

REGULAR MEETING OF COUNCIL

Monday, December 19, 2005 at 7:00 P.M.

The Regular Meeting of Mayor and Council was held Monday, December 19, 2005, at the hour of 7:00 p.m., Mayor Ingemi presiding.

COUNCIL ROLL CALL:

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

PRESENT ALSO:

Angela Maione Costigan, Town Solicitor

Bob Vettese, ARH Engineer

ROLL CALL DEPARTMENT HEADS:

Frank Ingemi

Rosemarie Jacobs

Susanne Oddo

Louis Rodio

Lance Schiernbeck

ABSENT:

James Massara

Anthony DeCicco

John Aloisio

Mary Joan Wyatt

PLEDGE OF ALLEGIANCE

MAYOR'S STATEMENT

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

APPROVAL OF MINUTES

Motion by Councilperson S. Lewis, seconded by Councilperson Olivo, the minutes of the Regular Meeting 11/21/05 be approved as recorded by the Clerk. Motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

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

Hearing Ord 43-2005 Fire Equipment

Ordinance #43-2005 entitled "CAPITAL ORDINANCE APPROPRIATING \$175,750 FOR THE ACQUISITION OF FIRE FIGHTING EQUIPMENT BY THE TOWN OF HAMMONTON, IN THE COUNTY OF

ATLANTIC, NEW JERSEY," was read by title only.

Motion by Councilperson Morano, seconded by Councilperson

S. Lewis, the ordinance be taken up for second reading. Motion

carried.

Mayor Ingemi announced a hearing on this ordinance will

now be held and anyone desiring may now have the opportunity to

be heard.

No one desired to be heard.

Motion by Councilperson Morano, seconded by Councilperson

Clark, the hearing be closed and the ordinance pass second

reading and be adopted.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

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

Hearing Ord 44-2005 Repeal Jake Brake Ord 28-2005

Ordinance #44-2005 entitled "ORDINANCE REPEALING ORDINANCE # 28-2005" was

read by title only.

Motion by Councilperson Clark, seconded by Councilperson

Bertino, the ordinance be taken up for second reading. Motion

carried.

Mayor Ingemi announced a hearing on this ordinance will

now be held and anyone desiring may now have the opportunity to

be heard.

No one desired to be heard.

Motion by Councilperson Clark, seconded by Councilperson

Bertino, the hearing be closed and the ordinance pass second

reading and be adopted.

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

S. Lewis and Mayor Ingemi.

Nays: Morano.

Mayor Ingemi declared the motion carried.

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

Hearing Transfer Liquor License Mertis to Vision

Mayor Ingemi announced a hearing on the transfer of liquor license will now be held and anyone desiring may now have the opportunity to be heard.

No one desired to be heard.

Motion by Councilperson S. Lewis, seconded by Councilperson Olivo, the hearing be closed and the transfer be referred to New Business for resolution. Motion carried.

Hearing Transfer Liquor License Kuber Ganga to Aryan Liquors

Mayor Ingemi announced a hearing on the transfer of liquor license will now be held and anyone desiring may now have the opportunity to be heard.

No one desired to be heard.

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

RESUME REGULAR ORDER OF BUSINESS

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

COMMITTEE REPORTS

COUNCILPERSON S. LEWIS

8th Street/S. First Road

Councilperson S. Lewis requested the Clerk forward a letter to Atlantic County DOT requesting investigation at this intersection which is prone to accidents.

Authorize Purchase Order Helmets for Hawks

Motion by Councilperson S. Lewis, seconded by Councilperson Morano, authorize purchase order for purchase of Helmets for Hawks \$7,350.00 to Circle Systems Group (only vendor).

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

Authorize Purchase Order Trophies

Motion by Councilperson S. Lewis, seconded by Councilperson Clark, authorize a purchase order in the amount of \$3,283.00 for recreation Trophies.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

Authorize Purchase Order Wrestling

Motion by Councilperson S. Lewis, seconded by Councilperson Olivo, authorize a purchase order in the amount of \$2,100.50 to Time To Wrestle LLC for wrestling equipment.

Authorize Purchase Order Benches & Tables

Motion by Councilperson S. Lewis, seconded by Councilperson Olivo, authorize a purchase order in the amount of \$4,913.44 BCI Burke for benches and tables at Park.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

*Lou Rodio has completed requisitions on all purchases. Councilperson S. Lewis requested Lou Rodio to forward letters to all groups advising of municipal purchasing requirements in the future.

Clean Flow

Councilperson S. Lewis requested copies of Clean Flow System Documents be forwarded to the 2006 Park Commission members.

The Clerk advised she will forward documents to Alberta Eppler Secretary for disbursement and file same in Clerk office for permanent record.

COUNCILPERSON BERTINO

Atlantic Electric Letter

Councilperson Bertino requested a letter be forwarded to Atlantic Electric concerning the problematic street lights throughout Hammonton. The Solicitor to forward a strong letter onto the proper contact person at Atlantic Electric as letters have been sent by the Clerk's office in the past, to Rick Cressey, without the problem being corrected.

COUNCILPERSON MORANO

Road Construction Projects

Councilperson Morano reported on the status of various road construction projects.

Authorize Repair to Curbing

Marandino Concrete \$10,780.00

Scrapple Bros. \$13,085.00

Motion by Councilperson Morano, seconded by Councilperson Falcone, authorize a purchase order to Marandino Concrete for curbing repair in the amount of \$10,780.00.

ON THE QUESTION:

Councilperson Olivo questioned isn't the homeowner responsible for their curb and sidewalk?

Councilperson Clark stated this particular repair is the town's responsibility as there has been a drainage problem in the past that has caused the damage and this has been requested by the Road Superintendent.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

Police Chief Report - Gas Tanks

Chief Ingemi reported problems with gas tanks located at school and shared by the town. He has a letter on file from Crescent Tire stating the police vehicles require high octane gas. However, he has discovered that the town is not being supplied high octane gas which can void the vehicle warranty. He has had engine problems with 2 vehicles already.

Also, the gas has recently been found to have water and debris in it. He requested Mayor and Council's assistance in this matter.

Solicitor to forward a letter to Hammonton Board of Education requesting reimbursement for the difference in cost of gas the town has paid for and not received. Also, request the school purchase high test fuel for the Town of Hammonton since we share all costs.

Authorize Purchase Police Vehicles

Motion by Councilperson Morano, seconded by Councilperson Falcone, authorize the purchase of 3 Ford Crown Victoria police vehicles and 1 Ford Explorer as authorized by Resolution #15-2005 and State Contract #45069.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

Hire 2 Police Officers

Motion by Councilperson Morano, seconded by Councilperson Falcone, hire 2 full time police officers effective date as well as names to be supplied after police investigation.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

COUNCILPERSON CLARK

Highway Department

Highway Dept has been continuing curbside leaf pick up. This project will end Dec. 30, 2005.

Requested by ARH and HPD to install 3 Chevron Signs on Old Forks Rd at the curve. These signs are reflective so they can be seen.

First snow fall came last week, all roadways were cleared. Town received approx. 3" of snow.

Town residents are requesting a second toter and senior citizen are requesting a smaller one. Asking Mayor and Council for cost of second toter.

Authorize Emergency Repair Highway Department

Motion by Councilperson Clark, seconded by Councilperson Morano, authorize a purchase order to Site Contractors in the amount of \$7,500 for emergency repairs to Highway Garage (previously repaired as emergency existed).

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

COUNCILPERSON FALCONE

Response to Suffolk Co. Chapter Mothers of Murdered Children

Councilperson Falcone reported that after several attempts at obtaining property to place the requested monument for murdered children he feels he must decline the request as he has not been able to acquire property and the town hall project will not be completed for at least 2 years. He further stated he has attempted to contact Suffolk County Chapter to ascertain additional information and has not received a return call. He requested the Clerk respond in writing.

COUNCILPERSON OLIVO

It is difficult to put into words how grateful I am to the public for its support throughout the years. I know that I served in some difficult times in our town and I hope most that is behind us. We need to look ahead into Hammonton's future. We need to restore Hammonton's charm and character. Personally, I am looking forward to a Town Hall at Central and Vine and a revitalized downtown. Before taking office, I never viewed myself as a politician, but I must admit I loved being here. But there was so much to do and so little was done and I would like to apologize for that. I am sorry that I did not deliver you a Town Hall at Central and Vine or get the sidewalks and streetscapes completed in the downtown area or create more open space for recreation for all age groups. I have always tried to do what I believed was the best for the majority of the people of Hammonton. Being in the minority on council this past year, with Jeanne Lewis, has given me more of a reason to fight for what I believed was still in the best interest of the town. I would walk out of these meetings defeated in the council chamber still feeling the support of the majority of the people of Hammonton and it was wonderful to be proven right. I would like to thank the employees of the Town that I have had the pleasure to work with, especially Susanne and April since I probably bothered them the most. I would also like to thank Mayor Ingemi for his many years of service to our community. Although we disagreed on most major issues throughout the past 2 years, I know that he has dedicated countless hours and some sleepless nights to our town. But the town has asked for

a changing of the guard and I am happy to be a part of that change.
Once again. Thank You.

SOLICITOR REPORT

N.J. Transit - Encroachment on 11th Street Site

Refer to new administration.

Solicitor also thanked Mayor and Council for allowing her to serve them for the past two years.

ENGINEER REPORT

SEWER & WATER - ACTION ITEMS

1. Jemco Construction (11-50000-05):

At their last MUAC along with the Mayor and Council approved the plans for the supply of water and sanitary sewer service for the three lots extending off of Washington Street. Also in conjunction with the subdivision approval, the applicant was advised to contact NJ Transit relative to the settlement of an encroachment problem that exists along their property and the NJ Transit parking lot area extending between Line Street and 11th Street. Since the Town is also looking to resolve this encroachment problem and possibly resolve some additional future development concerns within this block, a solution for this problem has been discussed with Mr. Cliff Krichilsky of Jemco Construction. The solution would involve the deeding of a 25' x 38'± parcel of ground to the Town of Hammonton in exchange for a reduced fee for water and sewer connection totaling \$2,000.00.

Motion by Councilperson Bertino, seconded by Councilperson Clark, recommend approval for the Town to accept the 25' x 38'± portion of Block 2607, Lot 7 in exchange for a reduction of the water and sewer connection fee for this parcel totaling \$2,000.00.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

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

As noted in last month's report, our office recommended that a portion of the PVC Sanitary Sewer main constructed

along 11th Street and specifically beneath the NJ Transit Rail Road be modified to Ductile Iron. Mayor and Council approved the change in material with an additional cost to the Town of \$960. Additionally, our office in coordination with the Contractor requested that the Municipal roadways within the project limits be milled and overlaid as opposed to restoring trench areas. While the Contractor was in favor of this option, an additional cost is associated with milling the existing roadways. To that extent we have agreed upon a value of \$19,406.25 to complete this additional work. Accordingly we are requesting approval of Change Order #1 in the total amount of \$20,366.25. It should be noted that a net deduction to the contract is anticipated for approval at the January meeting. **Therefore, there will not be the need to issue any new purchase orders related to this project for the contractor.**

With regards to the overall status of the project, the work required is substantially complete. A punchlist will be compiled with minor items remaining such as traffic striping and shoulder restoration. Payment Application #2 is on the December Bill List for Mayor and Council's approval.

Motion by Councilperson Clark, seconded by Councilperson Bertino, approve Change Order #1 to FW Shawl & Sons Inc. in the total amount of \$20,366.25. **No additional purchase order is required.**

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

and Mayor Ingemi.

Nays: Olivo & S. Lewis.

Mayor Ingemi declared the motion carried.

3. Water Allocation (11-30088):

We updated the Town of Hammonton Water Department's monthly diversion to reflect November's usage as follows:

<u>Month</u>	<u>2004</u>	<u>2005</u>
June	47.98	70.01
July	58.55	68.38
August	50.64	66.83
September	46.60	68.38

October	42.12	42.53
November	31.00	33.54

Diversion returned to prior year levels since October.

According to the above information, the new peak month upon which monthly allocation and firm source capacity is now June 2005 at 70.01 mgm. A report filed by ARH to NJDEP dated September 13, 2005. We presented data that demonstrated a balance available in monthly allocation and firm source capacity. NJDEP has not responded to this report. There are a few applicants before the Planning Board and MUAC that will be affected by the findings of NJDEP in reaction to the September 13, 2005 report. ARH will pursue a response from NJDEP on this critical issue.

ARH prepared a proposal outlining the initial task in pursuit of new source supply, increase monthly and annual diversion and increase to firm source capacity (see attached). The initial phase of this effort will be as follows:

1. Investigate water usage in the Town in order to justify any allocation increase request to the NJDEP.
2. Produce a GIS map to assess water demand under total build out conditions.
3. Meet with the NJDEP to discuss possible alternatives to increase water supply to the Town of Hammonton.

Once the scope of the water allocation permit modification is established, we will submit to the Town a proposal to perform the necessary work to locate a new source supply site as well as the design and permitting of same.

Motion by Councilperson Bertino, seconded by Councilperson Falcone, authorize ARH to initiate the tasks as outlined above for the pursuit of increase to monthly/annual diversion as well as an increase in firm source capacity and initiation into the location of a new source supply site. The amount of the proposal for the initial tasks is \$8,740.00.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

PUBLIC WORKS - ACTION ITEMS

4. Atlantic County Farmland Preservation Easement (11-01000-88):

The Town Clerk forwarded a copy of a letter from the County regarding the adoption of a resolution of support for the following properties requesting farmland preservation easement on their property.

Block 4901, Lots 25 & 26 - Bridge Avenue

Block 5302, Lot 7 - Laurel Avenue

Block 5402, Lot 1 - Bridge Avenue

We are presently discussing same with the County and the Solicitor relating to the adoption of a supporting resolution. A sample resolution has been provided for Council's consideration.

At the same time, there are existing municipal roadways that these properties front where additional right-of-way, roadway or drainage easements may be needed. We will review same with the Solicitor, Public Works Committee and Highway Superintendent to determine if a need for same exists. We will advise Council of a subsequent meeting.

Action Requested:

Adoption of typical support resolution as requested by the County for farmland preservation easement for the above noted properties. A copy of same is provided for Council's consideration.

Refer to New Business for resolution.

5. Boyer Avenue Recreation (11-50099):

Phase II

Construction:

A pre-construction meeting was held at ARH on November 30, 2005. The Contractor has been given a Notice to Proceed dated December 7, 2005. Clearing operations began on that day. As additional the project progresses we will continue to keep Mayor and Council updated.

Funding

The Atlantic County Open Space Program has awarded the Town a \$60,000.00 grant to be used on the Phase II project. The deadline to requisition the funding expires at the end of the year. The Program allows for extensions of up to a

year. The first step to obtain an extension is the adoption of a resolution authorizing the Mayor to sign a request for extension letter and authorizing an amendment to the agreement with the County.

Action Requested:

Adopt the enclosed resolution authorizing the Mayor to sign a letter to the County requesting an extension of time and authorizing an amendment to the agreement with the County.

Refer to New business for resolution.

SEWER & WATER INFORMATION ITEMS

6. UST Removal at Wells #4 & 5 ~ Block 4604, Lot 23 - Block 1709, Lot 30.01

(11-30125):

The contractor has been notified to start the project and a purchase order was issued for same.

7. Egg Harbor Road Water Loop - 9th Street to Lake Park (11-30132):

The Solicitor is in the process of obtaining the easements required along the project route, and will provide our office with an update relating to same prior to the end of the year. As recommended by MUAC, Council has authorized the use of Red Bank Environmental to provide assistance related to their comments and input for the replacement of the monitoring wells on the Petetti property and the impact on the groundwater depths. We have received a letter of concerns from the attorney for the site remediation, which we are in the process of reviewing. We will discuss the options with the MUAC and Solicitor.

8. Elm Avenue/Cottage Street Sanitary Sewer Extension (11-50125):

As authorized last meeting, our survey staff and field crews have begun the research and field work relating to the replacement of sanitary sewer along the following streets:

- o Elm Avenue - Cottage Avenue to Fairview Avenue
- o Cottage Avenue - Third Street to Second Street

We will keep MUAC and Council informed of further progress.

9. Egg Harbor Road Utility Extension TSB - Infill Extensions (11-50122):

We have met on-site with the contractor TSB and the affected property owners along Egg Harbor Road adjacent to Cherry Street. The contractor has started the work and we expect him to the pipe installation and base repair by the end of this month. We will keep MUAC and Council informed of further progress.

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

ARH has continued the design work associated with the sewer and water replacement along Bellevue Avenue. It is anticipated that all necessary permit applications will be filed within the next month. We have forwarded a copy of the design plans to the Pinelands for their review. We have also filed the funding application with USRD for the project as requested by Council.

11. White Horse Pike/Moss Mill Road Sanitary Sewer Extension (11-50124):

ARH Survey crews have completed base plans and accordingly Engineering staff have begun design on the utility extensions. Preliminary plans, specifications, and NJDEP applications are currently being completed. The pertinent applications to the NJDEP and Atlantic County will be provided to the respective agencies upon completion.

12. Surface Water Permit (11-50047):

TRC-Omni White Paper Submission:

At the last meeting, we reported on a seminar that was held for municipalities possessing discharge to surface water permits. The purpose of the meeting was to educate the permit holders of the nearly impossible standards that have been established by regulations and a subsequent addendum. TRC Omni addressed the issues that will negatively affect the permit holders and presented comments on November 18, 2005 for the proposed amendments to the surface water quality standards. They were seeking participation by all of the permit holders affected by the new regulations. Hammonton decided to join the others and participate in the joint defense at a cost \$5,000.00.

The report was filed to the NJDEP and TRC Omni is awaiting their response. We will keep Council apprised of the success of this effort since it has far reaching implications to the Town's Wastewater Treatment Plant operations.

NJDEP Permit Appeal:

As Council is aware, an appeal was filed to the standards set forth in the final discharge to surface water permit . On November 30, 2005, representatives from NJDEP and the Town of Hammonton met at a scheduled settlement conference. The purpose of the meeting was to discuss any possible settlement issues associated with the items that the Town appealed when the Surface Water Renewal Permit became final.

A hearing at the office of Administrative Law is scheduled for January 11 & 12, 2006. Dr. Ferrara outlined the work that the Town authorized his firm (TRC Omni) to conduct as a means of the Town to address the lead, phosphorus and others in the final permit. In essence, the Town has 59 months from permit issuance (12/1/04) to either meet the final permit limits or produce findings to eliminate some (lead and phosphorus) of the parameters by conducting extensive research on the ambient conditions of the receiving stream.

The meeting was productive and due to the presentation made by Hammonton's Consultants, it was mutually agreed that the trial set for January 11, 2006 was not practical to pursue at this time. There could be a number of issues agreed upon and therefore removed from the appeal in the next six (6) months to a year. At the outside, approximately a year would be needed so that the stream study could be concluded next spring, data compiled and information submitted to the NJDEP.

All parties agreed to place the matter on the inactive list for six (6) months. Placement on the inactive list does not jeopardize the Town's right to a future trial.

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

As a follow up to the request made by representatives from Kessler Foundation, ARH prepared a questionnaire to property owners along the White Horse Pike and Kessler Hospital to obtain information regarding the status of their private drinking water supplies. Additionally, the questionnaire requested their position on participating financially in the extension of the public water system in that area. The questionnaire was mailed on December 6, 2005 and responses were requested by December 30, 2005. We will inform Council of the data collected at the next meeting.

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

Our office is in the process of completing the design plans and specifications for the project and anticipates a submission to the NJDOT sometime after the first of the year. Upon approval of the project ARH will request a date from Mayor and Council to advertise and receive bids.

15. Well 7 (11-30131):

The electrical portion of the specification has been completed and bid advertisement will be prepared for receipt of bids during the middle of January.

16. Sludge Management (11-50058):

We postponed the scheduling of a site visit to a Richmond, VA facility to view the sludge disposal alternative procedure known as the "Cannibal" System until after the new year. Alternative dates for the site visit we be discussed with Council after the first of the year.

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PUBLIC WORKS - INFORMATION ITEMS

17. Old Forks Road Reconstruction (11-40007):

At the time of this reporting period the Contractor is substantially complete. The Contractor has addressed outstanding punch list items. The Contractor will hopefully be requesting final payment on next months billing list

18. 2005 Road Program (11-40023):

As authorized by the Mayor and Town Council, construction will take place on the following roadway projects:

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

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

The Contract was awarded at the September Council Meeting; however it is subject to the availability of funds. It is our understanding the funds are now available and thus the Contract is officially authorized to proceed. We will be working with the Contractor to get the project underway. As the project progresses we will keep Mayor and Council informed.

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

ARH personnel have met with representatives from the NJDOT regarding those items which must be completed prior to Final Payment consideration. The Contractor has been provided with a punchlist of outstanding items. Upon

completion of these items, Final Payment will be considered and the Town may seek reimbursement through the NJDOT.

20. Transportation Enhancements, Bellevue Ave-12th Street Improvements (11-40011):

Our office is in the process of compiling an Authorization to Bid package for submission to NJDOT that addresses previous review comments. In addition, we have been informed that all of the easements along the project route have not been acquired and this could consequently delay our submission. We will work with the Solicitor to ensure that all easements are secured.

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

Our office has been notified that the funds for the project have been earmarked for the Municipality. Subsequently, a preconstruction conference was held with the ACIA and the Contractor for the project. It was agreed that the start of construction would be delayed until sometime after the first of the New Year when more favorable weather can be achieved.

22. Oak Road/White Horse Pike Intersection Drainage Relief (11-40000-24):

As approved at the last Council meeting, ARH field crews have been provided with a scope of work and will be completing locations and elevations in the near future. A base plan and estimate will be provided to Council upon completion.

23. Kramer Beverage Commerce Way Basin (50-51394)

All affected parties have reviewed and accepted the protocol (modification of the lift and drop method) that was established for the Remediation of the Kramer Beverage basin. Unfortunately, the weather has preempted this procedure from being implemented until the Spring. In the interim, the Public Works Department will stockpile leaves for use during the Spring event.

Authorize "No Further Action" Letter of Request Existing Town Hall Site

Motion by Councilperson Olivo, seconded by Councilperson S. Lewis, authorize ARH to forward necessary letter to NJ DEP.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

MAYOR REPORT

Mayor Ingemi thanked all employees of the Town of Hammonton for their hard work and dedication that so often goes unnoticed. He also thanked the citizens of Hammonton. Mayor Ingemi further stated that it has been a pleasure to serve Hammonton as Mayor.

TOWN CLERK/ADMINISTRATOR REPORT

Report Coastal Environmental

The Clerk reported that she received a report on the latest air sampling which was negative.

A discussion was held once again concerning the need for a town hall and the present town hall conditions and employee complaints.

The Clerk was requested to forward a letter to Howard Berchtold, Division Manager Atlantic County Civil Courthouse, requesting he meet with Chief Ingemi and Debbie Camorata, Municipal Court Adm. concerning viable solutions to the employees requests to be moved from the town hall location to the Hammonton Fire Co. #2.

Authorize Additional Repairs Police Records Room

No action taken at present time. Clerk to forward letter

to John Aloisio, Construction Official, requesting his input in

this matter.

Authorize purchase of additional toters (200 @ \$15.00 ea.)

Motion by Councilperson Clark, seconded by Councilperson Morano, authorize agreement to purchase additional toters 200 @ \$15.00 each with Barnegat Twp.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

BILLS/PAYROLL/OVERTIME/TRANSFER RESOLUTION/BUDGET BALANCES

Resolution #R181-2005 Transfer Resolution December

#R181-2005

Resolution Providing for the Transfer of Funds in Budget

BE IT RESOLVED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, and State of New Jersey, that there be and hereby is authorized the following transfers from the budget appropriations for the year 2005:

FROM: IN CAP

Airport OE 10,484.25

Construction SW 12,500.00

Dog Regulation SW 7,000.00

Finance SW 4,900.00

Police OE 42,197.12

Radio OE 4,485.00

Total 81,566.37

TO: IN CAP

Advertising OE 17.05

Construction Official SW 7,283.00

Environmental Commission SW 125.00

Finance SW 500.00

Highway OE 69,369.25

Police SW 2,076.07

Radio SW 388.20

Rent Control S&W .10

Shade Tree SW 175.00

Social Security 600.00

Street Lighting OE 1,032.70

Total 81,566.37

FROM: OUTSIDE CAP

Sewer OE 20,000.00

TO: OUTSIDE CAP

Sewer SW 20,000.00

Motion by Councilperson Morano, seconded by Councilperson Clark, approve bill list, payroll, overtime, resolution.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

COMMUNICATIONS

1. From LANCE SCHIERNBECK request to hire 2 full time laborers at Highway Department who have the required CDL license.

Motion by Councilperson Clark, seconded by Councilperson Morano, hire 2

full time laborers Santo Cannistra and Doel Moreno effective this evening at starting salary and benefits due to the fact that they hold the required CDL drivers license.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

2. From LANCE SCHIERNBECK request promotion of Brian Mascio to Truck Driver (he has required CDL).

Motion by Councilperson Clark, seconded by Councilperson Morano, promote

Brian Mascio to Truck Driver effective this evening.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

3. From ATLANTIC COUNTY re: farmland preservation program

(if Mayor & Council wish to proceed, refer to New Business
for resolution which already appears as #190-2005)

Reported under Engineer report and referred to New Business for
resolution.

REPORTS-November 2005

Town Clerk

Registrar

Construction Official

Environmental Commission - Annual Report 2005

Reports listed by the Clerk were previously given to Mayor and Council
and are ordered received and filed.

UNFINISHED BUSINESS

MUAC Class II (4 yr) expiring 12/31/07 (unexpired term Penza 12/31/07)

(Mayor with Confirmation of Council Appointment)

Motion by Councilperson Morano, seconded by Councilperson Clark,
appoint Carmen Farinelli to the unexpired position of Anthony Penza on
MUAC Class II (4 year appt to expire 12/31/07).

ROLL CALL - Yeas: Clark, Falcone, Morano.

Nays: Bertino, Olivo, S. Lewis.

Abstain: Mayor Ingemi.

Mayor Ingemi declared the motion **defeated**.

NEW BUSINESS

RESOLUTIONS

#R182-2005 Reject Sealed Proposals - 11th Street

RESOLUTION # 182-2005

RESOLUTION REJECTING SEALED PROPOSALS

FOR SALE OF TOWN OWNED PROPERTY

WHEREAS, the Town of Hammonton did advertise for receipt of sealed proposals to be opened on November 9, 2005 for Block 1201 Lot 44 located on Eleventh Street in the Town of Hammonton; and

WHEREAS, the only sealed proposal was received from Action Supply Inc. of Ocean View, New Jersey in the amount of \$425,000.00; and

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

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON IN THE COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that the only bid received from Action Supply Inc. in the amount of \$425,000.00 is hereby rejected.

BE IT FURTHER RESOLVED that the 10% deposit be returned to Action Supply Inc.

#R183-2005 Community Development Block Grant

#R 183-2005

RESOLUTION OF THE GOVERNING BODY

of the

Town of Hammonton

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the Town of Hammonton has opted to participate in the Atlantic County Community Development Block Grant (CDBG) Program for FY 2005; and

WHEREAS, as a participant, the Town of Hammonton expects to be allocated \$78,451.00 for Fiscal Year 2005 for the project known as ADA Improvements --Curb Cuts; and

WHEREAS, in order to be allocated CDBG funds, the Town of Hammonton must enter into a interlocal service agreement with the Atlantic County Improvement Authority, the administrator of the Atlantic County CDBG Entitlement Program,

NOW, THEREFORE, BE IT RESOLVED, that the Agreement by and between the Atlantic County Improvement Authority and the Town of Hammonton which is attached hereto, is approved and the Chief Elected Official and the Municipal Clerk are authorized to sign said agreement.

#R184-2005 Tax Resolution December

#R 184-2005

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

Block Lot Reason Account

3605 30 Correct Payment Tax

4304 32 Refund Tax

4901 21.02 Refund Tax

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON to authorize and direct the tax collector to credit, transfer, cancel, refund, or change the above accounts.

#R185-2005 Refund Liquor License Transfer Fees - Castaneda

RESOLUTION # 185-2005

RESOLUTION AUTHORIZING A REFUND

OF LIQUOR LICENSE FEES

TO NOE CASTANEDA

WHEREAS, Noe Castaneda did submit \$80.00 for person to person transfer of two liquor licenses as follows:

0113 32 014 009 Intermex Inc. t/a Westwind Discount Liquors

0113 44 016 009 Superior Inc. (pocket)

WHEREAS, NJ ABC has determined that the person to person transfer of liquor licenses will not take place and a request for a change to corporate structure should be made; and

WHEREAS, Susanne Oddo, Town Clerk/Business Administrator, has reviewed same and is in agreement with said refund.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that Susanne Oddo is hereby authorized to cause a refund of the above

referenced liquor license transfer fees totalling \$80.00 to Noe Castaneda; and

BE IT FURTHER RESOLVED that the refund should be made from the Town Clerk account as the funds have not been turned over to the Town Treasurer for month of December, 2005.

#R186-2005 Authorize Transfer Liquor License Mertis to Vision

#R186-2005

WHEREAS, an application has been filed for a person to person and place/place transfer of Plenary Retail Consumption License 0113-

33-013-014;

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

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

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

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Town of Hammonton does hereby approve the transfer of the aforesaid Plenary Retail Consumption License to Vision Property Group LLC, and does hereby direct the Town Clerk to endorse the license certificate to the new ownership as follows: "this license, subject to all its terms and conditions, is hereby transferred to Vision Property Group LLC, 216 Bellevue Avenue, Hammonton, New Jersey effective December 20, 2005.

#R187-2005 Authorize Transfer Liquor License Kuber Ganga to Aryan Liq.

#R187-2005

WHEREAS, an application has been filed for a person to person transfer of Plenary Retail Distribution License 0113-44-015-009,

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

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

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

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Town of Hammonton does hereby approve the transfer of the aforesaid Plenary Retail Consumption License to Aryan Liquors LLC t/a Town Food & Liquors, 333 S. Egg Harbor Road, Hammonton, New Jersey, and does hereby direct the Town Clerk to endorse the license certificate to the new ownership as follows: "this license, subject to all its terms and conditions, is hereby transferred to Aryan Liquors LLC t/a Town Food & Liquors, 333 S. Egg Harbor Road effective December 20, 2005.

#R188-2005 Welcome Back Italian Saxula Band

#R188-2005

RESOLUTION SUPPORTING THE ITALIAN

SAXULA BAND OF BY THE

TOWN OF HAMMONTON

WHEREAS, the Italian Saxula Band visited the Town of Hammonton in August of 2005, and

WHEREAS, the Band was co-sponsored by the Hammonton Mt. Carmel Society and the Sons of Italy, and

WHEREAS, the Town of Hammonton wishes to support the return of the Band to Hammonton in the future.

BE IT RESOLVED, by the Mayor and Council of the Town of Hammonton that the Town of Hammonton is fully supportive of all international exchange between the Italian Saxula Band and the Town of Hammonton, and welcomes the Band to Hammonton in the future.

#R189-2005 Open Space Program

RESOLUTION # 189-2005

AUTHORIZATION TO REQUEST

TIME EXTENSION & AMEND AGREEMENT FOR THE

COUNTY MUNICIPAL OPEN SPACE PARTNERSHIP PROGRAM

ROUND FOUR (\$60,000)

WHEREAS, the Town of Hammonton has received funds through the Atlantic County Municipal Open Space Partnership Program to be utilized in the Boyer Avenue Recreation Project Phase II; and

WHEREAS, the deadline to expend the funds will not be met; and

WHEREAS, the Town of Hammonton is required to submit a request for an extension of time to complete the expenditure; and

WHEREAS, the agreement with the County will need to be modified; and

WHEREAS, the Town will request an extension of time until the end of the year 2006; and

NOW, THEREFORE BE IT RESOLVED THAT the Mayor and Town Council of the Town of Hammonton hereby authorize the Mayor to submit a request for an extension of time; and authorize the amendment of the agreement to allow expenditure of funds until the end of 2006.

#R190-2005 Farmland Preservation

RESOLUTION # 190-2005

**RESOLUTION IN SUPPORT OF COUNTY AND STATE EFFORTS TO PRESERVE
AGRICULTURAL USES FOR THE FOLLOWING PARCELS FOR JOHN BERTINO/TERRY
SILWECKI (T/A) VARIETY FARMS**

BLOCK 4901, LOT 25 & 26 ~ BLOCK 5302, LOT 7 ~ BLOCK 5402, LOT 1

WHEREAS, Mayor and Council of the Town of Hammonton wish to support the efforts of the County of Atlantic and State of New Jersey to preserve agricultural uses and whereas such preservation is in the best interest of the residents of the Town of Hammonton; and

AND NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the Town of Hammonton supports the State of New Jersey's Agricultural retention and development program as it relates to the following and that the land described be preserved in it's current agricultural use; and

- Block 4901, Lots 25 & 26 - Bridge Avenue
- Block 5302, Lot 7 - Laurel Avenue
- Block 5402, Lot 1 - Bridge Avenue

Notice of adoption of this resolution shall be published in the official publication of the Town of Hammonton as required by law.

#R191-2005 Authorize Grant Buckle Up

#R 191 -2005

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 **\$2,000.00 from NJ Division of Highway Traffic Safety "Buckle Up South Jersey"**, and wishes to amend its Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the **2005 Budget in the sum of \$2,000.00** which is now available as a revenue from:

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

NJ Division of Highway Traffic Safety "Buckle Up South Jersey"

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

#R192-2005 Declare Sister Cities

#R 192-2005

RESOLUTION ESTABLISHING SISTER MUNICIPALITIES

WHEREAS, the Town of Hammonton in the State of New Jersey, United States of America and the Town of San Gregorio di Sassola in Italy have exchanged ideas and hospitality and;

WHEREAS, in August 2005, the Saxula Band containing residents from San Gregorio di Sassola visited the Town of Hammonton; and

WHEREAS, in January 2006 residents from the Town of Hammonton will visit San Gregorio di Sassola; and

WHEREAS, the Mayor and Council of the Town of Hammonton wish to continue to encourage the free exchange between the two municipalities, and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Hammonton, that the Town of Hammonton and the Town of San Gregorio di Sassola become sister municipalities and be considered reciprocal cultural and social centers within their respective countries.

Motion by Councilperson Olivo, seconded by Councilperson Clark, resolutions numbered 182 through 192 be adopted.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

LICENSE APPLICATIONS

PR Civic Assoc. (ABC) 12/10/05

Motion by Councilperson Clark, seconded by Councilperson S. Lewis, license applications be approved. Motion carried.

PUBLIC HEARD

Mark Santora - Old Forks Road

Mr. Santora stated he received a letter from Atlantic County Board of Health concerning contaminated properties in the area of his property located on Old Forks Road. He once again discussed his problems at his property with Mayor and Council and requested that they do whatever possible to correct the problems.

Chief Ingemi

Chief Ingemi advised the private citizen monitors in town will not be working due to changing systems in the Hammonton Police Department.

Dave Bononato - S. Egg Harbor Road

After a discussion concerning the denial of his waiver request at 11/21/05 meeting, it was on motion by Councilperson Falcone, seconded by Councilperson Morano, authorize waiver of back sewer charges for two years only which is prior to date of Mr. Bononato's ownership.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

#R 193 -2005 Resolution Enter Into Closed Session

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

1. Approve Closed Minutes
2. Personnel
3. Litigation

BE IT FURTHER RESOLVED, that the minutes of said

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

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

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

S. Lewis and Mayor Ingemi.

Nays: None.

Mayor Ingemi declared the motion carried.

Resume Regular Order of Business

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

Police Chief Request to Carry Over Holidays

Motion by Councilperson Falcone, seconded by Councilperson Clark, approve Chief Ingemi's request to carry 5 (2005) holidays to 2006.

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

S. Lewis and Mayor Ingemi.

Nays: None.

Absent: Morano

Mayor Ingemi declared the motion carried.

ADJOURN

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

Susanne Oddo, Town Clerk/Administrator