

Minutes  
REGULAR MEETING OF COUNCIL  
Held in Town Hall Council Chambers  
100 Central Avenue, Hammonton, N.J.  
Monday, October 27, 2008 at 6:00 P.M.  
Minutes can be viewed at [www.townofhammonton.org](http://www.townofhammonton.org)

MEETING CALLED TO ORDER BY MAYOR DIDONATO

ROLL CALL

Mayor DiDonato - P  
Councilpersons:  
Barberio - P  
Bertino - P  
Marino - P  
Petrongolo - A  
Vitalo - P  
Wuillermin - P

PRESENT ALSO

Brian Howell, Town Solicitor

#R 132 -2008 Enter Into Closed Session

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

1. Approve Minutes
2. Personnel
3. Litigation

BE IT FURTHER RESOLVED, that the minutes of any matters discussed in Executive Session shall be released to the public as soon as reasonably possible after Mayor and Council conclude that the basis for exclusion of the public ceases to exist.

Motion by Councilperson Bertino, seconded by Councilperson Barberio, resolution 132 be adopted.

ROLL CALL

Councilpersons:  
Barberio - Y  
Bertino - Y  
Marino - Y  
Petrongolo - A  
Vitalo - Y  
Wuillermin - Y  
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Resume Regular Open Meeting

ROLL CALL

Mayor DiDonato - P  
Councilpersons:  
Barberio - P  
Bertino - P

Marino - P  
Petrongolo - A  
Vitalo - P  
Wuillermin - P

PRESENT ALSO

Brian Howell, Town Solicitor  
Joseph Pantalone and David Cella, Town Engineer

PLEDGE OF ALLEGIANCE

PUBLIC NOTICE

This meeting has been posted on Town Hall bulletin board and e mailed to official newspapers. Please familiarize yourselves with the fire exit to the right and rear of the Council Chambers. Also, there is to be no smoking in the Town Hall at any time.

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard.

APPROVAL OF MINUTES

Motion by Councilperson Marino, seconded by Councilperson Vitalo, the minutes of the Regular Meeting – September 22, 2008, be approved as recorded by the Clerk. Motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

1. Bond Ordinance #031-2008 Airport Improvements

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

ROLL CALL

Councilpersons:

Barberio - Y  
Bertino - Y  
Marino - Y  
Petrongolo - A  
Vitalo - Y  
Wuillermin - Y  
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

2. Ordinance #032-2008 Amend Chapter 271-6 Vehicles and Traffic

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

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - A

Vitalo - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

RESUME REGULAR ORDER OF BUSINESS

COMMITTEE REPORTS

ADMINISTRATION / QUALITY OF LIFE-Councilperson Barberio

Administration Committee to meet next week

Quality of life meeting with Dr. Hozik concerning community forestry management plan

Parks and Rec committee updated the condition of Boyer Avenue Fields thank you to Highway/Rec employees

EDUCATION-Councilperson Bertino

Board looking to replace Superintendent who will be retiring

Proposed upgrades to Warren Sooy school

PUBLIC WORKS-Councilperson Wuillermin

Leaf pickup to begin Nov 2 (residents should view town website for schedule)

Encouraged residents to take care not to place out items that can damage town equipment

Committee recommends hiring 3 FT Temporary employees for leaf pickup

Barnegat Twp has additional toters available for Town of Hammonton to purchase @ \$650.00

Motion by Councilperson Wuillermin, seconded by Councilperson Vitalo, authorize purchase of toters in amount of \$650.00.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - A

Vitalo - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Councilperson Wuillermin report continued

Committee recommends acquisition of small excavator & hydraulic hammer for water dept. low bid Farm Rite Well #5 work complete, 1500 gallons per minute

Painting water tower on 4<sup>th</sup> street continues and should be complete in approx 2 weeks, weather permitting

Meeting with NJ Manufacturing regarding possible location of facility adjacent to Chew Road

LAW AND ORDER-Mayor DiDonato

Meeting with Chief concerning accident involving 2 police officers and reprimand

Update police radios to be funded by grant

Motion by Mayor DiDonato, seconded by Councilperson Marino, authorize upgrade police radios at a cost not to exceed \$650 per radio for 50 radios.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - A

Vitalo - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Mayor DiDonato report continued

Shamong Twp – take over police

ENGINEER REPORT

PUBLIC WORKS ACTION ITEMS

Authorize \$500 Application Fee for Wescoat Property

Motion by Councilperson Marino, seconded by Councilperson Barberio, authorize a purchase order in the amount of \$500 to ARH for Wescoat property application.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - A

Vitalo - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

1. Redistribution of Atlantic County Open Space Trust Funds  
Round 6 Walmer Street/Chestnut Street Properties Westcott Parcel (11-01064):

As authorized by Council at their last meeting we have begun the process to complete the application to request funding assistance from the NJDEP Hazardous Discharge Site Remediation Fund. Part of the process requires the adoption of the attached resolution indicating the Town's commitment to complete the investigative work to be able to return the site for redevelopment potential.

Refer to New Business for resolution.

SEWER & WATER INFORMATION ITEMS

2. 1.5 Million Gallon Water Storage Tank Painting (11-30136.03):

Work began on the water tank painting project on October 6, 2008. Power washing and clean water rinse is 100% complete. The power tool cleaning and spot priming is complete on the fluted column. The power tool cleaning and spot priming of the shell and cone will be next followed by the application of the prime coat which will be completed closer to the end of this week. The project is on schedule. The PWT

Committee reviewed and approved of the color paint scheme for the tank. Weather permitting the total project should be completed by Thanksgiving. We will keep Council informed of further progress.

3. **Getty Gas Station Remediation (11-50128):**

We have prepared a draft agreement which includes the conditions of approval for tie in to the Town's sanitary sewer system by the operators of the Getty Gas Station where a site remediation effort is being completed. The Solicitor is in the process of finalizing the agreement and Hold Harmless to include the items discussed by Council

4. **Pine, Basin & Oak Road Water Main Extension, Well Contamination (11-30138):**

As authorized, we have prepared and submitted the documents to the NJDEP and the Cape Atlantic Soils Conservation District for review and issuance of a BSDW and SCD Permit. We have also received the Wetlands permit from the Pinelands Commission.

The Solicitor is reviewing the contracts for project funding between the NJDEP and the Town for signature. Once approved and signed by the Town Officials it will be forwarded to NJDEP for execution so that the project funds could be properly secured. The Solicitor is also drafting the agreements for execution between Richard Adamucci, along with Frank Torresi and Town officials related to a waiver from the well sealing requirement due to agricultural use of their existing well.

The Solicitor is also preparing an amendment to the Town's ordinance relating to mandatory well sealing to include the project area. First reading will hopefully occur at this Council meeting.

We have also received comments from the NJDEP Bureau of Safe Drinking Water related to their initial review of the project design plans. We are in the process of responding to these comments.

5. **Southwest Hammonton – Sanitary Sewer Service (11-50130.01):**

We are in the process of revising the design plans for Phase I to allow for the installation of the sanitary sewer within existing or proposed public right-of-ways.

The Town Solicitor has prepared revisions to the initial agreement between the Town and the applicant which must be executed by all parties associated with cost sharing of Master Plan improvement to the project area. We will keep Council informed of further progress.

6. **Sewer Department Maintenance Facility (11-50107.04):**

ARH is preparing a proposal to modify the present site plan to reflect the modifications to the building plans and specifications for bidding purposes and to obtain approvals and permits from the various agencies. We hope to have the completed proposal for a future PWTC meeting so that authorization to proceed could be sought at future Council meeting. We have also discussed the possibility of bidding the project site work and building construction in phases.

7. **Moss Mill Road/White Horse Pike Utility Extension (11-50124):**

The plans and specifications are almost ready for bid. As previously reported we are waiting for the last easement to be finalized. Once all the easements have been secured we will advertise for bid.

8. **Route 54/Bellevue Avenue Utilities (11-50120):**

The funding source USRD has requested additional information prior to advertisement. We are currently addressing the USRD review letter and anticipate a submission back to USRD within the next week or so.

We are also addressing comments from the Bureau of Safe Drinking Water related to the project and will make a resubmission to their office later this week.

9. **Well #5-#7 (11-30139.03):**

Well #5 was rehabilitated during the last month, has been repaired and has been returned to service. Only a few minor punch list items remain. It is the intent to closeout the contract prior to the end of the month.

10. **Boyer Avenue Land Application Site – Drip Irrigation (11-50127):**

Our last month's report for all intents and purposes remains unchanged. Please review the following:

*As previously reported, due to limited progress achieved on this matter, ARH issued a letter on July 29, 2008 seeking a reply from NJDEP. Following the issuance of this letter, we reported that various NJDEP officials have reviewed the matter. Specifically, Ed Post of Southern Enforcement has taken the lead in having the applicable agencies meet with Town Representatives to move the reuse matter forward. Pinelands has suggested that the meeting not occur until USGS, who performed a study on the Boyer Avenue site one year ago, provides an update to the Commission. The meeting for the USGS is tentatively scheduled September 30, 2008.*

Following the September 30, 2008 meeting, we requested a time frame from the Pinelands as to when we could convene the drip irrigation/reuse issues. Via an e-mail sent from the Pinelands to our staff, the time line for the final reporting of the USGS findings is June 2009. We do not believe it is practical to wait until this time frame and have requested that the meeting happen with NJDEP and the Pinelands beforehand. We are awaiting a reply.

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

**Major Modification Application:**

As previously reported, we do not expect a response until February 2009. However, I did contact the NJ Geological staff member who is involved in the review. NJGS is in receipt of the report and is currently reviewing the document. We will contact our representative at the Bureau of Water Allocation to determine if the review time frame can be expedited.

**Future Well:**

As a result of the testwell proposal being authorized, a meeting with NJMIC representatives is the next step. As all are aware, we are attempting to place the new well along Chew Road on property currently owned by NJMIC. NJMIC is in the process of pursuing their NJDEP Treatment Works Approvals and Bureau of Safe Drinking Water approvals. Therefore, they are anxious to meet with our office and Town Officials as well related to this matter. We hope to schedule the meeting within the next week to discuss the various issues related to both water and sanitary sewer extension and possible easements.

**PUBLIC WORKS – INFORMATION ITEMS**

12. **Community Development Funds, 2006 ADA Curb/Walk Replacement, Washington Street Phase I Reconstruction (11-40026):**

As authorized, we are continuing with the design work for the Phase I portion of Washington Street reconstruction extending between 12<sup>th</sup> Street, Rt. 54, to Orchard Street. An extension of time for project award was requested until January 1, 2009. We will keep Council informed on further progress.

13. **Street Sweeping Program (11-01000):**

As authorized, we have completed the roadway base plan to note the existing street sweeping routes and roadway mileage of the Town associated with this program. As requested, we did forward the map to the Atlantic County Utilities Authority for comment and input. We are awaiting their response.

14. **Atlantic County Open Space Trust Funds – Round 8 (11-01070):**

It is our understanding that the Solicitor is drafting a sales agreement to forward to the three (3) property owners for the properties as requested by Council in order to peruse acquisition. Should the agreement be signed by the property owners, Council could then consider ARH's proposal to complete the required survey, subdivision, preliminary environmental assessment, etc. related to the properties.

We have also supplied a copy of the other properties where funding has been allotted by the County for purchase by the Town to the Solicitor. The Solicitor will also be drafting sales agreements for each of the other properties to determine if there is still an interest for sale by the property owners. We are not proceeding with any work associated with any of the properties approved within the Round 8 funding until further notice by the Solicitor and the Town.

We have received an inquiry from Atlantic County regarding the status of progress related to each of these properties in which funding approval was received for Round #8. We will be providing a response to the County.

15. **Atlantic County Open Space Trust Funds – Round 7 (11-01068):**

The Solicitor will make contact with the property owners noted below prior to drafting a follow up letter to Atlantic County regarding the status of the properties and whether the Town still wishes to pursue same.

- A. Grand Street site, Block 3706, part of Lot 4
- B. St. Martin Church site, Block 3001, part of Lot 41

Resolution of this matter must be completed in order for the Town to be considered for any future funding requests from the County.

16. **Myrtle Street Survey/ (11-40036):**

We are continuing with the application for Discretionary Aid assistance for the section of Myrtle Street extending between Route 206 and Pine Road and the section of Pine Road presently unpaved.

17. **Central Avenue Walkway (11-40027.03)**

We mailed notices to the residents along a portion of Central Avenue related to the public meeting and a questionnaire regarding the sidewalk project and the need for possible easements. We received responses from approximately 55% of the residents and held a public hearing on October 20, 2008. The majority of the response appears favorable related to the project. We will therefore continue with the conceptual plan for sidewalk layout as authorized by Council. We will keep Council informed of further progress.

18. **Central Avenue Roadway Reconstruction Project (11-40027):**

The Contractor is substantially complete, however there are punch list items remaining. Previously we have walked the site with the County and were given a few items of work that will be required by the County. We have forwarded the County's comments to the Contractor and we are currently waiting for the Contractor to provide additional costs (where warranted).

As previously reported, the Contract will require additional funds due to as built quantities and a number of construction changes that took place during the project. Some of the changes will be covered by the County; however there may be some changes that are the Town's responsibility (i.e. electric modifications at Reagan Rock & Christmas Tree area). We have prepared change order for Council's consideration. The value of the change order is summarized as follows:

Original Contract: \$1,431,146.20  
Change Order #1: \$118,844.95  
Modified Contract: \$1,549,991.15

It should be noted that Change Order #1, accounts for work that is currently approved by ARH. The Contractor is requesting closer to \$200,000.00 in extra work. We are currently going over all items with the Contractor and will present an additional change order prior to closing out this project.

Refer to New Business for resolution.

19. **Hammonton Lake Park (11-90028):**

The Pinelands Commission approved the application for public development for this project on June 13, 2008. We have prepared and submitted an application to Cape-Atlantic SCD.

20. **Fourth Street Reconstruction (11-40034):**

Previously, our office made a submission to NJDOT for additional funding. It is anticipated that grant allotments will be announced in late October. We plan to complete plans and specifications allowing for the project to be bid early in 2009. The limits of the project will be based on availability of funds.

21. **Eleventh Street Park Diversion – ROSI (11-75002):**  
ARH and the Solicitor need to meet to finalize the ROSI exchange strategy. We were hoping that the acquisition of open space by the County could be designated as lands to offset the acreage and value. According to the County, the lands purchased under this program are not eligible for designation as Green Acres. Assuming that the County representative is correct we will need to meet with the PWT and Recreation Committees to finalize the acquisition strategy on the lands identified thus far as lands for possible exchange that meet the acreage and value criteria.
22. **Vine Street & Second Street (11-40033):**  
The Contractor is substantially complete. Since the last reporting period, the Contractor has installed signs and a decorative brick cross walk. There are a few punch list items that are still outstanding. Once complete we will work to close out the project.
23. **Transportation Enhancements, Bellevue Ave-12<sup>th</sup> Street Improvements (11-40011):**  
Previously we made a submission to NJDOT requesting the remaining available funds. Since that time additional information has been requested. Additional documentation has been provided and we are currently waiting for NJDOT to respond and provide the final reimbursement.
24. **11<sup>th</sup> Street/Washington Street NJDEP Site Evaluation, Block 2608, Lot 1 (11-01000)**  
We were contacted by the NJDEP Case Manager who is reviewing the above noted site. He indicated that he has completed his evaluation of the site and provided the report to the Pinelands Commission for review and comment. Once the Pinelands completes their comments he will finalize the report and provide a letter of finding to the Town. We will keep Council informed of further progress.
25. **Boyer Avenue Recreation - Phase III (11-75003):**  
We have received comments from the Pinelands Commission that need to be addressed. We are currently working on the response back to the Commission and will resubmit as soon as we are complete.
- Subsequently the lighting, irrigation and electrical designs are underway. Once we obtain more information on these designs, we will discuss further with the Town.

#### SOLICITOR REPORT

Excavator bids  
Senior center bids  
Basin road ordinance  
Fence ordinance  
Blueberry ridge update on progress

Councilman Marino questioned what caused the sinkholes in the first place?

Solicitor advised the contractor could give an expert explanation as to why the sinkholes happened however the Solicitor could not quote the contractor correctly verbatim.

Councilman Marino questioned when will the roadways be paved?

Solicitor advised roadway paving at Blueberry ridge will take place in 2009 after corrections have been made and residents are aware of this.

Councilman Bertino questioned were tests performed on the sinkholes?

Solicitor stated no but contractor is aware of what caused sinkholes and what needs to be done to correct same.

Councilman Bertino stated his concern is if there is an underlying problem causing the sinkholes that does not get corrected properly, the sinkholes will continue.

Councilman Wuillermin stated that R&V who have been the engineers overseeing this project will review plans prior to any bond release coming before Mayor and Council. And if we get a recommendation from R&V to release bonding and there is a problem, the onus falls upon the engineer and the town can go against the professional bond.

Councilman Marino requested a representative of R&V be present at the next council meeting for Mayor and Council's questions.

Councilman Wuillermin questioned are the sinkholes scattered throughout the project?

Solicitor advised the sinkholes have been occurring the last 18 months, therefore, they fall within that phase of the project.

Solicitor report continued

Mainstreet agreement circulated to council and signed by Mayor

Sign committee

ATV committee update

MAYOR REPORT

Chat with the Mayor – gives a brief financial picture of the Town on Comcast Channel 9

TOWN CLERK ACTION ITEMS:

1. Award Quote to Sign Co. \$ 300.00 additional town hall signage
2. Authorize release \$10,000 Hammonton Rescue Squad (originally appropriated in budget)

Motion by Councilperson Marino, seconded by Councilperson Vitalo, approve town clerk action items 1-2.

Mayor noted that the clerk need not request release of \$10,000 to rescue squad as this was appropriated in 2008 budget.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - A

Vitalo - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

TOWN CLERK INFORMATIONAL ITEMS:

Bid Results Airport

<u>HAMMONTON AIRPORT</u>													
<u>NORTH AND SOUTH APRON REHABILITATION</u>													
<u>BID TABULATION</u>													
				<u>ENGINEER'S ESTIMATE</u>		<u>Mount Construction Co., Inc.</u>		<u>A.E. Stone, Inc.</u>		<u>Jersey Construction, Inc.</u>		<u>SJA Construction, Inc.</u>	
<u>North Apron</u>				<u>UNIT PRICE</u>	<u>EST. COST</u>	<u>UNIT PRICE</u>	<u>EST. COST</u>	<u>UNIT PRICE</u>	<u>EST. COST</u>	<u>UNIT PRICE</u>	<u>EST. COST</u>	<u>UNIT PRICE</u>	<u>EST. COST</u>
<u>ITEM</u>	<u>DESCRIPTION</u>	<u>UNITS</u>											
EA-100-5.1	Mobilization (Max 3%)	L.S		\$5,298.15	\$5,298.15	\$5,800.00	\$5,800.00	\$2,500.00	\$2,500.00	\$7,500.00	\$7,500.00	\$7,000.00	\$7,000.00

EA-100-5.2	Maintenance and the Protection of Airport Traffic		L.S.	\$5,000.00	\$5,000.00	\$37,000.00	\$37,000.00	\$25,000.00	\$25,000.00	\$15,000.00	\$15,000.00	\$25,000.00	\$25,000.00
EA-100-5.3	Land Surveying and Layout		L.S.	\$7,000.00	\$7,000.00	\$15,000.00	\$15,000.00	\$5,000.00	\$5,000.00	\$16,500.00	\$16,500.00	\$7,500.00	\$7,500.00
P-152-5.1	Unclassified Excavation		C.Y.	\$35.00	\$14,280.00	\$12.00	\$4,896.00	\$40.00	\$16,320.00	\$12.50	\$5,100.00	\$20.00	\$8,160.00
P-152-5.2	Pavement Removal		S.Y.	\$6.00	\$8,430.00	\$4.00	\$5,620.00	\$3.00	\$4,215.00	\$4.00	\$5,620.00	\$4.50	\$6,322.50
P-152-5.3	Scarify and Compact Subgrade		S.Y.	\$2.00	\$2,810.00	\$1.00	\$1,405.00	\$2.00	\$2,810.00	\$1.85	\$2,599.25	\$4.50	\$6,322.50
P-154-5.1	Subbase Course (8")		C.Y.	\$30.00	\$9,900.00	\$25.00	\$8,250.00	\$50.00	\$16,500.00	\$36.00	\$11,880.00	\$50.00	\$16,500.00
P-156-5.1	Temporary Silt Fencing		L.F.	\$2.50	\$3,000.00	\$3.00	\$3,600.00	\$3.00	\$3,600.00	\$3.00	\$3,600.00	\$5.00	\$6,000.00
P-156-5.2	Temporary Construction Entrance		C.Y.	\$85.00	\$1,785.00	\$50.00	\$1,050.00	\$50.00	\$1,050.00	\$115.00	\$2,415.00	\$100.00	\$2,100.00
P-156-5.3	Temporary Soil Erosion and Sediment Control		L.S.	\$1,000.00	\$1,000.00	\$1.00	\$1.00	\$1.00	\$1.00	\$4,000.00	\$4,000.00	\$1,500.00	\$1,500.00
NJ-301.1	Dense Graded Aggregate Base Course		C.Y.	\$45.00	\$7,650.00	\$50.00	\$8,500.00	\$50.00	\$8,500.00	\$72.00	\$12,240.00	\$50.00	\$8,500.00
NJ-404.1	Hot Mix Asphalt Course (I-4)		T.O.N	\$75.00	\$60,000.00	\$75.00	\$60,000.00	\$85.00	\$68,000.00	\$81.00	\$64,800.00	\$100.00	\$80,000.00
P-603-5.1	Bituminous Tack Coat		GAL.	\$2.50	\$2,050.00	\$4.00	\$3,280.00	\$0.01	\$8.20	\$5.00	\$4,100.00	\$3.00	\$2,460.00
NJ-607.1	Concrete Side Walk		L.S.	\$2,800.00	\$2,800.00	\$5,000.00	\$5,000.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$3,000.00	\$3,000.00
P-620-5.1	Glass Beads, Type III, Pavement Markings		S.F.	\$4.00	\$1,760.00	\$5.00	\$2,200.00	\$3.00	\$1,320.00	\$5.00	\$2,200.00	\$3.50	\$1,540.00
P-640-5.1	Pavement Milling	3,985	S.Y.	\$3.00	\$11,955.00	\$1.00	\$3,985.00	\$3.00	\$11,955.00	\$3.00	\$11,955.00	\$3.50	\$13,947.50
P-645-5.1	Pavement Butt Joint, Type A		L.F.	\$8.00	\$2,160.00	\$5.00	\$1,350.00	\$6.00	\$1,620.00	\$7.00	\$1,890.00	\$6.50	\$1,755.00
P-645-5.2	Pavement Butt Joint, Type B		L.F.	\$6.00	\$810.00	\$5.00	\$675.00	\$6.00	\$810.00	\$7.00	\$945.00	\$20.00	\$2,700.00
P-646-5.1	Pavement Crack Repair, Type 1		L.F.	\$2.35	\$940.00	\$5.00	\$2,000.00	\$6.00	\$2,400.00	\$7.00	\$2,800.00	\$5.50	\$2,200.00
P-646-5.2	Pavement Crack Repair, Type 2		L.F.	\$4.00	\$1,200.00	\$5.00	\$1,500.00	\$6.00	\$1,800.00	\$7.00	\$2,100.00	\$6.50	\$1,950.00
P-655-5.1	Pavement Relief Joint		L.F.	\$5.00	\$3,350.00	\$2.00	\$1,340.00	\$6.00	\$4,020.00	\$7.00	\$4,690.00	\$11.00	\$7,370.00
D-752-5.1	Headwall	1	L.S.	\$3,500.00	\$3,500.00	\$1,500.00	\$1,500.00	\$3,000.00	\$3,000.00	\$4,500.00	\$4,500.00	\$2,000.00	\$2,000.00
D-752-5.2	Drainage Riprap	20	C.Y.	\$100.00	\$2,000.00	\$200.00	\$4,000.00	\$100.00	\$2,000.00	\$115.00	\$2,300.00	\$75.00	\$1,500.00
DY-802-5.1	Aircraft Tie-Down Anchors		EA.	\$225.00	\$6,075.00	\$300.00	\$8,100.00	\$200.00	\$5,400.00	\$550.00	\$14,850.00	\$500.00	\$13,500.00
DY-802-5.2	Aircraft Tie-down Removal		EA.	\$200.00	\$4,200.00	\$100.00	\$2,100.00	\$100.00	\$2,100.00	\$80.00	\$1,680.00	\$150.00	\$3,150.00
T-901-5.1	Seeding	1,850	S.Y.	\$2.50	\$4,625.00	\$0.50	\$925.00	\$1.00	\$1,850.00	\$3.00	\$5,550.00	\$1.10	\$2,035.00
T-905-5.1	Topsoil - 5" Thick		S.Y.	\$2.00	\$3,700.00	\$3.00	\$5,550.00	\$4.00	\$7,400.00	\$3.00	\$5,550.00	\$4.00	\$7,400.00
T-908-5.1	Mulching	1,850	S.Y.	\$2.50	\$4,625.00	\$0.50	\$925.00	\$1.00	\$1,850.00	\$2.00	\$3,700.00	\$1.10	\$2,035.00

					\$0.00		\$0.00		\$0.00		\$0.00		\$0.00
<b>North Apron BID</b>							\$195,552.00		\$203,529.20		\$222,564.25		\$243,447.50
<b>TOTAL.....</b>													
.....													
.....													
.....													

\*\* Base Bid mobilization price exceeded 3% maximum and was adjusted accordingly.

				ENGINEER'S ESTIMATE		Mount Construction Co., Inc.		A.E. Stone, Inc.		Jersey Construction, Inc.		SJA Construction, Inc.	
South Apron				UNIT PRICE	EST. COST	UNIT PRICE	EST. COST	UNIT PRICE	EST. COST	UNIT PRICE	EST. COST	UNIT PRICE	EST. COST
ITEM	DESCRIPTION	UNITS											
EA-100-5.1	Mobilization (Max 3%)	L.S.	\$9,631.23	\$9,631.23	\$8,600.00	\$8,600.00	\$5,000.00	\$5,000.00	\$7,500.00	\$7,500.00	\$9,000.00	\$9,000.00	
EA-100-5.2	Maintenance & Protection of Airport Traffic	L.S.	\$5,000.00	\$5,000.00	\$48,800.00	\$48,800.00	\$4,000.00	\$4,000.00	\$65,000.00	\$65,000.00	\$25,000.00	\$25,000.00	
EA-100-5.3	Land Surveying and Layout	L.S.	\$7,000.00	\$7,000.00	\$15,000.00	\$15,000.00	\$5,000.00	\$5,000.00	\$16,500.00	\$16,500.00	\$8,000.00	\$8,000.00	
EA-101-5.1	Engineer's Field Office	L.S.	\$20,000.00	\$20,000.00	\$30,000.00	\$30,000.00	\$5,000.00	\$5,000.00	\$14,000.00	\$14,000.00	\$15,000.00	\$15,000.00	
P-152-5.1	Unclassified Excavation	C.Y.	\$35.00	\$37,100.00	\$9.00	\$9,540.00	\$40.00	\$42,400.00	\$12.50	\$13,250.00	\$20.00	\$21,200.00	
P-152-5.2	Scarify and Compact Subgrade	S.Y.	\$2.00	\$7,300.00	\$1.00	\$3,650.00	\$2.00	\$7,300.00	\$1.50	\$5,475.00	\$4.50	\$16,425.00	
P-152-5.3	Pavement Removal	S.Y.	\$6.00	\$20,370.00	\$4.00	\$13,580.00	\$3.00	\$10,185.00	\$4.00	\$13,580.00	\$4.50	\$15,277.50	
P-156-5.1	Temporary Silt Fencing	L.F.	\$2.00	\$1,188.00	\$3.00	\$1,782.00	\$3.00	\$1,782.00	\$3.00	\$1,782.00	\$5.00	\$2,970.00	
P-156-5.2	Temporary Construction Entrance	C.Y.	\$90.00	\$1,890.00	\$50.00	\$1,050.00	\$50.00	\$1,050.00	\$115.00	\$2,415.00	\$100.00	\$2,100.00	
P-156-5.3	Soil Erosion and Sediment Control Measures	L.S.	\$2,500.00	\$2,500.00	\$1.00	\$1.00	\$1.00	\$1.00	\$3,500.00	\$3,500.00	\$1,500.00	\$1,500.00	
F-162-5.1	Removal and Install of Gate Loop	L.S.	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$3,000.00	\$3,000.00	\$14,000.00	\$14,000.00	\$4,000.00	\$4,000.00	
NJ-301.1	Dense Graded Aggregate Base Course	C.Y.	\$45.00	\$28,800.00	\$38.00	\$24,320.00	\$45.00	\$28,800.00	\$66.00	\$42,240.00	\$50.00	\$32,000.00	
NJ-404.1	Hot Mix Asphalt Course (I-4)	T.O.N	\$75.00	\$100,500.00	\$70.00	\$93,800.00	\$75.00	\$100,500.00	\$84.00	\$112,560.00	\$100.00	\$134,000.00	
P-603-5.1	Bituminous Tack Coat	GAL.	\$3.00	\$3,420.00	\$4.00	\$4,560.00	\$0.01	\$11.40	\$5.00	\$5,700.00	\$2.00	\$2,280.00	
P-620-5.1	Glass Beads, Type III, Pavement Markings	S.F.	\$1.00	\$320.00	\$4.00	\$1,280.00	\$4.00	\$1,280.00	\$5.00	\$1,600.00	\$3.50	\$1,120.00	
P-640-5.1	Pavement Milling (1/2")	S.Y.	\$3.00	\$10,365.00	\$1.00	\$3,455.00	\$3.00	\$10,365.00	\$3.50	\$12,092.50	\$3.50	\$12,092.50	
P-645-5.1	Pavement Butt Joint (Type A)	L.F.	\$6.00	\$3,270.00	\$4.00	\$2,180.00	\$5.00	\$2,725.00	\$6.00	\$3,270.00	\$6.50	\$3,542.50	
P-646-5.1	Pavement Crack Repair, Type 1	L.F.	\$2.50	\$1,250.00	\$4.00	\$2,000.00	\$5.00	\$2,500.00	\$6.00	\$3,000.00	\$5.50	\$2,750.00	
P-646-5.2	Pavement Crack Repair, Type 2	L.F.	\$4.00	\$1,200.00	\$4.00	\$1,200.00	\$5.00	\$1,500.00	\$6.00	\$1,800.00	\$6.50	\$1,950.00	

P-655-5.1	Pavement Relief Joint	L.F.	\$5.00	\$4,000.00	\$2.00	\$1,600.00	\$5.00	\$4,000.00	\$6.00	\$4,800.00	\$9.00	\$7,200.00	
DY-802-5.1	Aircraft Tie-Down Anchors	EA.	\$400.00	\$10,800.00	\$300.00	\$8,100.00	\$200.00	\$5,400.00	\$550.00	\$14,850.00	\$500.00	\$13,500.00	
DY-802-5.2	Aircraft Tie-down Removal	EA.	\$300.00	\$6,900.00	\$100.00	\$2,300.00	\$100.00	\$2,300.00	\$80.00	\$1,840.00	\$150.00	\$3,450.00	
T-901-5.1	Seeding	2,650	S.Y.	\$4.56	\$12,084.00	\$0.50	\$1,325.00	\$1.00	\$2,650.00	\$3.00	\$7,950.00	\$1.10	\$2,915.00
T-905-5.1	Topsail (5" Thick)		S.Y.	\$8.00	\$21,200.00	\$3.00	\$7,950.00	\$4.00	\$10,600.00	\$3.00	\$7,950.00	\$4.00	\$10,600.00
T-908-5.1	Mulching	2,650	S.Y.	\$4.56	\$12,084.00	\$0.50	\$1,325.00	\$1.00	\$2,650.00	\$2.00	\$5,300.00	\$1.10	\$2,915.00
					\$0.00		\$0.00		\$0.00		\$0.00		\$0.00
<b>South Apron BID</b>													
<b>TOTAL.....</b>						<b>\$289,898.00</b>		<b>\$259,999.40</b>		<b>\$381,954.50</b>		<b>\$350,787.50</b>	
.....													
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.....													
<b>** Base Bid mobilization price exceeded 3% maximum and was adjusted accordingly.</b>													
<b>North Apron &amp; South Apron BID</b>													
<b>TOTAL.....</b>						<b>\$485,450.00</b>		<b>\$463,528.60</b>		<b>\$604,518.75</b>		<b>\$594,235.00</b>	
.....													
.....													
.....													
.....													

Refer to New Business for resolution of award.

Bid Results Excavator

Kubota KX41-3SV or equivalent

<u>Trico, Vineland</u>	<u>SJ Bobcat, Sewell</u>	<u>Farm Rite Inc, Shiloh</u>	<u>Jesco, S Plainfield</u>	<u>Rodio Tractor Sales</u>	<u>Cherry Valley Tractor, Marlton</u>	<u>SanderPowerEquip, Travose, PA</u>	<u>Ransome, Bensalem, PA</u>
Bid: Case CX17B	Bid: Bobcat 323	Bid: Kubota KX41-3T4	Bid: John Deere 17D	Bid: Kubota KX41-3	Bid: New Holland E18B	Bid: WackerNevson 1404	Bid: caterpillar 301.8C
Bid Price: \$20,950.00	Bid Price: \$22,510.00	Bid Price: \$23,105.00	Bid Price: \$23,300.00	Bid Price: \$23,399.00	Bid Price: \$23,812.00	Bid Price: \$25,700.00	Bid Price: \$30,725.00
<u>Exceptions listed below:</u>	<u>Exceptions listed below:</u>	<u>No exceptions:</u>	<u>No exceptions listed on their bid:</u>	<u>No exceptions:</u>	<u>Exceptions listed below:</u>	<u>Exceptions listed below:</u>	<u>Exceptions listed below:</u>
Engine 3 cylinder	Horse power 17	Horse power 13.9	Horse power 14.8	Horse power 15.2	Horse Power 24.3		
Displacement cu.in. 54.8	Overall length (transport) 144"	Displacement 43.9 cu.in.	Overall length (transport) 153"	Overall height 7.10'	Overall width 3.3'	Overall height 90"	Overall width 52"/39"
Overall height 89.6"	Overall width 51.2"/39"	Operating weight (lbs) 3653	Operating weight (lbs) 3655	Operating weight (lbs) 4173	Operating weight (lbs) 3638	Operating weight (lbs) 3064	Operating weight (lbs) 3064
Rear swing clearance 16.5"	Maximum digging depth 93.7"	Maximum digging depth 85"	Maximum digging depth 90"	dig reach 12.10' dig depth 7.1'	Maximum digging depth 7' 1"	Maximum digging depth 94"	Maximum digging depth 91"
Maximum dumping height 97.2"	Pump capacity 4.6 GPM	1 @ 3.4 gpm & 2 @ 4 gpm			Pump capacity 8.6 gpm, 2/4.3 gpm	Pump capacity 9 gpm	Pump capacity 2901 psi
(variable X 2/2.8 GPM gear x 1)	Auxiliary Hydraulic line flow rate 7.4 GPM				Auxiliary flow 8.6 gpm	Bucket break force 3417 lbs	Bucket breakout force 3192 lbs
Bucket breakout force (lbs) 3505	Maximum traveling speed (mph) 1.5/2.6	mph 2.4			Travel speed 1.2/2.5 mph		
Ground contact pressure 3.8 PSI	Include 12" quick attach bucket						
Include att. future hydraulic breaker	Quick coupler						

<u>Optional</u>									
Jackhammer	\$6,200.00	\$6,840.00	\$6,078.00	\$5,316.00	\$6,003.25	\$4,883.00	None		\$4,400.00

Refer to New Business for resolution of award.

<u>Bid Results Senior Center</u>	<u>Base</u>	<u>Alternate</u>
Ron Sirolli Construction	\$ 765,400.00	\$ 2,600.00
JTS Custom Bldg	\$ 989,450.00	\$42,000.00
Joseph Porretta	\$ 862,500.00	\$13,500.00
Martell Construction	\$1,067,000.00	\$64,000.00
I&J Builders	\$1,225,432.50	\$40,000.00

Motion Councilperson Bertino, seconded by Councilperson Marino, authorize rejection of senior center bids contingent upon solicitor review.

ROLL CALL

Councilpersons:

- Barberio - Y
- Bertino - Y
- Marino - Y
- Petrongolo - A
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

APPROVAL BILL LIST/PAYROLL/OVERTIME/Ordinance & Grant payments-ATTACHED

Revenue Report & Budget Balance Report in Agenda Packets and given to Dept Heads

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino, the bill list and purchase orders be approved.

A question and discussion of council was held concerning McCloud Group bill which was previously approved.

ROLL CALL

Councilpersons:

- Barberio – Y (recused on Triad bills only)
- Bertino – Y (recused on photo lab bills only)
- Marino - Y
- Petrongolo - A
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato – Y (recused on DiDonato bills only)

Mayor DiDonato declared the motion carried.

COMMUNICATIONS INFORMATION ITEMS:

1. From Peggy Johnson providing a list of things she'd like to see at the park.
2. From Board of Education advising of Special Election 12/9/08

COMMUNICATIONS ACTION ITEMS:

3. From Chief Ingemi request Nick DeStefano be added as Deputy Emergency Manager
4. Authorize advertise/hire between meetings ft temporary laborers Highway Dept.

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino, communication action item 3 be referred to Law and Order Committee and 4 be approved.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - A

Vitalo - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

REPORTS-September 2008

Town Clerk

Registrar

Construction Official

NEW BUSINESS-ORDINANCES

Ordinance #033-2008 Amend Chapter 35-37

ORDINANCE # 33 - 2008

AN ORDINANCE AMENDING CHAPTER 35-37 and 35-38  
OF THE CODE OF THE TOWN OF HAMMONTON ENTITLED  
"Deputy Clerk"

BE IT RESOLVED by the Mayor and Council of the Town of Hammonton, County of Atlantic and State of New Jersey authorize and adopt amendments to Chapter 35-37 and 35-38 "Deputy Clerk" as follows:

35-37 Appointment

The Deputy Town Clerk shall be appointed by the Mayor and Council of the Town of Hammonton, per the recommendation of the Town Clerk, for a term of one year and shall commence on January 1 of the year of appointment and terminate 12 months thereafter on December 31 at midnight.

Should a Deputy Town Clerk be appointed mid year, then the term of appointment shall still expire December 31 at midnight of the same year of appointment.

35-38 Under direction of Town Clerk; duties

The Deputy Town Clerk shall be subordinate to and under the direction of the Town Clerk/Administrator and shall take charge of and perform all duties assigned to him/her pertaining to the office of the Town Clerk/Administrator as directed by the Town Clerk/Administrator.

BE IT FURTHER RESOLVED that if a portion, section, subsection, paragraph, or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any other part thereof.

Motion by Councilperson Bertino, seconded by Councilperson Vitalo, the ordinance be taken up for and pass first reading and given legal publication.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y  
Petrongolo - A  
Vitalo - Y  
Wuillermin - Y  
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Ordinance #034-2008 Updating Employee Handbook

ORDINANCE # 34 -2008

AN ORDINANCE AMENDING ORDINANCE #33-2007 ADOPTING THE TOWN OF HAMMONTON EMPLOYEE HANDBOOK AS THE OFFICIAL POLICIES AND PROCEDURES OF THE TOWN OF HAMMONTON

I. PURPOSE

The Town of Hammonton desires that all it's employees recognize that polices and procedures are adopted to insure an efficient, fair, safe, and enjoyable work environment. Written rules of dress, conduct, conditions of employment, etc. are important to create that environment. It is the policies, procedures, rules and regulations outlined in the Employee handbook as the official guideline which employees must adhere to. This Handbook is not intended to be construed actually or by implication as an employee contract.

II. ADOPTION AND NAME

The employee handbook which has been created through the efforts of the Town Solicitor, the Town Risk Manager, the Town Clerk/Administrator, and the Deputy Town Clerk is hereby adopted and shall be originally known as the "Employee Handbook of the Town of Hammonton.

III. MODIFICATION

As laws and society change, there will always be the need for modification to the policies and procedures of the town. Any modification to the handbook, once adopted, shall be done with the same formality as it's original creation. The modification must be set forth in writing and received by the entire governing body, accepted by a majority, and notice to all Town Employees.

IV. This Ordinance shall take effect upon approval and publication according to law.

Motion by Councilperson Bertino, seconded by Councilperson Vitalo, the ordinance be taken up for and pass first reading and given legal publication.

Councilman Barberio questioned is the handbook updated annually?

Clerk responded yes.

ROLL CALL

Councilpersons:

Barberio - Y  
Bertino - Y  
Marino - Y  
Petrongolo - A  
Vitalo - Y  
Wuillermin - Y  
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Ordinance #035-2008 Creating Municipal Housing Liason

ORDINANCE # 35-2008

AN ORDINANCE TO CREATE THE POSITION OF MUNICIPAL HOUSING LIAISON FOR THE PURPOSE OF ADMINISTERING TOWN OF HAMMONTON'S AFFORDABLE HOUSING PROGRAM PURSUANT TO THE FAIR HOUSING ACT.

**BE IT ORDAINED** by the Mayor and Council of the Town of Hammonton in the County of Atlantic and State of New Jersey that the following be adopted.

**Section 1. Purpose.**

The purpose of this article is to create the administrative mechanisms needed for the execution of the Town of Hammonton's responsibility to assist in the provision of affordable housing pursuant to the Fair Housing Act of 1985.

**Section 2. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**MUNICIPAL HOUSING LIAISON** – The employee charged by the governing body with the responsibility for oversight and administration of the affordable housing program for the Town of Hammonton is Frank Zuber.

**ADMINISTRATIVE AGENT** – The entity responsible for administering the affordability controls of some or all units in the affordable housing program for the Town of Hammonton to ensure that the restricted units under administration are affirmatively marketed and sold or rented, as applicable, only to low- and moderate-income households.

**Section 3. Establishment of Municipal Housing Liaison position and compensation: powers and duties.**

- A. Establishment of position of Municipal Housing Liaison. There is hereby established the position of Municipal Housing Liaison for Town of Hammonton.
- B. Subject to the approval of the Council on Affordable Housing (COAH), the Municipal Housing Liaison shall be appointed by the Governing Body and may be a full or part time municipal employee.
- C. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for Town of Hammonton, including the following responsibilities which may not be contracted out, exclusive of item 6 which may be contracted out:
  - (1) Serving as Town of Hammonton's primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents, and interested households;
  - (2) Monitoring the status of all restricted units in Town of Hammonton's Fair Share Plan;
  - (3) Compiling, verifying, and submitting annual reports as required by COAH;
  - (4) Coordinating meetings with affordable housing providers and Administrative Agents, as applicable;
  - (5) Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH;
  - (6) If applicable, serving as the Administrative Agent for some or all of the restricted units in Town of Hammonton as described in F. below.
- D. Subject to approval by COAH, Town of Hammonton may contract with or authorize a consultant, authority, government or any agency charged by the Governing Body, which entity shall have the responsibility of administering the affordable housing program of the Town of Hammonton, except for those responsibilities which may not be contracted out pursuant to subsection C above. If the Town of Hammonton contracts with another entity to administer all or any part of the affordable housing program, including the affordability controls and Affirmative Marketing Plan, the Municipal Housing Liaison shall supervise the contracting Administrative Agent.
- E. Compensation. Compensation shall be fixed by the Governing Body at the time of the appointment of the Municipal Housing Liaison.
- F. Administrative powers and duties assigned to the Municipal Housing Liaison.
  - (1) Affirmative Marketing
    - (a) Conducting an outreach process to insure affirmative marketing of affordable housing units in accordance with the Affirmative Marketing Plan of Hammonton and the provisions of N.J.A.C. 5:80-26.15; and
    - (b) Providing counseling or contracting to provide counseling services to low and moderate income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
  - (2) Household Certification

- (a) Soliciting, scheduling, conducting and following up on interviews with interested households;
  - (b) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
  - (c) Providing written notification to each applicant as to the determination of eligibility or non-eligibility;
  - (d) Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et. seq.;
  - (e) Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located; and
  - (f) Employing the random selection process as provided in the Affirmative Marketing Plan of Hammonton when referring households for certification to affordable units.
- (3) Affordability Controls
- (a) Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
  - (b) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
  - (c) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the appropriate county's register of deeds or county clerk's office after the termination of the affordability controls for each restricted unit;
  - (d) Communicating with lenders regarding foreclosures; and
  - (e) Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.
- (4) Resale and rental
- (a) Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or rental; and
  - (b) Instituting and maintaining an effective means of communicating information to low- and moderate-income households regarding the availability of restricted units for resale or re-rental.
- (5) Processing request from unit owners
- (a) Reviewing and approving requests from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership;
  - (b) Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the cost of central air conditioning systems; and
  - (c) Processing requests and making determinations on requests by owners of restricted units for hardship waivers.
- (6) Enforcement
- (a) Securing annually lists of all affordable housing units for which tax bills are mailed to absentee owners and notifying all such owners that they must either move back to their unit or sell it;
  - (b) Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;
  - (c) The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the Administrative Agent where complaints of excess rent can be made;
  - (d) Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;
  - (e) Establishing a program for diverting unlawful rent payments to the municipality's affordable housing trust fund or other appropriate municipal fund approved by the DCA;

- (f) Creating and publishing a written operating manual, as approved by COAH, setting forth procedures for administering such affordability controls; and
  - (g) Providing annual reports to COAH as required.
- (7) The Administrative Agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.

**Section 4. Severability.**

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

**Section 5. Inconsistent Ordinances Repealed.**

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

**Section 6. Effective Date.**

This Ordinance shall take effect immediately upon final adoption and publication in the manner prescribed by law.

Motion by Councilperson Barberio, seconded by Councilperson Wuillermin, the ordinance be taken up for and pass first reading and given legal publication.

Councilman Marino questioned is this mandated by state and where does the funding come from to pay for this person?

Solicitor advised yes, this is state mandated, and the Town must fund the salary for the liason.

**ROLL CALL**

Councilpersons:

Barberio - Y  
Bertino - Y  
Marino - Y  
Petrongolo - A  
Vitalo - Y  
Wuillermin - Y  
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

**Ordinance #036-2008 Amend Alarm Systems**

ORDINANCE # 36 - 2008

AN ORDINANCE AMENDING CHAPTER 74-5  
OF THE CODE OF THE TOWN OF HAMMONTON ENTITLED  
"Alarm Systems"

BE IT RESOLVED by the Mayor and Council of the Town of Hammonton, County of Atlantic and State of New Jersey authorize and adopt amendment to Chapter 74-5 entitled Alarm Systems as follows:

74-5 Terms defined.

A "second offense," "third offense," or "fourth offense or subsequent offense," shall be defined as any false alarm which occurs within a 12 month period **from January 1<sup>st</sup> through December 31<sup>st</sup> annually.**

BE IT FURTHER RESOLVED that if a portion, section, subsection, paragraph, or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any other part thereof.

Motion by Councilperson Marino, seconded by Councilperson Barberio, the ordinance be taken up for and pass first reading and given legal publication.

**ROLL CALL**

Councilpersons:

Barberio - Y  
Bertino - Y  
Marino - Y  
Petrongolo - A  
Vitalo - Y  
Wuillermin - Y  
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Ordinance #037-2008 Amend Fence and Barrier Ordinance

**Ordinance #037-2008**

**Chapter 137: FENCES AND BARRIERS**

[HISTORY: Adopted by the Mayor and Common Council of the Town of Hammonton as indicated in article histories. Amendments noted where applicable.]

**GENERAL REFERENCES** Satellite earth stations c See Ch. 220.

**ARTICLE I Construction and Maintenance [Adopted 9-13-1971 by Ord. No. 10-1971 as Art. I of Ch. 94 of the 1971 Code]**

**137-1. Purpose; legislative authority.**

It is hereby determined to be against the health, safety and general welfare of the citizens of the Town of Hammonton and deleterious to property values and an impediment to proper development of any area of the Town of Hammonton for unsightly, oversized or improperly constructed fences, as hereinafter defined, to be built or maintained within the limits of the Town of Hammonton, subject to those exceptions hereinafter set forth, and this article is enacted pursuant to N.J.S.A. 40:48-1 under the general regulatory powers of the Town of Hammonton.

**137-2. Permit required; application requirements.**

- A. Before the erection of any fence, an application for zoning approval must be submitted to the Administration Officer and the required fee paid. Said fee shall be in addition to any fees required for a construction permit.
- B. Such application must include a reasonably accurate representation of the property showing the current conditions, including but not limited to the following: all existing building footprints and dimensions; any existing fences; property layout including dimensions; other improvements and the proposed location of any proposed fences, including dimensions of placement on property and distance(s) to property line(s).
- C. Such application must include the owners name, address of the property, block and lot of the property, the description and specifications of the fence, including the size, height, dimensions, material and size of openings.

**137-3. Construction standards.**

- A. All Fences erected in the Town of Hammonton shall be subject to the following:
  - (1) All fences must be erected entirely upon the private property of the person constructing or causing the construction of the fence.
  - (2) All fences must be constructed in accordance with the manufacturers specifications, within reasonable building standards and approved by the construction official;
  - (3) All fences shall be erected with the face or finished side of the fence facing toward adjacent properties. The structural side of the fence shall face toward the interior of the subject property on which the fence has been installed;
  - (4) Fence gates shall have a latch and they shall not open onto a sidewalk, street or adjacent property;
  - (5) Fences shall be erected in a manner as to permit the flow of natural drainage and shall not cause surface water to be blocked or dammed;
  - (6) Any screening or buffering consisting of landscaping plant materials shall be planted no closer than 50% of the anticipated mature growth width of such screening or buffering, but in no event closer than (4) feet from any property line. Additionally, any screening or buffering consisting of landscaping plant materials shall not encroach over a sidewalk, sight triangle easement, public right-of-way or beyond a private property line. Except as otherwise stated, all fences, screening or buffering consisting of landscaped plant materials shall be subject to the requirements and conditions of this chapter;

- (7) No fence shall be erected so as to encroach upon a public right-of-way or site triangle;
  - (8) The use of barbed wire or other similar type fencing is prohibited unless otherwise stated in the Ordinances of the Town of Hammonton;
  - (9) Utility poles, lolly columns, scrap materials, individually installed elements or columns and other non-traditional fence materials shall not be permitted to be used for construction of any fence within the Town of Hammonton. All proposed fence materials are subject to the review, and approval and discretion of the Construction Code Official of the Town of Hammonton;
  - (10) No fence shall be constructed and/or maintained so as to deny access to public utilities by an authorized person;
  - (11) a. Any fence installed on a property within a residential zoning district, or on a property which contains a residential use, shall not exceed three (3) feet in height installed within a front yard setback area, or along a front property line.
  - b. Any fence installed on a property within a residential zoning district, or on a property which contains a residential use, shall not exceed three (3) feet in height installed within a side yard set back area, or along a side property line. The fence height may increase to six feet in height at the point of 75% of the length of the side building wall, measured from the front of the house. The fence may continue at a height of six feet along the remainder of the side property line to a point where the fence meets the rear yard area, or rear property line.
  - c. Any fence installed on a property within a residential zoning district, or on a property which contains a residential use, shall not exceed six (6) feet in height installed within a rear yard set back area, or along a rear property line; and
  - (12) Any fence installed on a property within a non-residential zoning district, or on a property which contains a non-residential use property, or a mixed use, shall not exceed six (6) feet.
- B. Should any property be a corner property which has frontage on two streets, the rear building line, for the purpose of this article, shall be interpreted to mean that point where the property line of any corner property abuts the rear building line of any adjacent property, and the owner of said corner property shall not be entitled to construct any fence that exceeds three feet in height from the average ground grade in any point closer to the nearest roadway with which said line intersects than the rear building line of all adjacent properties.
- C. These fence regulations shall not apply to the erection of an open wire fence within a publicly owned park, playground or school premises if the need for such a fence for such uses as athletic fields and the like are demonstrated to and approved by the Building Construction Officer.

**137-4. Maintenance of Fences.**

- A. Fences must be maintained by the owner and kept in alignment and shall be maintained in a safe, sound and upright condition and in accordance with approved plan (if required) on file with the Building Construction Officer;
- B. All fences shall be kept in a clean, trash-free manner, without weeds. Manicured landscaping plant materials shall be permitted;
- C. The fence, its posts, and the chain link (if applicable) shall not be permitted to be maintained in a condition where deterioration or rust is exposed to public view.
- D. In the event of a screening or buffering consisting of landscaped plant materials, the landscaping plant materials shall be properly trimmed, maintained and irrigated. The property owner is responsible for the maintenance of the manicured landscaping plant materials as set forth herein and shall at all times be responsible for the continued upkeep, maintenance, trimming, removal of debris and trash, replanting, if necessary, and to take those steps necessary to insure that the manicured landscaping plant material, screening or buffering shall be maintained in a safe and sightly condition.

**137- 5. Complaints; notice of violation. [Amended 7-12-1982 by Ord. No. 16-1982]**

Upon a complaint being filed by the Building Inspector or any citizen complaining of a fence being constructed in violation of this article and upon the Board of Adjustment being satisfied that said complaint is made for good cause, the Secretary of the Board of Adjustment shall notify the owner, as shown by the records of the Board of Tax Assessors of the Town of Hammonton, of the premises upon which said fence is being or has been constructed, by certified mail, that failure on the owner's part to request a hearing or have said nonconforming fence removed will result in a complaint being made against the owner in the Hammonton Municipal Court for violation of this article. Said notice shall give the owner 10 days to remove the fence or request a hearing before the Board of Adjustment to show cause why said fence should not be removed.

**137 - 6. Hearing; failure to remove nonconforming fence. [Amended 7-12-1982 by Ord. No. 16-1982]**

The owner, upon receipt of the notice set forth by 137-5 above, may demand a hearing before the Board of Adjustment, notifying the Secretary of the Board of Adjustment of his/her desire to have said hearing at any time before the expiration of the ten-day period. Failure to have a nonconforming fence removed after the end of the ten-day period, where no request for a hearing is made, or after a hearing is held and a determination is made by the Board of Adjustment that said fence is in violation of this article, shall result in a complaint being filed before the Hammonton Municipal Court for a violation of this article. Nothing in this article shall be construed as prohibiting any fence required by any other ordinance of the Town of Hammonton to be constructed or maintained, and such fences shall not be subject to this article. Each day that a fence remains in violation of this article after said determination after a hearing, or the passage of the original ten-day period without a request for a hearing, shall be a separate violation of this Article.

Motion by Councilperson Wuillermin, seconded by Councilperson Barberio, the ordinance be taken up for and pass first reading and given legal publication.

**ROLL CALL**

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - A

Vitalo - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

**Ordinance #038-2008 Amend Water Connection Ordinance**

**ARTICLE III Water Connections Within Groundwater Impact Area [Adopted 4-26-1993 by Ord. No. 9-1993]**

**§ 275-27. Purpose.**

The Town of Hammonton has qualified for grant money from the New Jersey Department of Environmental Protection (NJDEP). This grant money must be used to install the town's water distribution system in the area known as the "Lakeview Gardens Section" of the Town of Hammonton and designated by the NJDEP as within the Groundwater Impact Area. Those properties so affected are listed in List A attached hereto and have been so designated by the NJDEP because of the indication of contaminants in their well water. **Editor's Note: Said List A is on file in the office of the Town Clerk/Municipal Administrator.** It is the express purpose of the Town of Hammonton to provide potable, drinkable water to its citizenry.

**§ 275-28. Condition of NJDEP grant.**

An express condition of the NJDEP grant is that all wells within the Groundwater Impact Area must be capped, and the property owners must connect with the Town of Hammonton's water distribution system. All those property owners with improvements on their lots or with a need for water shall, upon completion of the waterline improvements in the Groundwater Impact Area, connect to the water distribution system and cap all existing wells.

**§ 275-29. Violations and penalties.**

Anyone not connecting to the system and/or failing to cap their well when required to do so shall be subject to one or more of the following: a fine of not more than \$1,000, imprisonment for a period not to exceed 90 days or a period of community service not to exceed 90 days.

**§ 275-30. 2008 Expanded Applicability to Basin Road, Pine Road, Oak Road, Union Road and U.S. Route 30 (White Horse Pike)**

**The terms and conditions applicable to the original version of this Ordinance adopted as Ordinance No. 9-1993 on April 26, 1993 shall also be applicable to the 2008 water main extension project for the area bounded and/or adjacent to the following roadways:**

**Basin Road, Pine Road, Oak Road, Union Road and U.S. Route 30 (White Horse Pike)**

**The Town of Hammonton has qualified for grant money to install a public water distribution system in this portion of Hammonton as more fully described in List B attached hereto due to the possible presence of contaminants in the potable well-water servicing properties in this area. (Editor's Note: Said List B is on file in the office of the Town Clerk/Municipal Administrator) (hereinafter referred to as the Groundwater Impact Area "GIA"). The Town may grant exemptions from the well-sealing requirement as set forth above for those wells for which the NJDEP has issued a preliminary review letter noting the conditions of exemption and by the property owner presenting satisfactory proof that he/she has agreed to abide by those conditions, as well as any other conditions to be imposed by the Town of Hammonton, New Jersey Department of Environmental Protection or any other governmental entity.**

**The properties so exempted must be zoned for Agricultural use and must, at the time of Application for Exemption, be actively utilized for such Agricultural purposes such that it qualifies or is capable of qualifying for Farmland Assessment.**

In all other respects Ordinance 9-1993 shall remain in full force and effect.

Motion by Councilperson Bertino, seconded by Councilperson Wuillermin, the ordinance be taken up for and pass first reading and given legal publication.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - A

Vitalo - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R133-2008 Amend Budget Receive Over the Limit Under Arrest Grant \$5000.00

#R 133 -2008

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 **\$ 5,000.00 from NJ Department of Law and Public Safety, Division of Highway Traffic Safety**, 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 grant in the **2008 Budget** of the Town of Hammonton to reflect:

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

**Over the Limit Under Arrest Grant**

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

#R134-2008 Amend Budget Receive Smooth Operator Grant \$ 6000.00

#R 134 -2008

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 \$ 6,000.00 from NJ Department of Law and Public Safety, Division of Highway Traffic Safety, 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 grant in the 2008 Budget of the Town of Hammonton to reflect:

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

**Smooth Operator Aggressive Driving Enforcement Grant**

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

#R135-2008 Amend Budget Receive AERE Grant \$963.82

#R 135 -2008

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 \$ 963.82 from NJ Alcohol Ed Rehab & Enforcement Fund, 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 grant in the 2008 Budget of the Town of Hammonton to reflect:

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

**Alcohol Ed Rehab Enforcement Fund**

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

#R136-2008 HUD Agreement

#R 136-2008

WHEREAS, by letter dated July 15, 2008 HUD provided notification to Hammonton of its status as a potential metropolitan city eligible to receive an allocation of funds from the CDBG Program for FY 2009; and

WHEREAS, that letter provided four options to Hammonton with regard to its participation in the CDBG Program as a metropolitan city for FY 2009; and

WHEREAS, Hammonton selected the option to accept status of an entitlement grantee as a metropolitan city and enter into a Joint Agreement with the Atlantic County Urban County for the purposes of grant administration, planning and implementation, subject to a request from the Urban County and Hammonton that a waiver be granted by HUD per the regulations at 24CFR 570.308; and

WHEREAS, the Urban County and Hammonton requested that waiver and have been informed by HUD that the waiver was granted;

WHEREAS, in order to participate with the County in the Urban County Program for FY 2009 it is necessary for the Town of Hammonton to enter into a Joint Agreement with the County; and

WHEREAS, the Town of Hammonton may not apply for grants or appropriations under the Small Cities or State CDBG Programs for the fiscal years during the period in which it participates in the Urban County CDBG Program, and

WHEREAS, the Town of Hammonton desires to enter into this Joint Agreement with the County in the Urban County Program; and

WHEREAS, the Interlocal Services Act NJSA 40:8A-1et seq. Authorizes counties and municipalities to enter into agreements for the provision of joint services; and

WHEREAS, the execution of the Cooperation Agreement does not require the Local Government to expend municipal funds;

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

1. The Mayor and Clerk are hereby authorized and directed to execute the Attached Joint Cooperation Agreement with the County, and other local governments, in substantially the following form with such minor changes as may be required by HUD.
2. This Cooperation Agreement shall be effective for the Remaining year of the Urban County Qualification period, FY 2009 and shall be automatically renewed for participation in successive three year qualification periods unless the County or the Town of Hammonton provides written notice it elects not to participate for a new qualification period.
3. HUD requires that this Cooperation Agreement may have to be Amended to incorporate changes necessary to comply with federal requirements for future qualification periods. Failure to comply will void the automatic renewal for such qualification period.
4. All resolution or parts of resolutions inconsistent with this Resolution are hereby repealed to the extent of their inconsistency.
5. The Clerk is hereby directed to provide a certified copy of this Resolution together with the annexed Cooperation Agreement, July executed, to the County Executive.

#R137-2008 Renew 2008-09 Liquor License Est. Cosimo Ricca

R# 137 -2008

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON,  
 ATLANTIC COUNTY, NEW JERSEY,  
 AUTHORIZING THE ISSUANCE OF ABC LICENSES  
 BEGINNING JULY 1, 2008 AND EXPIRING JUNE 30, 2009

WHEREAS, it is a requirement of NJ ABC that in the matter of the authorization and issuance of license of the sale of Alcoholic Beverages, a resolution must be adopted, which resolution shall specifically determine

and name the person, firm or corporation adjudged by such resolution to be entitled to such license as adjudged to be issued, and further such resolution must also fix the name and the licensed premises; and

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

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

	<u>License Number</u>	<u>Plenary Retail Consumption License</u>
D-1	0113 44 004 006	Est. of Cosimo Ricca Sr. t/a none Location: pocket

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

#R138-2008 Authorize MainStreet Tree Lighting and Carriage Ride Events

RESOLUTION # 138-2008  
RESOLUTION AUTHORIZING AND ENDORSING  
MAINSTREET HAMMONTON TOWN TREE LIGHTING EVENT

WHEREAS, Friday, December 5<sup>th</sup> is the scheduled date for the MainStreet Hammonton Town Tree Lighting Event from 6:00 to 9:00 p.m. at the intersection of Bellevue and Central (request road closure Central Avenue between Bellevue and Vine 6-9 pm); and

WHEREAS, Friday, December 5<sup>th</sup>, December 12<sup>th</sup> & December 19<sup>th</sup>, have been scheduled as dates for the MainStreet Hammonton carriage rides from 6:00 to 9:00 p.m. Avenues (December 5 only request no parking Bellevue Avenue between 2<sup>nd</sup> and Third 6-9 pm);(December 12<sup>th</sup> & 19<sup>th</sup> request no on street parking Bellevue Avenue from 2<sup>nd</sup> Street to Central and upon turning right onto Central to the corner of Vine Street)

WHEREAS,

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, STATE OF NEW JERSEY, that the MainStreet Hammonton Town Tree Lighting Event and Carriage Ride Event Series are acknowledged and endorsed with road closures, no parking, and police assistance; and

BE IT FURTHER RESOLVED the below listed roadway closures are approved:

**Carriage Route December 5<sup>th</sup>**

- Rides will begin in front of 219 Bellevue Avenue.
- Proceed down Bellevue and turn right onto 2<sup>nd</sup> Street.
- Proceed down 2<sup>nd</sup> Street and turn right into Pleasant Street
- Proceed down Pleasant Street and turn right onto 3<sup>rd</sup> Street.
- Proceed down 3<sup>rd</sup> Street and turn right onto Bellevue Avenue and return to 219 Bellevue.

**Carriage Route December 12<sup>th</sup> and 19<sup>th</sup>**

Rides will begin in front of 212 Bellevue Avenue.  
Proceed down Bellevue and turn right onto Central Avenue.  
Proceed down Central and turn right onto Vine Street.  
Proceed down Vine and turn right onto 2<sup>nd</sup> Street  
Proceed down 2<sup>nd</sup> and turn right onto Bellevue and return to 212 Bellevue  
(no parking request right side of 2<sup>nd</sup> Street from Vine heading toward Bellevue)

**Secondary Carriage Route if Necessary (December 5<sup>th</sup> only)**

Rides will begin in front of 219 Bellevue Avenue.  
Proceed down Bellevue and turn right onto 2<sup>nd</sup> Street.  
Proceed down 2<sup>nd</sup> Street and turn right onto Orchard.  
Proceed down Orchard and turn right onto 3<sup>rd</sup> Street.  
Proceed down 3<sup>rd</sup> Street and turn right onto Bellevue Avenue and return to 219 Bellevue.

#R139-2008 Authorize Sports Booster Club Fireworks Display

RESOLUTION # 139 -2008

RESOLUTION AUTHORIZING FIREWORKS DISPLAY  
Hammonton All Sports Booster Club  
Hammonton/Saint Joseph Football Game Event – November 28, 2008

WHEREAS, the Hammonton All Sports Booster Club is holding the Annual Hammonton High School/Saint Joseph Football Game Event on November 28, 2008;

WHEREAS, a Fireworks Display will be conducted at half-time at 8:00 PM at the Hammonton High School/Saint Joseph Football Game event;

WHEREAS, it is necessary for Hammonton All Sports Booster Club to enter into contract with Vineland Fireworks Company Inc., 1640 Garden Road, Vineland, NJ;

WHEREAS, it is necessary for the Town of Hammonton to approve said contract;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, authorize Hammonton All Sports Booster Club to hold fireworks display at half-time 8:00 PM during the Hammonton High School/St. Joseph School Football Game event to be held on November 28, 2008.

#R140-2008 Award Contract Parking Apron Airport

RESOLUTION # 140 -2008

RESOLUTION AWARDING CONTRACT ON BID  
North and South Aircraft Parking Apron Rehabilitation

WHEREAS, the Town of Hammonton did advertise and receive bids on 10/9/08 for North and South Aircraft Parking Apron Rehabilitation; and

WHEREAS, the low bid received was from AE Stone; and

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

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, ATLANTIC COUNTY, AND STATE OF NEW JERSEY that a contract be awarded to AE Stone in the amount of \$ 463,528.60.

#R141-2008 Tax Resolution October

#R 141-2008

WHEREAS, Rosemarie Jacobs, Tax Collector, has approved the following credits, transfers, cancellations, refunds, and/or changes to the accounts listed below:

B&L	NAME	ADDRESS	AMOUNT	ACCT.	REASON	PER
2810-6	Vision Prop	216 Bellevue	195.90	Sewer	Incorrect Read	Jim
2810-6	Vision Prop	216 Bellevue	82.34	Sewer	Correct Excess	Jim
2810-6	Vision Prop	216 Bellevue	91.35	Water	Incorrect Read	Jim
2810-6	Vision Prop	216 Bellevue	2.61	Water	Correct Excess	Jim
3905-20	Alliano	764 Valley	224.80	Sewer	Remove excess meter broke	Jim
3905-20	Alliano	764 Valley	52.20	Water	Remove excess meter broke	Jim
2601-2	Reich	620 Line	104.40	Water	Remove incorrect excess	Jim
2601-2	Reich	620 Line	22.19	Water	Correct Excess	Jim
2905-60	Cahill	357 S Egg Harbor	104.40	Water	Remove excess meter broke	Jim
2007-9sub 1	Demarco	578 N 3rd	35.25	Water	Posted wrong lot see 2007-9	Rosie
2713-7	Fernandez	160 French	2,994.24	Tax	Refund over payment	Rosie
2801-10	Sayer	115 E Orchard	630.32	Water	Remove excess meter broke	Jim
2713-14	O'shea	421 E Pleasant	220.55	Water	Remove excess incorrect read	Jim
2713-14	O'shea	421 E Pleasant	28.71	Water	Correct Excess	Jim
2811-11	Melendez	213 Peach	100.71	Sewer	Refund to Mooring lien paid	Rosie
2811-11	Melendez	213 Peach	88.09	Water	Refund to Mooring lien paid	Rosie
4205-1	Hammonton	100 Central	66.54	Tax	Remove 3rd and 4th quarter	Rosie
3905-13	Cole	749 Central	35.81	Water	Refund to CCTS 2 lien holders pd	Rosie
3905-13	Cole	749 Central	133.79	Sewer	Refund to CCTS 2 lien holders pd	Rosie
4120-6	Grasso	100 Cypress	125.89	Sewer	Refund to CCTS lien paid on 9/2	Rosie
1101-73	2nd/13th	875 13th	1,520.12	Tax	Transfer to 3904-90 Mortellite	Rosie
2906-6	Porrovecchio	136 Maple	104.40	Water	Remove excess meter broke	Rosie
2803-18	Ruberton	111 Vine	174.67	Tax	Remove billing	Rosie
4912-1C0108	Schenk	108 Jamestown	852.55	Tax	Refund Freedom Title	Rosie
1302-31	Stafford	460 S 1st	104.40	Water	Remove excess est for years	Rosie
3101-5	Articolo	98 N liberty	2,603.80	Tax	Transfer to 2009	Rosie
1502-56.01	Jones	828 S 1st rd	2,436.18	Tax	Transfer to 2009	Rosie
2907-2	Crowley	314 Grape	121.37	Water	Remove excess change meter	Jim
2709-17	Fairview prop	218 Fairview ave	138.00	Water	Water off remove billing	Jim
2709-17	Fairview prop	218 Fairview ave	400.00	Sewer	Sewer off remove billing	Jim
4601-19	Flores	89 Rt 206	934.05	Tax	Bank was to pay two lots 4601-19	
					and 4601-19.01 all was applied	Rosie
					to 4601-19	
2713-14	O'shea	421 E Pleasant	28.71	Water	Remove excess meter broke	Rosie
3105-22sub1	Palomo	546 French	70.50	Water	Trans from 2007 to 2008	Rosie
3001-1sub1	Springfield	425 S Egg Harbor	70.50	Water	Trans from 2007 to 2008	Rosie
3001-1.02Sub1	Harborwood	Harbor Dr	73.50	Water	Trans from 2007 to 2008	Rosie
3502-2sub 1	Gullo	8N WHP	73.50	Water	Trans from 2007 to 2008	Rosie
3105-22sub1	Palomo	546 French	70.50	Water	Trans from 2008-2009	Rosie
3001-1sub1	Springfield	425 S Egg Harbor	36.62	Water	Trans from 2008-2009	Rosie
3001-1.02sub1	Harborwood	Harbor Dr	36.75	Water	Trans from 2008-2009	Rosie
4102-3sub1	Augusta Prof	852-860 S WHP	73.50	Water	Trans to 2008	Rosie
4102-3sub1	Augusta Prof	852-860 S WHP	73.50	Water	Trans to 2009	Rosie

2906-10	Mazzeo	160 Maple	439.79	Water	Remove excess meter broke	Jim
2906-10	Mazzeo	160 Maple	999.80	Sewer	Remove excess meter broke	Jim

WHEREAS, the above amounts have been corrected in the utilities screen's and or tax screen to show the correct amount due. However, a requisition form will not be presented for any refunds until approval by Mayor and Council; and

WHEREAS, if any of above referenced are not approved by Mayor and Council a retraction of same will take place.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Hammonton authorize and direct the tax collector to take the above said action.

#R142-2008 Award Professional Service Contract Airport Apron Rehab

#R 142 -2008

A RESOLUTION AWARDING PROFESSIONAL SERVICE CONTRACT

WHEREAS, there exists a need for professional services for the Town of Hammonton Airport Apron Rehab projects; and

WHEREAS, N.J.S.A. 19:44A-20 provides for an open and fair process through requests for proposals;

WHEREAS, the following is the cost for said services to be provided by DY Consultants:

North Apron Rehabilitation	\$ 51,747.42
South Apron Rehabilitation	\$ 63,670.37

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, ATLANTIC COUNTY, NEW JERSEY that the Town of Hammonton is hereby authorized and directed to enter into an agreement with DY Consultants as described above; and

#R143-2008 Redevelopment Study Westcoat

#R143-2008

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey, desires to undertake preliminary investigations to determine whether the Wescoat Property identified as Block 3001, Lot 42, located at near Walmer Street & Third Street (herein referred to as the "Property") is an area in need of redevelopment according to the criteria set forth in N.J.S.A.40A:12A-5; and WHEREAS, the Governing Body of the Town of Hammonton have determined that there has been, or it suspects that there has been, a discharge of hazardous substances or a hazardous waste on the Property.

WHEREAS, the Town of Hammonton is applying for funding from the Hazardous Discharge Site Remediation Fund for the assessment and investigation of the Wescoat Property in order to determine the extent or the existence of any hazardous substance or hazardous waste.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey, that the Town of Hammonton is committed to the redevelopment of the Wescoat Property for the purpose of returning the Property to a viable productive part of the community, which not only stimulates further economic growth but also protects the environment. Furthermore, the Town of Hammonton finds that a realistic opportunity exists for the redevelopment of the Wescoat Property within a three-year period after the completion of the remediation of this site either through the planned redevelopment project, or through alternate redevelopment.

#R144-2008 C.O. Central Avenue Reconstruction Project

#144-2008

RESOLUTION AUTHORIZING CHANGE ORDER #1 INCREASING THE VALUE OF THE ORIGINAL CONTRACT TO P&A CONSTRUCTION, INC FOR THE CENTRAL AVENUE ROADWAY PROJECT

**WHEREAS**, the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey awarded a contract to P&A Construction Company, Inc. for the reconstruction of Central Avenue; and

**WHEREAS**, the contract consisted of a scope of work involving the reconstruction of the roadway from Route 54 to Route 30; and

**WHEREAS**, during the course of the contract the contractor was directed to make certain changes due to unforeseen issues encountered during construction; and

**WHEREAS**, during the course of the contract the contractor was directed to make certain changes at the Town's and/or County's request; and

**WHEREAS**, supplemental items S-1 thru S-18 were added to the contract to compensate for the unforeseen items of work; and

**WHEREAS**, the original contract value is \$1,431,146.20; and

**WHEREAS**, this change order will increase the contract value \$118,844.95 to an amended contract value of \$1,549,991.15; and

**WHEREAS**, this amended contract value only covers the amount of work agreed upon to date between the contractor and the engineer; and

**WHEREAS**, additional work will be completed and will be compensated in a subsequent change order; and

**NOW THEREFORE BE IT RESOLVED THAT** the Town of Hammonton authorizes Change Order #1 for the Central Avenue Project to P&A Construction Company, Inc. in the amount of \$118,844.95.

**NOW THEREFORE BE IT FURTHER RESOLVED THAT** the amended contract will be \$1,549,991.15.

#R145-2008 Award Bid Excavator

#R 145 -2008  
RESOLUTION

**WHEREAS**, there has been advertised for bids for the supply of an Excavator and Hydraulic Jackhammer for the Town of Hammonton Water Department as required by the Public Contracts Law of the State of New Jersey; and

**WHEREAS**, Farm Rite Inc. of Shiloh, NJ is the low bidder who submitted a conforming bid to meet the Town's requirements at a rate as follows:

Excavator	\$ 23,105.00
Hydraulic Jackhammer	<u>\$ 6,078.00</u>
Total	\$29,183.00

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that the bid for the supply of Excavator and Hydraulic Jackhammer for the Hammonton Water Department is awarded to Farm Rite Inc. for their low bid.

BE IT FURTHER RESOLVED the Clerk is authorized to release bid bond checks submitted with bid.

Motion by Councilperson Bertino, seconded by Councilperson Vitalo, resolutions 133-145 be adopted.

Councilman Marino stated, concerning resolution awarding bid for airport apron, that he would like to see any excess dirt/material removed from project site be brought to the town landfill in this contract and future contracts as it has not been done so in past contracts.

Solicitor advised he'd have to look at the contract to ascertain what exactly will be done by contract with excess dirt/material.

Mayor advised this is an FAA project and the Town does not prepare the bid specs.

Solicitor advised if Mayor or Council have questions concerning agenda items to please contact him beforehand as to provide ample time for him to review the project.

Councilman Marino stated he felt it was too late once the award of bid resolution appeared on the agenda.

Councilman Wuillermin advised Mr. Marino that if he was concerned he could have expressed same at the time the project was to be bid.

Mayor DiDonato pointed out this project is costing the Town 2.5% as the remainder is funded by grant.

Councilperson Vitalo stated even if grant money is involved, its still taxpayers money.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y (recused on #R137 only)

Petrongolo - A

Vitalo - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

LICENSE APPROVAL

St. Martin de Porres raffle

11/5/08

Motion by Councilperson Bertino, seconded by Councilperson Barberio, approve license(s) as recorded by clerk. Motion carried.

Councilperson Vitalo requested to report on Business and Industry Chamber of Commerce

Red White Blue festival grant

State building skaled down

NJ manufacturing 150,000 square foot building

Councilperson Marino questioned merging services with Folsom?

Mayor DiDonato stated Hammonton asked Folsom to respond more definitively as to their request to merge with Hammonton. He advised shared services could cost Hammonton if not created carefully.

Councilperson Marino questioned Skinner Property status?

Solicitor advised liens have been purchased however he could not advise Councilman Marino tonight, who purchased same, he could get back to him.

Councilman Marino questioned senior transportation to senior citizen building as reported by Councilman Barberio last meeting?

Councilman Barberio responded the county will transport our seniors at no cost to town.

Councilman Marino reported on arrest of juveniles who vandalized train station cars. He requested a letter to NJ Transit requesting upgraded lighting and cameras be installed.

Motion by Councilperson Marino, seconded by Councilperson Vitalo, authorize letter to NJ Transit requesting installation of lighting and cameras at Hammonton Train Station. Motion carried.

Motion by Councilperson Marino, to make our Green Committee a Green Commission effective January 1<sup>st</sup>.

Mayor advised you need an ordinance to create a commission.

Motion by Councilperson Marino, seconded by Councilperson Vitalo, authorize Solicitor to create an ordinance to make Green Committee a Commission.

Mayor DiDonato stated that per his conversation with Ms. Geico of the Green Committee that the Environmental Commission must, by law, receive grants for Green Committee.

Councilman Barberio stated Dr. Hozik appointed two members of Environmental Commission to sit on Green Committee and report back as to their needs.

Mayor asked for letter of direction from Green Committee and Environmental Commission so that the Solicitor may better research same.

Both motions pulled from floor and matter referred to Committee to include Councilman Marino.

#### PUBLIC HEARD

#### Dan Santora – Old Forks Road

Mr. Santora questioned status of retention pond at Pulte Development?

Solicitor advised Mr. Santora that there is an engineer and the matter is being addressed.

Mr. Santora then made allegations concerning rest rooms at PR Civic Assoc and requested if Town issues permits for their events?

Solicitor responded no issuance of permits from Town as this is considered private property.

Mr. Melendez – PR Civic Assoc.

Mr. Melendez stated that there are 2 restrooms, one for ladies and one for gentlemen. He further advised that Pulte Developers were supposed to correct the septic problems before they went bankrupt. He questioned what the Santora's have against the PR Civic Assoc. They were there before the Santora's, they gave the Santora's a good neighbor dinner and had a good relationship with their father, Mr. Santora. It now appears that the Santora's have a vendetta against the PR Civic Assoc.

Angela Pyloc – Blueberry Ridge

Ms. Pyloc requested lowering of speed limit on Third Street due to Pulte Development homes being located so close to roadway?

Motion by Councilperson Bertino, seconded by Councilperson Marino, authorize letter to County concerning speed limit on Third Street. Motion carried.

Harry Randant – Blueberry Court

Mr. Randant requested a copy of outstanding bonds for blueberry ridge?

Solicitor to forward to Mr. Adolf, who represents Blueberry Ridge.

Mr. Randant then questioned the time table for fixing the roadway?

Mayor advised they must make repairs prior to fixing holes as not to have the same problems reoccur.

Mark Santora – Old Forks Road

Mr. Santora once again appeared to discuss and ask questions concerning the drainage basin and problems at Pulte Development. He also commented that his father called former Mayor Ingemi at home late at night to complain about the noise at the PR Civic Assoc.

Councilman Marino questioned if impound yard on Line Street could be purchased by town?

Mike Larow – Rachel Court

Commented on contamination of the property across from his.

MEETING ADJOURNED

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

Minutes recorded by April Boyer Maimone, Assistant Clerk

Minutes approved by Susanne Oddo, Town Clerk/Adm.