

Minutes  
REGULAR MEETING OF COUNCIL  
Held in Town Hall Council Chambers  
100 Central Avenue, Hammonton, N.J.  
Monday, June 26, 2006 at 7:00 P.M.

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

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

ROLL CALL

Mayor DiDonato - Present  
Councilpersons:  
Bertino - Present  
Colasurdo - Present  
Falcone - Present  
Massarelli - Present  
S. Lewis - Present  
Wuillermin - Present

PRESENT ALSO

Brian Howell, Town Solicitor  
Bob Vettese, Town Engineer

PLEDGE OF ALLEGIANCE

PUBLIC NOTICE

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

APPROVAL OF MINUTES

Motion by Councilperson Colasurdo, seconded by Councilperson S. Lewis, the minutes of the Special Meeting of 5/19/06 and the Regular Meeting of 5/22/06 be approved as recorded by the Clerk. Motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

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

Ordinance 9-2006 Business Registration License

Ordinance 9-2006 entitled "AN ORDINANCE AMENDING ORDINANCE #1-2004 ESTABLISHING A BUSINESS REGISTRATION REQUIREMENT IN THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY," was read by title only.

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

No one desired to be heard.

Motion by Councilperson Wuillermin, seconded by Councilperson Massarelli, the hearing be closed, the ordinance be adopted and the Clerk advertise same per law.

ROLL CALL

Councilpersons:  
Bertino - Yes  
Colasurdo - Yes  
Falcone - Yes  
Massarelli - Yes  
S. Lewis - Yes  
Wuillermin - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Ordinance 10-2006 Repeal Chapter 172-3 License fee Junkyard

Ordinance 10-2006 entitled "ORDINANCE REPEALING CHAPTER 172-3 OF THE CODE OF THE TOWN OF HAMMONTON application & License Fee "JUNKYARDS," was read by title only.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, 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 S. Lewis, the hearing be closed, the ordinance be adopted and the Clerk advertise same per law.

ROLL CALL

Councilpersons:

- Bertino - Yes
- Colasurdo - Yes
- Falcone - Yes
- Massarelli - Yes
- S. Lewis - Yes
- Wuillermin - Yes
- Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Ordinance 11-2006 Repeal Chapter 180-2 License fee Launderette

Ordinance 11-2006 entitled "ORDINANCE REPEALING CHAPTER 180-2 OF THE CODE OF THE TOWN OF HAMMONTON License application and fee LAUNDERETTE," was read by title only.

Motion by Councilperson Falcone, seconded by Councilperson Colasurdo, 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 Colasurdo, the hearing be closed, the ordinance be adopted and the Clerk advertise same per law.

ROLL CALL

Councilpersons:

- Bertino - Yes
- Colasurdo - Yes
- Falcone - Yes
- Massarelli - Yes
- S. Lewis - Yes
- Wuillermin - Yes
- Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Ordinance 12-2006 Repeal Chapter 82-10 & 82-11 License fee Kennel

Ordinance 12-2006 entitled "ORDINANCE REPEALING CHAPTER 82-10 & 82-11 OF THE CODE OF THE TOWN OF HAMMONTON," was read by title only.

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

No one desired to be heard.

Motion by Councilperson Falcone, seconded by Councilperson Wuillermin, the hearing be closed, the ordinance be adopted and the Clerk advertise same per law.

ROLL CALL

Councilpersons:

- Bertino - Yes
- Colasurdo - Yes
- Falcone - Yes
- Massarelli - Yes
- S. Lewis - Yes
- Wuillermin - Yes
- Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

RESUME REGULAR ORDER OF BUSINESS

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

PUBLIC HEARD FOR AGENDA ACTION ITEMS

Mayor DiDonato opened the meeting to the public for their input on agenda action items only.

No one desired to be heard.

COMMITTEE REPORTS

Councilperson Colasurdo Report

Fire Company #1 Fund Drive/Hammonton Police & Hammonton Rescue Donations

Councilperson Colasurdo advised the public of the fund drive currently taking place at Fire Company #1. He also advised of procedure to donate to Hammonton Police Department and Hammonton Rescue Squad.

Chief Frank Ingemi Report

Chief Ingemi shared his experience of hosting the Chief of Monterrey Mexico here in the Town of Hammonton. He thanked everyone who took part in the welcome.

South Third Street

Chief advised of parking/traffic problem on South Third Street. He asked Mayor and Council to consider an ordinance restricting parking on one side of South Third Street. Chief to speak with Solicitor regarding specifics of ordinance.

Homeland Security Grant for Schools

Chief Ingemi requested Mayor and Council's support in making application for Homeland Security Grant for local schools. The Grant requires a 50 percent match. Chief Ingemi has been in touch with school representatives who feel they can provide one half of the Municipalities share. The system would allow Police communication inside school during an emergency.

Motion by Councilperson Colasurdo, seconded by Councilperson Bertino, authorize Chief Ingemi to make application for Homeland Security Grant.

ROLL CALL

Councilpersons:

- Bertino - Yes
- Colasurdo - Yes
- Falcone - Yes
- Massarelli - Yes
- S. Lewis - Yes
- Wuillermin - Yes
- Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

New Police Vehicle Detail

Chief Ingemi reported the new police vehicles have arrived with the new "Blueberry Emblem".

Councilperson Massarelli Report

Blueberry Festival

Councilperson Massarelli reported on the Blueberry Festival and thanked everyone for their participation.

Authorize Award of Quotes Timeclocks/Program & Payroll System

National Time Systems	\$12,468.00
F & E	\$15,570.00

Motion by Councilperson Massarelli, seconded by Councilperson Wuillermin, authorize a purchase order to National Time Systems in the amount of \$12,468.00 for purchase of timeclocks/program and also authorize Town of Hammonton to change payroll companies from CASA to USA Payroll at no additional annual fee.

ON THE QUESTION:

Councilperson Colasurdo requested someone to explain the time clock and time keeping system to the public.

Councilperson Massarelli explained the detail of the new timeclocks as well as the timeclock program and payroll program.

Councilperson Falcone questioned if there are monthly fees involved with this?

Councilperson Massarelli responded no.

ROLL CALL

Councilpersons:  
Bertino - Yes  
Colasurdo - Yes  
Falcone - Yes  
Massarelli - Yes  
S. Lewis - Yes  
Wuillermin - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Councilperson Wuillermin Report

Calderone Utility Service Request

Motion by Councilperson Wuillermin, seconded by Councilperson Falcone, authorize a purchase order to FW Shawl & Sons in the amount of \$10,790.00 for Egg Harbor Road Utility Service.

ON THE QUESTION:

Councilperson S. Lewis questioned if this solution is acceptable to the Calderones?

Mr. Vettese responded yes.

ROLL CALL

Councilpersons:  
Bertino - Yes  
Colasurdo - Yes  
Falcone - Yes  
Massarelli - Yes  
S. Lewis - Yes  
Wuillermin - Yes  
Mayor DiDonato - Abstain

Mayor DiDonato declared the motion carried.

Increase Water Allocation

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, authorize a purchase order to ARH as well as authorize ARH to obtain quotes/bids for work consistent with the increase of Town of Hammonton Water Allocation (allowing wells to pump more water) in the total amount not to exceed \$68,500.

ON THE QUESTION:

Councilperson Falcone questioned how much will this increase our allocation?

Mr. Vettese responded we are trying to increase current Town of Hammonton water allocation by 2/3 of current allocation.

A discussion was held by members of council concerning water allocation process.

ROLL CALL

Councilpersons:  
Bertino - Yes  
Colasurdo - Yes  
Falcone - Yes  
Massarelli - Yes  
S. Lewis - Yes  
Wuillermin - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

New Well/Lincoln Street

Councilperson Wuillermin updated council on negotiations with South Jersey Gas concerning contamination at Lincoln Street.

Councilperson Falcone Report

Councilperson Falcone advised his report is under New Business resolution and contract with Board of Education.

Councilperson S. Lewis Report

Senior Citizen Discount Card

Councilperson S. Lewis reported on enrollment status of Senior Citizen Discount Card. Eligibility: resident of 08037 and 55 or older. Next major enrollment on July 21, 2006, in main lobby of Kessler Hospital from 10:30 - 1:00 pm. Cards will be supplied to applicants this September. See town website for business or enrollment cards which can be downloaded, completed and mailed to Town Hall. Enrollment is ongoing.

Motion by Councilperson S. Lewis, seconded by Councilperson Wuillermin, approve the Town of Hammonton Senior Discount Card as the official senior discount card of the Town of Hammonton.

ON THE QUESTION:

Councilperson Bertino questioned if this is now official can residents contact town hall concerning senior citizen discount card?

Councilperson S. Lewis responded at this time she would rather they contact her at the number she supplied.

Councilperson Falcone questioned if this discount is over and above normal discounts that businesses now offer?

Councilperson S. Lewis advised it may or may not be. This is completely up to the business owner.

All members of council voted in the affirmative.

Mayor DiDonato declared the motion carried.

4<sup>th</sup> of July Celebration

Councilperson S. Lewis welcomed everyone to join in the free 4<sup>th</sup> of July Celebration on 7/4/06 at Hammonton Lake Park which will also hold a fireworks display at sunset. She thanked all those volunteers for their time. Contact Shelley Weckerly 567-4898 or reference town website for information.

Environmental Commission

Motion by Councilperson Wuillermin, seconded by Councilperson Massarelli, authorize a letter from the Town of Hammonton supporting Lake Characterization Project.

All members of council voted in the affirmative.

Mayor DiDonato declared the motion carried.

NJ Pollution Elimination System

Councilperson S. Lewis reported on NJ Pollution Elimination System Stormwater Pollution Brochure which costs \$6000.00 and questioned Mr. Vettese of ARH if he had any applications for same?

Mr. Vettese stated no.

Councilperson Wuillermin questioned if we can forward this informational brochure with the tax bills?

Solicitor to research law to ascertain how this can be accomplished.

2005 Tapper Bill

Motion by Councilperson S. Lewis, seconded by Councilperson Bertino, authorize payment of past due bill from Tapper Stationery upon certification of Dr. Hozik for approximately \$300.

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Yes

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Lake Water Quality - Bladder Wart

Councilperson S. Lewis alerted everyone to the need of this years Bladder Wart services at Hammonton Lake. She also reported on lowering of lake and lake aeration products discussion.

Open Space and Recreation Changes to Planning Board

Councilperson S. Lewis reported on recommendation forwarded to Hammonton Planning Board concerning Open space and Recreation Changes.

Councilperson Bertino Report

Shade Tree Commission

Councilperson Bertino reported on Shade Tree Commission meeting.

Lighting Committee

Councilperson Bertino advised of lighting committee decision to authorize Joseph Berenato street lighting plan on Samantha Drive which will be addressed later this evening. He also reported on Bella Vita project status and meeting with Engineer.

Parks & Recreation

Councilperson Bertino met with Park and Rec Committee Bill Olivo concerning guard rail installation at Metrovic Memorial site.

Highway - Pleasant Street Reconstruction Project

Councilperson Bertino advised upcoming award of bid for Pleasant Street Reconstruction Project and Highway Committee recommendation to award scenario number 2 on this bid which will appear later on the agenda. He advised that three contractors were forwarded bid packets, however, only one bidder actual supplied a bid for this project.

4<sup>th</sup> of July Celebration

Councilperson Bertino reviewed the list submitted to the Highway Department for work requested to be completed for the upcoming 4<sup>th</sup> of July event. He advised all items have been completed.

Highway Superintendent Report

Playground work at Park has been completed  
Removed graffiti from swings at Park  
Storm Drainage Repair

Third Street Storm Drain

Councilperson Bertino requested residents to stay away from Third Street (near Pratt) storm pipe collapsed, until Highway can make necessary repairs.

Sprinklers/Parks

Councilperson Bertino reported water sensors have been repaired.

Personnel Issues - Highway Department

Councilperson Bertino once again noticed Mayor and Council of the personnel issues at the Highway Department. He stressed the need to hire replacements for those retiring/resigning over the past year.

Airport

Councilperson Bertino reported on status of lease negotiations of South Hangar at Airport.

Rescue Exercise at Hammonton Airport

Motion by Councilperson Colasurdo, seconded by Councilperson Bertino, authorize rescue exercise at Hammonton Airport to be coordinated by Airport Administrator.

Receipt of Bids by Highway Committee

Councilperson Wuillermin, referencing Councilperson Bertino's report to award Pleasant Street Bid this evening, questioned what if anything can be done with the bidding process to ensure that multiple bids are received by the Town prior to awarding same?

A discussion was held with Mayor DiDonato suggesting we move on with the meeting as this item will be brought up under New Business.

Toters

Councilperson Bertino once again reported on the status of the distribution of toters. He also advised of the upcoming resolution under New Business refunding Glossy Fruit Farms for purchase of toters.

Councilperson Colasurdo stated, in his observation of the new trash system, he does not feel the Town is saving money with same.

Mayor DiDonato questioned can the Town begin completely using toters effective July 1<sup>st</sup>?

Councilperson Bertino stated Mr. Schiernbeck's report to Mayor DiDonato advised no. He also reminded Mayor and Council of the shortage of employees at the Hammonton Highway Department.

Mayor DiDonato stated the same toters are for sale for \$65.00 at Lowes and residents may purchase a second totter from there so that the Town can set a policy effective July 1<sup>st</sup>.

Councilperson Bertino responded that he does not feel comfortable with residents purchasing toters that may not be exactly the same size.

Mayor DiDonato requested Lance Schiernbeck attend the next meeting on July 24 for discussion of finalizing the new trash system.

ENGINEER REPORT

**SEWER & WATER - ACTION ITEMS**

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

<u>Contractor</u>	<u>Total Bid Price</u>
Asphalt Paving Systems	\$115,725.00
FW Shawl & Sons Inc.	82,153.45
G. Helmer Construction	342,115.00

At Council's direction, ARH has advertised the Sanitary Sewer replacement project for public bid. Bids will have been received on Wednesday June 21 and a separate award recommendation will be provided to Council for consideration. We would request that Council consider an award to the lowest responsible bidder subject to the availability of funds. We will prepare a resolution for Council's consideration at Monday nights meeting.

Refer to New Business for resolution.

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

At the direction of Mayor and Council, we have publicly advertised this project for bid. Bids were scheduled to be received on Thursday June, 22. However, two addendum's for the Contract were required and thus caused the bid dates for the project to be postponed. We have set a new bid date for the project as Wednesday June 28, 2006. Once bids are received and an award recommendation can be provided we will ask Mayor and Town Council to hold a special meeting to adopt a formal resolution of award. We will keep Council apprised of any developments with the project as the construction process commences.

Since the beginning of the project, additional USRD funds were secured and the project scope has increased. The original project extended between Golf Drive and Grape Street. Once the additional funds were allocated, the project scope extended to Bellevue Avenue and also included 3<sup>rd</sup> Street between Bellevue Avenue and Peach Street. This permitted the Town to provide a complete looped system to Bellevue Avenue and also serve the planned new Town Hall off of a 12" main. It also provided for the placement of the main within Third Street between Bellevue Avenue and Central Avenue. Lastly, it allowed the water main to be replaced within the full length of Central Avenue prior to the County completing their roadway reconstruction project. Furthermore, the reconstruction of all the existing sanitary sewer manholes along the project route have been added to the scope. ARH has completed this additional design and permitting work noted above within the confines of the original contract. However, we will be developing a revised scope of work and proposal to complete the additional construction inspection and management services for the extended project limits.

We would hope to have this proposal ready for action at Monday's Council meeting. If not, we will provide this information for the special meeting of Council where the project award will be considered.

Mr. Vettese requested this be held to allow ARH to receive bids

later this week and advised a special meeting for award of bid may be necessary.

To be bid in near future. No action taken at this time.

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

As previously reported South Jersey Gas provided a draft Memorandum of Understanding (MOU) on May 16, 2006, which contained the obligations and responsibilities of each party associated with the relocation of the wellhead. The Subcommittee met to discuss the document and requested that we seek additional information from NJDEP regarding SJG's time frame for remediation before closing the negotiations on the contents of the MOU.

Although the Sub Committee will reconvene to discuss the contents received from the NJDEP. The meeting did not occur in time to provide a report in this document before it was due for submission. It is possible that a detailed report will be furnished verbally on the night of the meeting.

The contractor submitted a bill for the work that was initiated prior to the cease of activity. The bill involves the installation of the generator which is necessary regardless of whether the well was installed at either location or not at all for the reliability of the overall system. Therefore, we recommend payment of the installation which is \$63,891.10.

*Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, authorize payment to JPS for the installation for the generator at the Lincoln Street complex in the amount of \$63,891.10.*

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Yes

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

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

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

- A. Block 2902 Lots 2, 3, Egg Harbor Road, John Calderone (11-50000-08)  
As authorized last meeting, we requested price quotes from three (3) contractors to complete the installation of a new sanitary lateral to service the above noted properties. We requested price quotes for various options including the use of an open cut method for installation. Since the cost was in excess of the \$6,000.00 allotted, an award could not be made. We will review the cost estimates with the Sewer and Water Committee and provide a recommendation for Council's consideration at Monday's meeting. It is important for this work to be completed so as to not delay the County's work.

Discussed under Councilperson Wuillermin report.

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

As reported at the last meeting we were nearing conclusion of the base line calculation for firm source capacity. The information submitted to the NJDEP was accepted with the exception of discrepancies associated with the monthly totals for the year 2005. The database that was presented indicated that the Town exceeded its annual allocation threshold of 603 million gallons. However, firm source (*the ability to meet peak day demands with the largest well offline*) and monthly allocation were not over the limits. Following this report from NJDEP, we retrieved the records from the Superintendent to assure that there were no errors in reporting due to addition or transposed numbers. At this writing we are in the process of reviewing the monthly totals with the hope that a reporting error was made in favor of the Town.

Regardless of the ability to satisfy the NJDEP and produce results that show non exceedences in firm source, monthly, and annual allocation, the Town is extremely close to exceeding all of the above. The lack of adequate firm source capacity in these categories prohibits the NJDEP from issuing any new Bureau of Safe Drinking Water Permits. Previously, ARH was authorized to investigate alternatives to address these situations. The strategy to address this matter is as follows:

**Major Modification Application:**

The application will involve a request to increase the monthly allocation from 77.5 MG to approximately 133 MG which can possibly be achieved by operating our wells within the range of 14 to 16 hours per day. We anticipate that this request would be viewed favorably since the range of hours of operation is not unreasonable. Additionally, we will request an increase to the annual allocation of 603 MG to some projected factor that parallels the monthly request for increase.

**Minor Modification Application:**

To increase the firm source capacity limitation the Town could apply for the construction of a standby well at Well #5 located on 14<sup>th</sup> Street. The existing well is 1500 gpm and the standby well will duplicate this production. According to NJDEP calculations a duplication of the well at that location will net 500 gpm in firm source capacity. An increase of 500 gpm will allow for approximately 720 EDU's. In comparison to constructing a new well, which is an extremely lengthy process, this alternative has the following advantages:

- The minor modification process is relatively expedient.
- The expenditure is reasonable since the facility already contains the treatment process.
- There is ample land to construct the standby well at the 14<sup>th</sup> Street complex.
- The hydrogeologic studies required will be minimized due to the ample data associated with operating Well #5 currently.

In summary, the minor modification produces satisfactory and expeditious results at a reasonable expense as opposed to the cost and time frame of constructing a new well.

We are in the process of completing our proposal to provide the services necessary to achieve the increases in order to address the firm source capacity limitations. This proposal will be mailed to the Council members directly prior to the meeting for their consideration.

Discussed under Councilperson Wuillermin report.

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

We have received permits for the construction and operation of both the sanitary sewer and water mains proposed as part of this project. The County is currently reviewing our proposed detours and indicated they will have provided us with comments by the time of the Council Meeting. The only other pending item is the securing of easements needed along Egg Harbor Road. The Town's Downtown Advocate in assistance to the Town Solicitor indicates that there are only three outstanding easements. All parties have verbally agreed to signing the easements, but the necessary paperwork has not yet been provided.

As Council is aware the extent and scope of this project has changed a number of times due to environmental concerns, County restriction and utility placement revisions, monitoring well location concerns, etc. ARH has provided the Town with a request for an amended purchase order request to cover the costs of the work completed finalize the design and permitting process in the amount of \$4,418.75.

Once all approvals and easements are obtained the project will be ready to receive bids so as to not hold up the County's roadway reconstruction of Egg Harbor Road. We will be discussing possible dates to receive bids with the Administrator along with the Sewer and Water Committee. At that time, we will also be preparing a proposal for ARH to complete the inspection construction management and administrative work.

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino, approve ARH revisions to original design proposal in the amount of \$4,418.75 to cover the additional work required to complete the permitting process for the project.

**ROLL CALL**

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Yes

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

**PUBLIC WORKS - ACTION ITEMS**

**7. 2007 State Aid (11-40028):**

As previously reported the NJDOT FY2007 State Aid program application is due June 30, 2006. At the last Council Meeting we were authorized to complete applications for the following roadways:

- Priority #1: Pleasant Street (Egg Harbor Road to Fourth Street)
- Priority #2: Fourth Street (Bellevue Avenue to French Street)
- Priority #3: Grape Street (Egg Harbor Road to Central Avenue)

Refer to New Business for resolution and switch priority one with priority two.

**8. Recreation & Open Space Master Plan ANJEC Grant (11-75001):**

In accordance with the ANJEC program, the Town has a timeline to adhere to regarding the update of the Recreation and Open Space Element of the Master Plan. The State approved the expenditure of \$22,000.00 by the Town associated with completing the work as specified within the grant application and in accordance with agreement conditions. The Town would be eligible for a reimbursement of \$11,000.00 from the State once the project is approved by the ANJEC program staff. The ANJEC agreement was sent to our office for review. The agreement was reviewed by our office which we also forwarded to various Town officials for review and comment. Although we received no response, modifications were made and returned to ANJEC. Part of the program's timeline indicates contracts with professionals must be established by the end of this month. In order to comply with the timeline our office is requesting two courses of action from the Town, which involve acting on our proposal #06-0177 which was originally submitted with the grant request. There were three items listed on the proposal summarized as follows:

- 1. *GIS Based Map* \$6,500.00
- 2. *Recreation / Open Space Element* \$15,000.00
- 3. *Conservation Element* \$8,500.00

The funding program as recommended by ANJEC only allotted funds for items #1 & #2 above. Therefore unless the Town wants to consider funding the *Conservation Element* on its own it is no longer part of our original proposal. It should be noted that the *GIS Based Map* was authorized under a separate proposal (#05-0466) last year, however the project was frozen earlier this year in conjunction with the submission of the ANJEC grant request.

- 1. Either unfreeze \$6,500.00 allotted under the 05-0466 proposal, allowing work to take place on the GIS Based Map, or void the old P.O. and authorize ARH to complete the base map under a new P.O.
- 2. Authorize and issue a P.O. to ARH for the completion of item 2. Recreation / Open Space Element in conjunction with the proposal #06-0177 totaling \$21,500.00 for both items.
- 3. Passage of a resolution authorizing the Mayor to execute the ANJEC agreement establishing a time frame, list of tasks and grant allotment of \$11,000.00. We have attached a copy of the revised agreement for Council's adoption.

#R 82A-2006 Authorize Application ANJEC Grant

**RESOLUTION: R 82A-2006**

**RESOLUTION AUTHORIZING ANJEC AGREEMENT**

**WHEREAS**, the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey has requested funding consideration from the Association of New Jersey Environmental Commissioners under the 2006 Smart Growth Planning Grant Program, and

**WHEREAS**, the Town of Hammonton has obtained notice that an \$11,000.00 matching grant has been allocated to the Town for the purpose of updating the Recreation Element of the Master Plan, and

**WHEREAS**, the Mayor and Clerk have been authorized to prepare sign the Agreement with ANJEC, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and COMMON COUNCIL OF THE TOWN OF HAMMONTON IN THE COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that

- 1. Mayor and Town Clerk are hereby authorized to sign the 2006 Smart Growth Planning Grant Project Agreement.

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

ROLL CALL

Councilpersons:  
Bertino - Yes

Colasurdo - Yes  
Falcone - Yes  
Massarelli - Yes  
S. Lewis - Yes  
Wuillermin - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Authorize Purchase Order to ARH Application for ANJEC Grant

Motion by Councilperson Wuillermin, seconded by Councilperson S. Lewis, authorize ARH to prepare necessary paperwork in conjunction with grant in amount of \$21,500.00 (\$6500 of this was authorized last year and frozen).

ROLL CALL

Councilpersons:  
Bertino - Yes  
Colasurdo - Yes  
Falcone - Yes  
Massarelli - Yes  
S. Lewis - Yes  
Wuillermin - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

**9. 2005 Road Program (11-40023):**

The Contractor for the noted project is substantially complete. There are a few items which still remain outstanding but overall the project is approximately 90% complete. Some of the larger items include the surface course of pavement on Horton Street, striping, ramp delineation, and installation of traffic signs. Payment number 4 is on this month's bill list for Council's approval.

At the request of Mayor and Council, we met with the Contractor to complete improvements at the corner of Bellevue Avenue and Horton Street which were not part of the original contract. Replacement of a bilco door, concrete steps and the associated railings were included within this modification/change order. Accordingly, the Contractor provided the Town with a cost for this additional work. A change order in the amount of \$8,025 has been requested by the Contractor.

*Motion by Councilperson Bertino, seconded by Councilperson Falcone, approve Change Order #2 in the amount of \$8,025 to Asphalt Paving Systems.*

ROLL CALL

Councilpersons:  
Bertino - Yes  
Colasurdo - Yes  
Falcone - Yes  
Massarelli - Yes  
S. Lewis - Yes  
Wuillermin - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

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

<u>Contractor</u>	<u>Scenario 1</u>	<u>Scenario 2</u>	<u>Scenario 3</u>
Asphalt Paving System	773,995.00	598,845.00	415,565.00

At Council's direction, ARH has advertised the Sanitary Sewer & roadway project for public bid. Bids will have been received on Wednesday June 21 and a separate award recommendation will be provided to Council for consideration. We would request that Council consider an award to the lowest responsible bidder subject to the availability of funds. We will provide a resolution for Council's consideration at Monday's Council meeting. Recommending Scenario 2.

Discussed under Councilperson Bertino report.

Refer to New Business for resolution to reject bid and re bid and award same when funds are available.

**11. Valley Avenue Subdivision (11-20174):**

The Developer (Joseph Continisio) for the project has requested a reduction in the Performance Bond posted with the Municipality. The subdivision has been substantially completed with all site amenities satisfactorily installed with the exception of the Stormwater Management Facility. We are currently working

with the Developer and Design Engineer's to remedy the current situation. We are recommending a reduction in the bond leaving a balance in the amount of \$120,500.30 which reflects approximately 31% of the original bond amount. Once the Stormwater issues are addressed, a final reduction and supply of a Maintenance Bond can be sought.

Motion by Councilperson Bertino, seconded by Councilperson Wuillermin, approve a reduction to the Performance Bond with a balance of \$120,500.30 to remain.

ON THE QUESTION

Councilperson Bertino questioned the stormwater drainage?

Mr. Vettese advised some additional testing has been done at the site. The Engineer has recommended the release of performance bond in an amount that will still allow for the repair of this stormwater drainage.

ROLL CALL

Councilpersons:

- Bertino - No
- Colasurdo - Yes
- Falcone - Yes
- Massarelli - Yes
- S. Lewis - Yes
- Wuillermin - Yes
- Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

**12. Joe Boy Subdivision (11-20179):**

At the request of the applicant we have reviewed the files relative to this performance guaranty and inspected the project to determine the status of the improvements. Subsequent to our May 23, 2006 letter to Susanne Oddo, additional improvements were completed. Therefore we would recommend a reduction of the Performance Bond (# 1012305) held for the above referenced subdivision.

The original performance guaranty was in the amount of \$529,467.00. This reduction will be in the amount of \$343,651.50. As a result, the new performance guarantee amount shall be \$185,815.50 which reflects approximately 35% of the original bond amount. The remaining amount will be held until all site work is completed.

Motion by Councilperson Colasurdo, seconded by Councilperson Wuillermin, reduce the Performance Bond (#1012305) from \$529,467.00 to \$185,815.50.

ROLL CALL

Councilpersons:

- Bertino - Yes
- Colasurdo - Yes
- Falcone - Excused during this roll call
- Massarelli - Yes
- S. Lewis - Yes
- Wuillermin - Yes
- Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

**13. Transportation & Community System Preservation Grant (11-40011):**

The Town of Hammonton has been awarded a \$200,000.00 grant through the FY 2005 Federal Budget from the TCSP program administered by the New Jersey Department of Transportation. The purpose of the grant was to secure additional funds for the Downtown Sidewalk project. The Downtown Advocate and our office have been in contact with the NJDOT to ensure that the funds are allocated to the Municipality and specifically towards the Downtown project. We are awaiting direction from the NJDOT relative to any documents that may be necessary to assure this allocation. To that extent we would request that Mayor and Council authorize the appropriate Town Official to draft a resolution, letter or any other documents necessary. We would hope to have a response back from the NJDOT by Monday night.

Refer to New Business for resolution.

SEWER & WATER INFORMATION ITEMS

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

The Town has received approval of the Detour Plan associated with the Utility Opening Permit. This approval will allow the NJDOT to issue the permit in the near future. Once obtained, we will again meet with the Sewer Superintendent along with the Sewer and Water Committee to review the budget and possible time

frame for bid so as to not interfere with projects to be completed within the immediate area. The Sewer Superintendent has expressed his desire to complete the project as soon as possible due to the present condition and concerns with this line.

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

We met on-site with Councilman Colasurdo, the Santora's and their plumber to take elevations within the areas of concern. We will be meeting with the Sewer and Water Committee to review the report of findings and discuss options for Council's consideration. We will keep Council informed of further progress.

**16. Kessler Hospital (11-30000):**

We will be scheduling a second meeting with the Sewer and Water Committee and Kessler representatives to discuss their present and future needs and how any improvements may service the Town's water master plan objectives.

**PUBLIC WORKS - INFORMATION ITEMS**

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

*Permits:*

At this juncture the following permits/approvals relating to the site plan have been obtained or where noted will be obtained:

1. Pinelands Public Development Approval
2. Atlantic County Planning Board approval (will be obtained, on the County's 6/21/06 meeting agenda)
3. Cape-Atlantic SCD
4. Local Board Endorsements

*Bidding:*

The site plans are ready for bidding purposes. Our office is currently completing the specifications for the site work. Once completed, they will be provided to the architect for inclusion with the overall project bid documents.

*Historic Hall Site:*

The Pinelands approval has also been secured for the Historic Town Hall relocation to the Vine Street/School House Lane site. The Town Hall project Solicitor is presently working with the architect and ARH to formulate a specification to receive price quotes to completed work required for the relocation to be accomplished. The Mayor will also be contacting the utility companies to try and schedule the coordination of utility line clearance with the building relocation.

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

*Phase II*

*Construction:*

The Contractor has completed a significant portion of the work. As previously authorized the Contractor has replaced the booster pump for the system irrigation system. At this juncture the majority of the outstanding work relates to the ongoing maintenance of the fields. The Contractor is responsible for the site until the fall seeding season at which time a second seeding cycle will be completed (as needed) along with final inspection, including a walk through with the Recreation Committee prior to acceptance of the work and final payment consideration.

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

Scott Rivera of the Highway Department has repaired all heads at the municipally owned parks including the Hammonton Lake. Additionally, rain sensors have been installed when possible. Zones, valve locations, and run times have been logged and will be cataloged with both the Highway Department and Engineer's office.

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

ARH has provided the documentation necessary to requisition the funds from the NJDOT for project reimbursement. The NDOT has preliminarily indicated that it will take several weeks before the package can be reviewed and actual reimbursement received from the NJDOT. ARH will await any review comments and address them accordingly.

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

The Town Solicitor and Downtown Advocate have secured all the easements necessary to complete the noted project. All easements have been forwarded to the NJDOT for their records. We have also spoken with the NJDOT and they have indicated the project is currently on hold in Trenton. An Authorization to Bid will not be received until the State's budget is adopted and the project is approved by the NJDOT. We will keep Council apprised of any further conversations or information which we may receive from the NJDOT.

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

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

**23. Mardor Avenue Fence Installation - DeNucci ~ Block 3608, Lot 8 (11-20173):**

We received a letter from Mr. Donald DeNucci dated 6/1/06 related to a request to place a fence within the rear yard area of his property. The proposed fence will extend into area designated as a drainage easement of the development plan. We have reviewed the proposed location with the Highway Superintendent and with the Public Work Committee representatives. It was recommended to allow for the placement of the fence as requested subject to compliance with certain conditions which Mr. DeNucci has agreed to.

**PENDING ISSUES:**

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

Change Orders

Mayor DiDonato questioned Bob Vettese how Mayor and Council can handle change orders between council meetings?

Mr. Vettese advised it depends on the change order. If the change is not in the scope of the bid then it needs a change order and vote by Mayor and Council. Usually council committee can authorize a change order in between meetings and then Mayor and Council can officially vote upon the change order at a subsequent meeting.

A discussion was held by Mayor and Council concerning change orders with everyone agreeing council committee can authorize a change order and the entire Mayor and Council can be notified in between meetings by e mail and then formally vote upon the change order at the next regular meeting so long as the change order is within contract amount as not to hold up the contractor work in the area.

Solicitor reminded everyone that polling is illegal, however, an e mail for informational purposes is justifiable. He suggested a monetary amount be set for future change order limitations between meetings.

SOLICITOR REPORT

Two ordinances for sale of 11<sup>th</sup> Street Town Properties

Solicitor advised ordinances under New Business.

Airport Leases-Master Wire

Motion by Councilperson Bertino, seconded by Councilperson Wuillermin, authorize Mayor to sign airport lease - Master Wire.

ROLL CALL

- Councilpersons:
- Bertino - Yes
  - Colasurdo - Yes
  - Falcone - Yes
  - Massarelli - Yes
  - S. Lewis - Yes
  - Wuillermin - Yes
  - Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

One Year Extension Larsen/Vispissiano Lease Airport

Motion by Councilperson Bertino, seconded by Councilperson Colasurdo, authorize Mayor to sign one year extension on lease for Larsen/Vispissiano at North Hangar (extend lease for one year).

ROLL CALL

- Councilpersons:
- Bertino - Yes
  - Colasurdo - Yes
  - Falcone - Yes
  - Massarelli - Yes
  - S. Lewis - Yes

Wuillermin - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Snow Removal Reimbursement

Solicitor advised law permits reimbursement, however, he will give a detailed response at the next meeting of council.

Board of Education Agreement

Resolution (Interlocal Agreement) under New Business.

REQUEST TO MODIFY WAIVER OF CURB & SIDEWALK

John Cramer of Archer and Greiner was present and gave a brief presentation on the modification waiver of curb & sidewalk for Block 2103 Lots 4.01 & 4.02. He advised a motion of Mayor and Council authorizing the modification will be acceptable and did not require a resolution this evening.

Mr. Vettese informed everyone of the contingencies and Mr. Cramer agreed to same.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, authorize modification of waiver of curb & sidewalk with agreed conditions for Block 2103, Lots 4.01 & 4.02

ROLL CALL

Councilpersons:  
Bertino - Yes  
Colasurdo - Yes  
Falcone - Yes  
Massarelli - Yes  
S. Lewis - Yes  
Wuillermin - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Shilinsky

Solicitor reported on status of Shilinsky matter.

MAYOR REPORT

New Town Shirts and Website

Mayor DiDonato reported on the summer wear of Mayor and Council which was donated and thanked all volunteers and those who have donated services or items to the Town in an effort to save tax dollars.

He also reported on the upgraded town website and asked viewers to log on this evening to view same.

Report on School

Mayor DiDonato summarized the Interlocal Services Agreement with the Board of Education that will be brought up under New Business by Resolution this evening. He encouraged shared services.

Mayor DiDonato also encouraged town unity.

Award Quotes Historical Building Foundation/Transfer to Leo Park

Mr. Steve DiDonato was given permission to present quotes as follows:

John Gatto	\$ 9,800.00 or \$13,800 for entire project
Mays Masonry	\$17,400.00
Scrapple Brothers	\$17,175.00
Youngs Rigging	\$17,475.00

Mayor DiDonato encouraged Mr. Vitale who was present in the audience to quote on this project.

Mr. Vitale thanked Mayor DiDonato but declined.

Councilperson Bertino requested copies of all pertinent paperwork concerning this project from Steve DiDonato.

Mr. Steve DiDonato was agreeable.

Councilperson Bertino questioned bidding process for a project like this?

Mrs. Cody, who is handling the Town Hall project, responded to Councilperson Bertino by explaining the quoting, pay to play and bidding process on projects such as this. She also explained the contractor registration requirement as well as NJ Business Registration requirement. She feels the quoting process has been legitimate. Also, Mayor and Council must follow guidelines of Secretary of Interior due to the building being historic.

Councilperson Colasurdo requested Steve DiDonato's opinion as to awarding of quotes.

Mr. Steve DiDonato suggested awarding to the lower quote and using Highway personnel for a portion of the project.

A discussion was held with a motion by Councilperson Wuillermin, seconded by Councilperson S. Lewis, authorize purchase order to John Gatto in the amount of \$9,800.00 for historical building foundation.

ROLL CALL

Councilpersons:

Bertino - Yes  
Colasurdo - Yes  
Falcone - Yes  
Massarelli - Yes  
S. Lewis - Yes  
Wuillermin - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, award purchase order to Youngs Rigging in amount of \$17,475.00 for moving historical building to Leo Park.

ROLL CALL

Councilpersons:

Bertino - Yes  
Colasurdo - Yes  
Falcone - Yes  
Massarelli - Yes  
S. Lewis - Yes  
Wuillermin - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

TOWN CLERK/ADMINISTRATOR REPORT

1. Confirm previous appointment Chris Ballin to Sewer Plant Operator

Motion by Councilperson Wuillermin, seconded by Councilperson Falcone, confirm previous promotion of Chris Ballin to Sewer Plant Operator.

ROLL CALL

Councilpersons:

Bertino - Yes  
Colasurdo - Yes  
Falcone - Yes  
Massarelli - Yes  
S. Lewis - Yes  
Wuillermin - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

2. Request authorization Mayor Action Team to access Town's internet grant files and file applications on behalf of Town of Hammonton

Motion by Councilperson Wuillermin, seconded by Councilperson S. Lewis, grant authorization for internet access to DCA to Mayor Action Team for applying/accessing Town of Hammonton grants.

ON THE QUESTION:

Councilperson Bertino requested Mayor's Action Team to submit a list to Mayor and Council prior to applying for grants.

The Town Clerk advised that Mayor and Council must always approve grants prior to Town receiving same.

ROLL CALL

Councilpersons:

- Bertino - Yes
- Colasurdo - Yes
- Falcone - Yes
- Massarelli - Yes
- S. Lewis - Yes
- Wuillermin - Yes
- Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

- 3. Request Broadway Mgt refund for snow removal \$2485.00  
\*Referred to Solicitor on 6/20/06 as Mr. Schiernbeck stated Town not responsible for bills. Highway dept. performed service per law. Solicitor to review law once again.

Discussed under Solicitor report.

Award All Three Quotes Together:

- 4. Award Quotes Radar Police Cars as follows:  
**Stalker Applied Concepts, Plano, TX \$2,897.00 ea for 4**  
Stalker Radar Lidar Video, Black Diamond, WA \$3,515.00  
Schaus Marketing, Southbury, CT \$3,295.00
- 5. Award Quotes Mobile Units Police Cars as follows:  
**Quality Communications, Lakewood, NJ \$2,891.00**  
Price Bros Communications, Pleasantville, NJ \$3,082.00
- 6. Award Quotes Computers for Police Cars as follows:  
**Quality Communications, Lakewood, NJ \$21,916.00**  
G.T.B.M. Inc., E. Rutherford, NJ \$22,756.00

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, award three quotes for police vehicle equipment as listed by the Clerk and unfreeze ordinance 22-98 to pay for same.

ON THE QUESTION

Mayor DiDonato stated the previous removal of the computers from police vehicles was not an action taken by the current Mayor and Council. He also stated \$29 per car per month is the rate for this technology to be made available to the police officer.

Chief Ingemi stated this action of Mayor and Council is very much appreciated.

Councilperson Falcone further explained the company went out of business in December and it was not Mayor and Council's intention to eliminate the computers in police vehicles.

ROLL CALL

Councilpersons:

- Bertino - Yes
- Colasurdo - Yes
- Falcone - Yes
- Massarelli - Yes
- S. Lewis - Yes
- Wuillermin - Yes
- Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

- 7. Request upgrade file magic scanner \$1500.00

Motion by Councilperson Bertino, seconded by Councilperson Falcone, authorize upgrade/service for File Magic Scanning System in Town Clerk office at a cost of \$1500.00.

ON THE QUESTION

Councilperson Wuillermin requested the Clerk office look into scanning documents to appear on town website for public to view in future.

The Clerk stated she would look into same.

ROLL CALL

Councilpersons:  
 Bertino - Yes  
 Colasurdo - Yes  
 Falcone - Yes  
 Massarelli - Yes  
 S. Lewis - Yes  
 Wuillermin - Yes  
 Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

8. Add On: From Fire Co. #2 request approval of following members:  
 Nicole DeSordi - Regular Member  
 John Whelan - Junior Member formerly now request to be member  
 Vincent Perone - Junior Member formerly now request to be member

Motion by Councilperson Colasurdo, seconded by Councilperson Falcone, approve new members Fire Co. #2. Motion carried.

9. Add On: Request Award of Quotes for Internet Security System:  
 Astaro Internet Security \$2,893.00  
 Finite Technologies Inc. \$5,165.00

Motion by Councilperson Colasurdo, seconded by Councilperson Falcone, authorize purchase order to Astaro Internet Security in the amount of \$2,893.00.

ROLL CALL

Councilpersons:  
 Bertino - Yes  
 Colasurdo - Yes  
 Falcone - Yes  
 Massarelli - Yes  
 S. Lewis - Yes  
 Wuillermin - Yes  
 Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

APPROVAL BILL LIST/PAYROLL/OVERTIME-ATTACHED (GENERAL/WATER/SEWER)

Motion by Councilperson Bertino, seconded by Councilperson S. Lewis, approve bill list, payroll and overtime for month of June, 2006, with add on manual checks, as recorded by the Clerk.

- Add On: Authorize 4 manual checks as follows:  
 Giggles Galore & More LLC \$ 500.00 4<sup>th</sup> of July event  
 Balloon & Clown Express \$ 768.50 4<sup>th</sup> of July event  
 Rovani Graphics \$1100.00 annual water mailings  
 Master Wire \$ 10,000 down payment airport property

ON THE QUESTION

Councilperson Massarelli mentioned the heating and air conditioning bills for repair and maintenance are quite large and she requested to look further into alternative companies.

Mayor and Council concurred.

ROLL CALL

Councilpersons:  
 Bertino - Yes and abstaining from film processing bills  
 Colasurdo - Yes  
 Falcone - Yes  
 Massarelli - Yes  
 S. Lewis - Yes  
 Wuillermin - Yes  
 Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

**2006 BUDGET APPROPRIATIONS/BALANCES as of June 16th**  
 (for your information only)

BUDGET ACCOUNT	APPROPRIATIONS	EXPENDED	BALANCE
Administration SW	362,315.11	156,842.45	212,472.66
Administration OE	37,850.00	19,723.07	18,126.93

Elections	2,800.00	2,800.00	.00
Finance SW	167,635.85	71,566.12	96,069.73
Finance OE	12,000.00	7,577.72	4,422.28
Assessment Tax SW	97,900.00	44,630.76	53,269.24
Assessment Tax OE	15,735.00	5,333.15	10,401.85
Collection Tax OE	15,100.00	10,009.20	5,090.80
Legal Services SW	65,000.00	30,000.00	35,000.00
Legal Services OE	34,050.00	15,442.85	18,607.15
Engineer	17,500.00	5,950.83	11,549.17
Historical Soc. SW	700.00	.00	700.00
Historical Soc. OE	800.00	.00	800.00
Economic Development	64,000.00	.00	64,000.00
Computer SW	45,400.00	20,769.24	24,630.76
Computer OE	7,200.00	5,826.02	1,373.98
Planning Board SW	42,160.00	19,398.82	22,761.18
Planning Board OE	3,200.00	2,622.09	577.91
Bd. of Adjustment SW	3,700.00	1,707.72	1,992.28
Bd. of Adjustment OE	1,300.00	215.37	1,084.63
Rent Control SW	1,200.00	553.80	646.20
Rent Control OE	200.00	86.27	113.73
Shade Tree SW	1,200.00	600.00	600.00
Shade Tree OE	400.00	86.27	313.73
Construction SW	199,540.00	83,721.17	115,818.83
Construction OE	9,275.00	3,965.98	5,309.02
Other Code Enforce SW	8,800.00	8,596.93	203.07
Other Code Enforce OE	1,000.00	429.64	570.36
Group Insurance	1,145,569.03	552,966.67	592,602.36
Insurance	32,000.00	25,286.75	6,713.25
Fire	75,000.00	56,564.83	18,435.17
Uniform Fire SW	23,700.00	10,150.52	13,549.48
Uniform Fire OE	15,691.20	3,287.64	12,403.56
Police SW	2,446,564.81	1071,579.10	1374,985.71
Police OE	233,400.00	124,874.39	108,525.61
Spec. Services OE	5,500.00	.00	5,500.00
Radio SW	240,900.00	108,260.61	132,639.39
Radio OE	9,075.00	6,584.68	2,490.32
Rescue Squad	4,500.00	.00	4,500.00
Bldgs. & Grounds SW	39,189.66	12,623.04	26,566.62
Bldgs. & Grounds OE	36,050.00	16,688.52	19,361.48
Highway SW	779,493.81	352,090.81	427,403.00
Highway OE	779,797.00	662,474.41	117,322.59
Environmental SW	1,200.00	500.00	700.00
Environmental OE	1,040.00	411.00	629.00
Dog Regulations SW	.00		
Dog Regulations OE	7,140.00	5,483.74	1,656.26
Registrar	3,100.00	966.48	2,133.52
Parks SW	1,200.00	400.00	800.00
Parks OE	1,000.00	909.12	90.88
Recreation SW	50,875.00	32,484.59	18,390.41
Recreation OE	8,100.00	4,805.09	3,294.91
Holiday Observance	1,000.00	.00	1,000.00
Advertising	55,000.00	14,673.05	40,326.95
Airport SW	3,000.00	1,384.68	1,615.32
Airport OE	3,100.00	1,232.71	1,867.29
Gasoline	140,000.00	33,102.83	106,897.17
Natural Gas	28,000.00	22,972.71	5,027.29
Electric	65,000.00	22,511.22	42,488.78
Street Lighting	299,500.00	130,481.32	169,018.68
Telephone & Telegraph	64,500.00	19,463.17	45,036.83
Municipal Court SW	189,391.81	75,989.49	116,493.32
Municipal Court OE	13,750.00	7,386.91	6,363.09

COMMUNICATIONS

1. From CHIEF INGEMI request parking one side of street only on **S. Third Street**

Discussed earlier this evening under Councilperson Colasurdo report.

2. From CHIEF DOMENICO request purchase order to Continental Fire & Safety for gear which was matching funds for grant appropriated under Ord 43-2005

Motion by Councilperson Colasurdo, seconded by Councilperson Bertino, authorize a purchase order to Continental Fire & Safety for fire gear in the amount of \$4794.00.

ROLL CALL

Councilpersons:

- Bertino - Yes
- Colasurdo - Yes
- Falcone - Yes

Massarelli - Yes  
S. Lewis - Yes  
Wuillermin - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

- 3. From ANTHONY PARZANESE, VICE PRESIDENT, FIRE CO. #1, advising that Fire Co. #1 will reduce their spending to compensate for reduced 2006 budget

Ordered received and filed.

- 4. From ANTHONY PARZANESE, VICE PRESIDENT, FIRE CO. #1, advising of water problem on Front Street

Mr. Vettese advised they will meet with Public Works Committee to investigate the problem.

- 5. From ACIA re: FY 2007 - FY 2009 Requalification

Refer to New Business for resolution.

- 6. From DONALD & MOLLY DENUCCI re: Fence installation within easements Block 3608, Lot 8, 19 Mardor Avenue \*copy John Aloisio for input

Solicitor to provide agreement for fence installation.

- 7. From JAMES MASSARA request for himself and Michael Ruberton to attend bioterrorism seminar for CEU's on 6/22/06 at no cost to Town

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, authorize James Massara and Michael Ruberton to attend bioterrorism seminar retro 6/22/06 at not cost to Town.

ROLL CALL

Councilpersons:  
Bertino - Yes  
Colasurdo - Yes  
Falcone - Yes  
Massarelli - Yes  
S. Lewis - Yes  
Wuillermin - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

- 8. From MR. & MRS. JOSEPH BERENATO request approval of street light plan Samantha Drive

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino, approve street lighting plan for Mr. Joseph Berenato - Samantha Drive Development.

ROLL CALL

Councilpersons:  
Bertino - Yes  
Colasurdo - Yes  
Falcone - Yes  
Massarelli - Yes  
S. Lewis - Yes  
Wuillermin - Yes  
Mayor DiDonato - Abstain

Mayor DiDonato declared the motion carried.

- 9. From JEFFREY BRODY request annual MS Bike Tour Sept 16 & 17

Motion by Councilperson Bertino, seconded by Councilperson S. Lewis, approve MS Bike Tour September 16 & 17 contingent upon approval of insurance certificate.

All members of council voted in the affirmative.

Mayor DiDonato declared the motion carried.

- 10. From STEWARD MAZZA, TOWN HALL MAINTENANCE PERSON, requesting sick leave of absence effective 6/22/06 to extend possibly 2-3 months

Motion by Councilperson Colasurdo, seconded by Councilperson Bertino, authorize sick leave of absence for Steward Mazza effective 6/22/06.

ON THE QUESTION

Councilperson S. Lewis inquired who will replace him in his absence?

Councilperson Bertino stated he has a Highway employee handling same.

ROLL CALL

- Councilpersons:
- Bertino - Yes
- Colasurdo - Yes
- Falcone - Yes
- Massarelli - Yes
- S. Lewis - Yes
- Wuillermin - Yes
- Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

- 11. FROM JUDITH WATSON, HAMMONTON ARTS CENTER, inviting Mayor and Council and town residents to participate in 10 Year Celebration "Open House" Sunday, July 9, 2006 at 6 pm as well as advising of subsequent events.

Ordered received and filed.

- 12. From JOSEPH PANTALONE, CHAMBER OF COMMERCE PRESIDENT, advising Mayor and Council that they still wish to receive the \$5000 normally budgeted for the Red, White and Blueberry Festival even though it was not budgeted for year 2006.

After a brief discussion and meeting with Mayor DiDonato and Red White Blue committee, the Clerk was advised to respond to Mr. Pantalone concerning the 2006 budget process.

- 13. From PAT BERENATO, PLANNING BOARD SECRETARY, recommending waiver of curb & sidewalk Block 2103, Lot 4.01, 4.02 3<sup>rd</sup> Street

Motion by Councilperson Wuillermin, seconded by Councilperson S. Lewis, authorize waiver of curb and sidewalk Block 2103, Lot 4.01, 4.02 3<sup>rd</sup> Street as installation of curb will cause a drainage problem and County has recommended that applicant apply for this waiver.

ON THE QUESTION

Councilperson Bertino questioned if county repairs problem, should applicant be requested to then install curb and sidewalk?

Councilperson Wuillermin stated no and explained the entire scope of the project.

ROLL CALL

- Councilpersons:
- Bertino - Yes
- Colasurdo - Yes
- Falcone - Yes
- Massarelli - Yes
- S. Lewis - Yes
- Wuillermin - Yes
- Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

- 14. From LOU RODIO, REC DIRECTOR, requesting 12 hours of comp time for his attendance at 4<sup>th</sup> of July celebration

Motion by Councilperson S. Lewis, seconded by Councilperson Falcone, authorize 12 hours comp time for Lou Rodio attendance at 4<sup>th</sup> of July festival.

ROLL CALL

- Councilpersons:
- Bertino - Yes
- Colasurdo - Yes
- Falcone - Yes
- Massarelli - Yes
- S. Lewis - Yes
- Wuillermin - Yes
- Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

- 15. From REGIS & RENEE VITALE re: advising Mayor and Council of several problems and requesting their assistance

Solicitor advised there is a court order attached and received just this evening and recommended no further discussion. Referred to Solicitor for investigation.

16. From SIRACUSA HOMES requesting removal of old easement from Block 2905 Lot 61, 351 S. Egg Harbor Road

Mr. Vettese advised this request should be forwarded to Atlantic County. The Clerk was so advised.

17. From DENNIS LEVINSON, COUNTY EXECUTIVE, advising of receipt of Town letter concerning poor condition of Weymouth Road bridge and advising that they will take care of their responsibility and forward letter onto George Warrington of NJ Transit to handle their portion of the bridge.

Ordered received and filed.

18. From PAT BERENATO, PLANNING/ZONING SECRETARY, request return of escrow fees \$315.00 to Michael Pinto

Motion by Councilperson Bertino, seconded by Councilperson Colasurdo, authorize return of escrow fees in the amount of \$315.00 to Michael Pinto.

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Yes

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

19. From RENEE AIELLO, MAINSTREET HAMMONTON, inviting Mayor and Council and residents to downtown sidewalk sale on June 24 from 9 am - 2 pm. Also requesting trash receptacles and police presence.

Ordered received and filed.

20. From PAT BERENATO recommend to Mayor and Council to have an in depth study performed on White Horse Pike corridor

Councilperson Wuillermin advised Mayor and Council regarding the concern of residents of this area concerning flow of traffic after review of Home Depot application. He requested this to be considered in the 2007 Town of Hammonton budget.

A discussion of Mayor and Council ensued with Councilperson Bertino advising on previous corridor analysis from Rt. 206. He requested Councilperson Wuillermin to contact Peter Karabashian to ascertain previous analysis records.

Councilperson Wuillermin stated the correspondence this evening was not worded that clearly but they actually are asking for a traffic analysis.

21. From NJ PINELANDS COMMISSION re: approving construction of new Town Hall on Central, Third & Vine

Ordered received and filed.

22. From NJ PINELANDS COMMISSION re: approving the moving of Historical Building to Leo Park, Vine Street

Ordered received and filed.

Report on Flooding in Police Department Locker Room

The Clerk and Chief reported on recent flooding of Police Department Locker Room that was corrected by Highway Department once again. Personnel requesting something be done about the mold issues.

Councilperson Colasurdo to supply names of companies to provide quotes for clean up.

Mayor suggested turning in claim to insurance company.

REPORTS

Report of the Town Clerk, Registrar, Construction Official for the month of May, 2006, was ordered received and filed.

UNFINISHED BUSINESS

NEW BUSINESS-ORDINANCES

Ordinance #13-2006 Bond Ordinance Acquisition School Property

Ordinance #13-2006

SEWER UTILITY BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF THE LIBERTY STREET PUMP STATION FROM THE BOARD OF EDUCATION BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$500,000 AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OR NOTES

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

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Town of Hammonton, County of Atlantic, New Jersey. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$500,000. No down payment is required as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Town, as more fully explained in Section 6(e) of this ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$500,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The purpose is to finance the cost to acquire the Liberty Street Pump Station and its underlying land from the Board of Education of the Town of Hammonton.

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

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

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

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

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 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 \$500,000, but that the net debt of the Town determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by that Law.

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

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

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

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

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

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

Motion by Councilperson Wuillermin, seconded by Councilperson S. Lewis, the ordinance be taken up for and pass first reading and the Clerk advertise same per law.

ON THE QUESTION

Councilperson Bertino voiced concerns regarding funding of the Interlocal Service Agreement, specifically utilizing Sewer and General surplus. He stated that he does not feel the benefit of this agreement is that substantial. He feels if St. Joseph's School wants to use the Hammonton Public Schools fields they could enter into agreement with the school themselves. Further, he feels the Town will still have to build additional fields on Boyer Avenue site. He feels the "long term" costs for the Town are high.

Mayor DiDonato questioned exactly what Councilperson Bertino is alluding to? He questioned if Councilperson Bertino is suggesting the Town not enter into an Interlocal Service Agreement with the school?

Councilperson Bertino suggested we supply other services such as trash removal for the school rather than purchase fields.

Councilperson Wuillermin stated \$1.3 million in trash removal is a lot of trash removal.

Mayor DiDonato stated Mayor and Council met with Ron Ianoale, Bond Counsel for the Town of Hammonton, who advised the Town cannot give the school the funds and they must enter into an Interlocal Service Agreement. He also pointed out several fields that are not being utilized at the present time.

Councilperson Bertino pointed out there are other long term issues such as maintenance of the fields the town acquires that must be considered.

Mayor DiDonato questioned the fairness of the town's soccer teams using the school's fields and the Town not giving the Board of Education any type of financial support.

Councilperson Wuillermin stated he feels the school should be financing education and the Town should aid the school by providing recreational opportunities for residents. He feels what Mayor and Council are considering with the Interlocal Services Agreement with the School is a funding mechanism that will provide money to the school while adhering to NJ State budget regulations.

Solicitor advised there is an option to purchase as well.

Councilperson Bertino stated, responding to Mayor DiDonato, that this Council does not have the right to exercise the purchase of the school property without prior approval of Department of Education.

Solicitor advised that the agreement does state this and will be reviewed by Department of Education as well.

Mayor DiDonato further explaining the scenario stated he felt this agreement is a win, win for everyone involved. Mayor DiDonato reminded Councilperson Bertino that the school board has approved this agreement and council cannot change the agreement at this point. Mayor DiDonato also reminded Councilperson Bertino that the Town will be loosing Eleventh Street recreation fields.

Councilperson Massarelli stated, in response to Councilperson Bertino's statement regarding use of the fields, that in her observation the fields Mr. Bertino are referring to are sitting idle.

ROLL CALL

Councilpersons:

Bertino - No

Colasurdo - Yes

Falcone - Yes

Massarelli - Yes

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Ordinance #14-2006 Sale Town Property B1201 L44

**ORDINANCE # 14 - 2006**

**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 \$450,000.00.

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 Wuillermin, seconded by Councilperson Falcone, the ordinance be taken up for and pass first reading and the Clerk advertise same per law.

ROLL CALL

Councilpersons:

Bertino - Yes

Colasurdo - Yes

Falcone - Yes

Massarelli - Yes

S. Lewis - Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Ordinance #015-2006 Sale Town Owned Property Block 3704 - Lot 1

**ORDINANCE # 15-2006**

AN ORDINANCE AUTHORIZING THE ADVERTISING FOR BIDS TO PURCHASE LOT 1 OF BLOCK 2608 (2.45 +/- acres) and LOT 1 OF BLOCK 3704 (0.9 +/- acres) WHICH IS LAND 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 2608, Lot 1 and Block 3704, Lot 1(the "Property") is land 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 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:

There shall be no minimum bid.

The Purchaser will obtain all necessary approvals from the Town of Hammonton and its boards and agencies and any other governmental agencies having jurisdiction of development on the property. 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 to any governmental agency required to approve development of the property.

In addition to its bid, applicant shall be required to submit a site plan consistent with current zoning (with the exception of density), which creates 46 fee simple, single family townhomes on the premises with 1,800 +/- square feet of living space and utilizing natural exteriors.

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. Bidders are advised that a portion of the premises in question that a Phase I study has revealed the presence of contamination.

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 Wuillermin, seconded by Councilperson S. Lewis, the ordinance be taken up for and pass first reading and the Clerk advertise same per law.



111 N. White Horse Pike

C-5           0113 33 024 006       Café San Rocco, Inc.  
t/a Café San Rocco/Rocco's Town House  
21 N. Third St.

C-6           0113 33 010 002       Hammonton Joey Corp.  
t/a Maplewood Inn  
470 S. White Horse Pike

C-7           0113 33 019 006       E.J.'s West End Inc.  
t/a West End Grill  
201 - 12<sup>th</sup> Street

C-8           0113 33 018 006       Mikado Inc.  
t/a Mikado Japanese Cuisine  
(pocket)

C-9           0113 33 020 002       Hammonton Fortunas Inc.  
t/a Illiano's Restaurant  
705-12<sup>th</sup> St.

C-10          0113 33 007 003       Filomena Bocella  
t/a The Olde Central  
19 N. Egg Harbor Rd.

C-12          0113 33 028 005       Anthony S. Parker  
(pocket)

C-14          0113 33 003 012       Apple New Jersey LLC  
t/a Applebees Neighborhood Grill  
S. White Horse Pike

C-15          0113 33 006 001       DiDonato's Bowling Center  
& Cocktail Lounge  
t/a DiDonato's Bowling Center  
1151 White Horse Pike

C-18B         0113 32 002 003       Tomar Assoc. Inc.  
t/a Caldini's Fine Wine, Liq & Deli  
101 E. 15<sup>th</sup> Street

C-19B         0113 32 012 005       Westwind Assoc., Inc.  
t/a Joe Canal's Discount Liq.Outlet  
240 S. White Horse Pike

C-20          0113 33 021 003       Silver Coin Diner Inc.  
t/a Silver Coin Diner  
S. White Horse Pike

C-21          0113 33 022 013       Double U Mineral Trading Inc.  
t/a Tommy B Main Street Liq  
20-12<sup>th</sup> St.

**PLENARY RETAIL DISTRIBUTION**

D-2           0113 44 015 010       Aryan Liquors  
t/a Town Food & Liquor  
333 S. Egg Harbor Road

D-3           0113 44 016 010       Superior Inc.  
730 12<sup>th</sup> Street

**CLUB LICENSE**

CB-1          0113 31 026 001       Guiseppe Garibaldi Lodge  
t/a Sons of Italy  
427 N. Third St.

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.

#R84-2006 Refund Building Permit Fee Pulte Homes

RESOLUTION # 84-2006

RESOLUTION AUTHORIZING A REFUND  
OF BUILDING PERMIT FEE  
TO PULTE HOMES

WHEREAS, Pulte Homes did submit \$1642.00 Building Permit Fee for 41 Alexander Drive; and

WHEREAS, the proposed project will no longer take place; and

WHEREAS, \$125.00 of the fee is a non refundable State surcharge; and

WHEREAS, John Aloisio, Town of Hammonton Building Inspector, has reviewed same and is in agreement with refunding the Town of Hammonton portion of building permit fee in the amount of \$1517.00.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that John Aloisio is hereby authorized to cause a refund of Building Permit Fee to Pulte Homes in the amount of \$1517.00; and

#R85-2006 Carnival Licenses

#R 85-2006  
R E S O L U T I O N

WHEREAS, the individual designated hereunder has applied for a license for Amusement Games for the year 2006 for the stipulated period set forth in said application; and

WHEREAS, the Mayor and Common Council of the Town of Hammonton have found that the application is in order and that the proper fee has been duly paid to the Town Clerk.

NOW, THEREFORE, BE IT RESOLED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, ATLANTIC COUNTY, NEW JERSEY, that the following license is issued to the individual designated herein to operate the specific amusement game set forth herein for the year 2006 and the issuance of said license be and the same is hereby approved for the individual and Amusement Game as hereinafter designated:

<u>NAME</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>GAME</u>
Steve Ianni	Riverview, FL	\$50.00	balloon water race
		50.00	dog pounder
		50.00	firefly water race
		50.00	hoop shoot
		50.00	shoot out the star
George Goetz	Allentown PA	50.00	basketball
		50.00	gunball
		50.00	tag balloon
		50.00	bushel
Ruth Evans	Princeton, FL	50.00	balloon dart
		50.00	balloon dart
		50.00	duck pond

#R86-2006 Amend 2006 Budget Click it or Ticket Grant

#R 86-2006

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the **2006 Budget in the sum of \$4,000.00** which is now available as a revenue from:

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

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

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

#R87-2006 Amend 2006 Budget Clean Community Grant

#R 87-2006

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

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

WHEREAS, the Town has received **\$21,093.09 from the NJ DEP "Clean Community Grant"**, and wishes to amend its Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the **2006 Budget in the sum of \$21,093.09** which is now available as a revenue from:

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

**NJ DEP "Clean Community Grant"**

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

#R88-2006 Authorize Refund Glossy Fruit Farms Toters

RESOLUTION # 88-2006

RESOLUTION AUTHORIZING A REFUND  
FOR PURCHASE OF TOTERS  
TO GLOSSY FRUIT FARMS INC.

WHEREAS, Glossy Fruit Farms Inc. did submit to the Town of Hammonton \$550.00 for purchase of toters; and

WHEREAS, the Town of Hammonton does not currently have a policy concerning distribution of toters; and

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

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that Tara Russo is hereby authorized to cause a refund of \$550.00 to Glossy Fruit Farms Inc., 66 S. Myrtle Street, Hammonton, New Jersey 08037 **CONTINGENT UPON THE RETURN OF ALL TOTERS TO THE TOWN OF HAMMONTON.**

#R89-2006 Authorize Participation in HUD

TOWN OF HAMMONTON  
RESOLUTION #89-2006

RESOLUTION AUTHORIZING PARTICIPATION IN  
THE ATLANTIC COUNTY HOME CONSORTIUM PROGRAM  
(HUD HOME INVESTMENT PARTNERSHIP PROGRAM)  
FOR FY 2007, FY 2008 AND FY 2009

WHEREAS, the Town of Hammonton desires to participate in the HOME INVESTMENT PARTNERSHIP PROGRAM by joining the Atlantic County HOME Consortium pursuant to the National Affordable Housing Act of 1990, in order to become eligible for certain Federal funds; and

WHEREAS, the County of Atlantic supports the Consortium and has agreed to assume responsibility for the activities of the consortium; and

WHEREAS, the Town of Hammonton is not among the 20 of the 22 Atlantic County municipalities participating in the Atlantic County Urban County CDBG Program who consented through that agreement to participate in the HOME Consortium through FY 2009; and

WHEREAS, the County Executive is authorized to execute the agreement on behalf of those 20 municipalities participating in the Atlantic County Urban County; and

WHEREAS, the attached Consortium Agreement does not provide for the expenditure of any funds by the municipality; and

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Town of Hammonton as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute the attached Consortium Agreement.
2. The Municipal Clerk is hereby directed to provide a certified copy of this Resolution to the County Executive.

#R90-2006 Authorize Road Closure Front Street

RESOLUTION # 090 -2006

RESOLUTION AUTHORIZING AND ENDORSING  
CALVARY CHAPEL OF HAMMONTON  
VACATION BIBLE SCHOOL KICK OFF

WHEREAS, the Calvary Chapel of Hammonton is seeking approval to hold a vacation bible school kick off on July 15, 2006;

WHEREAS, the Calvary Chapel of Hammonton has requested assistance of the Town of Hammonton Police Department for this scheduled event and closure of the following street in the Town of Hammonton:

Front Street from (Rt. 54) to Passmore Avenue from 12:00 noon-4:00 pm

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, that the above scheduled Calvary Chapel of Hammonton Vacation Bible School Kick Off is acknowledged and endorsed by the Town of Hammonton contingent upon the filing and approval of the necessary certificate of insurance with the Town of Hammonton; and

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

#R91-2006 Authorize Road Closure Feast of Our Lady of Assumption 8/15

RESOLUTION #91-2006

RESOLUTION AUTHORIZING AND ENDORSING  
THE ANNUAL "FEAST OF OUR LADY OF ASSUMPTION" PROCESSION

WHEREAS, Our Lady of Assumption Society of St. Joseph Church continues to promote the Town of Hammonton with their annual "Feast of Our Lady of Assumption" procession; and

WHEREAS, Mayor and Council has and continues to support the efforts of Our Lady of Assumption Society; and

WHEREAS, Tuesday, August 15, 2006 at 6:45 pm is the scheduled date for the Feast of Our Lady of Assumption religious procession to be held in the Town of Hammonton; and

WHEREAS, Our Lady of Assumption Society has requested assistance of the Town of Hammonton Police Department for this scheduled event and closure of the following streets in the Town of Hammonton for procession:

From St. Joseph Church (N 3<sup>rd</sup> Street) to Fairview Ave.  
 Left onto Fairview Ave. to Egg Harbor Road  
 Left onto Egg Harbor Road to Pleasant Street  
 Left onto Pleasant Street to N. Third Street  
 Ending at St. Joseph Church

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, that the August 15, 2006 Feast of Our Lady of Assumption and procession of streets is acknowledged and endorsed by the Town of Hammonton contingent upon the following:

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

#R92-2006 Tax Resolution May & June with detail

#R 92 -2006  
 R E S O L U T I O N

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

Block	Lot	INCORRECT	CORRECTION	NAME	ACCT/REASON
2905	57		<695.36>	BERMUDEZ	REFUND TAX
3706	6	<5,384.66>	617.26	1001 GRAND AVE	CORRECT SEWER
3706	4	<78,951.43>	8,589.30	FR GRAND AVE	CORRECT SEWER
3706	4	<47,475.53>	6,650.28	FR GRAND AVE	CORRECT WATER
3706	4		<30,761.42>	FR GRAND AVE	REFUND SEWER
3706	4		<17,050.74>	FR GRAND AVE	REFUND WATER
3206	18	<747.77>		BAGLIANI	CORRECT WATER
2413	13	<300.00>		BROWNFIELDS	CORRECT SEWER
2103	7	<9.14>	70.50	HASKIN	CORRECT WATER
2103	7	<111.24>	400.00	HASKIN	CORRECT SEWER
4901	21.30	<133.17>		DAVIES	TRANSF PAYM'T
4912	1C0153		133.17	DAVIES	TRANSF PAYM'T

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.

#R93-2006 Amending Resolution 11-2006 Depositories & Signatures

#R 93-2006

RESOLUTION AMENDING RESOLUTION 11-2006  
 TOWN OF HAMMONTON DEPOSITORIES & SIGNATURES

WHEREAS, the Town of Hammonton is obligated to designate a depository and or depositories in connection with the deposit of all monies received; and

WHEREAS, the proper officials who are authorized to sign all checks, warrants and drafts of the Town of Hammonton should likewise be designated.

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

- First Union National Bank
- Minotola National Bank
- New Jersey Cash Management
- Bank of America
- Sun Bank
- Commerce Bank
- New Jersey Arm

Be and they are hereby designated as the official depositories of the Town of Hammonton.

BE IT FURTHER RESOLVED that John DiDonato, Mayor; Susanne Oddo, Town Clerk/Business Administrator and Robert Scharle, C.F.O., be and they are hereby authorized to sign all

checks, warrants, and drafts of the Town of Hammonton, County of Atlantic and State of New Jersey; and

BE IT FURTHER RESOLVED that during the absence of John DiDonato, Mayor; Susanne Oddo, Town Clerk/Business Administrator and/or Robert Scharle, C.F.O. that Jeanne S. Lewis, Deputy Mayor, or Edward Wuillermin, Councilperson, and April Boyer Maimone, Deputy Municipal Clerk, or Kathy Velardi, Principle Clerk Typist; and Rosemarie Jacobs, Treasurer; or Martha Silvesti, Principle Clerk Typist; or Audrey Boyer, Principle Clerk Typist; be and they are hereby authorized to sign all checks, warrants and drafts of the Town of Hammonton, County of Atlantic and State of New Jersey.

#R94-2006 Amend 2006 Budget AERE

#R 94-2006

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

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

WHEREAS, the Town has received **\$1,296.94 from the NJ Dept. of Treasury, Alcohol Ed Rehab & Enforce Fd"**, and wishes to amend its Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the **2006 Budget in the sum of \$1,296.94** which is now available as a revenue from:

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

**NJ Dept of Treasury, Alcohol Ed Rehab & Enforce Fd**

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

#R95-2006 Capital Budget Amendment

#R 95-2006  
TOWN OF HAMMONTON

CAPITAL BUDGET AMENDMENT

WHEREAS, the local capital budget for the year 2006 was adopted on the 22nd day of May, 2006; 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

<u>Purpose</u>	<u>Total</u>	<u>Debt Authorized</u>
Acquisition of School District Liberty Street Pumping Station	\$ 500,000	\$ 500,000

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.

#R96-2006 Authorize 4<sup>th</sup> of July Event

RESOLUTION # 96-2006

RESOLUTION AUTHORIZING FIREWORKS DISPLAY  
ANNUAL TOWN OF HAMMONTON 4<sup>TH</sup> OF JULY EVENT

WHEREAS, the Town of Hammonton is holding their Annual 4<sup>th</sup> of July Event on Tuesday, July 4, 2006;

WHEREAS, the Fireworks Display will be conducted between the hours of 8:00 p.m. and 10:00 p.m. at sundown;

WHEREAS, the Mayor and Council of the Town of Hammonton have entered into contract with Vineland Fireworks Company Inc., 1640 Garden Road, Vineland, NJ 08360 at a cost of \$7000 (\$3500 downpayment required);

WHEREAS, the Mayor and Council are in agreement with the stipulations recorded in said agreement;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, that the Mayor and Council of the Town of Hammonton authorize and agree to contract stipulations with Vineland Fireworks Company Inc. for fireworks display on July 4, 2006 contingent upon the filing and approval of the necessary certificate of insurance with the Town of Hammonton; and

#R97-2006 Interlocal Service Agreement - School

#R097-2006

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY AUTHORIZING THE EXECUTION OF AN INTERLOCAL SERVICES AGREEMENT WITH THE BOARD OF EDUCATION OF THE TOWN OF HAMMONTON

WHEREAS, the Mayor and Council for the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") and the Board of Education of the Town of Hammonton in the County of Atlantic, New Jersey, (the "Board") have determined that it is in the best interests of the Town, the Hammonton School District, and the residents thereof for the Board to lease to the Town "with the option to purchase" for an initial term of ninety-nine (99) years, the athletic fields and parking lots located at the Hammonton Middle School; and

WHEREAS, the Town and the Board want to set forth the terms and conditions relating to the lease "with the option to purchase" of such fields and parking lot in an Interlocal Services Agreement entered into pursuant to N.J.S.A. 40:8A-1 et seq.; and

WHEREAS, the Town now wants to authorize the execution of an Interlocal Services Agreement, dated as of July 1, 2006 with the Board (the "Agreement") in a form that is substantially attached to this resolution;

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY AS FOLLOWS:

Section 1. The Town is hereby authorized to enter into the Agreement with the Board dated as of such date in a form substantially in accordance the one attached to this resolution, with such changes that are approved by the Town's counsel. The Mayor and Clerk are hereby authorized to execute the Agreement on behalf of the Town, and such signature shall be conclusive evidence of approval of any such changes recommended by the Town's counsel. The appropriate representatives of the Town are hereby authorized to implement the proposed Agreement on behalf of the Town in accordance with its terms.

#R98-2006 2005 Audit

#R 98-2006

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

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

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

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

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

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

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

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

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

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

NOW, THEREFORE BE IT RESOLVED, That the Town Council of the Town of Hammonton, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

#R99-2006 No Corrective Action Plan

**RESOLUTION NO. 99-2006**

**CORRECTIVE ACTION PLAN**

Corrective Action Plan of the Town of Hammonton, County of Atlantic, State of New Jersey, for the year 2005.

**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 2005 Report of Audit is as follows:

NO CORRECTIVE ACTION REQUIRED

**BE IT RESOLVED**, that the Corrective Action Plan for the 2005 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.

#R100-2006 NJDOT Application Municipal Aid Roadway Program

RESOLUTION: #R 100-2006

RESOLUTION APPROVING NJDOT APPLICATIONS FOR MUNICIPAL AID ROADWAY PROGRAM

**WHEREAS**, the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey is desirous of requesting funding consideration from the State of New Jersey Department of Transportation under the New Jersey Transportation Trust Fund Authority Act, and

**WHEREAS**, the Town of Hammonton is requesting funding for the projects entitled:

- Priority #1- Fourth Street - Bellevue Avenue, State Route #54 to French
- Priority #2- Pleasant Street - Packard to Fourth Street
- Priority #3-Grape Street - Egg Harbor Road (CR561) to Central Avenue (CR542)

**WHEREAS**, the Town Engineer has been authorized to prepare the required Application and Agreement known as Form SA-96, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and COMMON COUNCIL OF THE TOWN OF HAMMONTON IN THE COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that

1. The applications for NJDOT funding is hereby approved.

- 2. Mayor and Town Clerk are hereby authorized to sign the State Aid Form SA-96.
- 3. The Town Engineer is authorized to provide all required reports, narratives, estimates and maps required for NJDOT funding consideration.

Motion by Councilperson Colasurdo, seconded by Councilperson Bertino, resolutions 83 - 100 (excluding 97) be adopted.

ROLL CALL

Councilpersons:  
 Bertino - Yes  
 Colasurdo - Yes  
 Falcone - Yes  
 Massarelli - Yes  
 S. Lewis - Yes  
 Wuillermin - Yes  
 Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Resolution 97-2006 Interlocal Service Agreement Taken Now

Motion by Councilperson Wuillermin, seconded by Councilperson S. Lewis, resolution 97-2006 be adopted.

ROLL CALL

Councilpersons:  
 Bertino - No  
 Colasurdo - Yes  
 Falcone - Yes  
 Massarelli - Yes  
 S. Lewis - Yes  
 Wuillermin - Yes  
 Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

#R101-2006 Reject Bid Pleasant Street Reconstruction

RESOLUTION # 101-2006

RESOLUTION REJECTING BIDS FOR PLEASANT STREET ROADWAY RECONSTRUCTION

WHEREAS, the Town of Hammonton did advertise for competitive bids for the Pleasant Street Roadway Reconstruction on June 7, 2006; and

WHEREAS, only one bid was received from Asphalt Paving Systems in the amount of \$773,995.00 for Scenario #1; and

WHEREAS, the bid was in excess of the amount appropriated for the project; and

WHEREAS, the Town of Hammonton did reserve the right to reject all bids;

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON IN THE COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that the bid submitted by Asphalt Paving Systems is rejected;

BE IT FURTHER RESOLVED that the bidder shall be returned bid bonds or other forms of security submitted.

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

ROLL CALL

Councilpersons:  
 Bertino - No  
 Colasurdo - Yes  
 Falcone - No  
 Massarelli - Yes  
 S. Lewis - Yes  
 Wuillermin - Yes  
 Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

#R102-2006 Award Bid Elm & Cottage Sewer Replacement

RESOLUTION #102-2006

AUTHORIZING THE AWARD OF CONTRACT FOR THE ELM & COTTAGE  
STREETS SANITARY SEWER REPLACEMENT PROJECT

WHEREAS, the Mayor and Town Council of the Town of Hammonton has determined that there is a need to replace the existing sanitary sewer within Elm and Cottage Streets; and

WHEREAS, bids were received for the sanitary sewer replacement project on June 21, 2006; and

WHEREAS, the lowest responsible bidder for the project appears to be F.W. Shawl & Sons Inc. of Marmora, NJ whose bid total was \$82,158.20; and

THEREFORE BE IT RESOLVED, that the Mayor and Council of the Town of Hammonton hereby awards the construction contract for the Elm and Cottage Sanitary Sewer Replacement Project to F.W. Shawl & Sons Inc., of Marmora, NJ in the amount of \$82,158.20 subject to compliance with conditions as noted below:

1. Review and Approval of the bid documents by the Town Solicitor.
2. Certification as to the availability of funds from the Town's Chief Financial Officer.

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

#R103-2006 NJDOT Funding

Resolution # 103-2006

REQUEST FOR ALLOCATION OF FUNDING THROUGH  
TRANSPORTATION & COMMUNITY SYSTEM PRESERVATION GRANT PROGRAM  
TRAIN STATION AND HISTORIC DOWNTOWN PEDESTRIAN LINK

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

WHEREAS, the funds already secured through the NJDOT's Transportation Enhancements Program will not permit the municipality to complete the entire project known as the Train Station and Historic Downtown Pedestrian Link; and

WHEREAS, as an additional \$200,000 grant has become available to the Town through the Transportation and Community System Preservation Grant Program; and

WHEREAS, the Town wishes to pledge said grant money towards the project as named above to complete the project in its entirety.

THEREFORE BE IT RESOLVED, that the Mayor and Council of the Town of Hammonton hereby requests that the \$200,000 grant available to the Town of Hammonton be formally allocated for the Train Station and Historic Downtown Pedestrian Link project; and

THEREFORE BE IT FURTHER RESOLVED, that the clerk and Mayor of this body be and is hereby directed to sign all documents necessary to fully secure the \$200,000 grant from the funding agency.

Donna Salvo - 215 Cottage

Mrs. Salvo stated she feels council should consider the funding once and complete the entire project including the curbing all at once as to complete the project and not disrupt the homeowners again in the future.

Councilperson Wuillermin advised Mayor and Council wish to complete the sewer portion of this project as they have been advised that is critical. Council would then consider the second portion of the project in next years budget.

Councilperson Colasurdo advised the Sewer Superintendent initiated this project because of the sewer main being in dire condition of replacement.

Motion by Councilperson Colasurdo, seconded by Councilperson Wuillermin, resolution 102 be adopted.

ROLL CALL

Councilpersons:

Bertino - Yes  
Colasurdo - Yes  
Falcone - Yes  
Massarelli - Yes  
S. Lewis - Yes  
Wuillermin - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

LICENSE APPLICATIONS

Hammonton Lions Club raffle 12/2/06  
Hammonton Rescue Squad raffle 7/16/06  
Friends of St. Anthony raffle 9/5/06  
Our Lady of Mt. Carmel ABC July 10 - 16

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

PUBLIC HEARD

John Bee - Jamesburg, New Jersey

Mr. Bee stated he has asked repeatedly to be put on the agenda to discuss his project Brownsfield Development. He asked to be placed on this evenings agenda and the Clerk's office advised Mayor and Council would not extend him the equipment to give his presentation.

Mayor DiDonato stated the redevelopment plan has not been approved yet and therefore, Mr. Bee was referred to Planning/Zoning for proper application of his proposed project.

Mr. Bee, interrupting Mayor DiDonato, became irate and stated this is public session and he is speaking now. He once again showed the property he purchased in the redevelopment plan. He stated Councilperson's Bertino, S. Lewis and Falcone voted for the re development plan in the past and questioned their intentions at this date and time.

Councilperson Wuillermin began speaking and advised Mr. Bee that the re development zone has not taken effect when Mr. Bee interrupted Councilperson Wuillermin and stated he is also purchasing another property which would give him property owner status. He suggested Town Council schedule a special meeting for Mr. Bee only to give a presentation of his project.

Councilperson Wuillermin stated until Mayor and Council have a redevelopment zone in place they cannot make a decision. He also reminded Mr. Bee that he did meet with him and respond to him. He further advised Mr. Bee that Mayor and Council have an obligation to the taxpayer and the taxpayers of Hammonton may or may not have been fully advised of the redevelopment plan. He advised that everything Mr. Bee is stating as happening in the past may be true but it still has not been approved as a plan in effect. He felt proper notice was not sent to property owners and those residents living in the area do not truly know what this plan means.

Mr. Bee questioned will council cooperate with him or not?

Ms. Kerri Cody, Conflict Solicitor, and present this evening, stated to Mr. Bee that Mayor and Council are not discouraging Mr. Bee from developing his property under Municipal Land Use Law.

James Fitzpatrick - Lakeview Drive

Mr. Fitzpatrick advised council on other funding opportunities municipalities may enter into with the school district. He questioned Mayor and Council cutting the municipal budget and then giving money to the school. He commended all town departments for their dedication and stated he hopes this Mayor and Council are not taking their employees for granted while bailing out the school. He also questioned status on Lakeshore Drive Open Space Land Purchasing?

Mr. Vettese advised the Open Space Land Purchasing has not been finalized as of this date.

Mr. Fitzpatrick stated he and his neighbors are not interested in having the property around them changed to this status. He further questioned the street sweeping contract?

Mayor DiDonato stated this is also being investigated and the town may purchase its own street sweeper.

Councilperson Colasurdo advised we also have a sewer department machine that can pick up in this department.

Mr. Fitzpatrick stated he also noticed a S.J. Sanitation truck being washed in the street and mentioned this may impact the runoff into the lake. He also questioned Mayor and Council's intentions of cutting street lighting.

Councilperson Colasurdo stated this Mayor and Council are not taking away street lights but rather taking every step in conserving tax dollars in the future.

Mayor DiDonato stated street light approvals were given this evening. He also stated this council did not cut actual services to the community.

Mr. Fitzpatrick questioned the CDL driver taking over the maintenance job in the absence of the janitor.

Mayor DiDonato welcomed calls from residents who feel their services have been cut. He went onto advise of various projects this council has taken on this year.

Councilperson Colasurdo stated Mayor and Council are responding to the taxpayers in their actions.

Jerry Leone - Moss Mill Road

Mr. Leone stated he is a 30 year resident of Hammonton and a 10 year resident of Medford Lakes. He gave Mayor and Council some suggestions on lowering the Hammonton Lake contamination.

Councilperson Colasurdo stated the Pinelands will not allow certain practices such as runoff into lake.

Mr. Leone also advised Mayor and Council that the Gypsy Moths are back. He mentioned tree cutting as a prevention.

Solicitor reminded Mr. Leone of making sure he is in compliance with Shade Tree and Environmental Commission rules on tree trimming and removal.

Mayor and Council advised they will look into County Aerial Spraying in addition to normal spraying.

Sam Mento - Caldwell Avenue

Mr. Mento advised he has worked in a lot of municipalities and overall Hammonton gives you the best service. However, he wished there was a better code concerning construction trash. He questioned sidewalk and curb waiver this evening?

Mr. Vettese once again explained it was the counties suggestion to waive this property due to drainage problem on county roadway.

Mr. Mento also questioned Third Street roadway project. Why does the county take care of Fairview and not continue onto Third or Caldwell?

Councilperson Wuillermin stated this is a county road but Mayor and Council can make it known to the county.

The Clerk was authorized to write a letter to county ascertaining what their roadway improvement list is for the next couple years and make them aware of Mr. Mento's situation.

#R104-2006 Resolution Enter Into Executive Session at 12:00 midnight

#R 104 -2006

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

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

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

Resume Regular Order of Business

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

Advertise for Accountant to Expand Finance Department

Motion by Councilperson Falcone, seconded by Councilperson Colasurdo, authorize Clerk to advertise for Accountant position to expand Finance Department.

ROLL CALL

Councilpersons:

Bertino - Yes  
Colasurdo - Yes  
Falcone - Yes  
Massarelli - Yes  
S. Lewis - Yes  
Wuillermin - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

MEETING ADJOURNED

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

Recorded by April Boyer Maimone, Deputy Clerk

Approved by Susanne Oddo, Town Clerk/Administrator