

Minutes  
REGULAR MEETING OF COUNCIL  
Held in Town Hall Council Chambers  
100 Central Avenue, Hammonton, N.J.  
Monday, August 28, 2006 at 7:00 P.M.  
**Minutes can be viewed at [www.townofhammonton.org](http://www.townofhammonton.org)**

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

ROLL CALL

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

PRESENT ALSO

Brian Howell, Town Solicitor  
Bob Vettese, Town Engineer

PLEDGE OF ALLEGIANCE

PUBLIC NOTICE

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

APPROVAL OF MINUTES

Motion by Councilperson Wuillermin, seconded by Councilperson Massarelli, approve the minutes of the Special Meeting of August 7, 2006 as recorded by the Deputy Clerk. Motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

1. Ordinance 16-2006 Open Space and Recreation

Ordinance #16-2006 entitled "OPEN SPACE AND RECREATION ORDINANCE" was read by title only.

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

No one desired to be heard.

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

ROLL CALL

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

Mayor DiDonato declared the motion carried.

2. Presentation New Town Hall - Kristen Colasurdo

Ms. Kristen Colasurdo presented the new town hall interior and exterior design to the public.

Councilperson Wuillermin complimented Ms. Colasurdo and the entire town hall committee on their hard work toward the planning of the new town hall.

Councilperson Colasurdo questioned are we using real brick on the exterior of the building?

Ms. Colasurdo responded yes and the brick will blend in to the surrounding area.

Mayor DiDonato opened the hearing to the public.

Rick Sepe - Passmore Avenue

Mr. Sepe questioned is the entire building brick?

Ms. Colasurdo responded yes.

Mr. Sepe questioned if the interior design presented this evening is the same as the previous design presented from last March?

Ms. Colasurdo responded yes.

Mayor DiDonato responded that Mayor and Council met with Department of Corrections and Department of Justice and changes were made per their recommendations.

Mr. Sepe questioned the rumor that Mayor and Council have eliminated various offices/departments in the new town hall in order to keep the building under 5.9 million dollars?

Councilperson Wuillermin stated that is a rumor and everyone will have a chance to view the final plan by the end of October.

Mayor DiDonato further updated the public on the status of the town hall project and thanked Ms. Colasurdo for her presentation this evening.

Mrs. Kerri Cody reported on the receipt of Clerk of the Works/Construction Manager proposals as follows and explained that the McCloud Group, even though slightly higher than R&V, met the specifications perfectly:

<b>The McCloud Group</b>	<b>\$165,485.00</b>
R&V	\$165,000.00
Cambridge	\$188,550.00
Sibona Group	\$192,000.00
Schoor Deplama	\$246,875.00

Mayor DiDonato questioned is the McCloud Group currently working on construction of Folsom School?

Mrs. Cody responded yes and the project is 95% complete and Folsom School representatives gave them a good reference.

Councilperson Wuillermin questioned if the McCloud Group would be on location here in Hammonton during the entire town hall project?

Mrs. Cody responded yes.

Mayor DiDonato suggested digital files be made available on Channel 13 and town website for public to view the new town hall plans rather than them have to appear in Town Clerk office.

Councilperson Falcone questioned the fee of the Clerk of the Works should the project run over time?

Mrs. Cody responded they would then receive a fee contingent upon reasonable construction issues. They advised they would work with us as far as weather in concerned. She further responded that they have already passed insurance requirements with the Town.

Mayor DiDonato opened the meeting to the public.

No one desired to be heard.

#R 120A-2006 Professional Appointment Clerk of the Works

**#R 120A-2006**

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR CONSTRUCTION MANAGEMENT SERVICES**

**THE NON-FAIR AND OPEN OPTION**

WHEREAS, the Town of Hammonton has a need to acquire the services of Construction Management Services/Clerk of the Works and, pursuant to the provisions of N.J.S.A. 19:44A-20.4 and/or 20.5, has elected to do so pursuant to the non-fair and open procedure permitted thereby; and

WHEREAS, the Town of Hammonton Clerk/Administrator has determined and certified in writing that the value of the contract will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, The McCloud Group has submitted a proposal dated August 24, 2005 indicating he/she/they will provide the Construction Management services for the sum of \$165,485.00 with additional services billed at a rate reflected on the pricing table attached to the proposal; and

WHEREAS, the McCloud Group has completed and submitted a Business Entity Disclosure Certification which a part of this resolution which certifies that The McCloud Group has not made any reportable contributions to a political or candidate committee in the previous one year representing the elected officials of the Town of Hammonton (Mayor and Council) which would prohibit the award of this contract in the manner described above, and that the contract will prohibit the McCloud Group from making any reportable contributions through the term of the contract, and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, this Resolution shall serve as certification that the Town has sufficient available funds to meet the obligations of this contract, and

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Hammonton authorizes the Town Clerk/Administrator to enter into a contract with the McCloud Group as described herein; and,

BE IT FURTHER RESOLVED that a copy of this Resolution be published in the Town's legal newspaper. This Resolution and the Contract for services are on file and available for public inspection at the Clerk's Office.

Motion by Councilperson Wuillermin, seconded by Councilperson S. Lewis, the resolution be adopted contingent upon Mrs. Cody's review of contract documents.

ON THE QUESTION:

Councilperson Falcone questioned what if the amount awarded this evening exceeds 165,485.00?

Mrs. Cody responded that would come back to Mayor and Council.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Authorize Additional Necessary Services - Demolition Historic Building

Calderone Property Services LLC	demolish vault	\$3,000.00
	Remove debris	<u>750.00</u>
		\$3,750.00

Motion by Councilperson Colasurdo, seconded by Councilperson Wuillermin, authorize a purchase order to Calderone Property Services LLC in the amount of \$3,750.00 for additional unanticipated necessary services in connection with historic building demolition.

ON THE QUESTION:

Councilperson Falcone questioned if asbestos was found in the area of the historic building that was demolished?

Mrs. Cody responded there are all types of asbestos and there are laws governing same and the Town has fully complied as required by law.

ROLL CALL

- Councilpersons:
- Bertino - Absent
- Colasurdo - Yes
- Falcone - No
- Massarelli - Yes

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

Mayor DiDonato declared the motion carried.

RESUME REGULAR ORDER OF BUSINESS

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard.

Show House Historical Society

Ms. Colasurdo reported on the show house presentation from Sept 15- Oct 8 at 10 am to 6 or 8 pm, 7 days per week, and request Pedestrian Cross Walk on Tilton Street across Bellevue.

Solicitor, Police Chief and Kristen Colasurdo to work toward resolution of this project.

COMMITTEE REPORTS

Councilperson Colasurdo Report  
Marlyn Woodlawn site triangle problem

Councilperson Massarelli Report  
Time Management System and Casa Payroll Program  
Commended citizens for cooperation with new trash system  
Sept 21 at 11 am - 25<sup>th</sup> Anniversary Hammonton Branch of AC Library  
Sept 23 from 9 am - 2 pm Town wide yardsale  
Town Hall inventory in preparation of move & consolidation

Councilperson Wuillermin Report  
Appeal permit discharge treated wastewater into Hammonton Creek  
Town's water consumption is very close to exceeding monthly allocation  
Investigation of wastewater being put to better use to aid in water conservation  
COAH has advised 3<sup>rd</sup> Round Certification due

Motion by Councilperson Wuillermin, seconded by Councilperson S. Lewis, authorize Solicitor and Conflict Solicitor to prepare appropriate response in conjunction with COAH litigation.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Councilperson Colasurdo reported on fire hydrant vandalism and encouraged anyone who witnesses this to get a tag number and/or description of vehicle and contact police immediately. Do not confront the suspect.

Councilperson Falcone Report  
Elm Street/Cottage Avenue tree complaints/danger  
Complimented police department in catching vandals

Councilperson S. Lewis Report  
Complimented Hammonton Lake Water Quality Sub Committed/letter review  
\*letter under Communications later on agenda

Mayor DiDonato advised on Wednesday, Lance Schiernbeck, Road Superintendent, has a company demonstrating a street sweeper.

Councilperson Colasurdo advised the town is comparing the cost of purchasing a sweeper or contracting out the street sweeping but only to sweep the streets of Hammonton as required by law not on a daily basis.

Councilperson S. Lewis report continued:  
Report on bladderwart at Hammonton Lake  
Geese Harvest by Hammonton Police Department due to heliport at Airport  
Cleanflow presentation given by David Ness  
Recommendation \$2500 Hwy to install wood posts at Park-No action taken  
Rutgers Safety Course in January for coaches  
Dr. Michael Hozik will be working on securing grants for lakewater quality  
Report on Env. Comm. \$2000 Cape Atl Soil Conservation Dist. Grant  
Sr. Citizen Discount Program over 1000 seniors enrolled  
POW MIA Fri Sept 15 at 7 pm Veterans Candlelight Vigil  
Received call Pleasant Street tree removal request

ENGINEER REPORT

SEWER & WATER - ACTION ITEMS

- **Egg Harbor Road Utility Extension Phase II and IIA (11-50111):**  
Bids for this project will have been received by the time of the Council meeting. A separate award recommendation and resolution will be provided for review subject to various conditions. If all is satisfactory it is important to keep this project moving so as to stay ahead of the County's roadway reconstruction schedule. We have previously submitted a proposal for the Construction Management and Inspection portion of the project. We would request approval of the ARH proposal #06-0408 dated August 9, 2006 as submitted and attached.

1. Passage of resolution of award subject to review of the bid documents and certification of available funds.

Refer to New Business.

2. Approval of ARH Construction Management and Inspection proposal for the project totaling \$57,885.00 subject to funding availability.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, authorize purchase order to ARH in amount of \$57,885.00.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

- **Route #54, Water, Sanitary Sewer, Road Restoration Phase II (11-50120):**  
As previously noted, the Sewer Superintendent has expressed a desire to complete the project as quickly as possible due to the existing condition and concerns with the line along this corridor. Presently this project is on hold with Mayor and Council so no further work has been completed until reactivated. While this project is on hold, we would request that Mayor and Council authorize a \$2,000 expenditure to the NJDOT to secure the required permits and inspections. It should be noted that upon receipt, the permit is valid for 1 year associated with work start. A 6 month extension can be requested should construction not begin within that time frame. Again, although the project is on hold, we would request the expenditure so that when the project moves forward, all permits will be in hand. Once obtained, this permit will be forwarded to USRD in order to satisfy their review requirements.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, approve the \$2,000 expenditure to the NJDOT associated with the Roadway permit and inspection allotment and temporarily unfreeze appropriation if necessary Ord 9-04 207.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

• **Coin Operated Laundry/Blueberry Crossing (11-50000-09):**

A letter dated 8/17/06 was generated by ARH as a result of meeting with the Sewer and Water Committee related to the request to expand a dry cleaning facility located at the Blueberry Crossing Shopping Plaza to a coin operated facility. We have attached a copy of the letter detailing the Committee's recommendation for Council's consideration.

*Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, authorize the Sewer and Water Committee's recommendation for added connection fee assessment associated with the increased water usage and sewer flow in accordance to the conditions noted in the ARH letter dated 8/17/06 related to the change of use and expanded flow.*

ROLL CALL

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

Mayor DiDonato declared the motion carried.

• **Daystar Construction Grinder Pump Request ~ Block 2103, Lot 4.01 Third Street (11-50000-10):**

A memo dated 8/17/06 was prepared by ARH as a result of the Sewer and Water Committee decision relating to a request by Tim Schaeffer Development Corp. The request was to modify their prior approval for sanitary sewer service for the above noted property from a gravity sewer lateral to a grinder pump installation due to elevation constraints. We have attached a copy of the ARH memo dated 8/17/06 and the letter dated 8/7/06 from Tim Schaeffer Development Corp. for Council's review and consideration.

*Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, authorize the Sewer and Water Committee's recommendation for grinder pump installation for Block 2103, Lot 4.01 subject to compliance with the conditions noted in the ARH memo dated 8/17/06 to Mayor and Council.*

ROLL CALL

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

Mayor DiDonato declared the motion carried.

• **Sanitary Sewer Hook-Up Block 2401, Lot 2.01 ~ 13<sup>th</sup> Street (11-70000-44):**

We have attached a copy of the following two letters related to a request for the installation of a sanitary sewer service lateral for the above noted parcel.

1. Letter dated 8/2/06 from Michael Pullia of ML Ruberton Agency LLC requesting the installation of a sanitary sewer service for the above noted property.
2. Letter dated 8/11/06 from ARH related to the Sewer and Water Committee's findings and recommendations related to the sanitary sewer service installation request.

*Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, approval of the Sewer and Water Committee's recommendations for the installation of the sanitary sewer service lateral subject to the conditions noted in the letter dated 8/11/06 from ARH to Mr. Michael Pullia contingent upon Building Inspector approval as it concerns property line dispute resolution.*

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

**PUBLIC WORKS - ACTION ITEMS**

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

Pursuant to Council's request, ARH has re-advertised the Pleasant Street Project and subsequently received bids on Thursday August 17. We have attached a copy of the bid tabulation for review. The apparent low bidder for the project is Mount Construction of Berlin NJ with a total base bid of \$533,485.00. Currently the bidding documents have been forwarded to the Town Solicitor for review and approval. Additionally, since the project is funded through the NJDOT review and approval from their agency is also required. We will forward the relevant information to the NJDOT but in the interim, would recommend award to Mount Construction for the base bid only. As directed, we also requested an alternate bid to install the water main extending between Horton and Third Streets. The low alternate bid total was also received from Mount Construction in the amount of \$14,250.00. We do not recommend award of the alternate since the price exceeds the quote received and award recommendation made last meeting to G-Boys Excavating in the amount of \$11,747.50.

Also last meeting, Council previously authorized expenditure to ARH in the amount of \$4,200 for revisions to the bidding documents, solicitation of price quotes for the water portion of the project, and receipt of bids. As noted within that proposal, we informed Council that we would revisit our original construction management proposal because the overall project scope has been reduced from the original bid. ARH has reviewed the revised project scope and reduced its original proposal for the Construction Management and Inspection of the project from \$47,250.00 to \$46,810.00, which includes the additional work authorized last meeting. The revised proposal is attached to this report for Councils consideration.

1. Adopt a resolution of award to Mount Construction in the amount of \$533,485.00 for the base bid only, subject to the review and approval of the NJDOT, Town Solicitor, Risk Manager, and certification as to the availability of funds.

Refer to New Business for resolution.

2. Approve the revised ARH proposal for Construction Management and Inspection. It should be noted that the original PO will be charged down in an amount not to exceed the value noted in the revised Proposal.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, revise ARH proposal \$46,810.00.

**ROLL CALL**

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

Mayor DiDonato declared the motion carried.

• **Mardor Avenue Major Subdivision (11-20173):**

The Developer for the project has requested a reduction in the Performance Guarantee posted for the site improvements. We have visited the site and reviewed our files regarding this request. Upon investigation, we would recommend a reduction to Bond #2000 1655 ACC-1996 from the original amount of \$299,920.28 to \$254,695.00.

Motion by Councilperson Colasurdo, seconded by Councilperson Wuillermin, approve the reduction of Bond #2000 1655 ACC-1996 to \$254,695.00.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

• Reading Avenue Subdivision, Phase II (11-20111):

The Developer for the project has requested a reduction in the Performance Guarantee posted for the site improvements. We have visited the site and reviewed our files regarding this request. Upon investigation, we would recommend a reduction to Bond #1012313 from the original amount of \$319,991.10 to \$168,242.18.

Motion by Councilperson Colasurdo, seconded by Councilperson Wuillermin, approve the reduction of Bond #1012313 to \$168,242.18.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

SEWER & WATER INFORMATION ITEMS

• Central Avenue Water Main Extension (11-30130):

A resolution of award was adopted for the project at the July 24, 2006 meeting of Mayor and Council. Subsequently, the Contracts have been executed by the Town and Contractor. A preconstruction conference will be scheduled in the very near future with construction to commence shortly thereafter. The applicable committees of Council will be notified once a date and time has been established for the preconstruction meeting.

• Well #7 (11-30131):

The Sub-Committee has met on several occasions regarding the draft Memorandum of Understanding (MOU) submitted by SJG for review on May 16, 2006. Ultimately, a letter stipulating the Town's concerns was sent to SJG representatives on August 3, 2006. We are currently awaiting for a reply to the issues set forth in the letter so that a meeting can be scheduled to review same. Hopefully, this meeting will occur prior to Council meeting and a report can be filed at that time.

• Water Allocation (11-30088):

Firm Source Calculation

We have reconciled with the NJDEP regarding firm source and monthly allocation. However, we have a slight discrepancy as it relates to the amount upon which the annual diversion is calculated. We do agree that the annual limit has been surpassed but do not agree on the amount of exceedence. Information was sent to NJDEP-BSDW to support our calculation. This latest exchange of information has bearing on whether the last project that was near receiving an approval can in fact be allowed to connect. All other projects following this last application will be denied until the efforts as authorized earlier (increase in monthly/annual diversion and increase in firm source) can be approved.

Major Modification Application:

At a prior Council meeting, ARH was authorizes to initiate the request for an increase in the monthly allocation from 77.5 MG to approximately 133 MG which can possibly be achieved by operating our wells within the range of 14 to 16 hours per day. Additionally, our application would include a request to increase to the annual allocation of 603 MG to some projected factor that parallels the monthly request for increase.

The well search required from NJDEP has been requested and will serve as the basis of our report that needs to be filed. Subsequent to the filing of the impact report, we will need to perform certain testing on the existing wells that will assure the NJDEP of our ability to meet the desired increase in diversion.

We expect to file this report within the next two weeks pending receipt of the well search data from the State.

Minor Modification Application:

Incorporated in the documentation to NJDEP will be an application for an increase to the firm source capacity limitation by requesting the construction of a standby well at Well #5 located on 14<sup>th</sup> Street resulting in a net increase of 500 gpm in firm source capacity. An increase of 500 gpm will allow for approximately 720 EDU's. This report will be incorporated into the submission to be filed with NJDEP in the above referenced timeframe.

• NJDEP Surface Water Permit (11-50047):

Last year, the Town authorized TRC Omni to assist on the appeal of the final NJDEP Discharge to Surface Permit. Inclusive in the appeal was the authorization for TRC Omni to perform a study of the Hammonton Creek in an attempt to overcome the stringent lead and phosphorus requirements that were incorporated in the new permit. The stream study is nearly complete. However, the Town has a hearing date for the appeal scheduled for some point in mid September. A meeting was held with the Water and Sewer Sub-Committee along with Dr. Ray Ferrara of TRC Omni in an attempt to update the current situation and to discuss the NJDEP upcoming hearing. The Town will seek a postponement to the upcoming hearing since the stream analysis data is not complete at this time. Additionally, a proposed change in the NJDEP Regulations, which have a significant impact on the outcome of the appeal, has not been ruled upon as of this writing. The affected Sewer Treatment Agencies to the new regulations have filed a request for reconsideration on the new regulations.

We are optimistic that the postponement will be granted since the Town has demonstrated progress toward the stream study. Hopefully, postponement will be granted and concurrently a decision on the interpretation on the new regulations will be completed within the same timeframe. The Solicitor is requesting the postponement and hopefully he will have an update by the night of the meeting.

• Elm & Cottage Sewer Replacement (11-50125):

The Contractor mobilized to the site on Monday August 21, 2006 and will be working until project completion. It is anticipated that the sewer project will be completed by the next regular meeting of Mayor and Council.

• Old Forks Road Sanitary Sewer Service (11-01000-81):

Councilman Colasurdo has talked with Triad Land Development regarding the possibility of placing additional force main laterals along the project route of Old Forks Road. A revised agreement was provided to the developer and Town for review. Once the agreement is approved and signed by both parties the work could be scheduled.

Mayor DiDonato invited Mr. Santora to give his thoughts on the agreement as read by Bob Vettese.

Mr. Santora thanked Councilperson Colasurdo for his hard work toward the resolution of this matter and suggested Mayor and Council look into alternative method of bringing sewer to property owners.

Councilperson Colasurdo advised Mr. Santora that Mayor and Council have looked into alternative methods and the method proposed is not only cost effective but saves time.

Motion by Councilperson Colasurdo, seconded by Councilperson S. Lewis, authorize execution of Triad agreement as read by Bob Vettese with revisions.

ROLL CALL

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

Wuillermin - Yes  
 Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

**PUBLIC WORKS - INFORMATION ITEMS**

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

*Bidding:*

The site plans are ready for bidding purposes. Our office has completed the specifications for the site work, and transferred the specification documents to the Architect for bidding.

*USRD Funding Application:*

As Council may be aware, the Town is eligible for a \$7.0 million loan from United States Rural Development. There is no obligation towards this loan until such time as the Town moves towards closing. Closing cannot occur until after the project is completed. The loan program is a 30 year term at 4.5% interest. However, USRD must review the plans and specifications prior to advertisement. Furthermore, program forms and documentation must be included in the bid specifications as a prerequisite of obtaining USRD funds.

A submission of the prerequisite USRD documentation was sent for their review on August 9, 2006. The information is currently under review and we expect permission to advertise shortly from this agency. Incorporated in the documentation are professional service contracts that the Town previously authorized but must be converted to USRD format. We have forwarded the required forms to the Solicitor for conversion and reaffirmation by the Town of the professional service contract values. Once completed, they will be forwarded to the USRD staff.

Motion by Councilperson Wuillermin, seconded by Councilperson Massarelli, authorize Kerri Cody to submit pre requisite documents as required by USRD.

**ON THE QUESTION:**

Councilperson Falcone questioned the \$7 million loan?

Mrs. Cody advised the loan amount would be the amount bonded, the \$7 million was the previous council's loan application.

**ROLL CALL**

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

Mayor DiDonato declared the motion carried.

• **Kramer Beverage Retention Basin (11-01000):**

The Town and Kramer Beverage jointly contribute to the basin in front of the Kramer complex. This basin was the subject of a potential experiment whereby the method of a "lift and drop" technique would be employed to assist in the basin recharge potential. This method was used successfully in Ocean County as a means to increase percolation. The "lift and drop" method involves the "fluffing" of the compacted basin bottom and mixing the soils with leaves. The exercise would involve minimal expense due to the use of Town equipment and financial participation by Kramer Beverage. The Department of Agricultural is assisting on the selection of methods. We reconvened earlier in August to determine the most practical means of implementing this trial.

The three alternatives are as follows:

- Complete the task during the Fall of 2006 using non-composted leaves during the collection period (mid October through mid November)
- Complete the task during Spring of 2007 using stockpiled (composted) leaves.
- Complete the task in the Summer 2007 without the use of any leaf (composted) materials.

It was determined that the most facilitative means is to utilize composted leaves as opposed to those taken directly from the leaf collection activity. Therefore, we may be opting to complete the task in the Spring of 2007, but during the Fall of 2006 to obtain a permit from NJDEP to stockpile leaves adjacent to the 11<sup>th</sup> Street ball fields for use at the applicable time.

We will be discussing this matter with the Public Works Sub-Committee to review the recommended protocol.

• **Boyer Avenue Recreation (11-50099):**

Phase II

Construction:

At this juncture the majority of the outstanding work relates to the ongoing maintenance of the fields. There are punch list items that will be addressed by the Contractor. The fall seeding season is approaching and the Contractor will be completing a second seeding application. A final inspection, including a walk thru with the Recreation Committee, will be taking place once work is complete, which should be shortly.

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

While the project is substantially complete the Contractor still has outstanding punchlist items of which include providing our office with As-Built Survey plans of the sewer system and cleaning of the existing storm sewer. Once the Contractor has completed these items, Final Payment will be recommended. It is anticipated that there will be a reduction to the overall contract price in the amount of approximately \$50,000.

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

All of the necessary reimbursement documents were provided to the NJDOT and subsequently, the Town of Hammonton has received a check in the amount of \$179,938.00 to close out that project.

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

All easements have been secured as previously indicated. We are currently awaiting an approval from the NJDOT. Our office in conjunction with the Downtown Advocate will keep lines of communication open with representatives of the NJDOT related to project funding allotments and when project bids could be received.

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

A kickoff meeting has been set for Wednesday, August 23, 2006 with the representatives from the Town Recreation Committee, Environmental Commission, Park Commission, ARH and the ANJEC representative. The initial quarterly report was forwarded to ANJEC as required. A Recreational Needs Questionnaire was also prepared for comment.

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

A presentation of the Stormwater Management Plan was made to the Planning Board at their June 21, 2006 meeting. We are still waiting for the Pinelands Commission to provide their recommendations for the stormwater management ordinance modifications. Once obtained we will review them with the Planning Board. Once accepted by the Planning Board the ordinance revisions will be sent to the Town Solicitor along with the Mayor and Town Council for action.

• **Hammonton Lake Management (ARH #06-0315):**

John Helbig with ARH met with the representatives from the Hammonton Lake Committee relating to various issues. As authorized at the last Council meeting including inquiries to NJDEP related to existing and the possibility for the placement of a new well to service the beach area.

**PENDING ISSUES:**

- Boyer Avenue Land Application - Pinelands/USGS Study
- Storm Water Management Plan and Ordinance Revisions
- Sludge Management
- Boyer Avenue Land Application - Pinelands/USGS Study (11-50058):

Continued from July 24, 2006 Council Meeting:

Award of the work to complete the water main and lateral installation to the lowest responsible bidder subject to the availability of funds.

**G Boys Excavating**

**\$11,747.50**

<i>Garrison Ent. Inc.</i>	\$21,869.00
<i>DeFalco &amp; Bisconti Inc.</i>	\$26,950.00
<i>FW Shawl &amp; Sons Inc.</i>	\$38,192.00

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, authorize a purchase order to G Boys Excavating in the amount of \$11,747.50 for water main and lateral installation.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

SOLICITOR REPORT

Objection BY Professionals to business registration ordinance  
 Town/BOE Deed for Liberty Street pumping station  
 Master Wire acquisition (pending property inspection)  
 DEP administrative law hearing 9/12/06  
 11<sup>th</sup> Street Auction  
 Airport paving bids  
 Mrs. Vitale cancellation of NPP lien  
 Cingular tower lease

MAYOR REPORT

At a Friday evening event numerous people came up to me and said thank you for working to create an open government. They said having the meetings on TV and the reruns in case you miss something is great for staying up to date. Well for all of you the doors to government are not only open but we are taking them off their hinges. Starting in Mid September on Channel 13, beside the Town Council meetings on Monday night, we will have the School Board meetings on Tuesday night, Planning Board meetings on Wednesday, and Zoning Board meetings on Thursday night. You asked me to know what's going on and now you can be apart of it in the comfort of your own home.

Myself along with my wife and my niece Christina DiDonato who is Student Council President and represented Hammonton High School, met up with the Sons of Italy and the Mt. Carmel society in San Gregorio Italy. We went for the ceremony dedicating a piazza overlooking San Gregorio to the Town of Hammonton. As for the people they went out of their way to welcome us and make us feel at home. The food picked fresh from their gardens daily, simply was the best food I ever ate. The Mt. Carmel Society and Sons of Italy have accomplished something amazing with the twinning of the two towns. Their hard work and dedication to this town is greatly appreciated.

The redevelopment of the Lake Park with a community center, amphitheater, and concerts in the park is in the design phase. The Town has secured an engineering donation from ARH, a building design donation from Harry Harper and recently and anjec grant, which will develop a new master plan for recreation in our community. We have a shortage of fields at the lake park not to mention the safety concerns of small children running around the park with no dedicated parking areas. When at the park you will notice it's more than just what goes on inside the white lines. Outside the white lines the kids are playing in the park, parents are talking with old friends, grandparents who don't see their grandchildren much are standing proud-cheering their grandkids on. The atmosphere is basically family values at its finest. Last Saturday I attended a dedication to Frank Moose LoSasso at the lake park. It is great to have his name associated with the redevelopment of the lake park. At the dedication his son Frank mentioned the impressive record as a coach he has had as well as the coaching record of people that once played for him. Besides the coaching records Coach LoSasso's biggest accomplishment is outside those white lines, as many of his players have taken his teachings and used them to succeed in their everyday life's. Having played under Coach LoSasso, I personally want to thank him for the time he donated to the youth of this community.

Kids are going to bed hungry, families and seniors are struggling to make ends meet in Hammonton. Now some people living large with good jobs will say it's only a few people struggling in Hammonton, but let me tell you - last year we went to every home in Hammonton (close to 6,000 in all) and I have seen it first hand. We made a promise to these people that we will be their public servants and watch every penny spent and bring unity to our town. Over the past 8 months Hammontonians have been working really hard to unite our great town. I hope during the upcoming campaign that all the candidates' focus on what they will do for the town and what solutions they have to the town's issues. It is important for our community - that positive ads and campaigns are run during the next few months. The families and seniors struggling don't need politicians calling each other names, or running negative campaigns, what they need is public servants offering solutions and positive reinforcement that tomorrow will be a better day.

Good Luck to all the candidates.

TOWN CLERK/ADMINISTRATOR REPORT

Informational Items:

**Bid Results - Airport Parking Apron Received August 11**

Contractor	Base Bid	Alt#1	Alt#2
Abbonizio	940,861.10	74,308.60	703,939.78
Agate	827,601.58	92,060.00	563,859.05
American	847,303.09	141,943.42	656,227.45
Asphalt Paving	822,410.68	139,869.00	629,845.40
Eagle Const.	670,988.15	73,083.00	484,498.20
Jersey Const.	814,083.25	110,876.90	628,779.25

**Bid Results Egg Harbor Road Sewer & Water Main Extension**

Contractor	Bid 1	Bid 2	Bid 3
Elk Pipeline	1,336,973	1,270,595	1,219,815
Forte Builders	2,068,747.50	1,967,220.50	1,849,775.50
G. Helmer Const.	1,637,130	1,558,930	1,443,292.50
Mount Const.	1,382,370.01	1,315,185.01	1,230,625.01

**Bid Results - Pleasant Street Reconstruction Rebid Received August 17, 2006**

Contractor	Base Bid	Alt. Bid
DeFalco & Bisconti	609,765.00	16,950.00
DiMeglio Construction	750,455.00	16,760.00
Elk Pipeline Inc.	695,611.00	16,100.00
Highway Safety Systems	1,139,950.00	34,740.00
Jade Inc.	677,128.00	695,378.00
Mount Construction	533,485.00	14,250.00
Petrongolo Contractors	839,780.00	16,300.00
Spencer V. Maussner	636,105.55	19,450.00
Jersey Construction	1,049,890.00	25,050.00

**Bid Results - Water Meters (Contract Year 1/1/07 thru 12/31/07) Adver Press & Gazette 8/2**

Rio Supply Inc./SLC Meter East, Sicklerville, NJ

**2007 Bid same as 2006**

5/8" X 3/4" T10 Neptune water meters	114.00 ea
1" T10 Neptune water meters	225.00 ea
1 1/2" T10 Neptune water meters	452.00 ea
2" T-10 Neptune water meter	576.00 ea
R-900 Neptune Wall Radio Trans.	122.00 ea
R-900 Neptune PIT Radio Trans.	146.00 ea
Radio Trans. Brackets for Reg.	12.75 ea
3 Strand Meter Wire	.12 ft
1 1/2" brass flange kit	44.00 ea
2" brass flange kit	59.00 ea
Neptune Lead Seals	.14 ea

**Bid Results - Instrumentation (Contract Year 1/1/07 thru 12/31/07) Adver Press & Gazette 8/2**

Universal Instrument Service, Pitman, NJ

	2007 Bid	2006 Bid Comparison
Calibration Services Yearly	\$7,342.75	\$6,882.75
Hourly Rate	75.00	75.00
Hourly Rate Emergency	75.00	75.00
% markup on material	15%	15%

**\*Refer to New Business for Resolutions of Award**

## For Information Only:

2006 BUDGET APPROPRIATIONS/BALANCES AS OF JULY 31, 2006			
BUDGET ACCOUNT	APPROPRIATIONS	EXPENDED	BALANCE
Administration SW	362,315.11	187,270.57	175,044.54
Administration OE	37,850.00	34,437.83	3,412.17
Elections	2,800.00	2,800.00	.00
Finance SW	167,635.85	85,680.52	81,955.33
Finance OE	12,000.00	8,258.46	3,741.54
Assessment Tax SW	97,900.00	55,788.45	42,111.55
Assessment Tax OE	15,735.00	5,868.56	9,866.44
Collection Tax OE	15,100.00	9,912.30	5,187.70
Legal Services SW	65,000.00	37,500.00	27,500.00
Legal Services OE	34,050.00	30,921.02	3,128.98
Engineer	17,500.00	8,885.83	8,614.17
Historical Soc. SW	700.00	.00	700.00
Historical Soc. OE	800.00	.00	800.00
Economic Development	64,000.00	.00	64,000.00
Computer SW	45,400.00	25,961.55	19,438.45
Computer OE	7,200.00	5,826.02	1,373.98
Planning Board SW	42,160.00	24,132.83	18,027.17
Planning Board OE	3,200.00	2,930.61	269.39
Bd. of Adjustment SW	3,700.00	2,134.65	1,565.35
Bd. of Adjustment OE	1,300.00	486.74	813.26
Rent Control SW	1,200.00	692.25	507.75
Rent Control OE	200.00	86.27	113.73
Shade Tree SW	1,200.00	700.00	500.00
Shade Tree OE	400.00	86.27	313.73
Construction SW	199,540.00	103,919.24	95,620.76
Construction OE	9,275.00	4,632.28	4,642.72
Other Code Enforce SW	8,800.00	8,596.93	203.07
Other Code Enforce OE	1,000.00	429.64	570.36
Group Insurance	1,145,569.03	728,581.33	416,987.70
Insurance	32,000.00	26,549.60	5,450.40
Fire	75,000.00	61,471.73	13,528.27
Uniform Fire SW	23,700.00	12,810.59	10,889.41
Uniform Fire OE	15,691.20	4,378.38	11,312.82
Police SW	2,446,564.81	1339,625.76	1106,939.05
Police OE	233,400.00	144,283.26	89,116.74
Spec. Services OE	5,500.00	.00	5,500.00
Radio SW	240,900.00	136,172.03	104,727.97
Radio OE	9,075.00	6,907.68	2,167.32
Rescue Squad	4,500.00	.00	4,500.00
Bldgs. & Grounds SW	39,189.66	15,778.80	23,410.86
Bldgs. & Grounds OE	36,050.00	20,318.84	15,731.16
Highway SW	779,493.81	435,773.25	343,720.56
Highway OE	779,797.00	684,005.02	95,791.98
Environmental SW	1,200.00	700.00	500.00
Environmental OE	1,040.00	711.00	329.00
Dog Regulations OE	7,140.00	5,483.74	1,656.26
Registrar	3,100.00	966.48	2,133.52
Parks SW	1,200.00	500.00	700.00
Parks OE	1,000.00	909.12	90.88
Recreation SW	50,875.00	31,174.96	19,700.04
Recreation OE	8,100.00	4,805.09	3,294.91
Holiday Observance	1,000.00	.00	1,000.00
Advertising	55,000.00	28,097.61	26,902.39
Airport SW	3,000.00	1,730.85	1,269.15
Airport OE	3,100.00	1,257.71	1,842.29
Gasoline	140,000.00	55,211.37	84,788.63
Natural Gas	28,000.00	23,400.70	4,599.30
Electric	65,000.00	31,105.39	33,894.61
Street Lighting	299,500.00	175,452.22	124,047.78
Telephone & Telegraph	64,500.00	25,771.72	38,728.28
Municipal Court SW	189,391.81	104,116.29	88,275.52
Municipal Court OE	13,750.00	10,218.08	3,531.92
Water SW	281,094.00	157,873.41	123,220.59
Water OE	698,500.00	465,728.03	232,771.97
Sewer SW	326,530.00	172,781.49	153,748.51
Sewer OE	1,235,952.00	805,940.56	430,011.44

**Town Clerk Action Items:**Confirm Promotion Brian Mascio - Truck Driver

Motion by Councilperson Falcone, seconded by Councilperson Colasurdo, confirm CS promotion of Brian Mascio to Truck Driver.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Authorize Hale Trailer Re locate Computer Tech Office \$715.00

Motion by Councilperson Wuillermin, seconded by Councilperson Massarelli, authorize a purchase order to Hale Trailer in the amount of \$715.00.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

APPROVAL BILL LIST/PAYROLL/OVERTIME-ATTACHED

Motion by Councilperson Wuillermin, seconded by Councilperson S. Lewis, approve bill list, payroll and overtime with add on Kenmark Inc. \$2815.00 Rec Trust as recorded by the Clerk.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

COMMUNICATIONS

Informational Items:

1. From Board of Chosen Freeholders responding to M&C letter concerning Egg Harbor Road construction project & Boyer Avenue Fields mosquito control.
2. From MaryLou DeFrancisco, Sup't of Schools, advising the Board of Education has withdrawn the districts application for full restoration.
3. From Lucy Voorhoeve of COAH advising to date they have not received the third round certification from Hammonton.
4. From NJ DOT re: Transit Village designation & deadline
5. From MAINSTREET HAMMONTON advising of Town Wide Yard Sale Sat. Sept 23 from 9-2 pm

Ordered received and filed.

Action Items:

1. From PARK COMMISSION request authorization to lower lake among other requests and other opinions

Discussed under Councilperson S. Lewis Report.

2. From HAMMONTON MINISTERIUM request permission to hold Annual Crop Walk on 10/15/06 at 2 pm and request one police vehicle lead the walk.
3. From STEPHANIE OLIVO, ESQ. resigning her position as Prosecutor for the Town of Hammonton.
4. From JOHN LYONS, FIRE CO. #1, request removal of Junior Firefighter Frank Sacco
5. From DR. LEANARD STREITFELD resigning from Shade Tree Commission

Motion by Councilperson Wuillermin, seconded by Councilperson S. Lewis, authorize/approve items 2, 3, 4, 5.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

- 6. From FRANK OLIVO, ESQ. request adoption of amended Ordinance B2 Zone  
  
Refer #6 back to Planning Board to seek their guidance in terms of a recommendation.
- 7. From ANTHONY DECICCO, WWTP SUP'T, request permission for himself and Chris Ballin to attend school on 9/21/06 at \$250.00 for TCH's
- 8. From JAMES MASSARA, WATER SUP'T, request permission to attend Water Assoc. Conference on 9/20/06 & 9/21/06 at \$230.00 for CEU's

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, authorize #7, 8 school requests.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

- 9. From CHIEF FRANK INGEMI request permission to add an additional Patrol Dog Team to the Hammonton Police Department
- 10. From CHIEF FRANK INGEMI request promotion of Robin Ripa to Senior Clerk Typist

Refer #9, 10 to committee.

REPORTS-July 2006

Town Clerk  
Registrar  
Construction Official

UNFINISHED BUSINESS

NEW BUSINESS-ORDINANCES

Ordinance #19-2006 Rental House Registration

Ordinance # 19-2006

**RENTAL PROPERTY**

**Purpose:** It is the purpose and intent of this chapter and it is in the best interests of the Town of Hammonton that all residential rental units be registered, maintained and licensed in order to promote the health, safety and welfare of tenants, adjoining landowners and the community at large.

**ARTICLE I Landlord Responsibility**

**§ 1. Responsibilities of landlords and owners.**

- A. Any landlord and/or owner of leased property located within the Town of Hammonton shall be responsible for any activities, actions, events and conduct of any person and/or animal which occur in, on or about said premises or property. The landlord/owner's responsibility shall extend to and include, but not be limited to, any disorderly conduct, nuisance, offensive language and any other behavior or conduct which is a violation of any state statute or of any of the provisions of the Code of Town of Hammonton.
- B. The landlord/owner of any such property located within the Town of Hammonton shall be responsible and liable for the conduct and actions of any tenant, invitee, guest or any other person who is in, on or about the premises and/or property with the permission, either express or implied, of the landlord, owner, tenant, guest or invitee.

**§ 2. Notice of violation; subsequent violations.**

- A. Upon the occurrence of any violation of this article, the landlord or owner of the property shall be put on notice by receiving written notification of said violation from the person so designated by the Town Council to forward said notice. Said notice shall generally inform the landlord and/or owner of the nature of the violation and the date upon which said violation occurred. Said notice shall also state that any subsequent violation of this article may result in said landlord and/or owner being cited and otherwise charged with a violation of said article, which may result in a hearing on said violation to be heard in the Town of Hammonton Municipal Court.

- B. If any violation of this article occurs subsequent to written notification being sent to said landlord and/or owner in accordance with the above provisions, then said landlord and/or owner shall be cited for violation of this article and noticed for a hearing to be held in the Town of Hammonton Municipal Court.

#### § Violations and penalties.

Any person who shall violate the provisions of this article shall, upon conviction, be subject to a fine not to exceed \$1,000, imprisonment for not more than 90 days or a period of community service not to exceed 90 days, or any combination thereof.

### ARTICLE II Registration and Licensing of Rental Property

#### § 4. Definitions.

Unless the context clearly indicates a different meaning, the following words or phrases, when used in this chapter, shall have the following meaning:

**AGENT** — The individual or individuals designated by the owner as the person(s) authorized by the owner to perform any duty imposed upon the owner of this article. The term does not necessarily mean a licensed real estate broker or salesperson of the State of New Jersey, as those terms are defined by N.J.S.A. 45:15-3; however, such term may include a licensed real estate broker or salesperson of the State of New Jersey, if such person designated by the owner as his agent is so licensed.

**APARTMENT or DWELLING** — Any apartment, cottage, bungalow, any room or rooms in a rooming/boarding house or other dwelling unit, consisting of one or more rooms occupying all or part of a floor or floors in a building, whether designed with or without housekeeping facilities for dwelling purposes. Each dwelling unit shall contain no more than one kitchen or cooking facility.

**DWELLING UNIT** — Any room or rooms or suite or apartment, including any room or rooms in a rooming/boarding house, whether furnished or unfurnished, which is occupied or intended, arranged or designed to be occupied for sleeping or dwelling purposes by one or more persons, including but not limited to the owner thereof or any of his servants, agents or employees, and shall include all privileges, services, furnishings, furniture, equipment, facilities and improvement connected with use or occupancy thereof. Each dwelling unit shall contain no more than one kitchen or cooking facility.

**LICENSE** — The license issued by the Town Clerk or designee attesting that the rental unit has been properly registered in accordance with this article.

**LICENSEE** — The person to whom the license is issued pursuant to this article. The term licensee includes within its definition the term agent, where applicable.

**OWNER** — Any person or group of persons, firm, corporation or officer thereof, partnership association or trust who owns, operates, exercises control over, or is in charge of a rental facility.

**OWNER-OCCUPIED** — A portion of a rental facility, dwelling or dwelling unit shall be considered owner-occupied if the owner makes his primary residence therein. A person may have only one primary residence in the Town.

**PERSON** — An individual, firm, corporation, partnership, association, trust or other legal entity, or any combination thereof.

**RENTAL FACILITY** — Every building, group of buildings or a portion thereof consisting of less than three dwelling units and has sleeping facilities for less than 25 occupants, kept, used, maintained, advertised or held out to be a place where living accommodations are supplied, whether furnished or unfurnished, for pay or other consideration, to one or more individuals.

**RENTAL UNIT** — A dwelling unit or commercial unit which is available by lease, rental or otherwise, to persons other than the owner. Rental unit shall not include that portion of a rental facility, dwelling or dwelling unit that is owner-occupied.

**RENT or RENTED** — Occupied by any person or persons other than the owner, regardless of whether there is a written or oral agreement and regardless of whether the owner receives consideration for the occupancy.

**TENANCY** — Occupancy of the unit by one or more tenants.

**TENANT** — Occupant in a unit other than the owner.

#### § 5. Registration.

All rental units shall hereafter be registered with the Town Clerk or designee of Town of Hammonton, or such other person as designated by the Town Council, on forms which shall be provided for that purpose, and which shall be obtained from the Town Clerk or designee. Such registration shall occur on an annual basis, as provided herein.

#### § 6. Registration and licensing; term; initial registration provisions.

Each rental unit shall be registered with each change in occupancy. **The license term shall commence on May 1, 2007**, and shall be valid for a calendar year, at which time it shall expire and a new registration shall be required. The initial registration shall occur on May 1, 2007. Any lease which has been executed prior to the adoption of this article shall not be affected, but the rental unit must nevertheless be registered, inspected and licensed in accordance with this article. No rental unit shall hereafter be rented unless the rental unit is registered and licensed in accordance with this article.

#### § 7. Registration forms; filing; contents.

Without in any way intending to infringe upon the requirements of N.J.S.A. 46:8-28, all rental units shall be registered and licensed, as provided herein. Every owner shall file with the Town Clerk or designee of Town of Hammonton, or such other person as designated by the Town Council, a registration form for each unit contained within a building or structure, which shall include the following information:

- A. The name and address of the record owner or owners of the premises and the record owner or owners of the rental business, if not the same persons. In the case of a partnership, the name and addresses of all general partners shall be provided, together with the telephone numbers for each of such individuals, where such individual may be reached both during the day and evening hours.

- B. If the address of any record owner is not located in the Town of Hammonton or in Atlantic County the name and address of a person who resides in Atlantic County and who is authorized to accept notices from a tenant and to issue receipts therefore and to accept service of process on behalf of the record owner.
- C. The name and address of the agent of the premises, if any.
- D. The name and address, including the dwelling unit number of the superintendent, janitor, custodian or other individual, employed by the owner or agent to provide regular maintenance service, if any.
- E. The name, address and telephone number of an individual representative of the owner or agent or the owner, if domiciled in Atlantic County, who may be reached or contacted at any time in the event of an emergency affecting the premises or any unit of dwelling space therein, including such emergencies, as the failure of any essential service or system and who has the authority to make emergency decisions concerning the building and any repair thereto or expenditure in connection therewith.
- F. The name and address of every holder of a recorded mortgage on the premises.
- G. If fuel oil is used to heat the building and the landlord furnishes the heat in the building, the name and address of the fuel oil dealer servicing the building and the grade of fuel oil used.
- H. As to each rental unit, a specification of the exact number of sleeping rooms contained in the rental unit. In order to satisfy the requirement of this provision, an owner shall submit a floor plan, which shall become part of the application and which shall be attached to the registration form when filed by the Town Clerk or designee.
- I. Such other information as may be prescribed by the Town of Hammonton.

**§ 8. Registration form; indexing and filing; public inspection; fee.**

The Town Clerk or designee shall index and file the registration forms. In doing so, the Town Clerk or designee shall follow the mandates of N.J.S.A. 46:8-28.1, as amended and supplemented, so that the filing of the registration form will simultaneously satisfy the registration requirements of N.J.S.A. 46:8-28 to the extent that it applies to the property being registered, and will also satisfy the registration requirements of this article. The owner shall post the certificate of inspection or license.

**§ 9. Registration form; amendments; filing.**

Every person required to file a registration form pursuant to this article shall file an amended registration form within 20 days after any change in the information required to be included thereon. No fee shall be required for the filing of an amendment, except where the ownership of the premises is changed.

**§ 10. Periodic inspections.**

- A. Each rental unit shall be inspected at least once every twelve-month period.
- B. Such inspections shall be performed by such person, persons or agency duly authorized and appointed by the Town of Hammonton and inspections made by persons or an agency other than the duly authorized and appointed person, persons or agency of the Town of Hammonton shall not be used as a valid substitute.
- C. Such inspection shall be for the purpose of determining zoning ordinance compliance, and to the extent applicable, to determine if the property complies with the Property Maintenance Code, Uniform Construction Code, BOCA Maintenance Code, Housing Code and/or Building Code and/or Uniform Fire Safety Act.
- D. Unsatisfactory inspection. In the event that the inspection(s) of a rental unit does not result in a satisfactory inspection, such property shall not thereafter be registered, nor shall a license issue, and the owner of the property or his agent shall not lease or rent such property, nor shall any tenant occupy the property, until the necessary corrections have been made, so as to bring the property and rental unit into compliance with the applicable code, and the property is thereafter subsequently inspected, registered and licensed. In the event that the property is occupied when such conditions are discovered, all such corrections shall be made within 30 days, and, if not made within that time period, the owner shall be deemed in violation of this article, and, every day that the violation continues shall constitute a separate and distinct violation, subject to the penalty provisions of § 237-21 of this article. The owner, however, shall be permitted to apply for extension of time to make repairs or corrections so as to comply with this article, for good cause shown.

**§ 11. Access for inspections; repairs.**

- A. The inspection officers are hereby authorized to make inspections to determine the condition of rental facilities, rental units and rooming/boarding houses, in order that they may promote the purposes of this article to safeguard the health, safety and welfare of the occupants of rental facilities, rental units and rooming/boarding houses and of the general public. For the purposes of making such inspections, the inspecting officers are hereby authorized to enter, examine and survey rental facilities, rental units and rooming/boarding houses at all reasonable times. The owner or occupant of every rental facility, rental unit and rooming/boarding house shall give the inspecting officer free access to the rental facility, rental unit and rooming/boarding house at all reasonable times, for the purpose of such inspections, examinations and surveys.
- B. Every occupant shall give the owner of the rental facility, rental unit and rooming/boarding house access to any part of such rental facility, rental unit and rooming/boarding house at all reasonable times for the purpose of making such repairs or alterations, as are necessary, to effect compliance with the provisions of this article or any lawful order issued pursuant thereto.
- C. Complaints. Within 10 days of receipt of a complaint alleging a reported violation of this article, an inspecting officer shall conduct an inspection as hereinbefore provided.

**§ 12. Prohibitions on occupancy.**

No person shall hereafter occupy any rental unit, nor shall the owner permit occupancy of any rental unit within the Town of Hammonton which is not registered and licensed in accordance with this article.

**§ 13. License.**

Upon the filing of a completed registration form and payment of the prescribed fee and a satisfactory inspection, the owner shall be entitled to the issuance of a license commencing on the date of issuance and expiring on the same day of the next calendar year. A registration form shall be required for each rental unit, and license shall issue to the owner for each rental unit, even if more than one rental unit is contained in the property.

**§ 14. Fees.**

At the time of the filing of the registration form, and, prior to the issuance of a license, the owner or agent of the owner must pay a fee in accordance with the following:

- A. An annual registration fee as follows:
  - (1) For one to seven nonowner occupied units, \$35 per unit.
  - (2) For eight to 25 nonowner occupied units, \$25 per unit.

- B. A reinspection fee as follows:
- (1) First reinspection, no charge;
  - (2) Second reinspection, \$15 per unit;
  - (3) Third reinspection, \$30 per unit; and
  - (4) Fourth or subsequent reinspection, \$50 per unit.
- C. If the owner of the property is a senior citizen who resides in a unit of the property and rents out the remaining unit and would otherwise qualify under the State of New Jersey property tax deduction under N.J.S.A. 54:4-8.41, there shall be no fee but shall otherwise be subject to the provisions of this ordinance.
- D. If any fee is not paid within 30 days of its due date, a late fee surcharge of \$30 will be assessed.

**§ 15. Providing registration form to occupants and tenants.**

Every owner shall provide each occupant or tenant occupying a rental unit with a copy of the registration form required by this article. This particular provision shall not apply to any hotel, motel or guesthouse registered with the State of New Jersey, pursuant to the Hotel and Multiple Dwelling Act, as defined in N.J.S.A. 55:13A-3. This provision may be complied with by posting a copy of the registration certificate in a conspicuous place within the rental unit(s).

**§ 16. Maximum number of occupants; posting.**

- A. The maximum number of occupants shall be posted in each rental unit. It shall be unlawful for any person, including the owner, agent, tenant or registered tenant, to allow a greater number of persons than the posted maximum number of occupants to sleep in or occupy overnight the rental unit for a period exceeding 21 days. In the event of an emergency or extreme hardship requiring occupancy beyond 21 days, the owner, agent or occupant shall make written application to the Town Clerk or his/her designee to extend said occupancy. Failure to make written application in this manner shall constitute a violation of this ordinance. Any person violating this provision shall be subject to the penalty provisions of § 237-21 of this article.
- B. Only those occupants whose names are on file with the Town of Hammonton, as required in this article, may reside in the licensed premises. It shall be unlawful for any other person to reside in said premises, and any owner, agent, tenant or registered tenant allowing a non-registered party to reside in said premises shall be in violation of this section and shall be subject to the penalty provisions of § 237-21 of this article.

**§ 17. Taxes and other municipal charges; payment precondition for registration and license.**

No rental unit may be registered and no license shall issue for any property, containing a rental unit, unless all municipal taxes, water and sewer charges and any other municipal assessments are paid on a current basis.

**§ 18. Other rental unit standards.**

All dwelling units shall be maintained in accordance with the Uniform Construction Code and the BOCA National Property Maintenance Code.

**§ 19. Occupant(s) standards.**

- A. Occupants. Only those occupants whose names are on file with the Town Clerk, as provided in this article, may reside in the licensed premises. It shall be unlawful for any other person to reside in said premises, and this provision may be enforced against the landlord, tenant or other person residing in said premises.
- B. Nuisance prohibited. No rental facility shall be conducted in a manner which shall result in any unreasonable disturbance or disruption to the surrounding properties and property owners or of the public in general, such that it shall constitute a nuisance, as defined in the ordinances of the Town of Hammonton.
- C. Compliance with other laws. The maintenance of all rental facilities and the conduct engaged in upon the premises by occupants and their guests shall at all times be in full compliance with all applicable ordinances and regulations of Town of Hammonton, and with all applicable state and federal laws. However, any landlord licensed in accordance with this article shall not be subject to any local ordinance requiring a certificate of occupancy upon change of occupancy.  
Penalties. Any landlord, tenant or other person violating the provisions of this section shall be subject to the penalty provisions of § 237-21 of this article.

**§ 20. Revocation of license; procedure.**

- A. Grounds. In addition to any other penalty prescribed herein, an owner may be subject to the revocation or suspension of the license issued hereunder upon the happening of one or more of the following:
  - (1) Conviction of a violation of this article in the Municipal Court or any other court of competent jurisdiction.
  - (2) Determination of a violation of this article at a hearing held pursuant to § 237-20B herein.
  - (3) Continuously renting the unit or units to a tenant or tenants who are convicted of a violation of the municipal noise ordinance.
  - (4) Continuously permitting the rental unit to be occupied by more than the maximum number of occupants as defined in this article.
  - (5) Maintaining the rental unit or units or the property in which the rental unit is a part in a dangerous condition likely to result in injury to person or property.
- B. Procedure; written complaint; notice; hearing.
  - (1) A complaint seeking the revocation or suspension of a license may be filed by any one or more of the following: Director of

Public Safety, Chief of Police, Construction Code Official, Housing Inspector, the Zoning Enforcement Officer or any other persons or office authorized to file such complaint. Such complaint shall be in writing and filed with the Town Clerk or designee. The complaint shall be specific and shall be sufficient to apprise the licensee of the charges, so as to permit the licensee to present a defense. The individual(s) filing the complaint may do so on the basis of information and belief, and need not rely on personal information.

(2)  
Upon the filing of such written complaint, the Town Clerk or designee shall immediately inform the Town Council, and a date for a hearing shall be scheduled, which shall not be sooner than 10 nor more than 30 days thereafter. The Town Clerk or designee shall forward a copy of the complaint and a notice, as to the date of the hearing, to the licensee and the agent, if any, at the address indicated on the registration form. Service upon the agent shall be sufficient.

(3)  
The hearing required by this section shall be held before the Town Council, unless, in its discretion, the Town Council determines that the matter should be heard by a Hearing Officer, who shall be appointed by the Town Council. If the matter is referred to a Hearing Officer, such officer shall transmit his findings of fact and conclusions of law to the Town Council within 30 days of the conclusion of the hearing. The Town Council shall then review the matter and may accept, reject or modify the recommendations of the Hearing Officer based on the record before such Hearing Officer. In the event that the matter is not referred to a Hearing Officer and is heard by Town Council, then the Town Council shall render a decision within 30 days of the conclusion of the hearing. Following the hearing, a decision shall be rendered dismissing the complaint, revoking or suspending the license, or determining that the license shall not be renewed or reissued for one or more subsequent license years.

(4)  
A stenographic transcript shall be made of the hearing. All witnesses shall be sworn prior to testifying. The strict rules of evidence shall not apply, and the evidential rules and burden of proof shall be that which generally controls administrative hearings.

(5)  
The Town Solicitor or his designee shall appear and prosecute on behalf of the complainant in all hearings conducted pursuant to this section.

C. Defenses. It shall be a defense to any proceeding for the revocation, suspension or other disciplinary action involving a rental license by demonstrating that the owner has taken appropriate action and has made a good faith effort to abate the conditions or circumstances giving rise to the revocation proceeding, including but not limited to the institution of legal action against the tenant(s), occupant(s) or guests for recovery of the premises, eviction of the tenant(s) or otherwise.

**§ 21. Violations and penalties.**

Any person who violates any provision of this article shall, upon conviction in the Municipal Court of the Town of Hammonton, or such other court having jurisdiction, be liable to a fine not exceeding \$1,000, or imprisonment, for a term not exceeding 30 days, or both. Each day that a violation occurs shall be deemed a separate and distinct violation, subject to the penalty provisions of this article.

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

ROLL CALL

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

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R121-2006 Tax Resolution August

#R 121 -2006  
R E S O L U T I O N

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

Block	Lot	INCORRECT	CORRECTION	NAME	PER	ACCT/REASON
2803	18	< 354.95>		RUBERTON	ROSIE	TAX/EXEMPT
2808	4	< 473.72>	37.84	MAZZAGATTI	JIMMY	WATER/CORRECT BILL
2603	4	< 11.29>		PECORA	JIMMY	WATER/CORRECT BILL
2803	15	< 174.69>		MAZZEO	JIMMY	SEWER/CORRECT BILL
2803	15	< 74.78>		MAZZEO	JIMMY	WATER/CORRECT BILL
1001	2QF	< 56.50>		LIVING STONE CTY		BRDTAX/TRANSFER TO LOT 2 NOT FARM
4011	4	< 14.51>		APONTE	COUNTY	BRDTAX/TRANSFER TO LOT 5
2708	7	< 891.97>		ST JOE	ROSIE	TAX/EXEMPT
3904	85	< 833.37>		RODIO	JIMMY	WATER/REMOVE EXCES DO TO LEAK

2522 14 < 1,570.25> 12<sup>TH</sup>&RAILRDROSIE TAX/REFUND PAYMENT  
ERROR WASH MUTUAL

ALL CORRECT BILLS ARE DUE TO READING ERRORS.

NOW THEREFORE BE IT RESOLVED by mayor and council to authorize and direct the tax collector to credit, transfer, cancel, refund, or change the above accounts.

#R122-2006 Professional Services Foxboro (WWTP)

#R 122-2006

A RESOLUTION AWARDING A **PROFESSIONAL SERVICES**  
CONTRACT TO **FOXBORO** FOR **HAMMONTON WASTETREATMENT PLANT**

WHEREAS, the Town of Hammonton desires to retain the services of a consultant for Wastetreatment Plant Maintenance Services; and

WHEREAS, FOXBORO qualifies as a professional providing the services requested by the Town of Hammonton; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that a professional services contract be entered into with **Foxboro with offices located at 33 Commercial Street, Foxboro, MA 02035** for a total compensation not to exceed **\$12,000.00**; and

BE IT FURTHER RESOLVED that the contract is awarded without competitive bidding as a professional services contract in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Laws as Foxboro does maintain the required knowledge and expertise as required under the statutes of the State of New Jersey; and

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

#R123-2006 Award Bid Instrumentation Services

#R123-2006

WHEREAS, there has been advertised for bids for the supply of Instrumentation Services required by the Town of Hammonton for Year 2007 as required by the Public Contracts Law of the State of New Jersey; and

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

Calibration Services Yearly Amt.	\$ 7,342.75
Hourly Rate	75.00
Hourly Emergency Rate	75.00
% Parts/Material Over Vendor Cost	15 %

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that the bid for the supply of Instrumentation Services to the Hammonton Water Department be awarded to Universal Instrument Service Co. of Pitman, NJ, for **Year 2007**; and

BE IT FURTHER RESOLVED that bid bond check #0573019 in the amount of \$734.28 is authorized to be released.

#R124-2006 Award Bid Water Meters

#R124-2006  
RESOLUTION

WHEREAS, there has been advertised for bids for the supply of Water Meters required by the Town of Hammonton for the year 2007 as required by the Public Contracts Law of the State of New Jersey; and

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

5/8" X 3/4" T10 Neptune water meters	114.00 ea
1" T10 Neptune water meters	225.00 ea
1 1/2" T10 Neptune water meters	452.00 ea
2" T-10 Neptune water meter	576.00 ea
R-900 Neptune Wall Radio Trans.	122.00 ea
R-900 Neptune PIT Radio Trans.	146.00 ea
Radio Trans. Brackets for Reg.	12.75 ea
3 Strand Meter Wire	.12 ft
1 1/2" brass flange kit	44.00 ea
2" brass flange kit	59.00 ea
Neptune Lead Seals	.14 ea

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that the bid for the supply of Water Meters to the Hammonton Water Department for the year 2007 is awarded to Rio Supply Inc. dba SLC Meter East of West Berlin, N.J. for their low bid.

#R125-2006 Award Bid Airport Parking Apron

RESOLUTION # 125 -2006

RESOLUTION AWARDING CONTRACT ON BID  
Hammonton Airport Parking Apron

WHEREAS, the Town of Hammonton did receive competitive bids for construction of Hammonton Airport Parking Apron on August 11, 2006; and

WHEREAS, the low bid received was from **Eagle Construction Services** in the total amount of **\$724,693.00**; and

WHEREAS, the bid of Eagle Construction Services 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 Eagle Construction Services in the amount of \$724,693.00 and consistent with the bid submitted.

#R126-2006 Award Bid Pleasant Street

Resolution #126-2006

**RECOMMENDATION OF AWARD  
STATE AID PROJECT  
PLEASANT STREET ROADWAY RECONSTRUCTION**

WHEREAS, the Mayor and Town Council of the Town of Hammonton has received funding from the State Department of Transportation to allow for the reconstruction of Pleasant Street within the Town of Hammonton; and

WHEREAS, the required permits for the design and construction of said roadway have been received by the Town of Hammonton; and

WHEREAS, as the Town has advertised and received bids for the construction of said roadway in accordance with the Public Contracts Law; and

WHEREAS, the low bid received for project construction was provided by Mount Construction Company Inc. of Berlin, NJ whose base bid total was \$533,485.00; and

WHEREAS, the Town of Hammonton has allocated additional funds to supplement the State Aid funds received for the project to allow for said reconstruction to occur.

THEREFORE BE IT RESOLVED, that the Mayor and Council of the Town of Hammonton hereby recommends to the New Jersey Department of Transportation that the Pleasant Street Roadway Reconstruction in the Town of Hammonton, Atlantic County be awarded to Mount Construction Company Inc. of Berlin, NJ in the amount of \$533,485.00 subject to compliance with conditions as noted below:

1. Review and Approval of the bid documents by the Town Solicitor.

2. Review and Approval of the bid documents and award recommendations by the NJDOT.
3. Certification as to the availability of funds from the Town's Chief Financial Officer.

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

That the clerk of this body be and is hereby directed to seal said contract with the corporate seal of this body and attest to the same that the NJDOT has allotted a total of \$295,000.00 for the construction of this project.

#R127-2006 Award Bid Egg Harbor Road Utility Extension

#R 127-2006

**AUTHORIZING THE AWARD OF CONTRACT FOR THE EGG HARBOR ROAD SANITARY SEWER AND WATER MAIN EXTENSION PROJECT, PHASE II AND IIA**

WHEREAS, the Mayor and Town Council of the Town of Hammonton has determined that there is a need to install sanitary sewer and water main within and along portions of Egg Harbor Road, Ninth Street, Eighth Street and Weymouth Road in advance of the County's Roadway Reconstruction Project; and

WHEREAS, bids were received for the sanitary sewer and water main extension project as noted above on August 23, 2006; and

WHEREAS, the lowest responsible bidder for the project appears to be Elk Pipeline t/a Crown Pipeline whose bid total was \$1,336,973.00; and

THEREFORE BE IT RESOLVED, that the Mayor and Council of the Town of Hammonton hereby awards the construction contract for the Egg Harbor Road Sanitary Sewer and Water Main Extension Project Phase II and IIA to Elk Pipeline in the amount of \$1,336,973.00 subject to compliance with conditions as noted below:

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

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

Motion by Councilperson S. Lewis, seconded by Councilperson Falcone, resolutions 121 through 127 (excluding 126) be adopted.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, resolution 126 be adopted.

ON THE QUESTION:

Councilperson Falcone stated he has concerns with Mount Construction Co. as he understands they were involved in various litigation and were fined by EPA.

Solicitor cautioned Councilperson Falcone that if he does not have factual information, he could be subjecting the Town of Hammonton to litigation.

Mr. Vettese stated to his knowledge this contractor is not on any barred list and suggested this be awarded subject to contingencies if Mayor and Council wish to do so.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

LICENSE APPLICATIONS

St. Joseph RC Church	(2 separate raffles on 9/17)
Friends of St. Anthony of Padua	11/22/06
Kiwanis Club of Hammonton	10/3/06
MB Taylor Lodge	11/23/06
St. Martin de Porres RC Church	10/28/06
St. Joseph RC Church (ABC)	9/17/06

Motion by Councilperson Colasurdo, seconded by Councilperson S. Lewis, approve license applications as recorded by the Clerk. Motion carried.

PUBLIC HEARD

James Penza - Myrtle Street

Mr. Penza stated he is on the Planning Board and advised Mayor and Council on COAH and questioned a litigation technique?

Solicitor advised since this is in litigation the best answer he can give Mr. Penza at this time is that this would place the town in jeopardy.

Mr. Penza questioned the quotes for historic building and suggested Mayor and Council broke down the project to avoid a bid threshold.

Mrs. Cody advised the Town did not break up the project/quotes to avoid the bid threshold. They quoted out separate portions of project per law.

Mayor DiDonato advised Atlantic Electric has recently informed him that they will now be donating their services for this project to the Town. Mayor DiDonato encouraged Mr. Penza to compare this project with other buildings being moved in New Jersey as he will probably find that the Town's project is much more cost effective.

Councilperson Wuillermin advised each individual quoter for each individual phase of the moving of the historic building had an individual skill. Mayor and Council felt this was a cost savings technique.

Mr. Penza stated he feels this was a violation of bidding law.

Councilperson Wuillermin advised he may take that up with the proper authority.

Don DeFicio - Oak Road

Mr. DeFicio requested speed limit be lowered on Oak Road and Union Road?

Solicitor advised there is a procedure that must be followed to lower speed limits and he can take up same with Police Chief.

Councilperson Colasurdo advised that Mayor and Council can have police patrol this area more frequently.

Tom Santone - Peach Street

Mr. Santone advised of speeding on his roadway as well. He's also seen people traveling the wrong way on Peach Street. He stated much of the speeding and reckless driving is committed by school students. He also mentioned this council stated they are committed to public safety and encouraged the lifting of the freeze on hiring of police officers.

Councilperson Colasurdo advised that he feels the Town of Hammonton Police Department is adequately staffed and he will request more police patrol on Peach Street as well. He stated the Town of Hammonton Police Department is also up to date with technology.

Solicitor advised this request will be handled same as last and he will be in touch with Police Chief regarding same.

Councilperson Wuillermin stated the Town can also get in touch with the school concerning maintaining a better handle on students and their driving to and from school in this area.

Councilperson Colasurdo encouraged Mr. Santone to get a tag number and report to police department when he views the misbehavior of the school students that he is describing.

Councilperson Falcone stated the crime rate in Hammonton has gone up 20 percent, we've had 2 murders and there is a gang issue in this area.

#R 128 -2006 Resolution Enter Into Executive 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 Executive Session Minutes
2. Personnel
3. Litigation

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

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

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Resume Regular Order of Business

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

Hire Frank Zuber - FT Provisional Accountant

Motion by Councilperson Falcone, seconded by Councilperson Massarelli, hire Frank Zuber as FT Provisional Accountant for the Town of Hammonton effective 9/18/06 at the starting salary of \$44,400.00 with health benefits and with provision to allow him an additional 7 ½ hours overtime per week until 12/31/06 contingent upon all town approvals. (Normal work week will be 32.5 hours).

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Hire Kristy Moschella - Clerk Typist-Tax Collector/Finance

Motion by Councilperson S. Lewis, seconded by Councilperson Wuillermin, hire Kristy Moschella as a Clerk Typist for Collector/Finance office effective 9/11/06 at the starting salary of \$21,500.00 with benefits contingent upon all town approvals.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Recognize Dispatch Union

Motion by Councilperson Falcone, seconded by Councilperson Wuillermin, recognize dispatch union and authorize Mayor to sign settlement agreement.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

MEETING ADJOURNED at 11:30 p.m.

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

Recorded by April Boyer Maimone, Deputy Clerk

Approved by Susanne Oddo, Town Clerk/Adm.