

Minutes
REGULAR MEETING OF COUNCIL
Held in Town Hall Council Chambers
100 Central Avenue, Hammonton, N.J.
Monday, November 19, 2007 at 7:00 P.M.
Minutes can be viewed at www.townofhammonton.org

MEETING CALLED TO ORDER BY MAYOR DIDONATO at 7:01 p.m.

ROLL CALL

Mayor DiDonato - P
Councilpersons:
Bertino - P
Colasurdo - P
Marino - P
Massarelli - P
Vitalo - P
Wuillermin - P

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 Marino, seconded by Councilperson Vitalo, approve minutes of Regular Meeting October 22, 2007 as recorded by the Clerk. Motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

1. Joseph DeFillipo – Kessler Hospital Foundation-update on fund raiser
2. Kristin Colasurdo Chairperson Historic Preservation Commission-presentation & request award quotes

Award Quote – Historic District Survey

Berkey/Conley Proposal	\$ 9,951.00
Richard Grubb & Assoc. Inc. Proposal	\$17,413.75

Motion by Councilperson Bertino, seconded by Councilperson Wuillermin, authorize purchase order to Berkey/Conley Proposal \$ 9,951.00 for Historic District Survey.

ROLL CALL

Councilpersons:
Bertino - Y
Colasurdo - Y
Marino - Y
Massarelli - Y
Vitalo - Y
Wuillermin - Y
Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

Kristin Colasurdo also advised Mayor DiDonato that the Commission will be recommending appointments for upcoming Organization Meeting.

3. Town Hall Report/Update given by Steve DiDonato and request authorize the following change orders:

Authorize Change Orders as follows:

Commercial Hardware Inc.(final hardware schedule with interlock information)	\$ 2,070.00
Dolan Mechanical (CO3 relocate electrical transformer)	\$ 7,886.40
The McCloud Group LLC (CO1 Sally port modification)	\$ -0-
Dolan Mechanical authorized by McCloud Group(CO2 credit for project sign)	- \$ 660.00
Atlantic Electric (underground service)	\$ 6,533.82

*Verizon (install new cable and terminal) \$16,131.96

After a discussion of Mayor and Council and Chief Ingemi, Verizon \$16,131.96 change order be held for one month until further investigation is made as to correct number of lines coming into Town Hall building.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, authorize above listed change orders for new town hall project.

ROLL CALL

- Councilpersons:
- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Councilperson Vitalo questioned what Steve DiDonato's intentions are with the police antenna?

Mr. Steve DiDonato responded there are several options such as locating antenna elsewhere in Hammonton, moving current tower, install new tower. However, a definite decision has not been made.

Councilperson Vitalo questioned is Chief Ingemi being kept abreast of the situation as Councilman Vitalo is concerned with the Chief being comfortable with all aspects of the police department as he is the most important person in town, next to council.

Mayor DiDonato responded that he and Chief Ingemi attended an administrative committee meeting in where Chief was kept abreast and Mr. Steve DiDonato was not privy to same.

Chief Ingemi responded that he did attend a meeting with Mayor DiDonato and he is fine with recommendations as long as the communications are of utmost efficiency.

Councilperson Marino questioned if the agreement with laundry owner will alleviate concerns with getting emergency vehicle into sally port?

Mr. Steve DiDonato responded, yes.

Councilperson Marino also questioned are we running lines for computers in the new town hall yet and would it be worth looking into wireless system?

Councilperson Massarelli advised wireless option was reviewed and not the most prudent thing to do as it's not 100 percent reliable. However, there may be options to go wireless in smaller areas on individual printers/computers. However, the wires have not been installed as of this date.

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard.

RESUME REGULAR ORDER OF BUSINESS

COMMITTEE REPORTS

Councilperson Vitalo Report

- Shade Tree meeting report/tree removal
- Restoration of Hammonton Lake/requested following trash receptacle ordinance
- Report on coaches background check
- Request re installment of MUAC Committee

Mr. John Rodio, 8 Golf Drive, was authorized to come forward to speak concerning the request for all volunteer recreation coaches to be subject to a police background check. He stated he is in favor of the background check. However, he has a problem with one portion of the proposed policy. He advised there are no exceptions for any of the police findings except when it comes to past drug findings. He believes the policy should be adopted consistently with a -0- tolerance for all criminal background aspects including drug findings.

Chief Ingemi responded and Solicitor concurred that the policy is being proposed as per State law. Both confirmed they are not advocating drug use. The question is do we want to establish this policy consistent with State law or not establish the policy at all?

Mayor suggested coaches be invited in to be heard concerning their opinions of background check.

Chief disagreed in that if someone has an objection to a criminal background check, then that should alert authorities of a potential problem.

Councilperson Bertino Report

Board of Education Meeting Report
Appoint Barbara Prettiman, Official Purchasing Agent
Sale vehicle
Approved Annual Audit
Enrollments dropped
Building demolition

Councilperson Vitalo thanked the school board for their hard work in their financial effort.

Councilperson Bertino agreed that the school board and administration, especially Ms. Prettiman, should be commended.

Councilperson Marino Report

Request street light Railroad and Colwell Avenue Pole H40742

Motion by Councilperson Marino, seconded by Councilperson Bertino, authorize installation of street light on Railroad and Colwell Avenue Pole # H 40742.

ROLL CALL

Councilpersons:
Bertino - Y
Colasurdo - Y
Marino - Y
Massarelli - Y
Vitalo - Y
Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Councilperson Marino Report Continued

Request \$15,000 into Shade Tree Account for tree removal

Mayor questioned availability of funds for transfer?

Clerk responded there is no availability funds.

Mayor suggested the removals be held for 2008 budget.

Councilperson Wuillermin questioned how many trees were removed this year?

Mr. Diaz, Chairman of Shade Tree Commission, advised approximately 15 trees.

Councilperson Wuillermin questioned how does committee distinguish between what trees Asplundh removes verses trees the o Town has removed.

Mr. Diaz advised depending on height of tree and electrical wires, Asplundh must be called in as Highway department cannot handle.

Councilperson Wuillermin questioned how much has been spent on tree removal thus far?

Mr. Frank Zuber, Accountant, advised approximately \$16,000 from approved budget of \$20,000.

Mayor DiDonato advised this figure does not include the cost of the Town forces (highway department employee salaries and benefits figured at an hourly rate plus use of vehicles and rental of stump grinder). Therefore, he believes the tree removal budget used thus far is most likely \$50,000 per year.

Mr. Diaz further advised he received a letter from County addressing dead trees on certain roadways and the County is advising they are turning over responsibility of trees on county roadways to Town of Hammonton.

Councilperson Wuillermin questioned if any funding has been spent on the replacement of trees?

Mr. Diaz responded no.

Councilperson Wuillermin questioned why so many trees on the same roadways are dying and if something can be done to prevent this in the future?

Councilperson Marino agreed that there are a large number of trees dying.

Mayor suggested Highway and Shade tree submit a list of trees that have been removed and actual cost of same so that Mayor and Council can better determine if transfer of funds is necessary.

Councilperson Marino Report Continued

Extend leaf pickup December 28 (put on channel 13)

Winterization

Toter lid purchases, placement of toters, highway will not pick up trash on ground

Request recycling sweeper dirt (DEP approved as long as dirt is screened)

Mayor questioned if the Town has a screen machine to take debris out of sand collected by sweeper?

Councilman Marino responded its his understanding that the Town is screening the dirt now and asked that Mr. Schiernbeck be given permission to proceed on a trial basis.

Councilperson Wuillermin suggested we receive written clarification from DEP as well.

Councilman Bertino advised he believes the standards are written in guidelines already.

Councilperson Marino Report Continued

Request purchase containers for landfill in 2008 capital budget requests to recycle rigid plastic

Conversion of mack truck and CDL class for drivers of same

Fire department donated safety trailer to highway dept renovated at no cost to be placed at dump

Requests for promotions for truck drivers at highway dept

Request FT Secretary/Recycling Coordinator position

Councilperson Wuillermin questioned if Councilman Marino has investigated the need for promotions and positions as requested by Councilman Marino?

Councilman Marino responded yes.

Councilperson Wuillermin Report

Under ARH report request approval bid water tower located at Elementary School site

SJ Gas Lincoln Street Change Orders

Resolution DCA

Water Allocation pump test update

Boyer Avenue Drip Irrigation Investigation

Infiltration slit trenches – Boyer Avenue – Meeting with town reps and Pinelands

Councilperson Bertino questioned should we hold up on the drip irrigation while we await results of infiltration?

Councilperson Wuillermin responded, on the contrary, no and further explained the scientific reasoning for same.

A lengthy discussion was held between Councilmen Wuillermin and Bertino concerning this issue.

Councilperson Massarelli Report

Asking for support of administration dept in the new year in preparation of moving into new town hall

Renew lease Pitney Bows (postage meter)

Motion by Councilperson Massarelli, seconded by Councilperson Wuillermin, authorize renew lease Pitney Bows at \$368 per month.

ROLL CALL

Councilpersons:

Bertino - Y

Colasurdo - Y

Marino - Y

Massarelli - Y

Vitalo - Y

Wuillermin - Y

Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

Councilperson Massarelli wished everyone a happy thanksgiving.

Councilperson Colasurdo Report

Advised Councilman Bertino further on drip irrigation
Advised of a plan to resolve the drainage concerns at Pulte

Mr. Melendez of PR Civic Assoc spoke to give his opinion only on same.

Councilperson Bertino questioned Solicitor concerning the bonds that the town is holding for this project?

Solicitor advised he's seen a couple letters from R&V to bonding company however he is not certain of the status.

ENGINEER REPORT

SEWER & WATER - ACTION ITEMS

1. **1.5 Million Gallon Water Storage Tank Painting (11-30136 - 07-0681):**
We have reviewed and discussed with the Water and Sewer Committee various options to complete the repainting of the 1.5 million gallon water storage tank located at the Elementary School site. We have prepared and attached a proposal totaling \$7,400.00 for ARH to complete the additional research and prepare bid specifications required for this project for Council's consideration. Once authorized, we will proceed with preparation of the bid specifications and receipt of bids. It is anticipated to receive and award the bid late this year or early next year with work to begin in the spring of 2008 subject to available funds.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, approve ARH proposal totaling \$7,400.00 and issuance of a purchase order so that work could be provided within municipal budget limits established for this project.

ROLL CALL

- Councilpersons:
 Bertino - Y
 Colasurdo - Y
 Marino - Y
 Massarelli - Y
 Vitalo - Y
 Wuillermin - Y
 Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

2. **Well #7 Change Order #4 (11-30131):**
At the July 23, 2007 Change Order #3 in the amount of \$48,732.00 was authorized. This project covered the electrical upgrades for the Well #5/#7 site located at 14th Street. Much discussion has ensued regarding the rehabilitation scope for the chemical building and Well #3. Located on Lincoln Street

On October 30, 2007, the Water and Sewer Sub-Committee convened to discuss the direction to be given to JPS regarding the above buildings. Given cost concerns, the condition of the building, as well as operational issues specifically related to the lime feed system, the following hybrid of the alternatives is recommended by the Water and Sewer Subcommittee:

- New roof on Well #3 only (current contract).
- Enlargement of lime feed room by removing brick wall(s) between chlorine and lime rooms.
- Two new doors (each 7' wide) to facilitate larger lime tank.
- New electrical/controls (current contract).
- New roof on Chemical Building (current contract).
- Grade changes within interior of Chemical Building.
- New windows in Chemical Building
- Minor repairs on both structures (repointing bricks).
- Stucco finish on both building

The cost of this plan is **\$30,537.00**.

It is the consensus of the Sub-Committee to pursue this plan for the following reasons:

- Overall cost.
- Addresses operational concerns of staff, particularly the lime room.
- Addresses age of and structural failures of existing buildings.
- Minimizes impact on SJG agreement since it utilizes existing Chemical Room foundation.

Similar to the previous discussion regarding funding, the strategy would be to temporarily fund the improvement with water operating funds. Following the re-appropriation of certain ordinances, the funds will be returned to the water operating account.

With the approval of Change Order #4 in the amount of **\$30,537.00**, this will increase the original contract by a total of 23.1%. The form of resolution associated with the exceedence above the 20% threshold has been prepared and submitted to DCA for approval. We have drafted a resolution to address Change Order #4 and the exceedence of the bidding threshold.

We previously outlined the justification for the exceedence of the 20% per Public Contracts Law guidelines and said reasons are incorporated in the attached resolution.

The governing body must approve an increase above the 20% limitation by documenting the following issues:

1. Receive the request for change order and the certification as described above by the contractor. *Justification for change order is provided above and will not be received from the contractor in this particular case.*
2. Assure that the issuance of the change order under this subchapter is proper and allowable.
3. Pass a resolution authorizing the change order. The resolution must be passed before execution of the change order.
4. Print in the authorized newspaper a copy of the resolution including the amount to be expended, the original contract price and the need for the additional work.
5. Said actions must be reported in the annual audit. On or before the last day of February, the Clerk shall report to the Division of Local Government Services all changes from the preceding year that exceeded the 20% limitation. This report shall be made on a form provided by the Division of Local Government Services.

In summary, the issuance of this change order will prove beneficial to the Town and its residents.

Action

Refer to New Business for Resolution.

PUBLIC WORKS - ACTION ITEMS

3. **11th/Washington Street NJDEP Site Evaluation (11-01065):**
As requested, ARH has prepared a proposal (copy attached) stipulating the further testing and evaluation required by the NJDEP to determine whether a no further action letter or whether additional testing will be required for this site regardless of its intended use. The ARH proposal has been divided into work to be performed by ARH and work required by outside consultants. The total cost for the combined work is \$12,000.00. We are requesting authorization from the Mayor and Council for the full project scope. ARH will delay billing on our portion of the proposed project until a purpose for the property is officially established by Mayor and Council. Should the Council decide to continue with the project as a Skateboard Park, ARH will waive the cost to complete our portion of the project total.

Motion by Councilperson Bertino, seconded by Councilperson Wuillermin, approve ARH proposal totaling \$13,000.00 to complete the work stipulated and issuance of a purchase order for the project. The conditions related to the billing as noted above would apply.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

4. **Fourth Street Reconstruction Proposal (07-0668):**
As requested by Mayor and Council, ARH has prepared a proposal to complete the required survey, base plan, easement descriptions, design work etc. required for the section of Fourth Street extending between Pleasant Street and Fairview Avenue. The proposal includes gathering data related to the location, sizing and possible easements along the three major drainage discharge points located within these portions of Fourth Street. The cost to complete the survey and design work for this section of Fourth Street totals \$27,900.00.

Motion by Councilperson Bertino, seconded by Councilperson Marino, approve ARH proposal dated October 31, 2007 totaling \$27,900.00 and issuance of a purchase order to complete the work requested.

Councilperson Wuillermin questioned if any pipes are clogged with sand?

Mr. Vettese responded yes.

Councilperson Wuillermin advised that the Sewer Department is looking to purchase a vacuum (sand nozzle) for this purpose and the superintendent will aid in the cleaning of same.

ROLL CALL

- Councilpersons:
- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

5. Bella Vita (Dreamworks) Subdivision Performance Bond Reduction (11-20195):

The Contractor has requested a reduction in his Performance Bond posted for the Development. ARH has completed a site inspection to determine the amount of improvements which are finished and those which still remain. It has been determined that the amount of the improvements completed to date are in excess of 70% of the total bond amount, but are not yet 100%. Therefore, in accordance with Town Ordinance and the Municipal Land Use Law, we are requesting that the Development Bond (LOC #6756800-2004) be reduced to the allowable 30% of the original. In this case the new LOC amount should be \$143,759.40.

Motion by Councilperson Vitalo, seconded by Councilperson Marino, approve the reduction of the Performance Guarantee to 30% or \$143,759.40 subject to review and approval of the Quality of Life Committee.

ROLL CALL

- Councilpersons:
- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

6. Walnut Street Trench Repair (11-01000):

We requested a price quote from Marandino Concrete who is working in the area to complete the removal and restoration of the trench adjacent to the Walnut Street/4th Street intersection. We have received and attached the price quote totaling \$2,800.00. We have reviewed the cost estimate with the Sewer and Water Committee to seek approval to complete the trench repair while the contractor is working in the area of Elm and Cottage Street. The work could be paid out of the Sewer O&E budget.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, approve \$2,800.00 price quote received from Marandino Concrete of Vineland for completing the trench repair at the Walnut/Fourth Street intersection. The cost to be taken from the Sewer O&E account.

ROLL CALL

- Councilpersons:
- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

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

Construction along Central Avenue is progressing according to schedule. As of the time of this report, concrete curb, drive aprons and some sidewalk has been installed between Broadway and Bellevue Avenues. Road crews have completed the base course of paving between Broadway Avenue and Third Street. It is hoped that by Thanksgiving, the all of the concrete work and base paving will be installed to Bellevue Avenue.

A request has been made to the Contractor to install two 2" PVC conduits to the Reagan Rock adjacent area to Wachovia Bank so that this area can be serviced with electricity. The Contractor has provided a cost of \$15/LF to install this conduit. Currently, we are waiting for an additional price to complete electrical work as well as specialized paver installation in this area for Council's consideration. We hope to have a full report for Council's consideration at the time of the Council meeting.

Payment Application #1 appears on this month's bill list for consideration. Furthermore, ARH will be requesting reimbursement for this invoice from Atlantic County.

Motion by Councilperson Vitalo, seconded by Councilperson Marino, authorize a change order to P&A in the amount of \$15,250.00 for work to be performed at Reagan Rock area.

ROLL CALL

Councilpersons:

Bertino - Y

Colasurdo - Y

Marino - Y

Massarelli - Y

Vitalo - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

SEWER & WATER INFORMATION ITEMS

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

We are waiting for a confirmation date from NJDEP relating to the establishment of a possible public hearing date related to the water main extension project. We will keep Council informed of further progress.

9. **Well #6 Investigation Hammonton Lake Park (11-30088-08):**

We have requested prices from area well drillers to complete the installation of a new irrigation well at the Hammonton Lake Park Complex to serve as a source for irrigation of the existing fields for budgetary purposes. Once obtained, we will review the cost with the Water/Sewer committee in order to provide a recommendation to Council for consideration.

10. **Mortellite Family Subdivision - Sanitary Sewer Service (11-11001):**

The Sewer and Water Committee have been conducting initial discussions with the design engineer for the project associated with the possibility of providing sanitary sewer to this section of the Town.

11. **Getty Gas Station Site Remediation - Block 2504, Lots 4 & 4.01 (11-50128):**

After discussions with representatives from the Tyree Company, we were informed they are still completing their evaluation process before proceeding further with the treatment process and ultimate possible discharge to the Town's collection system.

12. **Well Contamination Lakeview Gardens Area (11-30000):**

We had received inquiries from some residents within the Lakeview Gardens Area related to the possible contaminants found within individual wells. As was advised last meeting residents within the Lakeview Gardens area bounded by Cypress Court, White Horse Pike and Moss Mill Road should have their wells tested and provide copies of the test results to the Town. Should contaminants be found within a number of wells, there may be the potential that NJDEP Spillfund Program could assist the Town and residents with funds to allow for the extension of public water to this area. The Mayor and Council would appreciate the resident cooperation and assistance in this portion of Lakeview Gardens to allow for further investigation that would benefit this area as a whole.

13. **Egg Harbor Road Water Service Request (11-30000):**

We have notified the URS Company of the decision provided by Council at their last meeting and requested they post the escrow fees with the Town in order for the work to proceed.

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

A Development Application has been forwarded to the Pinelands Commission for review and approval. Concurrently, the Town Solicitor is working on securing easements for this work. Once these two tasks have been completed, submissions to the NJDEP can be made.

15. **Roadway Repair Route #54 and Packard Street (11-50000):**

Council has previously awarded a contract to Marandino Concrete Company to complete the necessary roadway repair and resetting of the Manhole at the Bellevue Avenue and Packard Street intersection. Marandino's subcontractor has mobilized in Town and should complete this work prior to Thanksgiving.

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

Major Modification Application:

The contractor started the step draw down test and the 72-hour pump test on Well #3 last week and completed the step draw down test on November 13, 2007. The 72 hour pump test was initiated on the morning on November 13, 2007. The next site to have the test performed will be Well #4 and finally Well #5. Once the aquifer testing program is completed a report with its findings will be submitted to the NJDEP for approval as a prerequisite for the desired increases in diversion request.

Future Well:

As previously reported, following the collection of data regarding the three pilot well locations from the Aquifer Testing Program, we will submit to the Town a proposal for siting the test well for Well #8.

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

A meeting with Lee Rain and the Drip Irrigation Manufacturer has been scheduled for Friday, November 16, 2007. At the meeting, we will discuss the strategy for moving forward for a formal application to NJDEP. As a reminder, the goal is to derive the volume and rate of drip irrigation that would be acceptable to NJDEP in an effort to safeguard the Department's concern that the operation did not over-saturate the vegetation and cause irrevocable harm.

PUBLIC WORKS - INFORMATION ITEMS

18. **Anderson Avenue Drainage (ARH Proposal #07-0299):**

We will meet with the Public Works Committee to review the information we presently have available for this project area and discuss options for consideration.

19. **Route #54/Front Street Stop Bar Location (11-01000):**

We are waiting for the report from the NJDOT investigator related to their findings and recommendations for the stop bar placement in the area of the above noted intersection.

20. **11th Street Soils Investigation/Disposal (11-01000-101):**

We notified Aqua Tex Transport of the approval granted by the Mayor and Council last meeting related to scheduling the removal and disposal of the contaminated soil at the 11th Street site. We have also informed Aqua Tex Transport of the importance of this work to proceed further so that the sale of the property could advance.

21. **Redistribution of Atlantic County Open Space Trust Funds (11-01064)(Proposal #07-0491):**

ARH has completed the revised application to Atlantic County for the parcel noted as a portion of Block 3001, Lot 1.01 which is part of the Harborwood Condominium complex fronting Walmer Street. We are waiting for the certification from the Harborwood Condominium Association officers to permit access to the property so it could be included with the application.

22. **Survey/Base Plan, Vine Street and Second Street (07-0488):**

Our survey department has completed the elevations and locations for the two roadways and will prepare a base plan for the project route. We will keep Council informed of further progress.

23. **Hammonton Lake Pesticide Treatment (11-90027-03):**

We are waiting the results for the NJDEP investigation of the pesticide application completed by Great Blue at the Hammonton Lake. Once their investigation is completed, we will request a report of their findings and recommendations so that project closeout and assessment of penalty if applicable could be completed.

24. **14th Street Culvert Investigation (11-01000):**

We conducted an initial site investigation of the clogged box culvert with Councilman Marino and followed up with a site visit with the Atlantic County Public Works and Mosquito Commission representatives. The blockage appears to be caused by a stick and earthen dam constructed inside the County culvert by beavers residing in the adjacent pond and stream corridor. The County said they will attempt to complete the removal of the debris to relieve the blockage in the upcoming weeks. Once the sticks and debris is removed the County has suggested the following actions be conducted by the Town:

1. Collect, grind and remove the sticks and branches pulled along the roadway shoulder.
2. Contact the State Forestry and Wildlife Preservation Society to install traps adjacent to the stream corridor for entrapment of the beavers so that they would be caught and transported to another area.
3. Conduct periodic inspection of the culvert to determine if follow-up clearing is required.

25. **Route #30 NJDOT Resurfacing Project (11-20204):**

As authorized by Council last meeting, we prepared a letter for the Mayor's signature requesting the NJDOT to coordinate their resurfacing of a portion of Route #30 with any improvements possible to be completed within the area of the intersecting streets encompassing the project limits.

26. Elm & Cottage Roadway Reconstruction (11-40032):

Construction for the project has begun and is near completion. As of the date of this report, all concrete amenities (curb and sidewalk) have been installed and work has commenced on the roadway repaving. The project should be substantially complete by the Thanksgiving holiday. Payment Application #2 appears on this month's bill list for consideration.

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

All that remains for this project is for the Contractor to complete punchlist items of which include the removal and replacement of a small portion of sidewalk along with the installation of benches and trash receptacles. Final invoicing for the licensed plumber and bike bollards appears on this month's bill list for payment consideration with only retainage remaining for the December meeting. NJDOT will be visiting the site within the next 30 days to complete a final inspection so that reimbursement can be obtained from the funding agency.

**28. Boyer Avenue Recreation (11-50099):
Phase III**

As authorized our office has begun work on the design of the phase III facility. Work to date is preliminary in nature. We anticipate meeting with the Recreation Committee and/or representatives from the respective organizations to ensure the grading of the fields is being done in a preferred fashion.

29. Eleventh Street Park Diversion (11-75002):

The Green Acres Program has provided guidelines to proceed with the diversion of the Eleventh Street Park. The next step will be to hold a scoping hearing, which can be completed at a regularly scheduled Council meeting. However, the meeting must be adjourned to conduct the public hearing. We will begin working on noticing requirements and let Council know which meeting this hearing will be held.

30. Hammonton Lake Park (11-90028):

As of this reading period the plans should have been submitted to the Pinelands Commission. In addition to the submission to the Pinelands Commission we will be directing the plans to the Atlantic County Engineer's office to ensure the modifications to the bike path and emergency access will be permitted within the County ROW of Egg Harbor Road.

Authorize Fire Suppression System

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino, authorize \$1500 cost for fire suppression system.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Authorize Water Hook Up

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, authorize emergency water hook up at Domenico property due to contaminated well.

Councilperson Wuillermin advised that Mayor and Council were authorized to extend water main to this area with the provision that no new hook ups take place unless contamination exists.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Central Avenue Subdivision-Authorize Water Hookups

Motion by Councilperson Bertino, seconded by Councilperson Vitalo, authorize water hook up in a total amount of \$8,000 to avoid demolishing roadway after repavement and amount to be reimbursed.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

SOLICITOR REPORT

- DEP/Airport violation-miscommunication-problem addressed
- Skinner/Celona Brownsfield Grants/ARH Authorization
- Background Checks for Youth Volunteers-taken up under Councilman Vitalo report
- Tuckahoe Turf Meeting with Pinelands/DEP 9:30 ARH-will report findings
- Downtown parking-encouraged business owners to respond to letter from Solicitor
- NJM closing/Kramer resolution re: Land Swap-Bob Vettese explained land swap & map to public
- Cara Lane Letter from Homeowners Assoc .-Engineer & Quality of Life to meet onsite
- COAH Presentation at December 17, 2007
- Environmental Commission – Alternate Member
- Airport Advisory Board vs. Airport Commission

Councilperson Bertino questioned will this commission be totally independent from the Town?

Mayor DiDonato suggested that may be something to discuss with DY Consultants.

Councilperson Bertino questioned how much authority are you giving this commission as far as receiving and expending funds.

MAYOR REPORT

- Howard Macri Memorial Dedication
- Mark Wells Country Artist performed at Hammonton Arts & Cultural Center
- Congratulate JV and Hawks on championship
- Congratulated Councilpersons Elect Petrongolo and Barberio and requested everyone to work together
- Mayor wished everyone a happy thanksgiving

Councilperson Bertino wanted to thank those who have taken time out of their schedules to run for office.

TOWN CLERK/ADMINISTRATOR ACTION ITEM:

1. Renew lease postage meter (taken up under Council. Massarelli report)
2. Request to hire Lauren Pitale, Secretary to Board, Contingent upon background checks
3. AWARD QUOTES YEAR 2008
(Advertised on Town of Hammonton website 8/8/07 and mailed request for quotes to vendors)

ELECTRICAL REPAIRS

White Star (KIP)
609-561-6073

CHLORINE

Coyne Chemical
215-785-3000

UNIFORM RENTAL / CLEANING

Schenk Textile Service
609-561-8642

PLUMBING SERVICES

Sal Jacobs
609-561-7581

JANITORIAL SUPPLIES

No quote received
Continue to purchase from J. Morano & Sons
Anticipate to purchase bulk supplies mid year 2008

KLENPHOS

Klenzoid Inc.
610-825-9494

EMERGENCY SNOW REMOVAL

No quotes received

PRINTED MATERIAL (LETTERHEAD/ENVELOPES)

Rovani Graphics
856-692-9434

OFFICE SUPPLIES

Executive (State Vendor Approved by Resolution)
Anticipate to purchase bulk supplies mid year 2008

BULKY WASTE PICKUP

To be handled in house by Highway Department
Quoted for emergency service only
South Jersey Sanitation
561-0441

Motion by Councilperson Bertino, seconded by Councilperson Marino, approve Town Clerk/Administrator Action Items excluding award of quote for Bulky Waste as the Highway Dept will remove Bulky waste in year 2008.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

TOWN CLERK/ADMINISTRATOR INFORMATIONAL ITEMS:

<u>Budget Balances as of</u>	<u>11/8/07</u>	<u>for review only</u>	
<u>Budget Account</u>	<u>Appropriated</u>	<u>Expended</u>	<u>Balance</u>
	<u>Inc. Transfers</u>		
Adm SW + 11,895.39	390,241.62	275,215.44	115,026.18
Administration OE	38,850.00	29,072.02	9,777.98
Elections	5,500.00	4,573.30	926.70
Finance SW + 14,600	183,653.05	138,941.58	44,711.47
Finance OE	9,700.00	8,223.67	1,476.33
Asst Tax SW + 1,336	101,936.00	80,724.85	21,211.15
Asst Tax OE	16,515.00	7,711.81	8,803.19
Collection Tax	17,500.00	10,105.56	7,394.44
Legal SW	75,000.00	59,134.72	15,865.28
Legal OE + 5000	51,800.00	31,832.29	19,967.71
Engineering	17,500.00	9,033.75	8,466.25
Historic Society SW	700.00	-	700.00
Historic Society OE	10,603.41	-	10,603.41
Economic Dev.	10,000.00	8,750.00	1,250.00
Computer SW	48,200.00	35,570.71	12,629.29
Computer OE	12,200.00	9,300.23	2,899.77
Plan Bd SW + 1,100	43,360.00	34,671.21	8,688.79
Plan Bd OE + 10,000	24,350.00	10,030.42	14,319.58
Bd Adj SW	3,700.00	2,917.35	782.65
Board of Adjustment OE	1,250.00	453.20	796.80
Rent Control SW	1,200.00	946.05	253.95
Rent Control OE	200.00	109.40	90.60
Shade Tree OE + 600	1,800.00	800.00	1,000.00
Shade Tree OE	500.00	124.50	375.50
Construction SW	190,040.00	149,150.96	40,889.04
Construction OE	15,395.00	7,002.68	8,392.32
Other Code Enf SW + 400	21,400.00	11,815.32	9,584.68
Other Code Enforce OE	1,000.00	457.78	542.22

	11	-	19	-	07
Group Insurance	1,340,505.48		937,123.75		403,381.73
Ins (reimb \$55,000)	89,000.00		82,938.57		6,061.43
Fire OE	88,550.00		24,621.68		63,928.32
Uniform Fire SW	23,800.00		19,214.01		4,585.99
Uniform Fire OE	17,113.20		9,138.30		7,974.90
Pol SW -55,536 +123,561.88	2,617,024.71		2,075,990.80		541,033.91
Pol OE + 4,378.40	204,978.40		165,258.62		39,719.78
Special Services OE	5,500.00		-		5,500.00
Radio SW	251,100.00		176,539.28		74,560.72
Radio OE	13,700.00		11,890.16		1,809.84
Rescue Squad	5,000.00		4,950.00		50.00
Bldg & Grd SW + 2409.08	42,360.60		25,528.08		16,832.52
Bldg & Grd OE +8000	42,800.00		26,340.21		16,459.79
Hwy SW + 11280.60	761,710.17		603,733.61		157,976.56
Hwy OE +4797.62	812,302.62		717,654.08		94,648.54
Env SW +200	1,400.00		900.00		500.00
Environmental OE	1,000.00		523.99		476.01
Dog Regulations OE	7,200.00		6,000.00		1,200.00
Registrar	3,000.00		2,104.86		895.14
Parks SW	1,200.00		1,000.00		200.00
Parks OE	1,000.00		-		1,000.00
Recreation SW	49,100.00		38,674.89		10,425.11
Recreation OE	28,000.00		13,639.32		14,360.68
Holiday Observance	1,000.00		1,000.00		-
Advertising +167.63	55,946.00		54,357.27		1,588.73
Airport SW	3,000.00		2,365.49		634.51
Airport OE (inc 755.81 reimb)	4,505.81		4,491.49		14.32
Gasoline	167,000.00		135,005.23		31,994.77
Natural Gas +16000	64,000.00		43,718.03		20,281.97
Electric +8000	78,000.00		59,624.61		18,375.39
Street Lighting	310,000.00		253,952.88		56,047.12
Telephone (reimb 111.47)	55,111.47		47,395.68		7,715.79
Mun Ct SW +1600	195,044.10		149,733.41		45,310.69
Municipal Court OE	16,900.00		10,086.04		6,813.96
Water SW +1579.24	297,063.24		233,153.00		63,910.24
Water OE +4537.98	859,566.30		599,674.84		259,891.46
Sewer SW	348,765.16		256,442.19		92,322.97
Sewer OE +14,552.94	1,300,003.24		885,087.89		414,915.35

APPROVAL TRANSFER RESOLUTION / BILLS (bill list attached)

#R 170A-2007

RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS
IN TOWN OF HAMMONTON MUNICIPAL 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 2007:

FROM: IN CAP	
Police S&W (7-01-25-119-111)	42,536.00
TO: IN CAP	
Admin. S&W (7-01-20-101-111)	11,000.00
Finance S&W (7-01-20-103-111)	14,600.00
Asst. of Tax S&W (7-01-20-104-111)	1,336.00
Plan. Brd S&W (7-01-21-109-109-111)	1,100.00
Shade Tree S&W (7-01-21-112-111)	600.00
Other Code Enf. S&W (7-01-22-127-111)	400.00
Prosecutor S&W (7-01-25-123-111)	1,500.00
Public Bldg. & Grds (7-01-26-108-111)	200.00
Highway S&W (7-01-26-123-111)	10,000.00

Environmental S&W (7-01-27-113-111)	200.00
Mun. Ct S&W (7-01-43-201-111)	1,600.00
FROM: IN CAP	
Police S&W (7-01-25-119-111)	\$8,000.00
TO: IN CAP	
Electric OE (7-01-31-11G-212)	\$8,000.00
FROM: IN CAP	
Soc Sec. (7-01-36-145-277)	\$16,000.00
TO: IN CAP	
Natural Gas (7-01-31-11F-213)	\$16,000.00
FROM: IN CAP	
Police S&W. (7-01-25-119-111)	\$5,000.00
TO: IN CAP	
Legal OE (7-01-25-119-111)	\$5,000.00

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, approve transfer resolution and bill list.

Councilperson Bertino questioned charges for new town hall made to ordinance 6-06?

Clerk confirmed charge with CFO and Mr. Frank Zuber handed copies of ordinance 6-06 to Mayor and Council and Mayor DiDonato read section (a) of Ordinance 6-06 as follows: "Various town owned property improvements, as well as acquisition and improvements of municipal parking..."

Councilperson Bertino did not agree with CFO opinion or wording of Ordinance 6-06 and felt all bills for the municipal building should be charged to the ordinance appropriated specifically for same.

ROLL CALL

- Councilpersons:
 Bertino - Y (no on Dolan bill charged to Ord 6-06)
 Colasurdo - Y
 Marino - Y
 Massarelli - Y
 Vitalo - Y (no on Dolan bill charged to Ord 6-06)
 Wuillermin - Y
 Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

COMMUNICATIONS ACTION ITEMS:

1. Authorize Change Order Eagle Construction \$54,475.00 airport apron
2. Retro approval for school Lou Rodio Nov 15 & 16 \$295.00
3. Request approval school Scott Rivera Nov 27, Dec 4 & 11 \$346.00
4. Approve Jr. Firefighter Fire Co. 1 Ron Hungridge
5. Request reduction letter of credit Dreamworks/BellaVita (action taken under Eng Rep)

Motion by Councilperson Wuillermin, seconded by Councilperson Massarelli, approve Communications Action Items 1-5.

ROLL CALL

- Councilpersons:
 Bertino - Y
 Colasurdo - Y
 Marino - Y
 Massarelli - Y
 Vitalo - Y
 Wuillermin - Y
 Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

6. Request release letter of credit Vision Property

Motion by Councilperson Bertino, seconded by Councilperson Colasurdo, authorize release of letter of credit-Vision Property.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Deputy Mayor Wuillermin - Y
- Mayor DiDonato – Recused

Mayor DiDonato declared the motion carried.

- 7. Request close tax office to public Dec 20 thru 28 (brought back from Oct meeting)

Motion by Councilperson Bertino, seconded by Councilperson Wuillermin, authorize tax office closure. Motion carried.

- 8. R&V request release performance bond & post maintenance bond \$312,312,38 for the Meadows and confirming inspection was made to basin by them and it is functioning.

Hold bond release for Quality of Life investigation due to resident complaints.

COMMUNICATIONS INFORMATIONAL ITEMS:

- 1. From Valley Ridge Homeowner Assoc request town to hold bond due to drainage problems (no current bond release request)
- 2. From John Scola to Pinelands and copied Town request review of Tuckahoe Sod Farm

REPORTS-October 2007

- Town Clerk
- Registrar
- Construction Official

UNFINISHED BUSINESS

NEW BUSINESS-ORDINANCES

Ordinance #033-2007 Update Employee Handbook

ORDINANCE # 33 -2007

AN ORDINANCE AMENDING ORDINANCE #20-2006 ADOPTING THE TOWN OF HAMMONTON EMPLOYEE HANDBOOK AS THE OFFICIAL POLICIES AND PROCEDURES OF THE TOWN OF HAMMONTON

- I. PURPOSE
The Town of Hammonton desires that all it's employees recognize that polices and procedures are adopted to insure an efficient, fair, safe, and enjoyable work environment. Written rules of dress, conduct, conditions of employment, etc. are important to create that environment. It is the policies, procedures, rules and regulations outlined in the Employee handbook as the official guideline which employees must adhere to. This Handbook is not intended to be construed actually or by implication as an employee contract.
- II. ADOPTION AND NAME
The employee handbook which has been created through the efforts of the Town Solicitor, the Town Risk Manager, the Town Clerk/Administrator, and the Deputy Town Clerk is hereby adopted and shall be originally known as the "Employee Handbook of the Town of Hammonton.
- III. MODIFICATION
As laws and society change, there will always be the need for modification to the policies and procedures of the town. Any modification to the handbook, once adopted, shall be done with the same formality as it's original creation. The modification must be set forth in writing and received by the entire governing body, accepted by a majority, and notice to all Town Employees.
- IV. This Ordinance shall take effect upon approval and publication according to law.

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

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y

Massarelli - Y
Vitalo - Y
Wuillermin - Y
Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

Ordinance #034-2007Amend Chapter 6-13

Ordinance # 34 -2007
AN ORDINANCE AMENDING ARTICLE III, CHAPTER 6-13 OF
THE CODE OF THE TOWN OF HAMMONTON,
COUNTY OF ATLANTIC, STATE OF NEW JERSEY,
ENTITLED "ENVIRONMENTAL COMMISSION"
BY ADDING ALTERNATE NO. 1 AND ALTERNATE NO. 2 MEMBERS

WHEREAS, the Mayor and Council of the Town of Hammonton desire to amend Chapter 6-13 of the Code of the Town of Hammonton by adding Alternate No. 1 Member and Alternate No. 2 Member to the Environmental Commission; and

WHEREAS, Alternate No. 1 Member and Alternate No. 2 Member shall be appointed by the Mayor of the Town of Hammonton in consistency with other Environmental Commission Appointments.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, that the following sub-section be added to Chapter 6-13 of the Code of the Town of Hammonton:

- B. The Mayor shall also appoint at the annual reorganization meeting two Alternate members (Alternate No. 1 and Alternate No.2) who shall serve during the absence or disqualification of any regular member or members. Alternate No. 1 Member shall serve a term of three (3) years. Alternate No. 2 Member shall serve a term of two (2) years. Both Alternate No. 1 and Alternate No. 2 Members terms shall commence on 1/1/08.

BE IT FURTHER RESOLVED that all ordinances or parts of ordinances which are inconsistent with this Ordinance are, to the extent of such inconsistency, hereby repealed.

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

ROLL CALL

Councilpersons:
Bertino - Y
Colasurdo - Y
Marino - Y
Massarelli - Y
Vitalo - Y
Wuillermin - Y
Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

Ordinance #035-2007 Water Quality Committee

Ordinance 35 -2007
AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON,
COUNTY OF ATLANTIC, STATE OF NEW JERSEY
Amending Ordinance 12-2007
Formally Recognizing the Hammonton Lake Water Quality Advisory Committee

WHEREAS, the Mayor and Council desire to amend Ordinance 12, 2007; and

NOW THEREFORE BE IT RESOLVED that Ordinance 12, 2007, be amended as follows:

The Committee shall be comprised of 7 members and 2 alternates as follows and all appointments shall be made by the Mayor with confirmation of Council and officially begin 1/1/08:

- 1 - Class I Members – 4 year terms
- 1 – Class II Members – 3 year terms
- 3 – Class III Members – 2 year terms

1 member shall be a representative of Parks Commission – 1 year term

1 member shall be a representative of Environmental Commission – 1 year term

Alternate #1 – 4 year term

Alternate #2 – 3 year term

Alternate #3 – 2 year term

The Chairperson and Vice Chairperson will be appointed by the committee.

The Recreation Supervisor shall attend all meetings.

BE IT FURTHER RESOLVED that all ordinances or parts of ordinances which are inconsistent with this Ordinance are, to the extent of such inconsistency, hereby repealed.

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

ROLL CALL

Councilpersons:

Bertino - Y

Colasurdo - Y

Marino - Y

Massarelli - Y

Vitalo - Y

Wuillermin - Y

Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

Ordinance #036-2007 Update Job Performance Evaluation

Ordinance # 36 -2007

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON
AMENDING ORDINANCE #11-1995 ESTABLISHING A JOB PERFORMANCE
REVIEW PROCESS FOR TOWN EMPLOYEES

WHEREAS, the Mayor and Council of the Town of Hammonton desire to amend Ordinance 11-1995;

WHEREAS, the Mayor and Council wish to change the evaluation process as follows:

1. A separate evaluation form has been created and will now be used for police as well department heads;
2. All employees will be evaluated on their anniversary;
3. All evaluations are subject to review and approval of the Town Administrator;
4. The Town Administrator will be responsible for evaluation of department heads;
5. The evaluations will now be reviewed by Mayor and Council prior to employee/department head promotions;
6. The evaluations will be used for other circumstances such as hiring part time to full time status, review of performance after probationary period or reprimand, or any other reason as deemed necessary by the Town Administrator;
7. The evaluation now requires supporting documentation for negative review;

WHEREAS, the employee or department head will continue to have the ability to comment or appeal before their council committee the job performance evaluation given to them;

WHEREAS, the job evaluation does not eliminate the department head, Town Administrator's or Mayor and Council's ability to reprimand (verbally or in writing or to suspend).

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 attached revised employee, police and department head evaluation form and process be adopted to take affect beginning 1/1/08.

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

ROLL CALL

Councilpersons:
 Bertino - Y
 Colasurdo - Y
 Marino - Y
 Massarelli - Y
 Vitalo - Y
 Wuillermin - Y
 Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R171-2007 Lady of Guadalupe Procession

RESOLUTION # 171-2007

RESOLUTION AUTHORIZING AND ENDORSING THE ANNUAL
 “OUR LADY OF GUADALUPE SPANISH COMMUNITY PROCESSION”

WHEREAS, St. Joseph’s Church continues to promote the Town of Hammonton with their annual “Our Lady of Guadalupe Spanish Community Procession”; and

WHEREAS, Mayor and Council has and continues to support the efforts of St. Joseph Church; and

WHEREAS, **December 9, 2007 at 1:30 p.m.** is the scheduled date for the Spanish Community Our Lady of Guadalupe Procession; and

WHEREAS, St. Joseph Church has requested assistance of the Town of Hammonton Police Department for this scheduled event and closure of the following streets in the Town of Hammonton:

Go Down Third Street to Fairview Avenue
 Turn left onto Fairview go over the Railroad tracks to Washington St.
 Turn left – proceed to Orchard Street
 Turn left onto Third Street and return to the Church

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, that the Town of Hammonton authorize “Our Lady of Guadalupe Spanish Community Procession.”

#R172-2007 Tax Resolution

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

BLOCK & LOT	NAME	PER	AMOUNT	ACCT.	REASON
1102-38	Davis	Rosie	249.70	Tax	Disb. allowed transfer to 2008
3401-9	Basile	Rosie	250.00	Tax	S/C allowed transfer to 2008
3401-9	Basile	Rosie	25.00	Water	S/C allowed transfer to 2008
3401-9	Basile	Rosie	50.00	Sewer	S/C allowed transfer to 2008
2606-1-114	Gabriel	Rosie	1,959.40	Tax	Overpayment transfer to 2008
3203-19	Thomas	Rosie	931.84	Tax	Refund overpayment
3203-19	Thomas	Rosie	931.84	Tax	Void Res. #130-2007 ck#035995
4604-2.01	ARG	Rosie	4,757.35	Tax	Refund erroneously payment

#R173-2007 Change Order 4 Well 7

RESOLUTION #173-2007
 CHANGE ORDER #4
 TO THE JPS CONSTRUCTION, INC.
 CONCERNING THE WELL #7 PROJECT – STRUCTURAL UPGRADES

WHEREAS, the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey authorized a construction contract to JPS Construction on February 27, 2006 in the amount of \$671,000.00; and

WHEREAS, after the contract was awarded, issues regarding the placement of said well were discussed with SJ Gas Company who have the responsibility of performing a site remediation project; and

WHEREAS, the discussions between the Town and SJ Gas resulted in a mutually agreeable decision to relocate the proposed Well #7 from the Lincoln Avenue site to that of the Well #5 site located on 14th Street; and

WHEREAS, the purpose of agreeing to relocating the well involved the practicality of avoiding the Town's construction effort from becoming in conflict with SJ Gas's future remediation activity; and

WHEREAS, due to the change of location regarding the placement of Well #7 from the Lincoln Street Complex to the 14th Street site, the Town authorized Change Order #1 on April 23, 2007 in the net amount of \$68,891.10, to increase the project from \$671,000.00 to \$739,891.10; and

WHEREAS, with the relocation of Well #7 from the Lincoln Street Complex to the 14th Street site, the Town still remain desirous of improving certain facilities and equipment at the Lincoln Street complex that was part of the original contract and remained so with Change Order #1; and

WHEREAS, on July 9, 2007, the Town issued Change Order #2 to JPS Construction in the amount of \$7,000.00 to address additional roof repairs to the operations building at the Lincoln Street Complex; and

WHEREAS, on July 23, 2007, the Town issued Change Order #3 to JPS Construction in the amount of \$48,732.00 to address electrical upgrades at the Well #5 site; and

WHEREAS, the Water and Sewer Subcommittee have reviewed additional issues involving the construction activity at the Lincoln Street Complex; and

WHEREAS, certain improvements to the Well #3 pump house and the chemical building at the Lincoln Street Complex caused the Water and Sewer Subcommittee to reevaluate the most efficient means of upgrading the facilities; and

WHEREAS, due to age and structural deficiencies at both the Well #3 pump house and the chemical building at the Lincoln Street complex, it was determined that it would be in the Town's best interest to rehabilitate each facility using the existing structure; and

WHEREAS, the structural modifications at the Lincoln Street complex will involve an increase to the existing JPS Construction contract; and

WHEREAS, the structural changes also as detailed in correspondence from Adams, Rehmann & Heggan dated October 31, 2007 are in the net amount of \$30,537.00; and

WHEREAS, these changes are presented as Change Order #4, entitled Structural Modifications at the Lincoln Street complex; and

WHEREAS, after reviewing the issues and expense of proposed Change Order #4, the Water and Sewer Subcommittee is recommending to the General Council approval of same; and

WHEREAS, the issuance of this change order will prove beneficial to the reliability Town's Water System operations and promote the health of safety of its residents; and

WHEREAS, JPS Construction has been previously awarded Change Orders #1 - #3 throughout the contract that begin to approach the 20% maximum threshold; and

WHEREAS, the issuance of the previous Change Orders #1 - #3 coupled with Change Order #4 places the contract at 23.1% above the original bid; and

WHEREAS, the Public Contracts Law requires a procedure to be followed in the event the 20% is exceeded; and

WHEREAS, in accordance with N.J.A.C. 5:30-11.9 Provisions for Change Orders Which Exceed 20% Limitations, the law requires that the 20% threshold could be exceeded when unforeseen conditions are combined with a situation that renders an execution of a new contract as an unreasonable interference with the efficient completion of the work; and

NOW THEREFORE BE IT RESOLVED THAT the Town of Hammonton will be issuing JPS Construction Change Order #4 in the amount of \$30,537.00 and when added together with the previously issued Change Orders #1 - #3 (\$124,623.00) will exceed the 20% limit raising the total change order value above the original bid to \$155,160.00 for the following reasons:

- The Contractor is currently mobilized and to address these items outside the scope of this project will ultimately cost the Town of Hammonton additional funds.

- Avoids the need to issue a new contract that will consequently increase the cost of the structural repairs contemplated under Change Order #4.
- In the case of the Lincoln Street complex, the existing structures to be modified and reconstructed are in excess of 80 years old.
- Although new roofs were proposed for the Well #3 pump house and Chemical Building, the windows, doors and certain structural problems warranted a reconsideration of the repairs to said facilities.
- It was determined that the existing structures will most likely require attention at some point in the near future.
- After further review of the necessary structural repairs, it became apparent that a comprehensive reconstruction and repair of the existing structures would be more economical for the long term operation of the Water Department.

BE IT FURTHER RESOLVED THAT the Town of Hammonton has performed the following legal requirements:

1. By the adoption of this resolution, the Town has assured that the issuance of the composite value of Change Orders #1-#4 is under Public Contracts Subchapter and is proper and allowable.
2. This resolution is passed prior to execution of the change order.
3. Print in the authorized newspaper a copy of the resolution including the amount to be expended, the original contract price and the need for the additional work.
4. Said actions must be reported in the annual audit. On or before the last day of February, the Clerk shall report to the Division of Local Government Services all changes from the preceding year that exceeded the 20% limitation. This report shall be made on a form provided by the Division of Local Government Services.

BE IT FURTHER RESOLVED THAT the Town of Hammonton has authorized Change Order #4 in the total amount of \$30,537.00 subject to the certificate of availability of funds from the CFO.

#R 174-2007 Land Exchange Kramer Beverage

#R 174-2007

RESOLUTION AUTHORIZING AND ENDORSING THE SUBMISSION OF APPLICATION FOR CERTAIN APPROVALS AND INVESTIGATION AND PRELIMINARY ENGINEERING AND SURVEYING WORK IN CONNECTION WITH A LAND EXCHANGE WITH KRAMER BEVERAGE REAL ESTATE LLC

WHEREAS, Block 1201, Lot 44, is owned by the Town of Hammonton (the "Town"); and

WHEREAS, the Town is currently under contract to sell a portion of Block 1201, Lot 44, to New Jersey Manufacturers Insurance Company; and

WHEREAS, Block 1201, Lot 45, is owned by Kramer Beverage Real Estate, LLC ("Kramer"); and

WHEREAS, the Town is desirous of acquiring a portion of Block 1201, Lot 45 (the "Kramer Parcel") for public use, namely, the extension of the municipal roadway, known as Commerce Way, together with an easement for water and sewer utilities, for the purpose of serving the development of adjacent properties; and

WHEREAS, the Town is desirous of acquiring the Kramer Parcel by way of an exchange with Kramer of a portion of Block 1201, Lot 44 and a portion of the Commerce Way right of way (the "Town Parcel") in return for the Kramer Parcel, as authorized by NJSA 40A:12-16; and

WHEREAS, the acquisition of the Kramer Parcel for the purpose of the extension of Commerce Way is beneficial to the Town, and is more advantageous to the Town by virtue of the extension of utilities and the extension of Commerce way, in addition to the improved access to, and allowing development of, adjacent properties, than the retention of the Town Parcel; and

WHEREAS, the extension of Commerce Way, and therefore, the exchange of the Town Parcel for the Kramer Parcel, serves the public interest, and will render a one-tenth (0.1) acre portion on Block 1201, Lot 54, of the current Commerce Way right of way unnecessary for the continued use of Commerce Way; and

WHEREAS, major subdivision approval will be required by the Town Planning Board to create the Town Parcel and extend the Commerce Way right of way and other municipal improvements.

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

That the Town authorizes the Town's Engineers, Adams Rehmann & Heggan to investigate, review and/or coordinate the preliminary engineering and surveying work as is necessary to make preparations for, and

advise the Mayor and Common Council in connection with, the proposed exchange of the Town Parcel for the Kramer Parcel.

That the Town authorizes the Town's Solicitor, Brian G. Howell, Esq. to draft such documents and request such valuation as are necessary to make preparations for, and advise the Mayor and Common Council in connection with, the proposed exchange of the Town Parcel for the Kramer Parcel.

That the Town authorizes the filing of a major subdivision application with the Town Planning Board in order to create the Town Parcel for the purposes of facilitating the exchange as set forth herein. The major subdivision application may be included with other applications to the Planning Board in connection with adjacent property. Any major subdivision approval granted by the Planning Board shall be conditioned upon the adoption of an Ordinance by the Mayor and Common Council approving the exchange of the Town Parcel and the Kramer Parcel.

That in the event the Mayor and Common Council adopts an Ordinance approving said exchange prior to the approval of the major subdivision application to the Planning Board, such Ordinance will be conditioned upon the Planning Board's approval of the major subdivision application.

That the Town authorizes Kramer, or its agents or assigns, to file an application, for the vacation of a portion of Commerce Way, consisting of 0.1 acres, on Block 1201, Lot 54.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, approve resolutions 171-174.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

LICENSE APPROVAL

- St. Martin de Porres Church 1/19/08
- St. Joseph Church 2/14/08

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino, approve licenses.

ROLL CALL

Councilpersons:

- Bertino - Y
- Colasurdo - Y
- Marino - Y
- Massarelli - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

PUBLIC HEARD

Chief Frank Ingemi

Request for Cross walk from HHS-Liberty Street

Referred to Solicitor for Ordinance amendment.

Dan Santora - 374 Old Forks Road

On 11/08/07 last home Blueberry Ridge has "home sold". His mother was promised vinyl fence upon completion of project.

Mayor advised we are not at the point of bond release and project completion yet.

Mr. Santora asked are there any plans to work on retention pond?

Solicitor will follow up tomorrow reminding Pulte Development them of their promise to work on drainage pond.

Mr. Santora advised he and his mother opposed the grinder pump on their property and they want regular sewer extension as stated in letter from ARH.

Mr. Vettese responded that ARH was ascertaining if property owners wanted sewer, not promising them sewer.

Mark Santora – Old Forks Road

Mr. Santora disagreed with Mr. Vettese’s recollection of the letter concerning sewer extension Old Forks Road. He felt the letter stated the residents would receive sewer.

He once again requested Mayor and Council to have the Attorney General perform an investigation in this overall matter.

Solicitor confirmed a letter to Attorney General would be forwarded and he would speak with Mr. Santora tomorrow.

Councilperson Wuillermin advised the town is willing to take on this project to bring sewer to the residents of this area.

Mr. Santora stated he does not want sewer extended with grinder pump, he wanted gravity feed sewer.

Councilman Colasurdo stated he has invested much time into investigating and attempting to resolve this problem to the satisfaction of the homeowners in this area. He takes exception to Mr. Santora not wanting a grinder pump when the town is willing to fund the sewer.

Mr. Vettese publicly thanked Brian Ritz for various projects he’s worked on as he will be leaving ARH.

#R175 -2007 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 Bertino, seconded by Councilperson Colasurdo, the resolution be adopted.

ROLL CALL

Councilpersons:
 Bertino - Y
 Colasurdo - Y
 Marino - Y
 Massarelli - Y
 Vitalo - Y
 Wuillermin - Y
 Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

Resume Regular Order of Business

Hire Gene Rossi – Systems for You

Motion by Councilperson Bertino, seconded by Councilperson Colasurdo, hire Gene Rossi, Systems for You, as an aid to Town of Hammonton Computer Tech, as needed at Computer Tech’s discretion, at \$75.00.

ROLL CALL

Councilpersons:
 Bertino - Y
 Colasurdo - Y
 Marino - Y
 Massarelli - Y
 Vitalo - Y

Wuillermin - Y
Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

Hire June DeFebbo – Training

Motion by Councilperson Colasurdo, seconded by Councilperson Vitalo, hire June DeFebbo at 4 hours per week during month of December at \$14.00 per hour with no pension or benefits.

ROLL CALL

Councilpersons:

Bertino - Y

Colasurdo - Y

Marino - Y

Massarelli - Y

Vitalo - Y

Wuillermin - Y

Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

MEETING ADJOURNED 11:45 p.m.

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

Minutes recorded by April Boyer Maimone, Assistant Clerk

Minutes approved by Susanne Oddo, Town Clerk/Administrator