

REGULAR MEETING OF COUNCIL

Monday, September 26, 2005 at 7:00 P.M.

The Regular Meeting of Mayor and Council was held, Monday, September 26, 2005 at the hour of 7:00 p.m., Mayor Ingemi presiding.

ROLL CALL

Councilpersons: Bertino, Clark, Falcone, Morano, Olivo, S. Lewis.

PRESENT ALSO

Angela Maione Costigan, Town Solicitor

Bob Vettese, ARH Engineer

Joseph Pantalone

ROLL CALL DEPARTMENT HEADS

John Aloisio

Anthony DeCicco

Rosemarie Jacobs

James Massara

Louis Rodio

Mary Joan Wyatt

ABSENT

Susanne Oddo

ENTERED LATE

Frank Ingemi

Lance Schiernbeck

PLEDGE OF ALLEGIANCE

MAYOR'S STATEMENT

This meeting has been properly posted on the bulletin board reserved for such notices on the first floor of the Town Hall and mailed to two newspapers pursuant to law. Please familiarize yourselves with the fire

exit drawing to the rear of the Council Chambers. Also, there is to be no smoking in the Town Hall at any time.

APPROVAL OF MINUTES

Motion by Councilperson S. Lewis, seconded by Councilperson Morano, the minutes of the Regular Meeting of 8/22/05 be approved and reading of same dispensed with. Motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

Motion by Councilperson Falcone, seconded by Councilperson S. Lewis, dispense with the regular order of business. Motion carried.

1. Hearing Transfer Liq Lic Est. Domenic Angello to Tomar Assoc.

Mayor Ingemi announced a hearing on this transfer will now be held and

anyone desiring may now have the opportunity to be heard.

No one desired to be heard.

Motion by Councilperson Clark, seconded by Councilperson Falcone, the hearing be closed and the transfer be referred to New Business for resolution. Motion carried.

2. Hearing Transfer Liq Lic Mattia to GK Palana

Mayor Ingemi announced a hearing on this transfer will now be held and

anyone desiring may now have the opportunity to be heard.

No one desired to be heard.

Motion by Councilperson Morano, seconded by Councilperson Clark, the hearing be closed and the transfer be referred to New Business for resolution. Motion carried.

3. Hearing Bond Ord. 35-2005 Town Hall

Ordinance #35-2005 Bond Ordinance new town hall

Ordinance #35-2005 entitled "BOND ORDINANCE AMENDING BOND

ORDINANCE NUMBERED 22-2003 OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY FINALLY ADOPTED OCTOBER 27, 2003, PROVIDING AN ADDITIONAL APPROPRIATION OF \$7,000,000 FOR THE CONSTRUCTION OF A NEW TOWN HALL AND AUTHORIZING THE ADDITIONAL ISSUANCE OF \$6,666,000 OF BONDS OR NOTES FOR FINANCING PART OF THE APPROPRIATION," was read by title only.

Motion by Councilperson Bertino, seconded by Councilperson Morano, the

ordinance be taken up for second reading and public hearing.  
Motion carried.

ON THE QUESTION:

Councilperson Olivo questioned is this ordinance different from the one introduced on 8/22/05?

Mr. Ianoale, of McManimon & Scotland, Bond Counsel, was present and advised that the ordinance Mayor and Council are considering this evening is the same ordinance introduced at their 8/22/05 council meeting and has not been amended. He further advised this ordinance must be adopted by a 2/3 majority vote of Mayor and Council.

Councilperson Olivo questioned the purpose of the ordinance and resolution that appears in his agenda directly following Ordinance #35-2005?

The Deputy Clerk advised that the Town Clerk requested she place those items in the agenda in full for Mayor and Council to view prior to the council meeting. The Deputy explained that Ordinance #35-2005 is presented this evening for public hearing and if Mayor and Council wish to do so they may adopt same. Subsequent to the adoption of Ordinance 35-2005, Mayor and Council may reduce the amount of bonding by adopting the ordinance or resolution that appear in their agendas. However, the ordinance will take 2 readings and 2 council meetings and the resolution can be adopted this evening.

Councilperson S. Lewis once again questioned the total cost of the town hall project proposed for 11<sup>th</sup> Street?

A lengthy discussion was held once again by Mayor and Council and the Town Solicitor concerning prices discussed at previous council meetings opposed to the final tally they have in their packets this evening.

Mayor Ingemi opened the hearing to the public.

John DiDonato - Second Road

Mr. DiDonato stated that he is here this evening representing himself and taxpayers and advised Mayor and Council that no matter what action they take on Ordinance #35-2005 this evening the new town hall will be built on Vine Street on November 8<sup>th</sup> for 5.9 million.

Richard Giacobus - Golf Drive

Mr. Giacobus, responding to Mr. DiDonato's previous statement, further stated that 5.9 million is not an accurate figure as it does not include all possible costs involved. He once again commended the Mayor and Council for their efforts in resolving the town hall site location issue.

Town of Hammonton Employee Letter Supporting Mayor and Council

The Deputy Clerk read the following letter from Town employees:

August 30, 2005

Town Hall Employees

100 Central Ave.

Hammonton, NJ 08037

Mayor and Council

100 Central Ave.

Hammonton, NJ 08037

Dear Honorable Mayor and Town Council,

We are writing on behalf of the majority of employees

Of the Town of Hammonton, in reference to the Town Hall issue. We have been waiting to get this resolved for sometime now. We need you to understand why we support town hall on the 11<sup>th</sup> street site. A large number of us have worked in this building for over ten years and we think we should know exactly what kind of space is needed for this new town hall. We have worked in confined spaces, during winters with no heat, during summers with no air conditioning, and we have used more sick time due to the mold conditions then we can count.

There are still leaks in ceilings when it rains, air conditioning units that have broken causing flooding in the offices below. Subsequently causing structural damage and continuous mold issues. This has been going on for years because the old units sit on the floor in the offices.

Our storage facility cannot even fit the six years of documents that must be maintained, not to mention the permanent files. The construction, tax, court, assessor and police departments have records stored at the water department. The space is so confined that if you do have to retrieve documents it is an accident waiting to happen. We keep hearing that this new town hall is too big. Just from January 2005 to July 2005 we have added 48 new water connections, which also means an additional sewer and tax bill per home. This means an additional 48 homes that need trash

removal and police patrols. This has been happening every six months for the past several years. Hammonton is growing so rapidly and we need to grow with it.

We are not architects, engineers, or contractors but as laymen it seems to us that the more cost efficient route and quickest solution to get us out of this decrepit building would be the 11<sup>th</sup> street site. Erecting a building on a vacant piece of ground seems to us by far more cost efficient for the taxpayers. After all, no matter where the town hall is built, taxes will increase. Why should the taxpayers be financially burdened for a longer time than necessary.

Now lets take a look at the Vine St. site. Relocation, relocation, relocation for the entire block. Not only do the taxpayers have to buy the property, the taxpayers have to pay to relocate and/or pay rent up to one year until they find a new location. Now lets get into the details. The taxpayers will have to pay to have the structures demolished, cleaned up, surveyed, and God only knows what other hidden charges may pop up. Next the taxpayers have to relocate the town employees while they demolish, clean up and start to build a new town hall. Not only is this an inconvenience to the employees, but more importantly an inconvenience for the taxpayers.

Also, all we hear is how are the senior citizens going to be able to cross over the railroad tracks. Do people not realize that there are senior citizens on both sides of the tracks? Needless to say all the senior citizens that live across the White Horse Pike. Has anyone stopped to think that our current Town Hall has never been handicapped accessible, yet they had to find a way to access our facility?

So in our opinion the most beneficial solution for the employees and the taxpayers, as we're sure you can clearly see is the 11<sup>th</sup> St. site. Please start the ground breaking and let our Town Hall grow to accommodate the taxpayers of this community and give us a safe environment to work in. Thank you for considering our opinion.

Sincerely,

s/Town Hall Employees

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

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

and Mayor Ingemi.

Nays: Olivo, S. Lewis.

Mayor Ingemi declared the motion carried.

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

4. Resolution #142A-2005 Reduce Bond Ordinance #35-2005

**RESOLUTION OF THE TOWN OF HAMMONTON REDUCING THE AMOUNT NEEDED FOR THE CONSTRUCTION OF A NEW TOWN HALL**

Whereas, in order to finance the construction, equipping, and furnishing of a New Town Hall, the Town Council of the Town of Hammonton in the County of Atlantic, New Jersey adopted bond ordinance number 35-2005, which amends bond ordinance number 22-2003 (collectively, referred to hereinafter as the "New Town Hall Ordinance");

Whereas, the *New Town Hall Ordinance* appropriated a total of \$9 million, consisting of \$8,570,770 in bonds or notes and \$429,300 from a down payment amount; and

Whereas, the *New Town Hall Ordinance* includes \$2 million for the acquisition of land; and

Whereas, such land is no longer needed for the New Town Hall, since it will be built on land owned by the Town; and

Whereas, the Town Council wants to reduce the amount to be expended on the New Town Hall by \$1.5 million to reflect the savings in land costs;

Now Therefore Be It Resolved by the Town Council of the Town of Hammonton in the County of Hammonton, New Jersey that the amount appropriated for the New Town Hall is hereby reduced by \$1.5 million to reflect the land cost savings for this facility.

This resolution shall take effect immediately.

Motion by Councilperson Morano, seconded by Councilperson Clark, resolution #142A be adopted.

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

and Mayor Ingemi.

Nays: S. Lewis.

Abstain: Olivo.

Mayor Ingemi declared the motion carried.

5. Hearing Ord. 36-2005 Prohibit Left Turn Rt. 54

Ordinance #36-2005 entitled "PROHIBITING LEFT HAND TURNS AT THE ROUTE #54

DRIVEWAY INTERSECTION FOR BLOCK 403, LOT 1," was read by title only.

Motion by Councilperson Morano, seconded by Councilperson Bertino, the

ordinance be taken up for second reading and public hearing. Motion carried.

No one desired to be heard.

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

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

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

6. Hearing Ord. 37-2005 Establish Sex Offender Residency

Ordinance #37-2005 entitled "ORDINANCE ESTABLISHING SEX OFFENDER

RESIDENCY PROHIBITION," was read by title only.

Motion by Councilperson Morano, seconded by Councilperson Falcone,

the ordinance be taken up for second reading and public hearing. Motion carried.

No one from the audience desired to be heard.

ON THE QUESTION:

Councilperson Olivo stated that he is certainly against sex offenders but once again must request council look closer into this ordinance, as currently written, as he feels this could cause a lawsuit against the Town of Hammonton.

After a brief discussion it was on motion by Councilperson Morano, seconded by Councilperson Falcone, the hearing be closed and the ordinance pass second reading and be adopted.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

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

#### RESUME REGULAR ORDER OF BUSINESS

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

#### COMMITTEE REPORTS

##### COUNCILPERSON S. LEWIS

##### Environmental Commission

The New Jersey FY 2006 \$27.4 billion eliminates all municipal grant programs, including \$150,000 for grants for environmental commissions.

These grants provide municipalities with incentives and means to update environmental resource inventories and open space plans; do projects such as stream and water quality testing, wellhead delineation and surveys of threatened and endangered species; and create brochures, videos and newsletters to educate residents on protecting the local environment. Because municipalities must match the grants with cash and in-kind work by volunteer environmental commissioners, the ESP grants (up to \$2500 each) have given the state a tremendous return for its money.

##### Park Commission

The Park Commission did not have a quorum for its regularly scheduled meeting on Sept 20<sup>th</sup>, however I do have several informational items for you.

The MS 150 City of Shore Bike Tour took place on Sept 24<sup>th</sup> and Sept 25<sup>th</sup>. The Hammonton Lake Park provided a rest stop for thousands of cyclists and 80 volunteers. This event typically raises \$4 million dollars for patient services and research.

Regarding Hammonton Lake aeration improvements /Cleanflo system, as you may recall the NJDEP application was made for Hammonton Lake in 2003,

requesting monies to use the Cleanflo process. The Process has not been used in NJ and there was some skepticism on the state level, regarding clean flo's claims regarding the systems effectiveness. We tried getting the state to fund the work as a pilot program that if the process was found to be at least half as effective a claimed, that it would offer a viable method of restoring lakes vs. dredging, which I not economically feasible. The town had local support including Pinelands and NJDEP (Steve Jacobus of watershed group) but ultimately did not make the final cut regarding grant awards.

I have been in contact with Clean Flo International. On file we have our engineering study results and the cost proposal from Nov 2000.

As of this writing a current cost estimate is being prepared by Clean Flo for consideration by the Park Commission and Mayor and Council.

On Saturday, September 24<sup>th</sup>, the Hammonton Rescue Squad dedicated their 2004 Freightliner Heavy Rescue Truck. Chief Chuck Kacymarski and Chairperson Jack Marinella offered remarks. The rescue truck has already responded to 10 events since it was placed into service earlier this month.

COUNCILPERSON BERTINO

#### Water And Sewer Commission

#### Boyer Avenue Land Application Project

On August 23<sup>rd</sup> a meeting was held before the Science Committee of the Pinelands Commission to ask for their support to the Commission to fund their share of a study to be conducted by USGS (U.S. Geological Survey) Scientists. The Science Committee will recommend at the Pineland Commission October Meeting, that the cost of the \$200,000 study be equally shared with the town.

An initial time would be completed shortly outlining the site study and analysis of site-specific data, this should take about one year to complete. The final data analysis and site report would be completed in the second year.

The study would be done at the Hammonton Land Application Site, the data learned here would be used throughout the Pinelands Area, some other sites mentioned including the Ancora Hospital site which has had similar problems and the Buena land application site to be constructed shortly. The Town's \$100,000 portion of funds will come of Sewer O.E. as discussed at the last council meeting.

MUAC Meeting of Sept. 12<sup>th</sup>

Under the Puerto Rican Civic Association sewer issue the MUAC committee recommended approval to Mayor and Council to accept the proposal presented.

By Triad to fix the Septic System issue for the Associates

As discussed at the last council meeting Triad will install a grinder pump and force main from the Puerto Rican Civic Association to the existing manhole at Lahn Lane intersection at no cost to the town.

Mark Santora did not attend that meeting to discuss his family's concerns about possibly extending sewer service off Leah Court to service his mom's property or wait till the town completion sewer service along Old Forks Rd as far as gravity flow would go.

Elm Ave/Cottage St Sewer Extension

A motion was approved to recommend to Mayor and Council the Sewer Sup't requesting to authorize ARH to complete the Fieldwork Design and permitting required to receive bids for the replacement of Sanitary Sewer and laterals within the roadways.

Washington St Sewer Service

MUAC has recommended to Mayor and Council allow the developer to complete the installation of a sewer and water lateral to service the Block 2607, Lot 5 located on Washington Street subject to the conditions as noted in the Engineer Report.

Minotola Loan Center Utility Service

A motion was made and seconded to approve the request from Minotola Bank to use the existing Utility laterals to service the new Loan Center Building at Tilton Street subject to the issues noted in the Engineer's Report and comments made by the Solicitor.

Anthony DeMarco Sewer Service

MUAC approved a request to allow the installation of a grinded pump to service Block 4912, Lot 2.02 subject to the conditions noted in the Engineer's Report.

## Planning Bd Meeting of Sept 7<sup>th</sup>

The Planning Board heard testimony from John Scibilia seeking a minor subdivision approval for two lots and development of one single family dwelling for Block 3301, Lot 14 at 504 Grape Street. After discussing the application and the Public Portion hearing concerns from the neighbor the applicant will come back with a revised plan at the next Planning Board Meeting.

The board received the request from Richard and Kelli Adamucci for a minor subdivision of a 1.77 acre parcel for Block 3203, Lots 13&14 on Valley Ave.

After hearing testimony from Lance Landgraf of Aqua Terra the Board approved the minor subdivision as presented.

The Planning Board heard a request for a Preliminary Major Subdivision and development for 9 lots for Block 2301, Lots 50, 51 & 51.01 at Walnut Street and Old Forks Rd. After hearing from all the professionals the board approved the major subdivision subject to all the professional reports the motions carried unanimously.

### COUNCILPERSON MORANO

#### Public Works

Councilperson Morano reported on the status of roadway construction in the Town of Hammonton.

#### Chief Ingemi Report

Chief Ingemi reported the Central Avenue traffic safety study has been completed by his department.

Chief Ingemi further reported that he will be assisting Lance Schiernbeck, Road Superintendent, by providing a police officer to oversee inmates from the Department of Corrections Work Program who will be working at the Town of Hammonton Highway Department.

### COUNCILPERSON CLARK

#### Highway Department/Monthly Report

Hammonton Highway Dept has almost completed the Totter pick up at Barnegat, so far we have a total of 3,100 with 1,400 more to get.

We have distributed approx 1,000 totters to the Residents and plan to have them all out by the end of the month. So far I have received excellent reports on this program from the residents. This program will reduce the tonnage rate and increase our Towns recycling program, both programs relate to our town's taxes.

Next month we will be starting our curbside leaf pick up. This program will start Oct 24, 2005 and end on December 30, 2005.

Note: a. No trash mixed in with leaves

b. No brush on piles of leaves

c. No wood or rocks mixed in with leaves

d. Rake leaves back to curbside, because this will

be easier for equipment to pick up leaves

On Sept. 24, 2005 ACUA sponsored a Hazardous Waste Day at the Highway Garage. The count for the day was 132 cars.

#### Authorize Increase Highway OT

Motion by Councilperson Clark, seconded by Councilperson Morano, authorize \$5,000.00 transfer from Highway S&W to OT.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

#### Hire FT Temporary Highway Laborers

Motion by Councilperson Clark, seconded by Councilperson Bertino, hire Santo Cannistra and Ramon Nunez Cruz as full time temporary Highway Laborers at the hourly rate of \$10.00 with no benefits.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

COUNCILPERSON FALCONE

None.

COUNCILPERSON OLIVO

Report on Investigation - Request Payment Plan Taxes - Ismael Flores

Councilperson Olivo advised after careful consideration by Committee and with responses of Mrs. Jacobs, Tax Collector; and Ms. Wyatt, Tax Assessor, he does not recommend Mayor and Council consider the request of Mr. Flores.

Mayor and Council were so advised and no action was taken in this matter.

Street Lighting Requests

Councilperson Olivo requested that Town Residents take the time to report street lights that are not working properly by obtaining a pole number and location and contacting Conectiv or the Town Clerk's office (who also has Conectiv Street Light Forms on file).

SOLICITOR REPORT

Town Hall-Meeting of 9/15/05 with Building Committee and meeting of 9/6/05 with Rob Scharle

Tomassello Property-Letter from Doug Cody, Esq., in reference to ownership of public road (B 3707/L 2)

Airport-Larsen lease revision

Noise Ordinance- costs obtained

NJ Senior Property Tax Freeze-resolution approving amendment for legislative action

Diesel Emissions Resolution

Motion by Councilperson Clark, seconded by Councilperson Morano, authorize the Solicitor to forward a letter to Hammonton Board of Education requesting them to consider changing fuel.

ENGINEER REPORT

SEWER & WATER - ACTION ITEMS

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

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

- Use of existing data, elevations, pipe inverts, etc. to investigate the feasibility to extend public sanitary sewer to the properties noted above.

MUAC has recommended that the following options be pursued:

**Option I Santora Property**

Install sanitary sewer and water service laterals from the Leah Court cul-de-sac area to the NE edge of the Santora property subject to the Santora's approval of this option.

**Option II Puerto Rican Civic Association Parcel**

Recommended approval to allow the Puerto Rican Civic Association to install a small grinder pump and force main to connect to the existing manhole at the Lahn Lane and Old Forks Road intersection. This would allow the issue with the failing septic system to be resolved. We have attached a copy of a letter dated 9/2/05 from Triad Land Development seeking an approval from the MUAC along with the Mayor and Town Council to complete this work at their expense and at no cost to the Town.

***Action Requested:***

Motion by Councilperson Bertino, seconded by Councilperson Falcone, to recommend approval from the Mayor and Council to accept the proposal dated 9/2/05 as presented by Triad and accept the recommendation from MUAC of 9/12/05 meeting to rectify the failing septic system problem for the Puerto Rican Civic Association. This approval would be subject to the execution of an agreement drafted by the Town Solicitor stipulating the conditions of said approval.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

**2. Elm Avenue/Cottage Street Sanitary Sewer Extension (05-0504):**

The Sewer Superintendent and MUAC has requested that ARH provide the Mayor and Council with a proposal to complete the work required to seek the replacement of the sanitary sewer within the following streets:

Elm Avenue - Cottage Avenue to Fairview Avenue

Cottage Street - Third Street to Second Street

We will provide a proposal for Council's consideration for the meeting on Monday. We have attached a copy of the letter from MUAC dated 9/19/05.

**Action Requested:**

Motion by Councilperson Bertino, seconded by Councilperson Falcone, to recommend acceptance of the ARH proposal to complete the fieldwork, design, specifications, permitting, etc. required to receive bids for the replacement of sanitary sewer and laterals within the above noted roadways as requested by MUAC and the Sewer Superintendent.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

**3. Washington Street Sanitary Sewer Service Block 2607, Lot 5 (11-70000-20):**

A portion of Block 2607, Lot 5 was recently resubdivided to create an additional buildable lot along Washington Street. Since there is no sewer lateral available for this property, the developer will be required to install a new service lateral in the existing main. The developer is requesting approval from the Mayor to allow their connection to occur. We have attached a copy of the MUAC recommendation of approval for Council's consideration.

**Action Requested:**

Motion by Councilperson Bertino, seconded by Councilperson Morano, to recommend approval to allow the developer to complete the installation of a sewer and water lateral to service the Block 2607, Lot 5 located on Washington Street subject to the conditions noted in the MUAC letter dated 9/19/05:

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

**4. Minotola Loan Center Utility Service (11-20192):**

The design engineer has provided plans to allow for the connection of water and sewer to service the new 5,000± sf loan center building for Minotola Bank located on Tilton Street. The new building will use the utility service laterals that presently service the existing structure. MUAC has reviewed the utility service request and has recommended approval. We have attached the MUAC letter of 9/19/05 for Council's consideration.

***Action Requested:***

Motion by Councilperson Bertino, seconded by Councilperson Morano, approve the request from Minotola Bank to use the existing utility laterals to service their new loan center subject to compliance with the items noted in the engineer's report dated 9/12/05 and subject to the comments from the MUAC reflected in their letter of 9/19/05.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

**5. Anthony DeMarco Sanitary Sewer Service Block 4912, Lot 2.02 (11-01000):**

The applicant appeared before MUAC to seek approval to allow for the installation of a grinder pump and force main to service the above noted parcel. MUAC provided a favorable recommendation subject to the applicant compliance with the conditions noted in the engineer's report of 9/12/05 and compliance with the MUAC letter of 9/19/05 a copy of which is attached.

***Action Requested:***

Motion by Councilperson Falcone, seconded by Councilperson Morano, Mayor and Council to allow for the installation of a grinder pump and force main to service Block 4912, Lot 2.02 subject to compliance with the comments contained in the engineer's report dated 9/12/05 and MUAC letter of 9/19/05.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

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

Memos were issued to the Mayor and Council dated August 31, 2005 and September 8, 2005, advising that an additional \$240,000.00 in low interest loans was offered by USRD to the Town for the Central Avenue Water Main Replacement. This being added to the present USRD allocation provides for a total available funding of amount equal to \$553,500.00 for completion of the water main installation. Deputy Mayor Russell Clark met with USRD Representative on September 13, 2005 and executed documents to earmark the additional USRD funds for this project.

We also are working with the Sewer Superintendent to obtain price quotes to complete a video inspection of the sanitary sewer main within Central Avenue. We have enclosed copies of the price quotes forwarded to the Town to complete this work. The summary of the quotes are as follows:

1. Root 24 Hours Inc.

Pennsauken, NJ \$4,050.00

2. Video Pipe Services Inc

Newfield, NJ \$4,482.50

***Action Requested:***

Motion by Councilperson Bertino, seconded by Councilperson Falcone, accept the price quote to complete the work from Root 24 Hours Inc. of Pennsauken, NJ for a total price of \$4,050.00 as reflected in their proposal dated 9/15/05 and issuance of the purchase order for same.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

**7. Private Well Contamination (11-30000):**

At the last MUAC meeting, discussion ensued about the various private wells that have tested with contaminants above safe drinking water levels. In response to this discussion, ARH corresponded with the Atlantic County Board of Health and the NJDEP. On August 10, 2005 a formal response was received from the NJDEP with a map denoting the areas where wells were tested and levels above the MCL's were recorded. A total of 15 wells in the Basin Road, Pine Road and Oak Road areas were found to exceed the safe drinking water levels. The NJDEP sent out letters requesting information from property owners, but have not received replies from all involved. The NJDEP is seeking cooperation from the property owners to fully delineate the Currently Known Extent (CKE) of groundwater contamination.

The NJDEP has requested the assistance of the Town toward obtaining responses from property owners who have not replied. Additionally, they are seeking a cost estimate to extend water main along the roads to service the properties within the groundwater contamination area. The compiling of this data will potentially lead to the NJDEP funding extension of the water system to the affected areas as opposed to installing point of entry treatment systems to address the environmental issues.

ARH was authorized by Council to assist NJDEP on the notification and follow up of to the affected residents and prepare the cost estimates for the extension of the water system along Basin, Pine and Oak Roads. As per the attachment, ARH corresponded with the NJDEP on September 8, 2005 to obtain similar information on other areas of the Town that are experiencing private well contamination. We are assuming that once we receive this information the Town's assistance will be sought in a similar fashion to the Basin/Pine/Oak Road area. Based on the work that was performed for the Basin/Pine/Oak Road areas, we anticipate that our services will be needed for providing mapping, cost estimates and information regarding the potential service area to the NJDEP. The Town should earmark approximately \$2,000.00 for this activity.

***Action Requested:***

Motion by Councilperson Bertino, seconded by Councilperson Falcone, authorize \$2,000.00 for additional work associated with providing NJDEP with information on the other contaminated areas within the Town.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

## **8. Boyer Avenue Land Application Project (11-50058):**

On August 23, 2005, representatives from the Town appeared before the Science Committee of the Pinelands Commission. The purpose was to present testimony to have the Science Committee render a recommendation to the Commission to fund a share of a study to be conducted by USGS Scientists on the Boyer Avenue problems. The Science Committee agreed and is planning to make a recommendation to the Commission at their October meeting. The cost of the study is to be \$200,000.00 whereby Pinelands and the Town will share equally in the cost.

In April of 2004, ARH was issued a PO in the amount of \$31,000.00 (including a sub-consultant) to provide coordination of the evaluation proceedings through calendar year 2004. As you are aware, these services involved various meetings with NJDEP, Pinelands and Southern Enforcement for the following issues:

- 2004 testing protocol
- Site visits to other land application facilities
- EPA/Pinelands grant application for study funds
- Force majeure request submissions
- Ongoing coordination of other Town Consultants on this project

Under this PO, ARH undertook other services related to the Town's Discharge to Groundwater permit and water treatment plant activity. Services also included the pursuit of a renewal application for the Discharge to Groundwater permit. Further, significant time was expended on assisting the operator on the impact of the ACUA Sludge Management contract as well as exploration of a sludge disposal alternative with Envirex/US Filter.

The 2004 funds set aside for the primary activities have lasted through September of 2005. We anticipate our role for the balance of 2005 to be as follows:

- Participate and provide background assistance in the study to be performed by USGS on the Boyer Avenue Land Application percolation rates.
- Continued assistance on facilitating presentation of sludge alternative option by US Filter/Envirex as well as investigation into bidding options for the equipment acquisition.
- Finalize documents for the renewal of the discharge to groundwater permit.
- Continued updates to NJDEP and Southern Enforcement regarding pending force majeure status.
- Continued coordination of various professionals associated with pursuit of a solution to the pending problem.

We estimate our services as follows:

**Action Requested:**

Motion by Councilperson Bertino, seconded by Councilperson Clark, authorize ARH to assist on this activity for the remainder of the year as estimated above for a cost of \$15,900.00.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

**PUBLIC WORKS ACTION ITEMS:**

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

Bidder Base Bid Total Base Bid + Alt. Total

DiMeglio Const. Co. 823,620.00 829,620.00

Don Roger Inc. 775,971.10 783,891.10

Gowers Inc. 592,174.00 599,274.00

Highway Safety Systems 696,878.00 701,018.00

Phase II

*Construction:*

The project bid opening was scheduled for September 26, 2005 at 11:00 a.m. Our office anticipates making a recommendation of award, subject to the availability of funds at this regularly scheduled council meeting. Enclosed is a typical resolution of award to be filled in once a lowest responsible bidder is obtained.

**Action Requested:**

Award a Contract to the lowest responsible bidder, subject to the availability of funds and review by the Solicitor.

Refer to October council meeting to allow time to investigate a discrepancy in the bid amount.

**10. 2005 Road Program (11-40023):**

As authorized by the Mayor and Town Council, our office has completed the design of the following roadway projects:

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

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

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

The project bid opening was scheduled for September 21, 2005 at 10:30 a.m. Our office anticipates making a recommendation of award, subject to the availability of funds at this regularly scheduled council meeting. Enclosed is a typical resolution of award to be filled in once a lowest responsible bidder is obtained.

Also our office has prepared a proposal for the construction management services for Mayor and Council to consider.

*Bid Results:*

*Bidder Scen. 1 Scen. 2 Scen. 3 Scen. 4 Scen. 5*

*Asphalt Paving \$659,355.00 899,047.00 967,606.00 1,208,678.00  
573,403.00*

***Action Requested:***

- A. Award a Contract to the lowest responsible bidder for the scenario that best fits the Town's budget, subject to the availability of funds and review by the Solicitor.
- B. Authorize the ARH proposal to complete construction management services.

After a discussion it was on motion by Councilperson Olivo, seconded by Councilperson S. Lewis, to re bid this project due to the fact that only one bid was received.

ROLL CALL - Yeas: Olivo and S. Lewis.

Nays: Bertino, Clark, Falcone, Morano and Mayor Ingemi.

Mayor Ingemi declared the motion DEFEATED and the matter referred to New

Business for resolution of award.

**SEWER & WATER INFORMATION ITEMS**

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

We had a preconstruction meeting with the contractor, USRD, County and Town Officials regarding the Phase I and Phase IA portion of the sanitary sewer extension project consisting of the following areas:

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

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

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

The contractor is anticipating a work start in late September or early October. The work along Egg Harbor Road will be completed first which will require the section of Egg Harbor Road extending between Harbor Drive and 11<sup>th</sup> Street to be totally closed to traffic for a period of approximately three (3) weeks. We sent out a general notice to all residents, businesses and property owners along Egg Harbor Road notifying them of the pending construction and road closure.

**12. Egg Harbor Road Utility Extension TSB - Infill Extensions (11-50132):**

The Town has received the signed copies of the last remaining easements from the two property owners adjacent to Cherry Street. The Solicitor is in the process of filing same with the County. We will contact the contractor TSB so that he could now proceed with the last remaining sanitary sewer extension along Egg Harbor Road adjacent to Cherry Street.

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

As directed by Mayor and Town Council, ARH has begun the design work associated with the sewer and water replacement along Bellevue Avenue. It is anticipated that all necessary

permit applications will be filed within the next few months. We are also preparing the funding application with USRD for the project as requested by Council.

**14. Egg Harbor Road Water Loop - 9<sup>th</sup> Street to Lake Park (11-30132/11-50111):**

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

The utility extension for this part of the project was broken into two phases consisting of the following limits:

**Phase II - Egg Harbor Road Utility Extension**

- Water Main Extension - Lake Park to the White Horse Pike 8<sup>th</sup> Street, Moss Mill Road intersection
- Sanitary Sewer Extension - 9<sup>th</sup> Street to SE limit of Victory Bible Church parcel.

**Phase IIA - Egg Harbor Road Utility Extension**

- Sanitary Sewer Extension - SE limit of Victory Bible Church parcel to the 300 feet ± NE of the White Horse Pike intersection. We are currently reviewing options to service the Weymouth Road/Egg Harbor Road area via an alternate route which we will review with the Sewer Superintendent and MUAC.

We have received an approval from the Pinelands Commission for Phase II and are awaiting the comments and approvals from the NJDEP. The legal descriptions for the easement requests have been forwarded to the Solicitor for processing and seeking signatures for completion of the work. Once all easements and approvals are obtained, we will seek approval for bid.

**15. ACUA Disposal (11-50058):**

Prior to the regular meeting of September 26, 2005, representatives of Envirex/US Filter will make a presentation to Mayor and Council on the merits of the sludge disposal alternative system known as the "Cannibal" System. This system will involve a capital investment but will serve to significantly reduce the annual cost of sludge disposal associated with the Town's current arrangement with the ACUA.

**16. Water Department UST Removal/Abandonment Well #4 & 5 (11-30125-02):**

We have sent a letter to the NJDEP indicating the Town's intent to obtain price quotes to complete the removal or abandonment of the UST's at the Well #4 and Well #5 sites. We are in the process of completing the specifications in order to receive the price quotes.

**17. White Horse Pike/Moss Mill Road Sanitary Sewer Extension (11-50099-07):**

As authorized by Council, our survey crews have begun to gather the fieldwork, required to complete the design, permitting, specifications, etc. to receive bids for the extension of public water and sanitary sewer for the following limits.

- White Horse Pike - Universal Supply to Moss Mill Road - 1,000'± Extension of both sanitary sewer and water.
- Moss Mill Road - White Horse Pike to service the Boyer Avenue Recreation Site - 1,500'± Extension of sanitary sewer.

**18. Lincoln Street Well Strategies (11-30131):**

We were authorized by Council to complete the work required by the NJDEP and Pinelands Commission in order to secure the permits required to complete the Well #7 installation. We are in the process of completing the required plan revisions, reports, etc. both for permitting and bidding purposes including a recent review obtained from NJDOT . Once all permits are obtained, we will set a date for receipt of bids. We will keep Council informed of further progress.

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

A request by one of the residents along the project route has been received by the MUAC to remove a significant shade tree which is leaning towards the resident's house. It was reported that the tree's roots were damaged during the utility installation and the tree is now in danger of falling. A recommendation has been received from the Shade Tree Committee relative to this request and the Contractor has been notified. Final payment and project closeout will take place once the tree issue is satisfactorily resolved.

**20. Surface Water Permit (11-50047):**

Stream analysis activity is continuing. During the past month, a request for response to the interrogatories associated with the Town's appeal on this project have been received. The Solicitor, ARH Representatives, Sewer Superintendent and Ray Ferrara of Omni Environmental have completed a response to the interrogatories.

On September 7, 2005, Anthony DeCicco and ARH Representatives met with Ray Ferrera to discuss the progress of the stream analysis. The purpose of the meeting was to determine whether the findings achieved to date warrant a continuation of the study. Based on the test results, the study should continue so that the Town could have adequate data to appeal the stringent parameters that will be contained in the new permit.

**21. Pressey Street Roadway Reconstruction (11-40019):**

Asphalt Paving Systems has completed the curb, sidewalk and apron replacement as well as installed both courses of Hot Mixed Asphalt. Payment Application #1 is on the bill list for approval. Subsequent to the September Council Meeting, a punchlist will be prepared with Final Payment anticipated for the October meeting.

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

As indicated in prior reports, the Town has received bids and awarded the project to the lowest responsible bidder. As of the date of this report, the Town has still not received authorization to enter into the contract with Marandino Concrete Company. Federal Funds have not been released thus causing the delay to the contract. It has been indicated that the approval will be forthcoming in the next few weeks. Once the approval is received, ARH will coordinate the commencement of construction with the Contractor.

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

Over the past summer months, the Town of Hammonton Water Department's monthly diversion has increased over the previous year as follows:

<u>Month</u>	<u>2004</u>	<u>2005</u>
June	47.98	70.01
July	58.55	68.38
August	50.64	66.83

The NJDEP has advised the Town they are carefully monitoring our monthly discharge diversion which is 77.50 mgm. On September 7, 2005 we corresponded with the NJDEP and provided information to support that adequate capacity remains in the monthly diversion calculation. The NJDEP responded to the September 7, 2005 submission requesting additional information and clarification. Additional data

was submitted on September 13, 2005 whereby our calculations we believe that the report filed will allow the NJDEP to conclude that adequate monthly capacity remains. We are awaiting their review.

Notwithstanding, the ability to demonstrate that the monthly allocation is adequate at this time. We requested information from NJDEP on the procedures to increase the monthly allocation or allotment. We understand that the current monthly limit has been in existence for many years. Attached hereto is the letter we received. ARH will be preparing a proposal to apply for an increase in monthly diversion which will detail hydrogeologic testing and reports. The proposal will be available for the October meeting.

#### **PUBLIC WORKS - INFORMATION ITEMS**

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

As indicated in prior reports, a majority of the improvements for the project have been completed for some time. The large items which remain unfinished are the Pavilion and landscaping installation. The Contractor has requested, and ARH has recommended, Payment #3 to Marandino Concrete. Payment consideration is reflected in the bill list.

Council should be made aware that the contract completion date for all items **not** associated with the Pavilion construction was August 20, 2005. One could defend that delays were caused due to undesirable weather conditions, supply of electric to the site, material delivery delays, etc. However, this should not have caused a major delay since there was ample time to complete the project within the contract guidelines. Conversations with the Contractor have indicated that as of the date of the Council meeting, the landscaping improvements will be completed up to the Pavilion portion of the project with the Pavilion slated to commence during the week of September 26<sup>th</sup>. The Town must evaluate any penalty which they may impose on the Contractor for failure to complete the project within the parameters of the contract. However, the Town may assess a monetary penalty of \$500.00 per day for which the construction extends beyond the completion date established by the Notice to Proceed. In this particular instance should the Contractor fail to complete the noted items by the date of the Council meeting and should the Town wish to do so, they may assess liquidated damages against the contractor. The contractor has verbally indicated that all work will be completed by October 21, 2005.

If necessary, we could defer this decision to the members of the applicable sub-committee (Public Works or Buildings

and Grounds) should the extended time forecasted not be acceptable in terms of the contract obligations.

**25. Old Forks Road Reconstruction (11-40007):**

At the time of this reporting period the Contractor is substantially complete. There are punch list items that need to be addressed prior to closing out the project. Material testing is ongoing; we will let Council know the results of the tests once obtained.

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

The project consultants have met with the Town Officials related to a tentative project schedule for the project. The general site plan design for the project site has been completed as authorize by the Mayor and Council. The site plan design and related information including, architectural plans, traffic impact report, air quality assessment has been forwarded to the Pinelands Commission for their review and comment. The cultural resource study for the parcel is in the process of being completed. The initial findings completed by Richard Grubb Associates and indicate there are no substantial issues related to the parcel. Once the report is finalized, a copy of same will be forwarded to the Pinelands Commission and the Town. We are discussing the options with NJ Transit related to the encroachment concern along the northeasterly property line. We will keep Council informed of further progress. We would anticipate presenting the project site plans to the Town Planning Board at their October 19, 2005 meeting for their input.

**27. Plant Demolition (11-50073):**

The project is substantially complete. Everything appears to be in order to close out this project. The final payment request from the Contractor is on this month's bill list.

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

Our office is presently progressing on the design plans for the sanitary sewer replacement, storm sewer work and roadway reconstruction work. We will keep Council informed of further progress.

**29. Kramer Beverage Commerce Way Basin (50-51394)**

In coordination with Kramer Beverage, the Town will assist on the remediation of the basin employing a method that was successfully used in Ocean County. The method involves the use of compost materials (leafs) and will involve the assistance of Public Works Department as well as the Sewer

Dept to establish a method that will achieve greater percolation rates. The Pinelands is interested in this method and will be involved in the review of the operation. In the next few weeks we will be meeting with Public Works Department and Kramer to coordinate this activity.

#### MAYOR REPORT

##### Set Trick or Treat

Mayor Ingemi announced he is scheduling "Trick or Treat" to be held on Monday, October 31, 2005 between the hours of 6:00 p.m. and 8:00 p.m.

##### Change Trick or Treat Date and Time

After a discussion with members of council it was on motion by Councilperson Morano, seconded by Councilperson Falcone, that trick or treat be scheduled for Saturday, October 29, 2005 from 4:00 p.m. to 6:00 p.m. due to senior citizens requesting trick or treat be held during daylight hours.

ROLL CALL - Yeas: Falcone and Morano.

Nays: Bertino, Clark, Olivo, S. Lewis and Mayor Ingemi.

Mayor Ingemi declared the motion DEFEATED.

##### Change Trick or Treat Back to Original Date and Time as Set by Mayor

Motion by Councilperson Olivo, seconded by Councilperson Bertino, schedule trick or treat for Monday, October 31, 2005 from 6:00 p.m. to 8:00 p.m.

ROLL CALL - Yeas: Bertino, Clark, Olivo,

S. Lewis and Mayor Ingemi.

Nays: Falcone and Morano.

Mayor Ingemi declared the motion carried.

#### TOWN CLERK/ADMINISTRATOR REPORT

##### Report Folsom Borough Also Collecting for Hurricane Victims

##### Employee Request Extension of Sick Leave of Absence

Motion by Councilperson Clark, seconded by Councilperson Morano, authorize sick leave of absence for Domenic Marro, Highway Department Laborer, from 3/4/05 through 3/31/06.

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

S. Lewis and Mayor Ingemi.

Nays: Olivo.

Mayor Ingemi declared the motion carried.

Bid Results:

Instrumentation Services

Universal Instrument Service Co., Pitman, NJ ONLY BIDDER

Calibration Services for year 2006 \$6,882.75

Hourly Rate 75.00

Emergency Call In Rate 75.00

% Parts/Material Over Vendor Cost 15%

Water Meters

SLC Meter East, West Berlin, NJ ONLY BIDDER

5/8" X 3/4" T10 Neptune water meters 114.00 ea

1" T10 Neptune water meters 225.00 ea

1 1/2" T10 Neptune water meters 452.00 ea

2" T-10 Neptune water meter 576.00 ea

R-900 Neptune Wall Radio Trans. 122.00 ea

R-900 Neptune PIT Radio Trans. 146.00 ea

Radio Trans. Brackets for Reg. 12.75 ea

3 Strand Meter Wire .12 ft

1 1/2" brass flange kit 44.00 ea

2" brass flange kit 59.00 ea

Neptune Lead Seals .14 ea

\*Refer both to N.B. for resolution of award

Award of Quotes for Year 2006 as follows:

**RADIO PARTS/LABOR**

Quality Communications

1985 Swarthmore Ave.

Suite 4

Lakewood, NJ 08701

732-730-9000

**UNIFORMS**

Schenk Textile Services

14 Central Ave.

PO Box 1212

Hammonton, NJ 08037

609-561-8642

**JANITORIAL SUPPLIES**

James Morano & Sons Inc.

862 S. Egg Harbor Rd.

Hammonton, NJ 08037

609-561-5032

**KLENPHOS**

Klenzoid, Inc.-KSA Ltd. Water Specialists

912 Spring Mill Ave.

PO Box 289

Conshohocken, PA 19428

610-825-9494

**PLUMBING SERVICES**

Sal Jacobs Plumbing

575 N. Second Road

Hammonton, NJ 08037

609-561-7581

**ELECTRICAL REPAIRS**

White Star Enterprises Inc.

t/a K.I.P. Electric

607 N. First Road

Hammonton, NJ 08037

609-561-6073

**EMERGENCY SNOW REMOVAL**

Sal Jacobs

575 N. Second Street

Hammonton, NJ 08037

(609) 561-7581

Asphalt Paving Systems

PO Box 530

Hammonton, NJ 08037

(609) 561-4161

**BULKY WASTE REMOVAL**

United Roll Off Service & Recycling Inc.

340 E. Fleming Pike

Hammonton, NJ 08037

609-561-8287

**OFFICE SUPPLIES**

Tapper Stationery

200 Bellevue Avenue

Hammonton, NJ 08037

(609) 567-3222

**PRINTED FORMS**

Rovani Graphics

PO Box 460

Buena, NJ 08310

(856) 692-9434

Apple Printing Co. Inc.

PO Box 574

Hammonton, NJ 08037

(609) 561-4411

Motion by Councilperson Clark, seconded by Councilperson Bertino, approve quotes for 2006 as received and recorded by the Clerk.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

Advise Change of Phone Service at Town Hall-SAVINGS TO TOWN

Advise on EPL Training Classes:

Elected Officials November 30<sup>th</sup> Savoy and January 31<sup>st</sup> Kerri Brooke

Managers & Supervisors December 7<sup>th</sup> Wheaton Village

Late Arrival Add On-Advise on Blueberry Ridge Phase 3 Report of R&V

Councilperson Bertino requested a copy of letter.

BILLS/PAYROLL/OVERTIME

Motion by Councilperson Bertino, seconded by Councilperson Morano, the bills, payroll and overtime be approved as recorded by the Clerk.

ON THE QUESTION:

Councilperson Falcone questioned the gasoline budget balance?

The Deputy Clerk advised she can transfer funds beginning November 1<sup>st</sup>.

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

S. Lewis and Mayor Ingemi.

Nays: Olivo & Lewis only for \$200 sign purchase under Ord 22-03.

Mayor Ingemi declared the motion carried.

COMMUNICATIONS

1. From SUFFOLK CO. CHAPTER PARENTS OF MURDERED CHILDREN requesting monument be erected on town hall property at no cost to town to honor those victims.

Councilperson Falcone and Councilperson Morano to contact the Lyons Club

to obtain permission to place this monument at Leo Park.

2. Request for authorization to attend classes as follows:

Maimone, Velardi, Oddo, Ethics in Gov't Class, 9/1/05 e mailed

Tara Russo CPA license courses at \$395

MaryJoan Wyatt Assessor Class Nov 9, 2005 at \$110.00

Motion by Councilperson Olivo, seconded by Councilperson Bertino, authorize attendance at classes as recorded by the Clerk.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

3. Hire Conflict Solicitor Mary Maudsley for Special Zoning Board Adjustment Mtg. Retro to 9/22/05 at \$100.00 per hour.

Motion by Councilperson Falcone, seconded by Councilperson Bertino, hire

Mary Maudsley as Special Counsel for Zoning Board of Adjustment Meeting retroactive to 9/22/05 at \$100.00 per hour.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

4. From JOHN DERITIS resigning his full time dispatch position effective 9/3/05 but will remain on part time status at \$12.00 per hour.

Motion by Councilperson Bertino, seconded by Councilperson Olivo, accept

full time resignation of John Deritis effective 9/3/05 and authorize part time status beginning 9/3/05 at \$12.00 in Hammonton Police Dispatch Department.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

- 4A. From SHADE TREE COMMISSION SECRETARY ALBERTA EPPLER request M&C forward

letter to Dennis Levinson, Atlantic County Executive, requesting tree

removal on county roadways as listed and approved by Shade Tree Commission.

Motion by Councilperson Bertino, seconded by Councilperson Clark, authorize the Town Clerk to write a letter to Atlantic County Executive Dennis Levinson for County tree removal in Hammonton per Shade Tree Commission approved list. Motion carried.

5. From GRAYCE PITERA re: objection to closing 200 block of E. Pleasant Street in October. Requesting town's assistance in this matter.

Councilperson Morano is investigating a resolution to this matter with the

assistance of the Hammonton Police Department.

6. From FRANK RANGONE OF HHS requesting police escort and local road closures for "Homecoming Procession" on Oct. 7.

Motion by Councilperson Falcone, seconded by Councilperson Bertino,

authorize HHS "Homecoming Procession" on October 7, 2005 with Police Escort, Local Road Closures and waiver of vendor fees. Insurance received and approved.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

7. From VIRGINIA BALITA request purchase town owned property B1602 L3.

The Deputy Clerk read the written report from the Tax Assessor and Tax

Collector.

Motion by Councilperson Morano, seconded by Councilperson Falcone, authorize the Solicitor to prepare the necessary ordinance for sale of municipal owned property.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

8. From HAMMONTON ARTS CENTER requesting 2006 budget allotment for the Arts Center and also requesting authorization to place information on local Channel 13 as they are currently funded by State.

Referred to 2006 Budget for consideration and to Town Solicitor to review

Current local Channel 13 policy (previously channel 2).

Councilperson Falcone advised that he felt it was a good idea to allow the Hammonton Arts Center to advertise and suggested Channel 13 be improved by showing school football games, plays etc.

The Deputy Clerk advised Councilperson Falcone that she agreed with him as far as advertising but suggested it is not as simple as it should be with the various rules and regulations. The Deputy Clerk also advised per the Hammonton Board of Education request the town purchased the necessary equipment to display on local channel 13 school plays, football games etc. However, since

the implementation of this system last year at this very time, the School Board has only forwarded to her one talent show to display just around Thanksgiving last year.

Councilperson Olivo concurred with the Deputy Clerk.

9. From HAMMONTON BOARD OF EDUCATION advising of Special Election to be held on 12/13/05.

The Deputy Clerk advised that she will be working with the Hammonton Board

of Education and will further advise Mayor and Council as more information concerning the election is received.

10. From OUR LADY OF MT. CARMEL SOCIETY AND SONS OF ITALY asking for a Councilperson to meet with them concerning to reciprocate the honor and proclaim international twin city assoc. for Saxula Brass Band.

Referred to Councilpersons Falcone and Morano.

#### REPORTS-August 2006

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

#### RESIGNATION

From Kendall Valerio, David Lange and Ray Izon resigning from Fire Co. #2

Motion by Councilperson Bertino, seconded by Councilperson Clark, the resignations be accepted. Motion carried.

#### UNFINISHED BUSINESS

NONE.

#### NEW BUSINESS

#### ORDINANCES

Ordinance #38-2005 Sale Town Property B1201 L44

**ORDINANCE # 38 - 2005**

**AN ORDINANCE AUTHORIZING THE ADVERTISING FOR BIDS TO PURCHASE A PART OF LOT 44 OF BLOCK 1201 WHICH IS OWNED BY**

**THE TOWN OF HAMMONTON**

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON IN THE COUNTY OF ATLANTIC AND STATE OF NEW JERSEY AS FOLLOWS:

**WHEREAS**, Block 1201, Lot 44 is owned by the Town of Hammonton and is not needed for public purposes; and

**WHEREAS**, it is in the best interest of the Town of Hammonton to advertise a 7.00 +/- acre portion of Block 1201, Lot 44 (the "Property") for public sale to the highest bidder (the "Purchaser"); and

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Hammonton (the "Town" or "Town Council"), County of Atlantic and State of New Jersey as follows:

**The Property shall be advertised for public sale pursuant to all requirements and procedures set forth in the Local Lands and Buildings Law (N.J.S.A. 40A: 12-13 et seq.), subject to the Purchaser and the Town satisfying the following conditions:**

The minimum bid shall be \$420,000.00.

The Purchaser will obtain minor subdivision approval from the Town of Hammonton Planning Board, and any other governmental agencies having jurisdiction for minor subdivision approval, in order to create the Property from the northern portion of existing Block 1201, Lot 44, so that the Property will contain 7.00 +/- acres. The Purchaser will be responsible for having prepared or obtaining, at the Purchaser's own cost and expense, all plans, legal descriptions, deeds, and other documents necessary to submit an application for, and receive, minor subdivision approval.

The metes and bounds description of the Property is subject to the approval of the Town and its professional engineers.

The Purchaser must own contiguous property or demonstrate the ability to purchase additional contiguous property so that the Property will not be landlocked following the subdivision and public sale of the Property.

The Purchaser shall be required to utilize the Property, either by itself or as part of a larger consolidated tract of land for office, banking or similar commercial uses, and/or for related site improvements.

Bids shall be received by the Town of Hammonton Clerk at the Town Hall, 100 Central Avenue, Hammonton, New Jersey, 08037, in the manner of a public sale in accordance with procedures to be announced by the Town of Hammonton Clerk.

All bids shall be referred to the Town Council for review and final approval pursuant to N.J.S.A. 40A: 12-13(a). The Town reserves the right to accept the highest bid or to reject any and all bids, including the highest bid, and shall make its decision known by Resolution within thirty (30) days after bids are received. If the Town rejects the bid(s), the deposit(s) shall be returned to the bidder(s) in full.

Upon the close of bidding, the highest qualified bidder, as designated by the Town of Hammonton Clerk, shall submit cash or certified check in the amount of ten percent (10%) of the Purchaser's bid, and shall immediately execute an offer to purchase at the bid price.

The highest qualified bidder, as designated by the Town of Hammonton Clerk, shall be the Purchaser.

Upon acceptance of the bid by the Town Council, the Purchaser and the Town shall sign a contract of sale, in a form acceptable to the Purchaser and the Town, prepared by the Purchaser or Purchaser's attorney.

The contract of sale shall contain the following provisions:

All deposit monies shall be held by the Town of Hammonton Clerk.

The Purchaser, at the Purchaser's expense, shall have one hundred twenty (120) days from the date of execution of the Contract of Sale to obtain the following:

Report of Title or commitment for title insurance;

Current survey acceptable to the Purchaser and his title insurer;

Architectural and engineering feasibility studies as to the availability of utilities, storm drainage, including, but not limited to, any requirements for retention or detention of stormwater, soil conditions, wetlands, flood plains, signs, parking, setbacks, ingress and egress, restrictions and zoning; and

Environmental studies, including but not limited to underground storage tanks, asbestos, or other hazardous materials past or present on the Property. In the event that the Property is contaminated, the Town, at its option, may cure any environmental contamination or terminate the Contract of Sale, in which event, the Town shall return Purchaser's deposit. Upon the return of Purchaser's deposit, neither the Town nor Purchaser shall have any further liability to the other.

In the event the Purchaser is unable to obtain the items listed in Subsection K-2, above, within one hundred twenty (120) days of the execution of the Contract of Sale, the Purchaser may terminate the Contract of Sale, in which event the Town shall return the Purchaser's deposit and neither the Town nor the Purchaser shall have any further liability to the other.

The closing shall be contingent upon the Purchaser obtaining the following approvals, at Purchaser's expense, within one hundred fifty (150) days of the execution of the Contract of Sale:

Approvals from all local, county and state governmental authorities.

Satisfactory environmental reports or environmental closure letter or negative declaration from applicable local, county and state governmental authorities.

Traffic permits and/or approvals from applicable local, county and state governmental authorities to allow satisfactory ingress or egress to the Property and use of the Property for Purchaser's intended use.

If the Purchaser is unable to obtain the above approvals within one hundred fifty (150) days of execution of the Contract of Sale (the "approval period") and provided that the Purchaser is diligently pursuing such approvals, the Purchaser, at Purchaser's option, may extend the approval period for an additional sixty (60) days. If, however, all approvals listed in subsection K-4 above are not obtained within two hundred ten (210) days of the execution of the Contract of Sale, either the Town or the Purchaser may terminate the Contract of Sale by giving written notice of such termination within the two hundred ten (210) day period. If either the Town or Purchaser terminates the Contract of Sale, the Town shall return the deposit of the Purchaser and neither party shall have any further liability to the other.

Title shall be conveyed by Bargain and Sale Deed with Covenants Against Grantor's Acts.

If the Town is unable, for reasons beyond its control, to convey insurable title, the Town shall refund the Purchaser's deposit. Upon such refund being made, the Contract of Sale shall be deemed cancelled and terminated and neither the Town nor the Purchaser shall have any further liability to the other.

Unless closing is extended as provided in Subsection K-5, above, closing shall take place at the offices of the Purchaser's title insurer in the County of Atlantic and

State of New Jersey within one hundred eighty (180) days of the execution of the Contract of Sale.

At the closing, the Purchaser shall pay the balance of the bid price.

The Purchaser shall be responsible for the costs of recording the Deed, title insurance, survey, investigation expenses and all other closing costs.

The Property shall be conveyed subject to existing encumbrances, zoning regulations, easements, other restrictions, and such facts as an accurate survey would reveal, and any present or future assessments for the construction of improvements benefiting the property.

**All Ordinances or parts of Ordinances in conflict with this Ordinance or any part of it are hereby repealed as to the conflicting portion or portions, and this Ordinance shall take effect after final passage according to law.**

Motion by Councilperson Clark, seconded by Councilperson Falcone, the ordinance be taken up and pass first reading.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

Motion by Councilperson S. Lewis, seconded by Councilperson Olivo, the ordinance be given legal publication and notice of hearing. Motion carried.

Ordinance #39-2005 Bond Ord. Airport Environmental Tests

### Ordinance #39-2005

**BOND ORDINANCE PROVIDING FOR AN AIRPORT ENVIRONMENTAL ASSESSMENT TESTS IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$103,786 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,465 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF**

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

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Town of Hammonton, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$103,786, including a \$98,597 Federal Aviation Grant, a \$2,594 State Aviation Grant, and \$130 as down payment for the improvement as required by the Local Bond Law. The down payment is available in the Capital Improvement Fund.

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 \$2,465 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is for airport environmental assessment tests, 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 established herein.

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 N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

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

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

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

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 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 \$2,465, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$103,786 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

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

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

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

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

Motion by Councilperson Olivo, seconded by Councilperson Falcone, the ordinance be taken up and pass first reading.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

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

#### RESOLUTIONS

#### #R143-2005 Renew 2005/06 Liq. Lic. Mikado & Est. of Cosimo Ricca

R# 143-2005

#### RENEW LIQUOR LICENSES

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

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

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

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

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

#### 2005-2006 LIQUOR LICENSE

#### PLENARY RETAIL CONSUMPTION LICENSES

C-8 0113 33 018 006 Mikado Inc.

t/a Mikado Japanese Cuisine

2320 Marlton Pike 70W

Cherry Hill, NJ 08002

(Pocket)

**PLenary RETAIL DISTRIBUTION**

D-1 0113 44 004 006 Est. of Cosimo Ricca Sr.

T/a Fairview Liquors & Deli Inc.

(pocket)

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

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

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

#R144-2005 Transfer Liq. Lic. Est. of Domenic Angello to Tomar Assoc.

#R144-2005

RESOLUTION TRANSFERRING PERSON/PERSON

PLACE/PLACE LIQUOR LICENSE

EST. ANGELLO'S LIQUOR STORE TO TOMAR ASSOC. INC.

WHEREAS, an application has been filed for a person to person, place to place transfer of Plenary Retail Consumption License 0113-32-002-002, heretofore issued to Dorothy Angello exetrx of the Est. Angello's Liquor Store (pocket license) Hammonton, New Jersey;

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

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

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

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Town of Hammonton does hereby approve the transfer of the aforesaid Plenary Retail Consumption License to Tomar Assoc. Inc. for premise at 101 E. 15<sup>th</sup> Street, Hammonton, New Jersey, and does hereby direct the Town Clerk to endorse the license certificate to the new ownership as follows: "this license, subject to all its terms and conditions, is hereby transferred to effective September 27, 2005.

#R145-2005 Award Bid Water Meters 2006

#R145-2005

RESOLUTION

WHEREAS, there has been advertised for bids for the supply of Water Meters required by the Town of Hammonton for the **year 2006** as required by the Public Contracts Law of the State of New Jersey; and

WHEREAS, Rio Supply Inc. dba SLC Meter East Inc., 407 Bloomfield Drive #3, West Berlin, N.J. 08091, is the only bidder who submitted a conforming bid to meet the Town's requirements at a rate of:

5/8" X 3/4" T10 Neptune water meters 114.00 ea

1" T10 Neptune water meters 225.00 ea

1 1/2" T10 Neptune water meters 452.00 ea

2" T-10 Neptune water meter 576.00 ea

R-900 Neptune Wall Radio Trans. 122.00 ea

R-900 Neptune PIT Radio Trans. 146.00 ea

Radio Trans. Brackets for Reg. 12.75 ea

3 Strand Meter Wire .12 ft

1 1/2" brass flange kit 44.00 ea

2" brass flange kit 59.00 ea

Neptune Lead Seals .14 ea

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that the bid for the supply of Water Meters to the Hammonton Water Department for the **year 2006** is awarded to Rio Supply Inc. dba SLC Meter East of West Berlin, N.J. for their low bid.

#R146-2005 Award Bid Instrumentation Service 2006

#R146-2005

WHEREAS, there has been advertised for bids for the supply of Instrumentation Services required by the Town of Hammonton for **Year 2006** as required by the Public Contracts Law of the State of New Jersey; and

WHEREAS, Universal Instrument Service Co., PO Box 91, Pitman, NJ 08071, is the only bidder who submitted a conforming bid to meet the Town's requirements at a rate of:

Calibration Services Yearly Amt. \$ 6,882.75

Hourly Rate 75.00

Hourly Emergency Rate 75.00

% Parts/Material Over Vendor Cost 15 %

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that the bid for the supply of Instrumentation Services to the Hammonton Water Department be awarded to Universal Instrument Service Co. of Pitman, NJ, for **Year 2006**; and

BE IT FURTHER RESOLVED that bid bond check #194345 in the amount of \$682.75 is authorized to be released.

#R147-2005 Capital Budget Amendment Airport Env. Assessment

#R 147 - 2005

TOWN OF HAMMONTON

CAPITAL BUDGET AMENDMENT

WHEREAS, the local capital budget for the year 2005 was adopted on the 23rd day of May, 2005; and

WHEREAS, it is desired to amend said adopted capital budget;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Town of Hammonton, County of Atlantic, that the following addition to the adopted capital budget of the Town of Hammonton be made:

General Capital Fund

*Capital Federal State*

Debt Imp. Aviation  
Aviation

Purpose Total Authorized Fund Grant Grant Airport Environmental Assessment \$ 103,786 \$ 2,465 \$ 130 \$ 98,597 \$ 2,594

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services.

#R148-2005 Authorize Professional Service Polymer WWTP 2005

#R 148 -2005

RESOLUTION AUTHORIZING A PROFESSIONAL  
SERVICES AGREEMENT WITH **POLYDYNE INC.,**

ATLANTA, GEORGIA, FOR SUPPLY OF

**POLYMER**, AT THE WWTP OF THE

TOWN OF HAMMONTON,

ATLANTIC COUNTY, STATE OF NEW JERSEY

WHEREAS, there exists a need for supply of Polymer for the Town of Hammonton WASTEWATER TREATMENT PLANT for the **year 2005**; and

WHEREAS, the WWTP SUPERINTENDENT has recommended that a professional services contract be awarded to **POLYDYNE INC., PO BOX 930894, ATLANTA, GA, 31193-0894**; and

WHEREAS, funds are available under the sewer appropriation; and

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

NOW, THEREFORE, BE IT RESOLVED that a professional services contract be entered into with POLYDYNE, INC., ATLANTA, GA for supply of Polymer in the amount of **\$22,000.00**.

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

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

#R149-2005 Authorize Halloween Parade

RESOLUTION # 149-2005

RESOLUTION AUTHORIZING AND ENDORSING

KIWANIS CLUB HALLOWEEN PARADE

WHEREAS, Kiwanis Club of Hammonton has and continues to promote the Town of Hammonton with scheduled events in the downtown business district; and

WHEREAS, Mayor and Council has and continues to support the efforts of Kiwanis Club of Hammonton; and

WHEREAS, October 26, 2005 is the scheduled date for the Annual Kiwanis Club Halloween Parade (rain date to be October 27, 2005);

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, STATE OF NEW JERSEY, that the Kiwanis Club Halloween Parade is acknowledged and endorsed with the following streets being closed:

N. Egg Harbor Road from Rt. 54 to Fairview Avenue from 6:00 - 7:00 pm

Rt. 54 (Bellevue) from N. Egg Harbor Road to Third St. from 7:00 - 9:00 pm

BE IT FURTHER RESOLVED, that all vendors who shall participate in this one day event shall have their vending fee waived.

#R150-2005 Support Tax Benefit Sr. Citizens

**Resolution of Town of Hammonton**

100 Central Avenue, Hammonton, NJ 08037

Phone: (609) 567-4300; Website: [www.townofhammonton.org](http://www.townofhammonton.org)

Resolution # 150-2005

**WHEREAS**, the Town of Hammonton wishes to provide a tax benefit for senior citizens age 65 and older to assist in controlling school growth within the Town of Hammonton, and to prevent flight of senior citizen homeowners from the Town of Hammonton; and

**WHEREAS**, the Town of Hammonton recognizes the severe plight of senior citizens with restricted incomes in meeting the monetary demands caused by ever increasing real property taxes, cost of living increases and the freeze of State aid to both municipalities and the Town of Hammonton Board of Education; and

**WHEREAS**, the New Jersey State Legislature has enacted at N.J.S.A. 54:4-8.67 to 54:4-8.75 the New Jersey Senior Property Tax Freeze Protection Act ("SPTFPA") which purpose is to keep citizens on fixed incomes from being forced from their homes by unbearable real property tax increases; and

**WHEREAS**, the SPTFPA took effect in 1998; and

**WHEREAS**, eligible state resident homeowners receive a "Homestead Property Tax Reimbursement," defined as the difference between real property taxes paid on a residence and the amount of the property taxes paid in the base year when the applicant enrolled in the program if the amount in the base year is the lower amount; and

**WHEREAS**, the SPTFPA effectively freezes applicants' real property taxes at an affordable level;

**WHEREAS**, the SPTFPA is available for homeowners (1) at least 65 years of age or disabled who paid real property taxes on a principal residence in New Jersey; (2) who have paid property tax or rent for at least ten consecutive years, (3) including at least three years' ownership of the homestead with respect to which the tax reimbursement is sought and,

**WHEREAS**, the amount payable to an eligible claimant in any given tax year is equal to the amount by which the claimants' property tax for that year exceeds the person's property tax liability for tax year 1997 (or such later tax year as the person qualifies for reimbursement under the program); and who meet certain income limits, which income eligibility limits increase annually by the amount of the maximum Social Security benefit cost of living increase for that year for singles and married person respectively; and

**WHEREAS**, the calendar year 2004 limitations for single applicants was set by the Director of Taxation at \$40,869 and \$50,113 for married couples; and

**WHEREAS**, the Town of Hammonton strongly believes that such income limitations are insufficient to alleviate the plight of senior citizens in the Town of Hammonton given the cost of living in not only the Town of Hammonton but also in many municipalities in other Counties throughout New Jersey, based on information available from, in part, the 2000 Census, the 2004 Council On Affordable Housing Regional Income Limits; and

**WHEREAS**, the Town of Hammonton is of the opinion that such income eligibility limitations for senior citizens should be increased by the New Jersey State Legislature to enable seniors to remain in the communities they have established as their home, despite the tremendous rise in property taxes and the cost of living increases realized within many counties;

**NOW THEREFORE BE IT RESOLVED** that the Town of Hammonton, in the County of Atlantic, State of New Jersey, by adoption of this resolution strongly urges the New Jersey State Legislature to proceed in a diligent and expeditious fashion to enact legislation that would amend SPTFPA, N.J.S.A. 54:4-8.67 to 8.75, effectively to increase, for the calendar year 2005 and forward, the income eligibility limitations to the median regional income limits as established by the Council on Affordable Housing.

**BE IT FURTHER RESOLVED** that the Clerk of the Town of Hammonton is directed to forward copies of this resolution to all appropriate

Assembly Representatives, State Senators and the Governor's Office so that the New Jersey State Legislature will seriously and diligently consider this request for amended legislation to alleviate the plight of senior citizens in the Town of Hammonton who continuously struggle with the increasing burdens of real property taxes.

**BE IT FURTHER RESOLVED** that the Clerk of the Town of Hammonton is directed to forward copies of this resolution to the New Jersey State League of Municipalities, and to the State and Local Office of AARP, to ask for their assistance in support of this legislative request.

#R151-2005 Increase Petty Cash Fund Police \$500.00

#R151-2005

RESOLUTION CHANGE IN MONETARY AMOUNT

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund, and,

WHEREAS, it is the desire of the Town of Hammonton, County of Atlantic that the petty cash fund for the Hammonton Police Department be increased to \$500.00 for the year 2005.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Hammonton, County of Atlantic hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

#R152-2005 Tax Resolution September

#R 152 -2005

R E S O L U T I O N

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

**Block Lot REASON ACCOUNT**

4901 19 REFUND TAX

5702 11 PUT BILLING ON TAX

1102 30 REFUND TAX

4601 26 REFUND WATER/SEWER

3605 11 CHARGE MIN WATER

4301 9.06 TRANSFER CREDITS TAX

5702 13 CANCEL TAX

1201 15 REFUND TAX

4601 26 CORRECT READING WATER/SEWER

2507 10.1 CORRECT READING WATER/SEWER

1301 4 CHARGE 4 UNITS WATER/SEWER

4601 2 REMOVE BILLING 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.

#R153-2005 Authorize Emergency Expenditure WWTP

#R 153-2005

AUTHORIZING EMERGENCY EXPENDITURE

AT HAMMONTON WASTEWATER TREATMENT PLANT

WHEREAS, an emergency condition exists in the Town of Hammonton Wastewater Treatment Plant affecting the immediate health, safety or welfare of the public. This emergency is damage to instrumentation due to lightning striking the wastewater treatment plant.

WHEREAS, it is necessary to invoke N.J.S.A. 40A:11-6 (emergency purchases and contracts) in order to obtain the immediate remediation services required; and

WHEREAS, the Certificate as to Availability of Funds is annexed hereto; and

WHEREAS, the contract for repair to instrumentation is to be awarded to Contech Assoc. Inc., 2030 Spring Mill Road, Lafayette Hill, PA 19444 in the amount of \$25,000.00 contingent upon the monies being available;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Hammonton:

1. The contract for repair to WWTP instrumentation be awarded to Contech Assoc., Inc. in the amount of \$25,000.00 contingent upon the monies being available.
2. The exact title of the appropriation to be charged is Sewer (Other Expenses).
3. This resolution shall take effect immediately.

#R154-2005 Renew 2005/06 Liq. Lic. Mattia

R# 154 -2005

RENEW LIQUOR LICENSES

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

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

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

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

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

**2005-2006 LIQUOR LICENSE**

**PLENARY RETAIL CONSUMPTION LICENSES**

C-4B 0113 32 005 005 Silvestro Mattia

t/a Mattia's Discount Liquors

111 N. White Horse Pike

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

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

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

Motion by Councilperson S. Lewis, seconded by Councilperson Olivo, resolutions numbered 143 through 154 be adopted.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

#R155-2005 Diesel Emissions Ballot Question

RESOLUTION #155-2005

RESOLUTION IN SUPPORT OF PUBLIC QUESTION #2 WHICH WOULD FUND

A STATEWIDE DIESEL EMISSIONS REDUCTION PROGRAM

WHEREAS, numerous scientific studies have found links between exposure to fine-particle pollution from diesel engines and detrimental health effects including premature death, and increased incidents of asthma, allergies and other breathing disorders; and

WHEREAS, the U.S. Environmental Protection Agency ha classified diesel exhaust as likely to cause cancer in human; and

WHEREAS, the emissions of diesel exhaust pose an extraordinary health risk to the residents of the Town of Hammonton and all New Jersey residents; and

WHEREAS, the reduction of fine-particle emissions from diesel engines could prevent 4,000 asthma attacks annually and save \$600 million to \$1.4 billion in health care and related costs in the State; and

WHEREAS, diesel-powered trucks, buses and non-road equipment are critical to the operations of the Town of Hammonton yet they often remain in service for decades and unless the emissions from such vehicles are decreased, these vehicles will continue to emit high levels of fine-particle pollution for many years to come; and

WHEREAS, aftermarket control devices are available to reduce emissions from diesel vehicles and equipment; and

WHEREAS, the cost of a program to retrofit diesel engines and reduce diesel emissions is relatively small when compared with the costs of replacing the vehicles and equipment or the costs to public health; and

WHEREAS, the State of New Jersey has proposed a program to reduce exposure to diesel emissions from all school buses, transit buses, publicly owned on-road and non-road diesel equipment and publicly owned garbage trucks or garbage trucks used to fulfill a public contract; and

WHEREAS, the State of New Jersey had proposed to fund 100 percent of this program with funds from an already existing revenue source, the Corporate Business Tax, and not through any new taxes or costs to municipalities; and

WHEREAS, the use of these constitutionally dedicated funds for a diesel reduction program requires approval of Ballot Question 2 by the voters of the State of New Jersey in the elections to be held on November 8, 2005;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Town of Hammonton do hereby express their support for Ballot Question 2; and

BE IT FURTHER RESOLVED that they encourage all residents of the Town of Hammonton to join with them in supporting Ballot Question 2 by casting votes in support of the proposed Constitutional Amendment at the polls on November 8, 2005.

Motion by Councilperson Bertino, seconded by Councilperson Falcone, resolution 155 be adopted.

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

and Mayor Ingemi.

Nays: S. Lewis.

Mayor Ingemi declared the motion carried.

#R156-2005 Transfer Liq. Lic. Mattia to GK Palana

#R 156-2005

WHEREAS, an application has been filed for a person to person transfer of Plenary Retail Consumption License 0113-32-005-005, heretofore issued to Silvestro Mattia for premises located at 111 N. White Horse Pike, Hammonton, New Jersey;

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

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

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

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Town of Hammonton does hereby approve the transfer of the aforesaid Plenary Retail Consumption License to GK Palana Inc., and does hereby direct the Town Clerk to endorse the license certificate to the new ownership as follows: "this license, subject to all its terms and conditions, is hereby transferred to GK Palana Inc. effective September 27, 2005.

#R157-2005 Corrective Action Plan

**RESOLUTION NO. 157-2005**

**CORRECTIVE ACTION PLAN**

Corrective Action Plan of the Town of Hammonton, County of Atlantic, State of New Jersey, for the year 2004.

**WHEREAS**, in accordance with the requirements of the Division of Local Government Services, at the completion of the audit, the local government unit shall prepare a Corrective Action Plan to address each audit finding in the current year audit report; and

**WHEREAS**, the Corrective Action Plan of the Town of Hammonton for the 2004 Report of Audit is as follows:

NO CORRECTIVE ACTION REQUIRED

**BE IT RESOLVED**, that the Corrective Action Plan for the 2004 Report of Audit of the Town of Hammonton be approved by the Governing Body of the Town of Hammonton; and

**BE IT FURTHER RESOLVED**, that one certified copy of this resolution be filed with the Division of Local Government Services.

#R158-2005 Tree Lighting Ceremony 12/2/05

RESOLUTION # 158-2005

RESOLUTION AUTHORIZING AND ENDORSING

MAINSTREET HAMMONTON TOWN TREE LIGHTING EVENT

WHEREAS, MainStreet Hammonton Organization has and continues to promote the Town of Hammonton with scheduled events in the downtown business district; and

WHEREAS, Mayor and Council has and continues to support the efforts of MainStreet Hammonton; and

WHEREAS, Friday, December 2, 2005 is the scheduled date for the MainStreet Hammonton Town Tree Lighting Event from 7:00 to 9:00 p.m. at the intersection of Bellevue and Central Avenues.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, STATE OF NEW JERSEY, that the December 2, 2005 town tree lighting event is acknowledged and endorsed with the following street being closed:

Central Avenue (between Bellevue & Vine Street) from 6:30 to 9:30 pm

BE IT FURTHER RESOLVED, that the Town of Hammonton will provide police assistance for this event; and

BE IT FURTHER RESOLVED, that all vendors who shall participate in this one day event shall have their vending fee waived.

#R159-2005 Amending 137-2005 Stormwater Grant

#R159-2005

An Amendment to Resolution #137-2005 regarding amount of a grant to fund stormwater activities

**Grant Identifier: WZ05-014**

Whereas, the governing body of the Town of Hammonton desires to make an amendment to the grant funding amount.

Whereas, the correct amount is \$5,000.00 for the 2005 grant year.

Therefore, the governing body resolves that Anthony Ingemi or the successor to the office of Mayor is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the state and (c) to execute any amendments thereto any amendments thereto which do not increase the Grantee' obligation.

The Grantee agrees to comply with all applicable federal, State and municipal law, rules and regulations in its performance pursuant to the agreement.

Motion by Councilperson Morano, seconded by Councilperson Falcone, resolutions numbered 156 through 159 be adopted.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

#R160-2005 Professional Service Contract Jingoli-Town Hall

#R 160 -2005

RESOLUTION AUTHORIZING A PROFESSIONAL  
SERVICES AGREEMENT WITH **JOSEPH JINGOLI & SON INC.,**  
LAWRENCEVILLE, NEW JERSEY, FOR CONSTRUCTION MANAGER  
SERVICES FOR THE NEW TOWN HALL  
TOWN OF HAMMONTON,  
ATLANTIC COUNTY, STATE OF NEW JERSEY

WHEREAS, there exists a need for a construction manager for the new town hall project and a professional services contract is necessary to hire **JOSEPH JINGOLI & SON, INC., 3131 PRINCETON PIKE, BUILDING #4, SUITE 214, LAWRENCEVILLE, NEW JERSEY 08648** to act as construction manager; and

WHEREAS, funds are available under Bond Ordinance #35-2005 ; and

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

NOW, THEREFORE, BE IT RESOLVED that a professional services contract be entered into with JINGOLI & SON INC., LAWRENCEVILLE, N.J. for Construction Manager Services in an amount as follows:

Pre construction phase: 2 months at \$6,161.00 each = \$12,322.00

Construction phase: 14 monthly payments \$14,592.00 - \$204,288.00

Closeout: 2 months at \$17,651.00 = \$35,302.00

Total Contract Amount: \$251,912.00

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

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

Motion by Councilperson Falcone, seconded by Councilperson Clark, resolution 160 be adopted.

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

Nays: Olivo and S. Lewis.

Mayor Ingemi declared the motion carried.

#R 161-2005 Award Bid 2005 Capital Road Program

**RESOLUTION # 161-2005**

**AWARD OF CONTRACT FOR THE**

**2005 CAPITAL ROAD PROGRAM**

WHEREAS, the Town of Hammonton has set aside municipal funds; and

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

WHEREAS, the lowest responsible bidder for the project was Asphalt Paving of Hammonton, New Jersey with a total bid of \$967,606.00; and

WHEREAS, the Town is desirous of awarding the contract to Asphalt Paving in an amount of \$967,606.00; and

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

NOW, THEREFORE BE IT RESOLVED THAT the Mayor and Town Council of the Town of Hammonton hereby award the contract for the **2005 CAPITAL ROAD PROGRAM** to Asphalt Paving in the amount of \$967,606.00 subject to

review and approval by the Town Solicitor and certification of the availability of funds.

Motion by Councilperson Morano, seconded by Councilperson Clark, resolution 161 be adopted.

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

Nays: Olivo and S. Lewis.

Mayor Ingemi declared the motion carried.

#R162-2005 Interlocal Services Agreement US Geological Pinelands

**#R 162-2005**

**RESOLUTION OF THE GOVERNING BODY**

**OF THE**

**TOWN OF HAMMONTON**

**AUTHORIZING PARTICIPATION WITH THE PINELANDS COMMISSION**

**FOR A US GEOLOGICAL STUDY OF THE**

**BOYER AVENUE LAND APPLICATION LAND FACILITY**

WHEREAS, the Town of Hammonton operates a discharge to groundwater facility associated with its Wastewater Treatment Plant process; and

WHEREAS, the facility is ultimately required to accept 100% of the wastewater effluent from the treatment facility; and

WHEREAS, since the operation of the groundwater recharge area began, the ability to accommodate the average daily flow from the Wastewater Facility has not been achieved; and

WHEREAS, the New Jersey Pinelands, NJDEP and the Town of Hammonton have a mutual interest in achieving success at the Land Application Facility; and

WHEREAS, the Pinelands Commission has made available an opportunity for a study to determine the problems experienced at the Boyer Avenue facility preventing the achievement of the desired rate of percolation; and

WHEREAS, the study in question will be performed by the United States Geological Survey (USGS) provided that the Town of Hammonton and the Pinelands Commission equally share in the cost of the study; and

WHEREAS, the Town of Hammonton has opted to participate in the Pinelands Study to be conducted by the USGS; and

WHEREAS, in order to obtain the Pinelands share of funding, the Town of Hammonton must enter into an inter-governmental service agreement with the N.J. Pinelands Commission; and

WHEREAS, the Pinelands Commission and the Town of Hammonton will each participate at a cost of \$100,000.00,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that the Agreement by and between the N.J. Pinelands Commission and the Town of Hammonton, which is attached hereto, is approved and the Chief elected Official and the Municipal Clerk are authorized to sign said agreement thus obligating the Town to its representative share of the cost of the study.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Town reserves the right to evaluate the outcome of the study and commits to no further obligation until such time as the findings are reviewed with Town Officials, Pinelands Commission, NJDEP and NJDEP Southern Enforcement.

#R163-2005 Stormwater Mgt. Grant App.

**RESOLUTION # 163-2005**

New Jersey Environmental Infrastructure

Trust (NJEIT) Funding Request

WHEREAS, the NJPDES Municipal Stormwater Regulation Program (NJAC 7:8) provides for Municipal Stormwater Management Program Funding through the New Jersey Environmental Infrastructure Trust; and

WHEREAS, the Town's Public Works Superintendent and Committee has reviewed the projects that could be potentially funded through the program and;

WHEREAS, the Mayor and Town Council would like to take advantage of the low interest loans that are offered under the New Jersey Environmental Infrastructure Trust Program; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey that it authorizes the completion of the applications, estimates, reports, etc. required to seek the low interest loan available through the State's program and further authorizes the Mayor and Clerk to sign the applications in order to proceed with the funding request.

Motion by Councilperson Bertino, seconded by Councilperson S. Lewis, resolutions numbered 162 through 163 be adopted.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

LICENSE APPLICATIONS

St. Joseph Home School ® 12/10/05

Hammonton Band Booster ® 12/10/05

Hammonton Education Foundation ® 10/7/05

Sons of Italy ® 12/10/05

Motion by Councilperson Olivo, seconded by Councilperson Falcone, authorize license applications as recorded by the Clerk.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

PUBLIC HEARD

Robert Pauls - S. Egg Harbor Road

Mr. Pauls questioned the status of a project taking place at a property located near his property?

Solicitor took Mr. Pauls telephone number and advised she would investigate the matter and get back to Mr. Pauls.

John Woods - Representative Main Street Hammonton

Mr. Woods reported on the town wide yard sale held on October 24<sup>th</sup> and thanked those members who took part in same.

Jack Donio - Caldwell Avenue

Mr. Donio questioned if the proposed 11<sup>th</sup> Street town hall site property is contaminated?

Mr. Vettese of ARH responded, no.

Mr. Donio then commended Mayor Ingemi as being an honest man.

Anthony Mortellite - Broadway

Mr. Mortellite asked Mayor and Council to reconsider trick or treat hours due to concerns of Hammonton Senior Citizens?

Motion by Councilperson Clark, seconded by Councilperson Bertino, change trick or treat to Saturday, October 29, 2005 from 2:00 p.m. to 4:00 p.m.

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

S. Lewis and Mayor Ingemi.

Nays: Olivo.

Mayor Ingemi declared the motion carried.

Mary Lucca - Grape Street

Ms. Lucca stated that trick or treat is for the children and parents should accompany their children during this time. She wanted to go on record as being for trick or treat being held in the evening.

Ms. Lucca further thanked Mayor and Council for allowing Tyler to collect for Hurricane victims in Leo Park and stated the collection was successful.

Ms. Lucca further stated it has now been 85 days since the 4<sup>th</sup> of July Festival incident. She stated that to most people the lemonade occurrence is minute. However, Tyler is still afraid to sell lemonade and she believes this is due to the incident that occurred on July 3rd. She stated Chief Ingemi has been helpful and has sent a police officer to speak to Tyler. However, Tyler is still afraid and she requested the Chief and Mayor speak to Tyler in person.

Chief Ingemi stated to Ms. Lucca that with all due respect punishing one person is not going to help Tyler. He once again offered his assistance. He invited Ms. Lucca and Tyler to the Hammonton Police Department and stated that he will do everything he can to help Tyler.

Mayor Ingemi was also agreeable.

Mark Santora - Old Forks Road

Mr. Santora passed out a letter to members of council and read the letter dated September 12th from himself to MUAC.

A discussion was held concerning the proposed sewer extension to his property.

Mr. Santora thanked Mayor and Council for their time and was excused.

#R 164-2005 Resolution Enter Into Closed Session

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

1. Approve Closed Minutes
2. Personnel
3. Litigation

BE IT FURTHER RESOLVED, that the minutes of said

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

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

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

Resume Regular Order of Business

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

Authorize Donation Town Radios to Hurricane Victims

Motion by Councilperson Morano, seconded by Councilperson Falcone, authorize town owned radios to be donated to hurricane victims as the radios aggregate worth does not exceed the threshold that would require them to be sold at public auction.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

ADJOURN

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

April Boyer Maimone, Deputy Clerk