliance on this information results in construction delays or additional expenses, NEON shall be liable for the cost of delays and the additional expenses.
- d. The construction, expansion, re-construction, excavation, use, maintenance and operation of NEON's facilities and property are subject to applicable Town requirements:
 - I. NEON shall perform excavations and other construction in the public rights-of-way in accordance with all applicable Town requirements and in a workmanlike manner.
 - II. NEON shall minimize interference with the use of public and private property and shall follow the construction directions given by the Town,

including coordination with the police department for traffic safety requirements in a manner, which shall cause the least disturbance to the public, as well as compliance with the Town's Noise Control Resolution.

- III. When NEON completes construction work, NEON shall promptly restore the public right-of-way in accordance with applicable Town requirements. If determined necessary by the Town Engineer and/or Construction Code Official, prior to the start of any construction, NEON shall obtain a performance bond for the benefit of the Town to secure NEON's performance of all work within the public rights-of-way, including the restoration of the public rights-of-way disturbed by the work, in the amount required by the Town resolutions then in effect. The performance bond shall remain in effect until the Town Engineer and Construction Code Official has approved the restoration. NEON may excavate only for the construction, installation, expansion, repair, removal and maintenance of NEON's facilities.
- IV. The Town may require NEON to allow attachment of another provider's facilities to its poles and conduits, in accordance with Town ordinances, state and federal law. The Town agrees to require other providers to give notice to NEON no later than 30 days prior to the attachment by the provider.
- V. NEON shall pay all applicable permitting and inspection fees established by resolution at the time of construction related to its construction in the public rights-of-way.
- VI. NEON may utilize, if feasible, existing or abandoned conduit of other utilities, subject to approval of the utility.

Section 4. Conditions of Right-of-Way Occupancy.

- a. In the exercise of governmental functions, the Town has first priority over all other uses of the public rights-of-way. The Town reserves the right to cables and conduits, and to do underground and overhead work, and attachment, restructuring or changes in aerial facilities in, across, along over or under a public street, alley or right-of-way occupied by NEON, and to change the curb, sidewalks or the grade of streets and roads.
- b. If, during the term of license, the Town authorizes abutting landowners to occupy space under the surface of any public street, alley or right-of-way, the grant to an abutting landowner shall be subject to the rights of NEON described in this Resolution. If the Town closes or abandons a public right-of-way that contains a portion of NEON's facilities, the Town shall convey the land in the closed or abandoned public right of way subject to the rights of NEON described in this Resolution.

- c. If the Town gives written notice, NEON shall, at NEON's expense, temporarily or permanently, remove, relocate, change or alter the position of NEON's facilities that are in the public rights-of-way within 120 days. The Town shall give notice whenever the Town has decided that removal, relocation, change or alteration is reasonably necessary for the construction, operation, repair, maintenance or installation of a Town or other governmental entity's public improvement in the public rights-of-way. In the event of joint relocation projects, NEON shall be responsible for its proportionate share of the relocation costs. The Town shall not be responsible for the cost associated the utility relocation, resetting of poles, lines, services, etc. required and completed as a part of any municipal improvement project conducted within the public right-of-way.
- d. During the term of the license, NEON may trim trees and vegetation in or over the rights-of-way for the safe and reliable operation, use and maintenance of its network. All tree trimming shall be performed in accordance with standards promulgated by the Town. When ordered by the Town Engineer, Construction Code Official, or Highway Superintendent, NEON shall undertake, tree and vegetation trimming under the supervision of the Town.
- e. NEON shall temporarily remove, raise or lower its aerial facilities to permit the moving of houses or other bulky structures, if the Town gives written notice of not less than 72 hours. The party or parties requesting and benefiting from the temporary rearrangement shall pay the expense of the temporary rearrangement. NEON may review prepayment or prior posting of a bond from the party requesting the temporary move.

Section 5. Indemnity and Insurance.

- a. During the term of this resolution, NEON shall be liable for the acts or omissions of an entity used by NEON, including an affiliate, when the entity is involved directly or indirectly in the construction and installation of NEON's facilities. The acts or omissions of the entity shall be considered the acts or omissions of NEON.
- b. NEON shall, and agrees to, defend, indemnify, and hold the Town harmless against all damages, loss, cost or expense arising out of, incident to, concerning or resulting from the negligence or willful misconduct of NEON its agents, employees or subcontractors, in the performance of activities under this resolution for:
 - 1. The repair, replacement, or restoration of Town property, equipment, materials, structures and facilities which are damaged, destroyed or found to be defective; and
 - 2. any and all claims, demands, suits, cases of action, and judgments; and
 - 3. damage to or loss of the property of any person including, but not limited to NEON, its agents, officers, employees and subcontractors, the Town's agents, officers and employees, and third parties; and

4. death, bodily injury, illness, disease, worker's compensation claims, loss of services, or loss of income or wages to any person including but not limited to the agents, officers and employees of NEON, NEON's subcontractors, the Town and third parties, no matter how, or to whom the loss may occur.
- c. The Town Clerk shall give prompt written notice to NEON of any claim for which the Town seeks indemnification. NEON shall have the right to investigate, defend and compromise these claims subject to the Town Attorney's prior approval.
- d. NEON shall, at its sole expense, provide liability insurance coverage, in an amount not less than \$1 million for personal injury and \$1 million for property damage specifically naming the Town of Hammonton as an additional insured. A copy of the instruments affecting this coverage shall be delivered to the Town Clerk and Town Attorney of the Town within thirty days after the execution date of this license.

Section 6. Records.

- a. NEON shall keep complete and accurate maps, construction drawings and specifications and shall provide for separate and specific identification of those facilities located in the public rights-of-way and shall be kept and maintained within the Town limits of Hammonton. NEON shall also supply the Town Engineer with complete and accurate copies of its maps, which identify those facilities, which are located on the public rights-of-way.
- b. The Town shall have the right, at reasonable times and with reasonable notice, to inspect maps, construction drawings and specifications. NEON shall fully cooperate in making available its maps, construction drawings, and specifications for inspection.

Section 7. Notice.

- a. The Town Engineer and Construction Code Official are the Town officials responsible for the administration of this resolution. NEON shall direct construction questions to the Construction Code Official. All other questions regarding the interpretation or application of this resolution shall be addressed to the Town Engineer.
- b. All notices to the Town shall be sent to:

Susanne Oddo

Town Clerk/Administrator

100 Central Avenue

Hammonton, NJ 08037

- c. All notices to NEON shall be sent to:

NEON Optica, Inc.

Contracts Administration

c/o NEON Communications, Inc.

2200 West Park Drive

Westborough, MA 01581

Section 8. Assignment.

This license shall be not be assigned without the express consent of the Mayor and Town Council of the Town of Hammonton, except that NEON may assign its rights under this resolution to another provider who has a municipal consent from the Town or to a parent, subsidiary, affiliate or successor entity without the Town's consent, so long as the parent, subsidiary, affiliate or successor (1) assumes all obligations of NEON under this resolution; (2) is bound to the same extent as NEON; and (3) is under common ownership and control with NEON. The Town shall not unreasonably deny consent to a transfer of interest, which is made in the ordinary course of business.

Section 9. Termination.

- a. This agreement may be terminated by NEON by delivering written notice to the Town at least sixty days before the effective date of termination, provided NEON ceases operation of Transmission Services within the sixty day period.
- b. In the event of termination by NEON under this section, unless otherwise agreed to in writing by the Town, NEON shall remove its facilities from the licensed public properties and shall restore those public rights-of-way disturbed by the removal so that they are left in the same condition as before. If it is anticipated that removal might cause such a disturbance, the Town may require NEON to post a performance bond to cover the restoration costs in the event NEON does not perform according to this agreement. Such performance bond shall remain in place until the Town Engineer or Construction Code Official determine that the restoration has been performed in a manner satisfactory to the Town.
- c. The Town may determine this agreement by delivering written notice to NEON at least 30 days prior to the effective date of such termination, if NEON fails to abide by the terms of this resolution and does not cure such failure within 45 days after written notice from the Town; or NEON is found to be offering services not allowed by this license and does not cease to offer such services within 45 days after receipt of written notice from the Town.

Section 10. Term, Renewal & Amendments.

- a. This license is granted for a term of 10 years, beginning on the effective date of this resolution.
- b. NEON has an option to renew this license for an additional 10 years on the same terms and conditions, provided NEON has fully complied with all material terms and conditions in this resolution. NEON must file a written notice to the Town of its

election to exercise the renewal Option at least 6 months prior to expiration of the original term of this license.

Section 11. Incorporation of the Application.

The terms of NEON's letter of application for this license are hereby incorporated in this resolution. The letter application and any other relevant writings submitted by NEON are made a part hereof and shall remain on file with the Town Clerk's office.

Section 12. Severability.

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

Section 13. Effective Date.

This resolution shall become effective immediately upon final adoption and publication in accordance with law.

#R124-2005 Award Bid ADA Project

RESOLUTION #124-2005

AWARD OF CONTRACT FOR THE ADA HANDICAPPED

RAMP PROJECT,

PHASE IV

WHEREAS, the Town of Hammonton has received funding through the Atlantic County Improvement Authority (ACIA) to remove and replace non-compliant concrete curbs and sidewalks in accordance with ADA standards; 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 Marandino Concrete Co of Vineland, NJ with a total bid of \$167,230.00; and

WHEREAS, the lowest responsible bid is in excess of the funds allocated by the Town for the project; and

WHEREAS, the Town is desirous of awarding the contract to Marandino Concrete Co in an amount not to exceed \$148,605.70; and

WHEREAS, the award shall be subject to the approval of the ACIA, 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 ADA Handicapped Ramp Project, Phase IV to Marandino Concrete Co. of Vineland NJ in the amount of \$148,605.70 subject to review and approval by the ACIA, the Town Solicitor and certification of the availability of funds.

project construction schedule. During this time we anticipate the following amount of work needed for each personnel listed:

#R125-2005 Award Bid ADA Project

#R 125-2005

RESOLUTION AUTHORIZING CONSTRUCTION OF

BELLEVUE AVENUE (US ROUTE #54) WATER AND SANITARY SEWER

REPLACEMENT PROJECT AND

CORRESPONDING APPLICATION TO UNITED STATES RURAL DEVELOPMENT

WHEREAS, the Town of Hammonton has determined that various sewer and water system improvements are necessary, and

WHEREAS, the PROJECT has been identified as the replacement of sanitary sewer and water mains within Bellevue Avenue between Valley Avenue and Third Street, and

WHEREAS, the undertaking of said projects will improve the health, safety and welfare of the citizens of the Town, and

WHEREAS, funding for the projects will be made available from the United States Department of Agriculture-Rural Development (USRD), and

WHEREAS, the USRD requires that the project and the application to its agency be authorized by,

NOW THEREFORE BE IT RESOLVED that:

1. The Mayor and Council hereby authorize the construction of the above referenced project as well as the application to the USRD;
2. The Mayor hereby be authorized to execute the documents contained within the application package to USRD;
3. The Engineer be authorized to file the executed application to USRD.

Motion by Councilperson Morano, seconded by Councilperson Falcone, resolutions numbered 107 through 125 be adopted.

ROLL CALL - Yeas: Bertino, Clark, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: S. Lewis

Mayor Ingemi declared the motion carried.

#R126-2005 Transit Village

RESOLUTION # 126 - 2005

RESOLUTION IDENTIFYING PROPOSED TRANSIT VILLAGE DEVELOPMENT DISTRICT

WHEREAS, the Mayor and Council and the Town of Hammonton has approved the filing of an application by the Town to the N.J. Department of Transportation for a Transit Village Designation and;

WHEREAS, attached hereto and incorporated herein is a proposed transit village development district for designation, and;

WHEREAS, the Town of Hammonton is committed to Smart Growth and;

WHEREAS, the Town of Hammonton is willing to accept meaningful growth in terms of jobs, housing and population within the proposed transit village development district attached hereto and incorporated herein and;

WHEREAS, the Town of Hammonton has adequate capacity for growth in terms of water, sewer and infrastructure;

BE IT RESOLVED, this 25th day of July, 2005 by the Mayor and Council

of the Town of Hammonton, that the Town adopts the proposed Transit Village Development District attached hereto and incorporated herein and that the Town will promote Smart Growth within this designation.

Motion by Councilperson Morano, seconded by Councilperson Falcone, resolution 126 be adopted.

ROLL CALL - Yeas: Bertino, Clark, Falcone, Morano,

and Mayor Ingemi.

Nays: Olivo.

Absent: S. Lewis

Mayor Ingemi declared the motion carried.

#R127-2005 Award Contract Pressey Street

RESOLUTION #127-2005

AWARD OF CONTRACT FOR THE

PRESSEY STREET RECONSTRUCTION PROJECT

WHEREAS, the Town of Hammonton has set aside funds in the municipal budget to reconstruct the Pressey Street Roadway and related concrete curb and sidewalk; and

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

WHEREAS, bids were received on Friday, July 22, 2005; and

WHEREAS, the lowest responsible bidder for the project was Asphalt Paving Systems Inc. of Hammonton, NJ with a total bid of \$116,490.00; and

WHEREAS, the Town is desirous of awarding the contract to Asphalt Paving Systems Inc. in the amount bid; 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 Pressey Street Roadway Reconstruction Project to Asphalt Paving Systems Inc. of Hammonton NJ in the amount of \$116,490.00 subject to review and approval by the Town Solicitor and certification of the availability of funds.

#R128-2005 Support Mullica Twp. trash transfer

RESOLUTION # 128- 2005

RESOLUTION IN SUPPORT OF MULLICA TOWNSHIP

AND THE STATE OF NEW JERSEY

TO "STOP" TRASH TRANSFER STATION

WHEREAS, Mayor and Council of the Town of Hammonton wish to support the efforts of Mullica Township and the State of New Jersey to "Stop" the Southern Railroad Company of New Jersey from locating a trash transfer facility in Mullica Township and running a "trash train" through the center of Hammonton and throughout Southern New Jersey; and

AND 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 Hammonton supports Mullica Township and the State of New Jersey in their efforts to stop trash transfer station and trash train;

BE IT FURTHER RESOLVED that the Mayor and Common Council will assist Mullica Township in this most important matter.

Motion by Councilperson Olivo, seconded by Councilperson Clark, resolutions numbered 127 through 128 be adopted.

ROLL CALL - Yeas: Bertino, Clark, Falcone, Morano, Olivo, and Mayor Ingemi.

Nays: None.

Absent: S. Lewis

Mayor Ingemi declared the motion carried.

LICENSE APPLICATIONS

St. Martin Church R 10/15/05

St. Anthony Church R 11/23/05

St. Joseph Home School R various dates

PR Civic Assoc. ABC Sept. 2, 3, 4

Motion by Councilperson Falcone, seconded by Councilperson Clark, approve license applications as recorded by the Clerk. Motion carried.

PUBLIC HEARD

Anthony DeMarco - Pleasant Mills Road

Mr. DeMarco stated that he believes some of the Royce Run condos/homes street lighting and pump station electric bills have not been turned over to Town of Hammonton.

Solicitor advised the Town has been paying the street lighting bills for several months.

Mr. DeMarco was asked to present any bills that he feels need to be turned over to the Town of Hammonton to the Clerk's office for review and to correct same if necessary.

Mark Santora - Old Forks Road

Mr. Santora was present once again to discuss problems with his mothers property located on Old Forks Road. He passed out paperwork to Mayor and Council from Dr. Michael Hozik's, Environmental Commission letter, to NJ DEP concerning this matter which the Deputy Clerk read in full:

In response to the certified notice provided by the applicant, the Environmental Commission of the Town of Hammonton has received the site plans and related information for the above referenced project. WE respectfully submit the following comments for your consideration:

We note for your information that streets and residential yards in the project area are subject to flooding at the present time after heavy rains. Existing catch basins an Old Forks Road which discharge directly into the subject drainage swale do not currently provide adequate drainage. The enclosed photographs were provided by residents along Wilsey Mill Road just north of Old Forks Road to indicate the extent of the current flooding problem.

Based on our review of the project plans, the onsite detention basins appear to have been designed for a maximum water elevation for only the 50 year storm. Although the 50 year storm was the design standards required by Pinelands when the project was originally designed, the 1995 readoption of the Flood Hazard Area Control Regulations substantially changed the standards for stormwater management. In light of the existing documented flooding problem in the project area, we believe it is particularly important that the current stricter stormwater management regulations be enforced for this project. We understand the new regulations require that the volume and rate of runoff shall not increase after development, that the peak rate of runoff from the 2 year storm be reduced to 50% of the pre-development rate, and the peak runoff rate from the 50 and 100 year storms be reduced to 75% of the pre-development peak. The existing flooding condition and the large amount of impervious coverage proposed for this project makes it especially important that the rates of runoff be reduced and that the total volume of runoff discharged offsite not be increased.

The boring logs on the project plans do not indicate seasonal high water table levels. We believe it is important to evaluate the detention basin design in relation to the seasonal high water table because any loss in basin capacity due to water table levels above the basin bottom would decrease the effectiveness of the basins and contribute to the existing flooding problem in the area.

We did not find the limits of the flood plain or encroachment lines established on the site plans. Since those lines would be established based upon a determination of the flood carrying capacity of the watercourse, we believe it is imperative that the waterway be analyzed for it's ability to carry stormwater runoff before additional runoff is introduced from this project.

Thank you for the opportunity to comment on this application. If you need any additional information in regard to any of our comments, please do not hesitate to contact me.

A discussion was held concerning this letter and other matters pertaining to the ongoing complaint and Mr. Santora was excused.

Andy Colasurdo - Anderson Avenue

Mr. Colasurdo stated he is the former owner of South Jersey Sanitation. He stated he objected to the awarding of recycling contract to ACUA and not South Jersey Sanitation. He feels ACUA did not provide proper bid documents. He questioned why Mayor and Council awarded contract to ACUA in closed session?

Solicitor advised the award of bid Mr. Colasurdo was referring to was made in open session, not closed. Solicitor also advised the ACUA did comply with bid requirements this year.

Mr. Colasurdo stated he felt Mrs. Costigan, Solicitor, is quite proficient. However, he does not believe that she fully understands municipal law. He questioned the "90 day out" the ACUA bid on. He feels ACUA did this so that they can drop Hammonton for a better contract. He is asking Mayor and Council to take a second look at this matter, in order to avoid litigation.

Councilperson Olivo questioned if Mayor and Council received any complaints concerning ACUA as he has received a few.

Councilperson Bertino stated there was a question of supply of buckets which the Solicitor remedied and now the buckets are supplied by the Hammonton Highway Department to alleviate taxpayers from traveling to Atlantic City for same.

Larry Delaney - Broadway

Mr. Delaney advised Mayor and Council that the general public sitting in the council meetings cannot hear council speak. He recommended utilizing the St. Joseph School Auditorium across the street until a new town hall is built.

#R 129 -2005 Resolution Enter Into Closed Session

BE IT RESOLVED, by the Mayor and Common Council of the Town of Hammonton that, in accordance with the "Open Public Meetings Act," a closed door Executive Session to be held on the below adopted date, for the purpose of discussing and/or acting upon:

1. Approve Closed 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 Bertino, resolution 129 be adopted.

ROLL CALL - Yeas: Bertino, Clark, Falcone, Morano,

Olivo, and Mayor Ingemi.

Nays: None.

Absent: S. Lewis

Mayor Ingemi declared the motion carried.

Resume Regular Order of Business

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

ADJOURN

Motion by Councilperson Clark, seconded by Councilperson Falcone, the meeting be adjourned. Motion carried.

Susanne Oddo, Town Clerk/Administrator