

Minutes

REGULAR MEETING OF COUNCIL

Held in Town Hall Council Chambers

100 Central Avenue, Hammonton, N.J.

Monday, May 22, 2006, 2006 at 7:00 P.M.

Minutes can be viewed at [www.townofhammonton.org](http://www.townofhammonton.org)

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

ROLL CALL

Mayor DiDonato - Present

Councilpersons:

Bertino - Present

Colasurdo - Present

Falcone - Present

Massarelli - Absent

S. Lewis - Present

Wuillermin - Present

PRESENT ALSO

Brian Howell, Town Solicitor

Bob Vettese, Town Engineer

PLEDGE OF ALLEGIANCE

PUBLIC SAFETY NOTICE

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

PUBLIC HEARD ACTION ITEMS

Mayor DiDonato opened meeting to public for action items only.

No one desired to be heard.

Motion by Councilperson Bertino, seconded by Councilperson Wuillermin, close the public heard for action items. Motion carried.

APPROVAL OF MINUTES

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, approve the minutes of the Regular Meeting held May 15, 2006 as recorded by the Clerk. Motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

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

Frank Petche - State Environmental Commission

Mayor DiDonato invited Mr. Petche to speak on the Board of Education budget. Mr. Petche introduced himself and thanked Mayor and Council for allowing him to speak to the public concerning the school budget. Mr. Petche stated in his experience he feels this Mayor and Council can enter into an agreement with the school by taking over the building and placing the onus of running the building on Mayor and Council. He believes the Town will get more money for our tax dollar by sharing services. He stressed the importance of the town and school to work together for the benefit of the taxpayer. He thanked Mayor and Council and was excused.

Councilperson Falcone questioned Mr. Petche's experience?

Mr. Petche stated he works as an Interstate Environmental Commissioner for the State of New Jersey and was appointed by Governor Kane.

Councilperson Falcone requested Mr. Petche give some examples of municipalities purchasing schools?

Mr. Petche gave some examples including Barnegate and Wayne Township. He feels there is no reason the Municipality of Hammonton cannot purchase the Middle School in an interlocal agreement for the benefit of the taxpayer.

Councilperson Wuillermin gave an example of the town purchasing the schools tennis courts back in the 70's.

Mayor DiDonato thanked Mr. Petche for his presentation.

1. Mayor Action Team Presentation

Jerome Barberio - Mayor's Action Team

Mr. Barberio advised on the progress of the Mayor's Action Team in attempting to identify areas requiring improvement within the

Town's parks system. Boyer Avenue Recreation Facility Phase II is near completion and doing very well. Members of Park Commission and himself are starting preliminary design and are investigating the inclusion of some additional facilities near the Boyer Avenue area. Fields ready to play on in the spring of 2007. Preliminary design of lake park. March County Steering Commission purchase several parcels of land in Hammonton for recreation and open space and three sites have been chosen for funding. Continuing to work on NJ DEP transportation enhancement grants such as bicycle and pedestrian trails, train station restoration etc.

Mayor DiDonato further advised on parks checklist that includes sprinklers, safety, etc.

#### 7<sup>th</sup> Street Park Bleachers

Councilperson Colasurdo mentioned he received a request to borrow 7<sup>th</sup> Street Park Bleachers and will bring the request to Park Commission as well.

#### Dan Chiofalo - Mayor Action Team

Mr. Dan Chiofalo reported on Hammonton Municipal Airport grants received and land acquired. He reported on parking lot apron and perimeter fencing projects, prior snow removal equipment purchase and runway and taxi seal coating projects. Acquisition of Master Wire Property. Environmental Assessment. In closing he advised that all projects are being funded by Federal/State Grants.

Councilperson Bertino advised he has not heard anything from DY Consultants concerning any new grants at this time.

The Clerk advised Mr. Chiofalo that Tara Russo, Accountant, is now handling all grants for the Town of Hammonton.

Councilperson Colasurdo stated and Mr. Chiofalo confirmed that 90 percent of these airport projects have been funded by grants.

Mayor DiDonato commended Mr. Chiofalo as Hammonton received the most grant money of any airport in South Jersey.

Mr. Chiofalo thanked Mayor DiDonato but stated that without the Town's support the FAA would not have given the town the much needed funding for these projects.

Councilperson Colasurdo also stated and Mr. Chiofalo confirmed that the Town of Hammonton Airport is self funded through leases.

Mayor DiDonato thanked Mr. Chiofalo.

Mayor DiDonato further stated that George Mortellite could not be with us this evening but is working toward getting properties back on the tax rolls.

James Donio - Mayor Action Team

Mr. Donio advised there is much going on downtown and the downtown merchants are very excited with the changes they are seeing. Mr. Donio reviewed projects such as the town hall project. Letter received from Chuck Horner, Pinelands Commission, concerning their June 9<sup>th</sup> meeting to discuss and hopefully grant final approval for the town hall and historical society projects.

Mayor to provide Town Clerk letter from Pinelands to copy officials.

Mr. Donio further reported on downtown sidewalks which are awaiting final funding. Horton Street project and clean up of areas as to make more accessible for handicap. Third Street tree removal. He requested everyone working on boards relating to trees to work toward better preserving them in the future. He is working closely with John Laney of Atlantic County Improvement Authority to ascertain grants for the Town of Hammonton. He feels our municipality does well when competing with other municipalities as the projects we present are much more interesting. Meeting with Mayor and John Woods Triad Assoc. grant opportunities. He stated they will do everything possible to receive maximum amount of grants for the Town of Hammonton. Junior Mainstreet recently formed and are very active with elder members in projects such as planting and maintaining areas such as the area around Reagan Rock. Junior Mainstreet program would like to begin a summer concert series in the parks and this will appear on agenda this evening. He reported on Cruisin Main Street even being a success.

Councilperson Falcone stated he attended a meeting where a professional couple were considering Hammonton as a site to purchase a home and complimented the town. He commended Mr. Donio on his efforts.

Councilperson Colasurdo asked that Mr. Donio contact Garden Club and John Woods and ask them to contact Rick DeMarco of DeMarco's nursery as he is interested in donating flowers to the Town.

Mayor DiDonato asked if anyone from public had questions for Mayor Action Team?

No one desired to be heard.

2. Resolution #67-2006 Self Examination Budget

RESOLUTION # 67-2006

TOWN OF HAMMONTON

SELF-EXAMINATION OF BUDGET RESOLUTION

[as required by DCA]

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Town of Hammonton has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2006 budget year.

**NOW THEREFORE BE IT RESOLVED** by the governing body of the Town of Hammonton that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school

purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate and correctly stated,
- b. Items of appropriation are properly set forth,
- c. In itemization, form, arrangement and content, the budget will

permit the exercise of the comptroller function within the municipality.

5. The budget has been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

3. 2006 Budget Hearing

Mayor DiDonato announced a hearing on the proposed 2006 Town of Hammonton

budget will now be held and anyone desiring may now have the opportunity to be heard.

No one desired to be heard.

Motion by Councilperson Wuillermin, seconded by Councilperson S. Lewis, the hearing be closed. Motion carried.

4. Resolution #68-2006 Adopt 2006 Municipal Budget

RESOLUTION #68-2006

TOWN OF HAMMONTON

A RESOLUTION ADOPTING THE 2006 BUDGET

Be It Resolved by the Mayor and Council of the Town of Hammonton, County of Atlantic that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

a. \$5,912,199.48 (Item 2 below) for municipal purposes, and

(b) None (Item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and,

(c) None (Item 4 below) to be added to the Certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of General revenues and appropriations.

**RECORDED VOTE**

Ayes: Nays: Abstained: Absent:

Councilpersons: Bertino, Colasurdo, None None Massarelli

Falcone, S. Lewis,

Wuillermin, Mayor John DiDonato

**1. General Revenues**

Surplus Anticipated 08-100 \$ 1,700,000.00

Misc. Revenues Anticipated 40004-10 \$ 3,028,171.09

Receipts from Delinquent Taxes 15-499 \$ 30,000.00

**2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL**

PURPOSES (Item 6 (a), Sheet 11) 07-190 \$ 5,912,199.48

**3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I**

SCHOOL DISTRICTS ONLY: Item 6, Sheet 42 07-195 0.00

Item 6 (b), Sheet 11 (N.J.S.40A:4-14 07-191 0.00

Total Amount to be Raised by Taxation for Schools in

Type I School Districts Only 0.00

**4. TO BE ADDED TO THE CERTIFICATE FOR AMOUNT TO BE**

RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL

DISTRICTS ONLY:

Item 6 (b), Sheet 11 (N.J.S.40A:4-14) 07-191 0.00

**Total Revenues** 40000-10 \$10,670,370.57

**5. GENERAL APPROPRIATIONS:**

Within "CAPS"

(a&b) Operations Including Contingent \$ 6,896,219.25

e. Deferred Charges and Statutory Expenditures -

Municipal \$ 275,069.00

g. Cash Deficit 0.00

Excluded from "CAPS"

- a. Operations-Total Operations Excluded From CAPS \$ 1,736,215.85
- (c) Capital Improvements 0.00
- (d) Municipal Debt Service \$ 944,850.49
- (e) Deferred Charges - Municipal \$ 2,400.00
- (f) Judgements 0.00
- (n) Transferred to Board of Education for Use of  
Local Schools (N.J.S.40:48-17.1 & 17.3) 0.00
- (g) Cash Deficit 0.00
- (k) For Local District School Purposes 0.00
- m. Reserve for Uncollected Taxes (Include Other  
Reserves if Any) \$ 815,615.98

1. SCHOOL APPROPRIATIONS-TYPE I SCHOOL DISTRICTS ONLY

(N.J.S. 40A:4-13) 0.00

**Total Appropriations** \$10,670,370.57

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 22nd day of May, 2006. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2006 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Motion by Councilperson S. Lewis, seconded by Councilperson Wuillermin, the resolution be adopted.

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Mr. Swartz, Town Auditor, was excused.

1. Ordinance #6-2006 Various Capital Improvements (amended)

Ordinance # 6-2006

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,843,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,116,436 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Town of Hammonton, New Jersey as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,843,000, including the aggregate sum of \$726,564 as the several down payments for the improvements or purposes required by the Local Bond Law, and including \$58,760 from the Capital Improvement Fund, \$350,000 in grants from the New Jersey Department of Transportation, \$248,000 from the office of the United States Housing and Urban Development and \$69,804 from a Community Development Block Grant.

The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets as indicated above.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,116,436 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation</u> and Estimated	<u>Down Payment</u>	Estimated Maximum Amount of Bonds or	<u>Period of Usefulness</u>
			<u>Notes</u>	
	<u>Cost</u>			
a) Various town owned property improvements, as well as acquisition & improvements of municipal parking as shown on and in accordance with the plans and specifications on file in the office of the Clerk, which plans are hereby approved including all work and materials necessary and incidental thereto	\$750,000  (including a \$78,451 grant from Community Development Block Grant)	\$37,500	\$712,500	10 years
b) Various sidewalk improvements as shown on and in accordance with the plans and specifications on file in the office of the Clerk, which plans are hereby approved including all work and materials necessary and incidental thereto.	550,000	217,500 (\$17,500 from Capital Improvement Fund and \$200,000 from a NJ Department of Transportation Grant)	332,500	10 years
c) Various improvements to historical building/community center as shown on and in accordance with the plans and specifications on file in the office of the Clerk, which plans are hereby approved including all work and materials necessary	248,000	\$248,000 (US Housing & Urban Development Grant)	0	15 years

and incidental thereto.

d) Pleasant Street reconstruction and various ADA curbing improvements as shown on and in accordance with the plans and specifications on file in the office of the Clerk, which plans are hereby approved including all work and materials necessary and incidental thereto

291,240 (\$3,760 from the Capital Improvement Fund, \$150,000 NJ Department of Transportation Grant and \$69,804 from a Community Development Block Grant)

71,436

10 years

TOTALS

295,000

\$1,843,000

\$726,564

\$1,116,436

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

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

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Town may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,116,436, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$360,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

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

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

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

Motion by Councilperson Colasurdo, seconded by Councilperson Wuillermin, the ordinance be taken up for second reading and public hearing. Motion carried.

Mayor DiDonato announced that 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

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Motion by Councilperson Wuillermin, seconded by Councilperson S. Lewis, the ordinance be given legal publication. Motion carried.

2. Ordinance #7-2006 Water Utility Capital Improvements

# 7-2006

BOND ORDINANCE PROVIDING FOR WATER UTILITY IMPROVEMENTS IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$148,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$148,000 BONDS OR NOTES OF THE TOWN FOR FINANCING THE COST THEREOF.

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

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Town of Hammonton, County of Atlantic, New Jersey. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$148,000. No down payment is required as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Town, as more fully explained in Section 6(e) of this ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$148,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

Purpose	Appropriation & Estimated Costs	Estimated maximum amount of bonds or notes	Period of Usefulness
a) Downtown water lateral sidewalk improvement	\$100,000	\$100,000	20 years
b) Replacement of windows and doors at Well #4	48,000	48,000	15 years
Totals	<u>\$148,000</u>	<u>\$148,000</u>	

All of the improvements are as shown on and in accordance with the plans and specifications therefore on file in the office of the Clerk, which plans are hereby approved including all work and materials necessary therefore and incidental thereto.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

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

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 18.37 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$148,000, but that the net debt of the Town determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$30,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the Town solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

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

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

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

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, the ordinance be taken up for second reading and public hearing. Motion carried.

Mayor DiDonato announced that 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 Wuillermin, seconded by Councilperson Colasurdo, the hearing be closed and the ordinance be adopted.

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Motion by Councilperson Wuillermin, seconded by Councilperson S. Lewis, the ordinance be given legal publication. Motion carried.

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3. Ordinance #8-2006 Sewer Utility Capital Improvements

Ordinance # 8-2006

BOND ORDINANCE PROVIDING FOR SEWER UTILITY IMPROVEMENTS IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$100,000 BONDS OR NOTES OF THE TOWN FOR FINANCING THE COST THEREOF.

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

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Town of Hammonton, County of Atlantic, New Jersey. For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$100,000. No down payment is required as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Town, as more fully explained in Section 6(e) of this ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$100,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the issuance of bonds is to finance Elm and Cottage sewer repairs, as shown on and in accordance with the plans and specifications on file in the office of the Clerk, which plans are hereby approved including all work and materials necessary and incidental thereto.

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

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

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

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

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$100,000, but that the net debt of the Town determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by that Law.

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

(e) This bond ordinance authorizes obligations of the Town solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

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

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

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

provided by the Local Bond Law.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, the ordinance be taken up for second reading and public hearing. Motion carried.

Mayor DiDonato announced that 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 S. Lewis, seconded by Councilperson Wuillermin, the hearing be closed and the ordinance be adopted.

#### ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Motion by Councilperson Wuillermin, seconded by Councilperson Falcone, the ordinance be given legal publication. Motion carried.

#### RESUME REGULAR ORDER OF BUSINESS

Motion by Councilperson Wuillermin, seconded by Councilperson S. Lewis, resume the regular order of business. Motion carried.

#### COMMITTEE REPORTS

##### Councilperson Colasurdo

##### Commend Police Department

Councilperson Colasurdo commended police for their work at Cruisin Main Street Event.

##### Street Lighting

Councilperson Colasurdo stated we are looking at approximately 3000 street lights in the Town of Hammonton to ascertain whether we can conserve on our street lighting costs. He is also looking into an outreach area (office) here in Hammonton where people can pay their electric bills.

##### Councilperson Massarelli

In the absence of Councilperson Massarelli the Deputy Clerk read her report as follows:

##### Payroll Time Management System

Casa Payroll Report Project - We have successfully completed a download of the new software that will enhance our payroll system to access reports we all ready receive and will now have access to additional reports. It will also reduce our payroll costs by \$25.00 per cycle. This software was installed free of charge. It is the first step in the conversion to our payroll management time system.

##### Town Hall Update

WS Goff located in Pleasantville, New Jersey, a state vendor, has offered to do a full office furniture layout and evaluation free of charge for the new town hall to help us evaluate our needs for furniture and equipment for the new town hall project. We will be setting up a meeting with them as soon as the plans are finalized. This will be an invaluable tool. Of course, using state vendors has many advantages that will be gone over in a presentation at a future meeting with Council and the public.

##### Comcast Video Equipment

Great News. We will be receiving our video equipment in 7-10 days. Nick DeStefano has been invited on May 25, 2006 to Comcast to a demonstration to view the new equipment.

##### Correspondence from Mr. John Calderone

When this comes up on the agenda, please let Council know that I would like to support further discussion and discovery of Mr. Calderone's situation. As I am not aware of his discussions with previous Council, however I think we should make a fair evaluation of his situation. There was obviously some type of miscommunication and it should be rectified and the record set straight before the commencement of work on Egg Harbor Road.

#### Councilperson Wuillermin

##### Water Department

Councilperson Wuillermin reported on the Town of Hammonton water allocation situation. He stated that the Town is presently very close to our legal limit for water disbursement. Engineer office to prepare a scope of services and seek approval of DEP to expand this limit.

Mr. Massara was present and read a letter to the residents of Hammonton requesting homeowners cooperate with voluntary water restrictions as follows: those homes ending on even number allowed to water lawns on Mondays, Wednesdays, and Fridays; odd numbers being allowed to water on Tuesdays, Thursdays and Saturdays. No watering on Sunday to allow water system to re charge itself. Further, every sprinkler system should be equipped with water censor which sends a signal to sprinkler system not to go on if the censor is full which saves on water and money for taxpayer.

Councilperson Wuillermin stated water capacity is our legal authorization to disperse water and everyone should make every effort to conserve water.

##### Pulte Homes Request Reimbursement

Councilperson Wuillermin reported on Pulte Homes overpayment of connection fees.

Referred to New Business for consideration of resolution.

##### Refund Overcharge from Water Department to Patriot Windows

Councilperson Wuillermin stated Patriot is requesting a reimbursement for water overcharge. He reported on new meter system in Town of Hammonton Water Department and some of the problems with conversion which aided in the error to the manual reading. He advised on corrective action to the problem.

Councilperson Wuillermin to bring issue back to next council meeting for resolution.

Mayor DiDonato recused himself concerning sewer service Egg Harbor Road.

##### Letter John Calderone - Communications

Councilperson Wuillermin reported on request of John Calderone. Mr. Calderone is seeking sewer service to his property. Councilperson Wuillermin is requesting an agreement to provide service to all properties involved.

Mr. Bob Vettese, Engineer, to meet with Anthony DeCicco, WWTP Superintendent, and Mr. Calderone tomorrow.

Authorize Feasibility Analysis Sewer Egg Harbor Road-Calderone

Motion by Councilperson Wuillermin, seconded by Councilperson Falcone, authorize a purchase order to ARH in the amount of \$1200 for feasibility analysis for extending sewer Egg Harbor Road and obtain price quotes for project.

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

Deputy Mayor S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Recused

Deputy Mayor S. Lewis declared the motion carried.

Authorize ARH to Award Quote for Sewer Service Egg Harbor Road-Calderone

Motion by Councilperson Wuillermin, seconded by Councilperson Falcone, authorize purchase order in amount of \$6000 for Engineer to award quote to extend sewer service to Egg Harbor Road.

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

Deputy Mayor S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Recused

Deputy Mayor S. Lewis declared the motion carried.

#### Fourth Street Drainage Ditch

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, authorize ARH to advise conflict engineer to contact county to investigate drainage on 4<sup>th</sup> Street. Motion carried.

#### Water Restriction Discussion Revisited

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, per Solicitor suggestion the Mayor and Council do a roll call on the "voluntary" water restrictions.

#### ON THE QUESTION

Councilperson Falcone questioned business or residential restriction?

It was confirmed that the restrictions applied to both.

All present members of council voted in the affirmative.

Mayor DiDonato declared the motion carried.

#### Councilperson Falcone

#### Municipality Purchasing School

Councilperson Falcone once again questioned the municipality purchasing the school and the legalities of same? A lengthy discussion was once again held concerning this matter.

#### Councilperson S. Lewis

Lake Water Quality Sub-Committee will meet on May 30 at 7pm at the Lakehouse. Members of the committee are Prof. Tait Cher/en/je, Jack Vaughn, Charlie Craig, Mark Robinson, Bill Parkhurst & Lou Rodio. If there are other members in the community that are interested in participation in this sub-committee, please contact Paul Galletta, the sub-committee chair at 517-2548.

Lou Rodio, Recreation Supervisor is requesting approval to work on Sat May 27 from 7 am to 12 noon for an additional 5 hours. This is for the triathlon which is held each year. Last year \$2,500 was generated from

this event. The funds are held in the Recreation Trust Fund & used for children who can't afford the fees associated with team sports. There are currently 194 people signed up for the triathlon. Lou Rodio received two bids for the materials needed for border at the playground. This border is for the new equipment we installed last year. We need to install the border before we receive the playground mulch(purchased 100 cubic yards out of last years budget). The Highway Dept will install the border & mulch as in previous years.

The two bids are Caterina Supply Inc. for \$2,311.59 and Ferguson for \$3,002.40. I would like to make the motion to approve the low bid of \$2,311.59 from Caterina Supply, Inc.

There are 15 to 20 Sr. Citizens signed up to play pinochle & bocce ball each Thurs from 10am until 2pm. If anyone has extra bocce balls or pinochle cards or would like to volunteer to assist, please contact Lou Rodio at 567-4341.

Authorize Lou Rodio Work Triathlon - May 27<sup>th</sup>

Lou Rodio was present and a discussion was held concerning the availability of the Hammonton Lake for swimming during the Triathlon.

The Clerk questioned the need for a lifeguard at this event?

Mr. Rodio responded the Triathlon is providing a lifeguard for this event.

Councilperson Colasurdo questioned the locking of the restrooms at the Park?

Mr. Rodio suggested supplying a key to the Police Department so they can lock the park restrooms when they patrol same.

Councilperson S. Lewis suggested automatic locks on restrooms.

Motion by Councilperson S. Lewis, seconded by Councilperson Falcone, authorize Lou Rodio to work 5 hours Saturday, May 27, 2006 for the Triathlon and the 5 hours be paid to Lou Rodio in form of comp time.

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Authorize Purchase Border for Mulch Per the Following Quotes Received:

Caterina Supply Inc. \$2,311.59

Ferguson \$3,002.40

Motion by Councilperson S. Lewis, seconded by Councilperson Colasurdo, authorize \$2311.59 to Caterina Supply for purchase of border for mulch at Park.

ON THE QUESTION

Mayor DiDonato questioned the necessity of purchasing mulch with 2005 funds and receiving mulch for and in year 2006?

A discussion was held concerning same with it being noted that the current request is only to purchase a border to hold the mulch at the Park in the amount of \$2311.59 since the mulch itself was purchased with prior year funds.

The Clerk questioned availability of funds?

Councilperson Bertino advised the Clerk to charge same to Highway OE out of Parks and Rec.

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Letter Dr. Hozik re: asking support for tree preservation

Councilperson Wuillermin questioned does the code authorize the proper official to enforce unauthorized tree removal on private property?

Solicitor to review ordinance and advise Mayor and Council, however, it is felt that the current ordinance does not reference the person to enforce same.

Dr. Hozik was present and was given permission to be heard. Dr. Hozik stated if we believe what is said in this ordinance then we should enforce it. Environmental Commission members at times receive calls from people reporting large trees were taken down prior to seeking approval for same. He questioned who do Environmental Commission members go to when a property owner removes a tree illegally? They have gone to code enforcement but nothing ever happens. He further explained that any tree 20" in diameter requires Environmental Commission approval prior to removal. Below 10" the trees are not regulated at all. There is no application fee. Dr. Hozik further commented on the argument that the property owner states they do not want someone telling them they cannot cut down a tree on their property. He argues that the Town can tell a property owner not to place a satellite dish on their property so why not regulate trees also. He reminded Mayor and Council and the public of the importance of trees to our environment. It's not the Environmental Commission's intention to stop tree removal all together. A tree struck by lightning recently on Central Avenue required immediate authorization for removal. Environmental Commission tries to encourage residents to maybe build around the existing tree but they realize they cannot always save the tree.

Councilperson Colasurdo suggested changing the penalties in the ordinance instead of imposing a fine to have them plant new trees.

Councilperson S. Lewis stated many times they do request the homeowner to replace the tree.

Dr. Hozik gave the example of an individual homeowner who's permit was contingent upon not taking down trees and he went ahead and removed the trees later anyway.

Clerk to forward letter to Building Inspector to enforce this ordinance at this time and through local channel 13 and town website to better inform the public of tree removal requirements.

#### Weymouth Road Bridge

Councilperson S. Lewis requested the Clerk forward a letter to Atlantic County and NJ Transit concerning Weymouth Road bridge repairs, potholes, structural integrity.

#### Councilperson Bertino

#### Highway Department

Highway department personnel are maintaining all the town parks that were assigned to us, and other town areas that need grass cutting and cleaning.

Litter control is being performed on our local roads and streets.

Our semi annual storm drain cleaning is being done for 2006 season.

Major repairs are needed for some storm drains. To keep our streets clear, our storm drains need these repairs.

Highway personnel are taking care of the sprinklers and set timers. We can also install rain sensors at a low cost to save the town money.

### Parks

Thanks to Steve from Ravelli Monuments for his assistance in helping clean the monument at Veterans Park.

A Booster Pump has been repaired at Boyer Avenue, the problem was due to an electrical issue in the Breaker.

### Tree Removal

2 Trees were removed on Grape Street

2 Trees were removed on Line Street

Mayor asked for Councilperson Bertino input on lighting plan.

A Discussion was held with Bob Vettese advising the town has a lighting plan and he will forward same to lighting committee for their review.

Mayor questioned the practice of running 2 trash trucks down the same street?

Councilperson Bertino responded they are running 2 trash trucks as one is picking up the bulky material and they are trying to work more quickly as to attend to other duties placed on Highway Department.

Mayor questioned can we set a date that Hammonton will be on new trash system wherein the town will only pick up the trash in the toter?

Councilperson Bertino stated the town is now on the new trash system and questioned what the Mayor is saying?

Mayor questioned more specifically when the town went on new trash system the town was going to only pick up trash that fit in new toter, when can we accomplish this?

Councilperson Wuillermin stated what the Mayor is saying is that we are using a second trash truck to pick up the bulky trash rather than the normal truck that picks up bulky.

Councilperson Bertino requested the Mayor meet with the Road Superintendent at Highway Department to gain a better understanding of what is being picked up and why.

Mayor suggested a meeting with himself and Councilpersons Bertino and Colasurdo meet and come up with a plan for trash removal that will provide a savings to the Town of Hammonton and that it will be advertised properly on Channel 13 and report back at next council meeting.

#### ENGINEER REPORT

#### SEWER & WATER - ACTION ITEMS

##### 1. Elm & Cottage Sewer Replacement (11-50125):

As requested by Council, ARH has prepared the design plans and specifications suitable to advertise and receive bids for the project. If agreeable to Mayor and Council, we will coordinate a bid date for the project with the Town Clerk.

Since the project will be advertised and publicly bid, we have provided Mayor and Council with a Proposal (#06-0267) to complete the Construction Management and Inspection of the project.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, approval ARH proposal #06-0267 in the amount of \$12,100.00 for the Construction Management and Inspection of the project and issuance of the required purchase order.

#### ON THE QUESTION

Mayor DiDonato questioned the practice of hiring a construction manager

prior to going out to bid?

Mr. Vettese advised Mayor and Council have in the past hired a

construction manager prior to the project being bid.

#### ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

**2. Old Forks Road Sanitary Sewer Service (11-01000-81):**

Councilman Colasurdo met with representatives from Triad Development regarding the possibility of providing the potential for sanitary sewer service for a number of properties within the Old Forks Road/Third Street area. Due to the elevation difference between the existing gravity sewer main and the properties in this area the majority of the parcels would need some type of grinder pump and force main to receive public sewer.

We have provided a copy of the conditions of approval as discussed with the Sewer and Water Committee to the Solicitor so that he could include these items in the agreement. As also discussed last meeting we have directed a letter to Mr. Ray Lindsay of Triad III LLC requesting the establishment for an onsite meeting to review the depths of the sewer laterals left along the project route. We are awaiting a response from their office. It may be wise to include the inspection of these laterals and repair as necessary within the conditions of the agreement.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, authorize Solicitor to draft agreement for force main installation and reimbursement potential for execution by all parties. Motion carried.

**3. Blueberry Ridge Utility Connection Fee Reimbursement (11-20063)**

A request was made by Pulte Homes to seek reimbursement of connection fees paid to the Town in excess of that allotted in the agreement developed between the Town and Triad III LCC for additional work completed by the developer associated with water and sanitary sewer main installation in the project area. The figures in the reimbursement request were reviewed by the Sewer and Water Committee, the Town Finance department, Water and Sewer Superintendents, and our office. The required reimbursement amount was summarized in a report from Tara Russo for Council's consideration and action.

The Committee also discussed the possibility of attaching a condition of approval to the reimbursement that a resolution of the sewer laterals along old Forks Road must be provided prior to the release of the connection fees if permissible.

*Refer to New Business for resolution.*

**PUBLIC WORKS - ACTION ITEMS**

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

We have forwarded the PS&E package to the NJDOT for review and approval. Currently, we have been verbally notified that there are review comments but none have been formally provided to our office. Upon our receipt of these documents, we will make the necessary corrections and secure NJDOT approval.

Council has informed our office that they wish to move forward with the bidding process for this project. Therefore we have provided Council with a proposal to complete the Construction Management and Inspection of this project. A portion of the noted proposal also encompasses the bidding process for this project as this task was not included in our previous Design Proposal. Consequently, we request approval of the proposal to complete the bidding, award recommendation, construction management and inspection of the project. As also requested, we will bid the project with various construction options so that the Mayor and Council could review and decide as to which option would best suit its needs and funding amounts. The entire project length for Pleasant Street reconstruction extends from Egg Harbor Road to Fourth Street. Within the project scope all the sanitary sewer and a small section of the water main will be replaced along with the roadway reconstruction. Selected removal and replacement of damaged curb and sidewalk will also occur. As indicated in the proposal, ARH services will be performed on a time and materials basis. As a result, should the Town scale back the construction of the project, ARH can do the same with the professional service contract.

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino, approve ARH Proposal #06-0266 not to exceed \$47,250.00 to complete Construction Management and Inspection Services associated with the sanitary sewer, limited water main replacement and roadway reconstruction for the duration of the contract. Contingent upon all work being awarded and fees being broken down as set forth in schedule.

**ROLL CALL**

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

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

The Contractor has completed all of the required punchlist items and therefore has requested release of retainage on the contract. We concur with this request and would recommend Final Payment to the Contractor. In addition to Final Payment, the Contractor has provided the Town with a 2-year Maintenance Guarantee. Upon review and approval of the Maintenance Bond, we would suggest release of the Performance Guarantee previously posted with the Town.

Motion by Councilperson Wuillermin, seconded by Councilperson Falcone, approve the release of the Performance Guarantee subject to review and approval of the Maintenance Bond (#44BCSD07829) by the Town Solicitor and Risk Manager.

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

**SEWER & WATER INFORMATION ITEMS**

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

As authorized at the last Council Meeting, ARH prepared the necessary Utility Opening application documents and met with NJDOT representatives. Subsequent to that meeting, ARH forwarded the completed application package to the NJDOT for approval. Upon approval of the application, the Permit will remain in effect for a period of one year.

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

We have met with the County Engineering Department to discuss both the roadway reconstruction project facilitated through the County and the Town's water and sewer project along the project route. It was indicated that the Egg Harbor Road reconstruction project is currently being advertised for bid. They County anticipates a June award with construction beginning on Phase I sometime in early July.

With regard to the Town's water and sewer project, review comments have been provided by the NJDEP and we are in the process of addressing those minor comments. Therefore the only apparent outstanding item is the utility easements. We are also finalizing the design plans and specifications to comply with the County's comments. The Solicitor has indicated that he is working towards securing those easements. Should Council wish to do so, we could advertise the project for bid, and withhold an award until such time as the official NJDEP permit and all required easements are secured. If this is the case, please advise our office and will prepare a proposal to complete the construction management and inspection for the project and arrange for a bid date with the Town Clerk as soon as practical.

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

As previously reported, a meeting will be held with KMH Representatives to discuss the eminent needs of the hospital as it relates to facilitating the Kessler Professional Complex. The original option for servicing the complex was the extension of the water main from Lakeview Drive westward toward the Hospital. Due to cost consideration, an alternative was a routing of the system through private property from a point along Lakeview Drive thus eliminating the need for construction along the White Horse Pike.

The options were reviewed with the Water and Sewer Sub-Committee. Since the costs are similar, the Committee

preferred the White Horse Pike option. The next step is to reconvene with the Kessler Representatives to determine what, if any, participation they can provide. Should they select to solely provide the minimum service necessary for their complex and utilize the private property routing, then the Town will have no involvement.

Following a second meeting with the Kessler Representatives, we will report our findings.

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

We have received approval from the Pinelands Commission and the NJDEP-BSDW related to the project. We also met with the County to discuss the roadway restoration items for the Third Street portion of the project extending between Central Avenue and Bellevue Avenue. We are presently revising the plans, specifications and quantities to reflect the recommendations. We should be ready to bid the water main and sanitary sewer work for the project later next month. We will also provide a cost estimate for ARH to complete the bidding, construction management and inspection tasks for the project.

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

At the last Council meeting a presentation was made regarding the status of the Well 7 project and the impact of the South Jersey Gas historic use at the site. We continue to work with South Jersey Gas representatives to relocate the wellhead to an alternative area onsite. South Jersey Gas provided a draft memorandum of understanding on May 16, 2006, which contains the obligations and responsibilities of each party associated with the relocation of the wellhead. The Subcommittee is reviewing the document and will potentially have a full report the night on the Council meeting.

Related to this matter, dialogue continues with NJDEP to keep them apprised of the ultimate plan. Further, the contractor has been advised of the issues and the Notice to Proceed has been withheld pending the conclusion of the South Jersey Gas agreement.

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

On May 16, 2006, a conference was held with NJDEP officials related to the recent resubmission dated April 26, 2006 and in pursuit of the firm source capacity reconciliation. The research will produce a base line for all future submissions for water allocation from this point forward.

There are additional items upon which clarification is sought from the NJDEP as follows:

- Adding back two single family homes in the projections along Fourth Street and Walnut Street serviced by the main installed for Blueberry Ridge.
- We provide a calculation for the office facility on Walnut Street.
- Modify the spreadsheet used for calculation to achieve consistent rounding values with the NJDEP methodology.
- Provide a calculation for the clubhouse that exists at Blueberry Ridge.

This resubmission will be completed prior to the Council meeting. Hopefully the information provided under this resubmission will be the last needed to conclude the firm source calculation.

**12. Bella Vita Subdivision Block 2709 Lot 20 Fairview Avenue (11-20195)**

Mr. Scott Rote appeared before the Sewer and Water Committee to request preliminary approval to allow for the extension of public water and sanitary sewer to service the proposed 12 residential lot subdivision. The applicant was granted conditional preliminary approval from the Hammonton Planning Board earlier this year.

The Water and Sewer Committee recommended the following for Mayor and Council's consideration:

1. Preliminary sanitary sewer extension be granted allowing the applicant to proceed to the NJDEP for permit consideration.
2. The Mayor and Council pass the appropriate resolution authorizing the Mayor to endorse the NJDEP application for sanitary sewer extension.
3. Due to the limited number of public water service connections available at the present time, the applicant be approved to extend the public water into the development to allow for fire protection only.
4. That the Mayor and Council support the applicant to obtain individual well permits for the subdivided lots for the present time until an additional monthly water allocation pumping allotment is approved by the NJDEP.

Refer to New Business for resolutions.

**PUBLIC WORKS - INFORMATION ITEMS**

**13. New Town Hall and Historic Town Hall Building Relocation (11-01060):**

Since the last reporting period we met with the Pinelands Commission and provided a response letter for their review. The Phase II Archaeological Study and report was completed by Richard Grubb & Associates and also forwarded to the Pinelands Commission for review. Their report recommends that a Phase III study is not warranted for the proposed Town Hall site.

Submissions have been made to the Atlantic County Planning Board and the Cape Atlantic Soils Conservation District. We have received their comments and are in the process of addressing each of the items.

We have appeared before the Environmental Commission and are scheduled to appear before the Planning Board on Wednesday, May 17, 2006, along with the Zoning Board on Thursday, May 26, 2006. It is hoped to have all the required approvals by mid June.

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

Phase I and Phase II

*Construction:*

The Contactor has been active on the site since the last reporting period completing work within both project phases. The Contractor has completed a significant portion of the work. Since the last reporting period a majority of the site fencing has been installed and parking lot areas have been paved. As discussed and authorized at the last Council Meeting, the Contractor is in the process of replacing the booster pump. As the project progresses we will continue to keep Mayor and Council updated.

**15. 2007 State Aid**

As previously reported the NJDOT FY2007 State Aid program application is due June 30, 2006. On May 12, 2006 our office met with the Highway Superintendent and the Public Works Committee. As a result of this meeting we've prepared a proposal to complete applications for the following roadways:

Priority #1: Pleasant Street (Egg Harbor Road to Fourth Street)

Priority #2: Fourth Street (Bellevue Avenue to French Street)

Priority #3: Grape Street (Egg Harbor Road to Central Avenue)

Please note that both the priority #1 & #2 projects have been designed. These projects barring availability of funds can be publicly bid at any time. We hope to have the proposal available for Monday's Council meeting for authorization. Additionally the priority #1 project already has FY2005 (\$145,000.00) & FY2006 (\$150,000.00) totaling \$295,000.00. It is estimated that an additional

Motion by Councilperson Bertino, seconded by Councilperson Colasurdo, authorize ARH to perform necessary work in an amount not to exceed \$3600.00.

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

**16. Irrigation at Municipal Owned Parks (11-01056):**

ARH has been working with Highway personnel to catalogue the equipment currently installed at the municipally owned parks. During that process, some of the existing irrigation lines, heads, controls, valves, etc. have been replaced and/or repaired by Highway personnel. Upon the initial investigation, it does not appear as though the automated systems are equipped with rain sensors. Highway personnel have indicated that the installation of these sensors can be performed in house at minimal cost. Once all of the parks have been catalogued, we will provide Council with a subsequent report.

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

ARH has met with NJDOT representatives to review the documentation necessary to requisition the allocation from the funding agency. Canceled checks and other documents have been provided to ARH from the Town and are currently

being compiled. All required information will be forwarded to the NJDOT with copies to the Finance Department for tracking purposes.

**18. 2005 Road Program (11-40023):**

Construction on both Packard and Horton Streets has been progressing since the last meeting with all sanitary sewer and stormwater improvements being installed. Concrete work along Packard Street has been completed and commenced on Horton Street. On Friday May 12, 2006, Asphalt Paving Systems completed the installation of the base paving along Packard Street. Payment Application #3 appears on the bill list for Mayor and Council's consideration.

**19. Transportation Enhancements, Bellevue Ave-12<sup>th</sup> Street Improvements**

**(11-40011):**

We are currently awaiting an authorization to bid approval from the NJDOT. This project was forwarded to the NJDOT on April 3, 2006 and we have not yet received an approval. We have been informed that the Solicitor has secured all easements for the project and we were supplied a copy of the remaining filed easements which will be forwarded to the NJDOT. We will keep Council apprised of any developments as this project progresses.

**20. Stormwater Management Plan and Ordinance Revisions (11-01065):**

A presentation of the Stormwater Management Plan and ordinance revisions will be presented to the Planning Board hopefully for their June 7 or June 21, 2006 meeting. If deemed acceptable a recommendation will be forwarded to the Mayor and Town Council for adoption at a subsequent meeting.

**21. Sanitary Sewer Service Various Properties (11-50000)**

We will meet with the Sewer and Water Committee to discuss the following requests for sanitary sewer service:

**A. Block 4601 Lot 9 Basin Road, Frank Ingemi (11-50000-06)**

The request was to install a grinder pump and force main along Basin Road and possibly the White Horse Pike to service the above noted property. The applicant is reviewing various options before returning to the Committee.

**B. Block 1402 Lot 8, Tenth Street, Joseph Berenato (11-50000-07)**

The request was to allow for the placement of a sewer lateral to service a 5 unit apartment building and a single family home on the above noted property. The Committee recommended that a separate lateral be left for each use to be installed at the applicant's expense, including the need to apply for a roadway opening permit.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, authorize placement of sewer lateral to Block 1402 Lot 8 and allow for connection of single family dwelling and 5 unit apartment building.

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

C. Block 2902 Lots 2, 3, Egg Harbor Road, John Calderone (11-50000-08)

As a result of a letter sent to Mayor and Council relating to Mr. Calderone's request for a new sanitary sewer service lateral for an existing business and residential dwelling, the Sewer and Water Committee discussed various options. It is our understanding the business and residence are presently serviced by a sewer lateral which extends across the adjacent Petetti property. The initial direction of the Committee was to grant permission for the applicant to install a new lateral for each property by jacking beneath Egg Harbor Road to the new line installed last year before the County completes their roadway work and the Town's contractor restores the Liquor Store parking lot. We were informed that the Committee wishes to investigate this matter

further before rendering a formal decision. A decision should be made soon so it will not affect the proposed County and Town restoration work.

**PENDING ISSUES:**

- Kramer Beverage Commerce Way Basin
- NJDEP Surface Water Permit
- Boyer Avenue Land Application - Pinelands/USGS Study
- Storm Water Management Plan and Ordinance Revisions
- Sludge Management
- Boyer Avenue Land Application - Pinelands/USGS Study (11-50058):

**SOLICITOR REPORT**

1. Bellevue Avenue easements
2. Egg Harbor Road Easements
3. Defeated School Budget
4. Tax Appeals
5. Cottage Avenue Tree Removal Request

Refer to ARH for review.

6. Environmental Commission Appearance
7. Triad/Old Forks Road Agreement

**MAYOR REPORT**

**Appoint Member Town Hall Committee**

1. The Town Hall Committee has been meeting on a bi-weekly basis with the architect. The committee has requested to add a person with an HVAC background. Therefore, I am appointing Donald DeFiccio to the committee.
2. Carol Santora of the Historical Commission has offered to change positions with Joe Sorrentino on the Historical Commission. Mayor thanked Carol for her team spirit.
3. The School budget has been a big issue in the past several weeks. This year between increased ratables of about \$600,000, State and Federal Aid of about \$400,000 and a 7.1 cent school tax increase, the School District will receive a total of \$1,600,000 more than last year, which represents a 4.8% spending increase. It is distributing when they receive this much additional money yet talk about cuts. This Council knows first hand about cuts as we actually lowered municipal spending from last year. However, the School Board is going to spend \$1,600,000 additional dollars this year and they are asking for more, while admitting last Thursday

at their School Board meeting they have no idea of their current fiscal state.

I want to commend School Board member John Lyons for recommending the School Board in its entirety represent the finance committee. In the past only a few members had knowledge of the finances. Now every School Board member is accountable to the people of this community. They must not only provide a thorough education, but also provide an efficient education as well. We now expect all School Board members to scrutinize every penny spent.

As for Waterford not paying any cost to use the Liberty middle school, I am asking each School Board member to also make this a top priority. Waterford needs to pay their fair share so that we can provide a better education for everyone. Subsidizing the Waterford children's education with Hammonton taxpayer's money is wrong and its time for each School Board member to standup for the people who elected you.

Finally School Board member Eric Weiss has been pushing to have all School Board meetings televised. I ask all School Board members to support Eric in his efforts to conduct School business, not behind a closed door, but as an open meeting forum in front of a camera.

#### Accept Resignations - Historic Commission

Mayor DiDonato accepted the resignations of Carol Santora Class A and Joseph Sorrentino Class B Historic Commission.

#### Appointments - Historic Commission

Mayor DiDonato made the following appointments to Historic Commission per members agreement to take on each others original appointment:

Carol Santora Historic Commission Class B

Joseph W. Sorrentino Jr. Historic Commission Class A

#### TOWN CLERK/ADMINISTRATOR REPORT

#### **Bid Results - Recycling Bid (Contract Year July 1, 2006 thru June 30, 2007)**

#### **Adver Press & Gazette 5/3**

South Jersey Sanitation - No Bid

Waste Management of N.J. - No Bid

A.C.U.A. - \$207,550.00 (2005 Bid Price \$199,500.00)

\*Refer to New Business for Resolution of Award

Request Authorization to Bid - Animal Control Services

Currently with Animal Capture & Control on month to month contract

\*does not provide census services

Councilperson Wuillermin stated he is of the opinion that until Atlantic County can provide a source of funding to conduct an annual animal census, he does not feel the Town of Hammonton should pay someone to provide these services at an expense to the taxpayer.

No recommendation made to bid animal control services at this time.

Transfer Police Officer

Clerk reported John Irwin of Police Department was transferred per intergovernmental transfer program. Chief Ingemi approved same.

A discussion was held concerning intergovernmental transfer agreement with Clerk requested to forward agreement to Solicitor for review.

Comcast Opening

Clerk advised Mayor and Council of Comcast official opening of new office in Hammonton on May 25th.

BILLS, PAYROLL AND OVERTIME APPROVAL (BILL LIST ATT.)

Motion by Councilperson S. Lewis, seconded by Councilperson Colasurdo, approve the bills, payroll and overtime for the month of May as recorded by the Clerk.

ROLL CALL

Councilpersons:

Bertino - Yes (abstain on film processing bill only)

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

COMMUNICATIONS

1. From NJ PINELANDS COMMISSION re: Stormwater Master Plans & Control Ord. January 20<sup>th</sup> deadline.

Ordered received and filed.

2. From ATLANTIC COUNTY advising of funding through Community Dev Block Grant

Councilperson Bertino advised Mayor and Council of past practice and stated if you do not enter into agreement then you cannot receive grants from HUD.

Motion by Councilperson Bertino, seconded by Councilperson Colasurdo, authorize Clerk to forward a letter that the Town of Hammonton does not wish to participate in HUD program this year.

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

3. From HAMMONTON SEVENTH DAY ADVENTIST CHURCH requesting use of Vine Street/Egg Harbor Road parking lot for June 3<sup>rd</sup> & 4<sup>th</sup> event.

\*have not received necessary certificate of insurance per letter of request from Clerk office forwarded to church on May 1, 2006

Motion by Councilperson Wuillermin, seconded by Councilperson S. Lewis, authorize use of parking lot contingent upon approval of insurance certificate and accessibility of police for June 3<sup>rd</sup> & 4<sup>th</sup>.

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

4. From PATRICIA BERENATO, PLANNING BOARD SECRETARY, requesting Mayor and Council review town ordinance concerning performance/maintenance guarantees for stormwater basins.

Bob Vettese stated Council should find out what Pinelands recommends prior to reviewing same.

5. From PASQUALE INGEMI advising of problems at 751 Woodlawn Avenue due to new housing development in area.

Mr. Ingemi faxed the Deputy Clerk a letter today requesting she pull this letter as he feels he will reach an agreement with the developer.

6. From JOHN CALDERONE requesting sewer extension to his properties located on Block 2902, Lot 2 and 3.

Discussed earlier this evening.

7. From TOWN OF HAMMONTON notifying of new town hall application and hearing at Planning Board on May 17 and Zoning Board on May 25

Ordered received and filed.

8. From THP INC. RICHARD SCALIA re: application for proposed shopping center at Hammonton Planning Board

Ordered received and filed with a copy being forwarded to Jerry Canter.

9. From MARY JOAN WYATT, ASSESSOR, request permission to attend Annual Assessor Conference June 8<sup>th</sup> & 9<sup>th</sup> for CEU's at a cost of approximately \$400.

Motion by Councilperson Colasurdo, seconded by Councilperson S. Lewis, authorize Mary Joan Wyatt to attend conference on June 8<sup>th</sup> & 9<sup>th</sup> at approximate \$400.

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

10. From ANDREW CAVALLARO, HIGHWAY LABORER, resigning his position effective May 11, 2006.

Motion by Councilperson Falcone, seconded by Councilperson S. Lewis, the resignation of Andrew Cavallaro be accepted. Motion carried with Councilperson Wuillermin abstaining.

11. From MAIN STREET HAMMONTON requesting permission to hold events in Hammonton.

Refer to New Business for resolution

12. From ANTHONY DECICCO, WWTP SUP'T, request authorization for Chris Ballin and Lou Penza to attend TCH class on June 8<sup>th</sup>

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, authorize Penza and Ballin to attend class on June 8<sup>th</sup>.

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Authorize Council Meeting to Continue Past 10:59 p.m.

Motion by Councilperson Bertino, seconded by Councilperson Colasurdo, authorize continue meeting past 10:59 p.m. Motion carried.

13. From HAMMONTON FIRE CHIEF FRANK DOMENICO requesting written explanation from Mayor and Council to individual fire departments as to the reason why they did not budget for the \$5000 stipen per fire department for year 2006.

Councilperson Colasurdo once again explained the budget restrictions and stated once the scott airpacks are sold he may, if town auditors deem it allowable, authorize the fire companies to retain that money in their budgets.

14. From JOE MONTALBANO requesting annual Bob Korch Memorial Motorcycle Run on June 10<sup>th</sup>.

Refer to New Business for resolution.

REPORTS-April 2006

Report of the Town Clerk, Registrar, Construction Official for the month of April 2006, 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-ORDINANCES

Ordinance #009-2006 Amending Business Registration License

Ordinance No. 009-2006

AN ORDINANCE AMENDING ORDINANCE #1-2004

ESTABLISHING A BUSINESS REGISTRATION REQUIREMENT

IN THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY

**PURPOSE:** Mayor and Council of the Town of Hammonton, County of Atlantic and State of New Jersey (the "Town"), have deemed it appropriate and necessary for the Town to maintain accurate information regarding the businesses located within the Town, including emergency contact information, and in order to effectuate such intent, Mayor and Council have deemed it appropriate and necessary to amend Ordinance #001-2004 "Business Registration Licenses", and to require all businesses in the Town to register annually with the **Town Clerk/Business Administrator** in order for the Town to maintain accurate information regarding the businesses located within the Town including emergency contact information.

**Section 1: Effective Date**

This ordinance shall take effect on **July 18, 2006**.

**Section 2: Registration Required**

No person shall engage in or carry on any business in the Town of Hammonton unless registered pursuant to this Chapter. This Chapter applies to all existing businesses within the Town as well as any businesses commencing on or after the effective date of this chapter.

**Section 3: Definitions**

A. For purposes of this chapter, the word "person" shall include an individual, firm, cooperation, or any other organizational entity or association.

B. For purposes of this chapter "business" shall be defined as including:

1. offering goods or services for sale or hire from a fixed location in the Town;
2. the solicitation of business including offering goods or services for sale or hire from a fixed location in the Town;
3. any and all other professions, enterprises, trades, and vocations except those defined in Chapter 204 of the Town Code.

**Section 4: Registration Fee**

An initial registration fee of **\$35.00** shall be paid to the Town Clerk at the time the applicant submits the registration form required by the ordinance. Thereafter, an annual registration fee of **\$35.00** shall be paid on or before **August 1<sup>st</sup>** of each year. If any person or entity, who is required to obtain a registration pursuant to this Chapter, does not register and pay the registration fee by **August 1<sup>st</sup>** of the respective year, the **Construction Official** will assess a late fee by **August 15<sup>th</sup>** of the respective year equal to fifty percent (50%) of the registration fee which is late. All late fees assessed against a business must be

paid with the registration fee. In addition to any late fees, the business must pay all registration fees for the previous years that were not paid and applicable late charges. In any action to enforce this Chapter, the **Construction Official** shall include all late fees and past due registration fee amounts in the summons and complaint filed against the business or other party.

#### **Section 5: Registration Forms**

Registration shall be made on forms to be obtained from the **Town Clerk**. Businesses in operation prior to the effective date of this ordinance shall register with the **Town Clerk** within 30 days after the effective date of this ordinance. The registration form submitted for each business must contain updated emergency information with the names, addresses and telephone numbers for at least two (2) people to be contacted after business hours in reference to building security, damage, or any occurrence that requires that access be gained to any facility owned or operated by such business.

#### **Section 6: Responsibilities of Registered Businesses**

A. Registration is mandatory whether or not the business is alarmed. Registration information must be updated annually, and changes must be reported immediately after they occur.

B. Every business registered pursuant to this chapter must maintain evidence of its registration, as provided by the Town Clerk, on the registered premises in a place where it may be readily seen at all times.

C. Failure to comply with the requirements of this section may result in a penalty as provided in Section 8 of this Chapter.

#### **Section 7: Enforcement**

The Chief of Police, the Town Clerk, the Construction Official and any Police Officer of the Town of Hammonton has the authority to examine all places of business and all persons of the Town of Hammonton to determine if this chapter has been complied with and to enforce the provisions of this chapter against any persons found to be violating the same.

#### **Section 8: Penalty for Violation**

Any person who shall violate any provision of this chapter shall be subject to a fine not exceeding \$500.00 or to imprisonment not exceeding thirty (30) days or both.

#### **Section 9: Severability**

If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

**SECTION 10: Repealer**

All other ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

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

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Motion by Councilperson S. Lewis, seconded by Councilperson Colasurdo, the ordinance be given legal publication. Motion carried.

Ordinance #10-2006 Repeal Chapter 172

Ordinance #10-2006

ORDINANCE REPEALING CHAPTER 172-3 OF THE  
CODE OF THE TOWN OF HAMMONTON  
Application & License Fee "JUNKYARDS"

WHEREAS, the Mayor and Council of the Town of Hammonton determined the need to repeal Chapter 172-3 of the General Code of the Town of Hammonton Adopted 9/13/71 by Ordinance Number 10-1971 entitled "Application and License Fee Junkyards"; and

WHEREAS, Mayor and Council have concluded that the Junkyard licensing as required by Chapter 172-3 can be accomplished annually by Ordinance #9-2006 "Business Registration License":

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that Chapter 172-3 of the Code of the Town of Hammonton be repealed;

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

ON THE QUESTION

Councilperson Wuillermin and Colasurdo pointed out that they only want to repeal the section of the ordinance that would allow for license fee and term to fall under the newly adopted Town of Hammonton Business Registration License.

The Deputy Clerk so noted to make the necessary corrections to Ordinance 10 Junkyards and Ordinance 11 Launderette.

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Motion by Councilperson Falcone, seconded by Councilperson S. Lewis, the ordinance be given legal publication. Motion carried.

Ordinance #11-2006 Repeal Chapter 180

**ORDINANCE # 11-2006**

ORDINANCE REPEALING CHAPTER 180-2 OF THE CODE OF  
THE TOWN OF HAMMONTON License application and  
fee LAUNDERETTE

WHEREAS, the Mayor and Council of the Town of Hammonton determined the need to repeal Chapter 180-2 of the General Code of the Town of Hammonton Adopted 9/13/71 by Ordinance Number 10-1971 entitled "License application and fee LAUNDERETTES"; and

WHEREAS, Mayor and Council have concluded that the Launderette licensing as required by Chapter 180-2 can be accomplished annually by Ordinance #9-2006 "Business Registration License":

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that Chapter 180-2 of the Code of the Town of Hammonton be repealed;

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

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Motion by Councilperson Falcone, seconded by Councilperson S. Lewis, the ordinance be given legal publication. Motion carried.

Ordinance #12-2006 Repeal Chapter 82-10 & 82-11

**ORDINANCE # 12-2006**

ORDINANCE REPEALING CHAPTER 82-10 & 82-11 OF THE  
CODE OF THE TOWN OF HAMMONTON

WHEREAS, the Mayor and Council of the Town of Hammonton determined the need to repeal Chapter 82-10 & 82-11 of the General Code of the Town of Hammonton Adopted 4/28/80 by Ordinance Number 14-1980 entitled "ANIMALS"; and

WHEREAS, Mayor and Council have concluded that the Kennel Licensing as required by Chapter 82-10 & 82-11 can be accomplished annually by Ordinance #9-2006 "Business Registration License":

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that Chapter 82-10 & 82-11 of the Code of the Town of Hammonton be repealed;

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

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Motion by Councilperson Wuillermin, seconded by Councilperson S. Lewis, the ordinance be given legal publication. Motion carried.

RESOLUTIONS

#R 69-2006 Authorize Feast of St. John

RESOLUTION #69-2006

RESOLUTION AUTHORIZING AND ENDORSING

THE "ST. JOHN FEAST & PROCESSION"

WHEREAS, St. John the Baptist Society continues to promote the Town of Hammonton with their annual "Feast of St. John" procession; and

WHEREAS, Mayor and Council has and continues to support the efforts of St. John the Baptist Society; and

WHEREAS, June 24, 2006 at 8:30 p.m. is the scheduled date for the Feast of St. John religious procession to be held in the Town of Hammonton; and

WHEREAS, St. John the Baptist Society has requested assistance of the Town of Hammonton Police Department for this scheduled event and

closure of the following streets in the Town of Hammonton for procession:

June 24<sup>th</sup> procession route

From St. Joseph Church (N. 3<sup>rd</sup> St.) to Pratt St.

Right onto Pratt to Tilton St./Mt. Carmel Lane

Right onto Tilton St./Mt. Carmel Lane to French St.

Return to Church (N. 3<sup>rd</sup> St.)

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, that the June 24, 2006 Feast of St. John and procession of streets is acknowledged and endorsed by the Town of Hammonton contingent upon the following:

1. Filing of necessary insurance certificates by St. John the Baptist Society as required by the Town of Hammonton.
2. Filing of required State and/or County written approvals for street closures with the Town Clerk's office and the Chief of Police at least two weeks prior to event.

#R 70-2006 Dedication by Rider - Police Equipment

#R 70-2006

A RESOLUTION REQUESTING PERMISSION FOR THE  
DEDICATION BY RIDER FOR DONATIONS/GIFTS FOR  
PURCHASE OF POLICE EQUIPMENT  
PURSUANT TO N.J.S.A. 40A:5-29

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the donation/gift is to be utilized in the manner set forth in the conditions of the donation/gift; and,

**WHEREAS**, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider;

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

1. The Town Council does hereby request permission of the Director of the Division of Local Government

Services to pay expenditures from a  
Police Department Donations Trust  
Fund pursuant to N.J.S.A. 40A:5-29.

2. The Town Clerk of the Town of Hammonton is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

#R 71-2006 Authorize 4<sup>th</sup> of July Event

RESOLUTION # 071 -2006

RESOLUTION AUTHORIZING AND ENDORSING

THE ANNUAL "TOWN OF HAMMONTON 4<sup>th</sup> OF JULY EVENT AND FIREWORKS"

WHEREAS, Mayor and Council of the Town of Hammonton continue to support the Annual Town of Hammonton 4<sup>th</sup> of July Event and Fireworks Display; and

WHEREAS, July 4, 2006 is the scheduled date for the Annual Town of Hammonton 4<sup>th</sup> of July Event and Fireworks Display; and

WHEREAS, the Town of Hammonton is requesting Police Assistance for this scheduled event and closure of the following Atlantic County roadway in the Town of Hammonton **from 8:00 p.m. to 10:00 p.m.:**

S. Egg Harbor Road from Park Avenue to Eleventh Street

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, that the July 4, 2006 Annual Town of Hammonton 4<sup>th</sup> of July Event and Fireworks Display is acknowledged and endorsed by the Mayor and Council contingent upon the following:

3. Filing of necessary insurance certificate.
4. Filing of required County written approvals for street closure with the Town Clerk's office and the Chief of Police at least two weeks prior to event.

#R 72-2006 Tax Resolution - May

#R 72 -2006

R E S O L U T I O N

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

**Block Lot CORRECTION ACCT/REASON**

2905 57 <695.36> REFUND TAX

3706 6 <5,384.66> 617.26 CORRECT SEWER

3706 4 <78,951.43> 8,589.30 CORRECT SEWER

3706 4 <47,475.53> 6,650.28 CORRECT WATER

3706 4 <30,761.42> REFUND SEWER

3706 4 <17,050.74> REFUND 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.

ON THE QUESTION

Councilperson Wuillermin requested this resolution be tabled and brought back to Mayor and Council at June 26, 2006 Council Meeting with a more detailed description of monetary transactions.

#R 73-2006 Award Contract Recycling

RESOLUTION #73-2006

RESOLUTION AWARDING CONTRACT

Residential and Commercial Collection and Disposal of Recyclable Materials

WHEREAS, the Town of Hammonton did advertise for competitive bids for the residential and commercial collection and disposal of recyclable materials which were received on May 15, 2006; and

WHEREAS, the only bid received and which complied with Town of Hammonton specifications was received from Atlantic County Utility Authority, Pleasantville, New Jersey 08232 in the total amount of \$207,550.00; and

WHEREAS, the bid of A.C.U.A. has been determined to be consistent with the requirements of the Town of Hammonton and the Public Contract Laws of the State of New Jersey.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, ATLANTIC COUNTY, AND STATE OF NEW JERSEY that a contract be awarded to A.C.U.A. in the amount of \$207,550.00 and consistent with the bid submitted.

#R 74-2006 Authorize Refund of Utility Connection Fee - Pulte Homes

RESOLUTION # 74-2006

RESOLUTION AUTHORIZING A REFUND

OF UTILITY CONNECTION FEE

TO PULTE HOMES (BLUEBERRY RIDGE)

WHEREAS, Pulte Homes did submit \$44,784.00 Utility Connection Fee for Blueberry Ridge Development; and

WHEREAS, the Town of Hammonton Water and Sewer Committee has authorized the refund of Utility Connection Fee; and

WHEREAS, Tara Russo, Accountant for the Town of Hammonton, has reviewed same and is in agreement with said refund.

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 Tara Russo is hereby authorized to cause a refund of Utility Connection Fee to Pulte Homes in the amount of \$44,784.00; and

BE IT FURTHER RESOLVED that the refund should be made from the Town of Hammonton Prior Year Revenue Account; and

BE IT FURTHER RESOLVED that this refund contains contingencies as specified in the Engineer Report dated 5/22/06 Item #2 attached hereto; and

BE IT FURTHER RESOLVED that this refund is contingent upon compliance with all conditions contained in the agreement associated with extension of force main on Old Forks Road as stipulated with Mayor and Council.

#R 75-2006 Amend Resolution 64-2006

**RESOLUTION NO. 75-2006**

**WHEREAS**, Ordinance 004-2006 was adopted on March 27, 2006 and included the re-appropriation of \$2,653.89 from Sewer Ord. #19-00 to Central Avenue Sewer Improvements;

**WHEREAS**, Resolution #64-2006 was adopted on April 24, 2006 and inadvertently included the cancellation of the same \$2,653.89 from Sewer Ord. #19-00;

**THEREFORE BE IT RESOLVED**, that Resolution #64-2006 be amended to remove the cancellation of \$2,653.89 of Sewer Ord. #19-00 and that the Treasurer's Office record this action in the books and records of the Town of Hammonton.

#R 76-2006 Support Click it or Ticket Grant

**#R 76-2006**

Supporting the *Click It or Ticket*

Mobilization of May 22 - June 4, 2006

**Whereas**, there were 757 motor vehicle fatalities in New Jersey in 2005; and

**Whereas**, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a safety belt; and

**Whereas**, use of a safety belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

**Whereas**, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

**Whereas**, the State of New Jersey will participate in the nationwide *Click It or Ticket* safety belt mobilization from May 22 - June 4, 2006 in an effort to raise awareness and increase safety belt usage through a combination of enforcement and education; and

**Whereas**, the Division of Highway Traffic Safety has set a goal of increasing the safety belt usage rate from the current level of 86% to 88%; and

**Whereas**, a further increase in safety belt usage in New Jersey will save lives on our roadways;

**Therefore**, be it resolved that the Town of Hammonton declares its support for the *Click It or Ticket* safety belt mobilization both locally and nationally from May 22 - June 4, 2006 and pledges to increase awareness of the mobilization and the benefits of safety belt use.

#R 77-2006 Authorize Main Street Event

RESOLUTION # 077 -2006

RESOLUTION AUTHORIZING AND ENDORSING

HAMMONTON MAIN STREET EVENT

WHEREAS, the Hammonton Main Street continues to promote the Town of Hammonton with their annual events; and

WHEREAS, Mayor and Council continues to support the efforts of the Hammonton Main Street; and

WHEREAS, Hammonton Main Street is seeking approval for the following scheduled dates, times and events for concerts at the proposed new pavilion at the corner of Front Street and Twelfth Street:

June 16, 2006 Summer Kick Off Concert 7 PM - 11 PM

July 21, 2006 Mid Summer Concert 7 PM - 11 PM

August 25, 2006 Back to School Concert 7 PM - 11 PM

WHEREAS, Hammonton Main Street has requested assistance of the Town of Hammonton Police Department for these scheduled events and closure of the following street in the Town of Hammonton:

Front Street from 12<sup>th</sup> Street (Rt. 54) to Passmore Avenue

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, that the above scheduled Hammonton Main Street events are acknowledged and endorsed by the Town of Hammonton; and

BE IT FURTHER RESOLVED that Hammonton Main Street has provided an approved certificate of insurance to the Town of Hammonton for year 2006; and

BE IT FURTHER RESOLVED that no State or County road closure application is necessary for this event;

#R 78-2006 Authorize Front Street Road Closure Bob Korch Motorcycle Run

RESOLUTION # 078 -2006

RESOLUTION AUTHORIZING AND ENDORSING

BOB KORCH MEMORIAL MOTORCYCLE RUN EVENT

WHEREAS, the Bob Korch Memorial Motorcycle Run is seeking approval to hold their annual event on June 10, 2006;

WHEREAS, the Bob Korch Memorial Motorcycle Run has requested assistance of the Town of Hammonton Police Department for this scheduled event and closure of the following street in the Town of Hammonton:

Front Street from (Rt. 54) to Passmore Avenue from 6:00 a.m. to 12:00 noon

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, that the above scheduled Bob Korch Memorial Motorcycle Run event is acknowledged and endorsed by the Town of Hammonton contingent upon the filing and approval of the necessary certificate of insurance with the Town of Hammonton; and

BE IT FURTHER RESOLVED that no State or County road closure application is necessary for this event;

#R 79-2006 Grant Sewer Extension Approval - Bella Vita

**#R 79-2006**

**RESOLUTION GRANTING PRELIMINARY EXTENSION APPROVAL AND AUTHORIZING  
MAYOR TO EXECUTE STATE**

**APPLICATIONS FOR SEWER EXTENSION**

WHEREAS, Dream Works Homes, LLC with offices located at 563 Cross Keys Road, Sicklerville, Gloucester County, New Jersey has made an application to the Town of Hammonton for sanitary sewer extension for a 12 unit single family home subdivision project located along Fairview Avenue, known as Block 2707, Lot 20 within the R-2 zone of the Town of Hammonton; and

WHEREAS, the design plans and accompanying documents have been reviewed by Adams, Rehmann & Heggan Assoc., Inc. the Water and Sewer Superintendents along with the Water and Sewer Committee of the Mayor and Council; and

WHEREAS, the applicant appeared before the Water and Sewer Committee of Mayor and Council and where they received a favorable recommendation for preliminary sanitary sewer extension; and

WHEREAS, the Hammonton Planning Board did grant preliminary major subdivision approval with conditions; and

WHEREAS, the NJDEP must review and approve the design plans, specifications, reports, etc. for sanitary sewer extension to service the property.

WHEREAS, NJDEP approval is required prior to final approval by Mayor and Council for sanitary sewer extensions; 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 preliminary sanitary extension approval is hereby granted consistent with the review of the Sewer and Water Committee of Mayor and Council, and that said Town preliminary approval is conditioned on the NJDEP approval of the project design plans, specifications, reports, etc. for the extension of sanitary sewer to service the property; and

BE IT FURTHER RESOLVED, that the Mayor and the Town of Hammonton is hereby authorized to execute on behalf of the Town of Hammonton all required applications required for sewer extension to the above referenced property.

#R 80-2006 Support Atlantic County Voter Fraud

**RESOLUTION # 80-2006**

**RESOLUTION IN SUPPORT OF ATLANTIC COUNTY**

**RESOLUTION 237 CALLING ON THE ATTORNEY GENERAL,**

**PROSECUTOR AND SUPERINTENDENT OF ELECTIONS**

**TO INVESTIGATE VOTER FRAUD IN THE USE OF MESSENGER BALLOTS**

**IN ATLANTIC COUNTY**

WHEREAS, the Mayor and Council of the Town of Hammonton wish to support the efforts of the Atlantic County Board of Chosen Freeholders in calling on support of county officials in investigating voter fraud in the use of messenger ballots; and

WHEREAS, the Mayor and Council of the Town of Hammonton agree to limiting the use of messenger ballots to instances where the voter is sick or confined to his/her home as there is a great potential for fraud in several individuals handling a large number of ballots; and

WHEREAS, a Select Committee Report on Voter Fraud in Atlantic County was submitted in 2004 to the Board of Chosen Freeholders detailing widespread incidents of fraud involving absentee ballots and messenger applications;

NOW THEREFORE BE IT RESOLVED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic and State of New Jersey that the Town of Hammonton supports Atlantic County efforts in eliminating voter fraud;

#R 81-2006 Authorize Water Extension - Dreamworks

**#R81-2006**

**RESOLUTION GRANTING PRELIMINARY EXTENSION APPROVAL AND AUTHORIZING  
MAYOR TO EXECUTE STATE**

**APPLICATIONS FOR WATER EXTENSION**

WHEREAS, Dream Works Homes, LLC with offices located at 563 Cross Keys Road, Sicklerville, Gloucester County, New Jersey has made an application to the Town of Hammonton for water main extension for a 12 unit single family home subdivision project located along Fairview Avenue, known as Block 2707, Lot 20 within the R-2 zone of the Town of Hammonton; and

WHEREAS, the design plans and accompanying documents have been reviewed by Adams, Rehmann & Heggan Assoc., Inc. the Water and Sewer Superintendents along with the Water and Sewer Committee of the Mayor and Council; and

WHEREAS, the applicant appeared before the Water and Sewer Committee of Mayor and Council and where they received a favorable recommendation for preliminary water main extension to provide for fire protection for the subdivision complex; and

WHEREAS, there presently exists a concern for available public water allocation established by the NJDEP allow for the maximum amount allowed to be pumped on a monthly basis: and

WHEREAS, the Mayor and Town Council are presently in discussions with NJDEP to request an increase in the monthly allocation pumping volume allocation; and

WHEREAS, the applicant agreed that he would provide individual wells for each single family home parcel if permitted by NJDEP and an allocation for public water service from the Town of Hammonton is not available; and

WHEREAS, the Hammonton Planning Board did grant preliminary major subdivision approval with conditions; 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 preliminary water main extension approval is hereby granted consistent with the review of the Sewer and Water Committee of Mayor and Council for fire service protection, and that said Town preliminary approval is conditioned on the NJDEP approval for the placement of individual private wells to service the single family units within the project if public water service is not available.

Motion by Councilperson Colasurdo, seconded by Councilperson Falcone, the resolutions be adopted with the exception of Resolution #R72-2006 which is tabled.

#### ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

#### LICENSE APPLICATIONS

Raffle St. Joseph RC Church 7/16/06

Raffle St. John Society 7/16/06

Raffle Kessler Hospital 7/16/06

Raffle Fire Co. #2 7/16/06

Raffle St. Martin Church 7/30/06

Raffle St. Martin Church 7/30/06

ABC St. Joseph Church Week of July 16<sup>th</sup>

ABC Sons of Italy Week of July 16<sup>th</sup>

Motion by Councilperson Colasurdo, seconded by Councilperson  
Wuillermin, approve license applications as recorded by the Clerk.

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

PUBLIC HEARD

Mark Santora - Old Forks Road

Mr. Santora questioned the earlier discussion on pressure lines on Old  
Forks Road?

Councilperson Colasurdo responded 8 - 2 inch lines.

Mr. Santora stated he may have previously provided council with  
inaccurate grades and corrected same. He also inquired if anyone has  
actually measured the main?

Councilperson Colasurdo advised that no one has measured the main yet.

A meeting was scheduled for Thursday morning with Councilperson Colasurdo, Bob Vettese and Mr. Santora.

John Bee - National Institute for Brownsfield Redevelopment

Mr. Bee once again gave a presentation of his proposed development and was excused.

#R 82-2006 Resolution Enter Into Executive Session at 11:40 p.m.

#R 82-2006

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

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

BE IT FURTHER RESOLVED, that the minutes of said

Executive Session shall be released only after same will have no adverse effect on the matters involved as determined by the Mayor and Common Council.

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

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Absent

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Resume Regular Order of Business

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

MEETING ADJOURNED

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

Prepared by April Boyer Maimone, Deputy

Approved by Susanne Oddo, Town Clerk/Administrator