

Minutes
REGULAR MEETING OF COUNCIL
Held in Town Hall Council Chambers
100 Central Avenue, Hammonton, N.J.
Monday, October 23, 2006 at 7:00 P.M.

Minutes can be viewed at www.townofhammonton.org

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

ROLL CALL

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

PRESENT ALSO

Brian Howell, Town Solicitor
Bob Vettese, Town Engineer (entered late)

PLEDGE OF ALLEGIANCE

Moment of Silence

Mayor DiDonato asked everyone to remain standing in observance of a moment of silence for Ed Aiello, Police Officer, and Juan Figueroa, Highway Department Employee. Councilperson Falcone added Mr. Melendez as a former Police Officer.

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 S. Lewis, seconded by Councilperson Wuillermin, the minutes of the Regular Meeting of September 25, 2006 be approved as recorded by the Clerk. Motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

Kessler Hospital Update

Dr. Zwiebel, Emergency Room Physician at Kessler Hospital, once again appeared to update the public concerning Kessler Hospital. He once again assured the public that Kessler is stable and will come out of this situation a stronger institution. Dominique Kerns who was also present stated the Hospital would like to do something to thank the community for all their support and will host an Oktoberfest this Sunday October 29, 2006.

Tuckahoe Turf Update

Councilperson S. Lewis updated public on status of Tuckahoe Turf matter which appeared at court. She read a court transcript to the public as follows:

This matter having come before the court on April 13, 2000 on an order to show cause seeking restrains and to enjoin the Town of Hammonton from enforcing the provision of Ord 14-99 and plaintiff being represented by Louis Adler, Esq. and defended being represented by David DeClement, Esq. and the court having reviewed the moving papers and the papers in opposition and the court having heard oral argument and for the reasons set forth on the record on April 13, 2000.

It is on May 2000 ordered that the Town of Hammonton is permanently enjoined from enforcing Ord 14-99 as the court has found that the Ordinance is preempted by the Solid Waste Mgt Act and its regulations.

It is further ordered that a mgt conference to resolve the remaining issues in dispute in the case is scheduled for Thursday May 25, 2000 at 1:30 pm

Councilperson Bertino advised Federal Law does not allow municipality to collect a fee on this sludge.

Mayor DiDonato recognized residents of Tuckahoe Turf area and opened the meeting for public opinion on this issue.

Richard Jacobus - Golf Drive

Mr. Jacobus questioned why is the issue of fees only being addressed and not the issue of the wells going bad or the smells? What can be done to resolve this matter?

Mr. Howell, Solicitor, stated the Town cannot collect a fee but this Mayor and Council will enforce all town ordinances. He cannot respond in full to Mr. Jacobus this evening as he only received this paperwork today and must have time to review same.

Mayor DiDonato stated the Tuckahoe Turf issue has been brought to this Mayor and Council for the first time. However, it has been an ongoing issue for several years. This council will gather all facts and address this very important issue in this community.

Councilperson Falcone questioned what type of monitoring is available?

Councilperson Colasurdo advised there is monthly monitoring and results are made available to the public.

Councilperson Bertino further advised on this matter and advised he cannot understand how the DEP is allowing Tuckahoe Turf to operate under the old permit.

Councilperson Wuillermin advised the Pinelands issues a certificate of authority which allows applicant to go forward to the DEP level. This is an acceptable activity from EPA point of view. DEP issues a Waste Elimination Discharge Permit. He understands Councilperson Bertino's question is how are they allowed to operate this facility when the Town was denied their application for discharge to stream. Commissioners do not get involved with individual reviews of applications. As a commissioner it is his opinion to ensure everything will be done to protect the interests of the residents of the Town of Hammonton in the process.

Councilperson Bertino stated he still believes the Pinelands Commission has some say in water quality standards.

Councilperson Wuillermin stated they do not.

Kathy Torcato - Myrtle Street

Ms. Torcato stated the smell is awful. They cannot even plan a family barbecue because they never know which way the wind will blow on any particular day. She understood they were supposed to have a lid on the tank and they do not. She question is there any way we can require them to test weekly rather than monthly for better results? She feels the wells can be tested 2 days before the dumping occurs and they may not be receiving good results.

Mayor DiDonato advised Tuckahoe Turf representatives were cooperative and receptive in working with the Town to accommodate the Town and residents of this area. The ground water issue is a separate issue.

Councilperson Colasurdo stated no hazardous material has been found according to current testing.

Councilperson Falcone stated he was not on council at that time. However, representatives are always willing and cooperative on this issue but nothing ever changes. The odor still exists and nothing has been done to correct the problem.

Councilperson Bertino stated they have investigated this issue and he too can smell the odor at his home which is farther from this area. They believe the smell should not exist if they are treating properly but believes that maybe something is not being done properly.

James Vincenzo Penza - Myrtle Street

Mr. Penza thanked past and present council's in their efforts to fight this problem. He believes the problem is more State and Federal rather than local. It's about the Turf farm being right on top of Pinelands and one of the largest aquifers in the country. We are taking class B sludge which is the worse sludge you can get and placing it in the ground. He is asking the Town to place pressure on whoever owns this establishment to cap the treatment plants. To place test wells on the property to be monitored locally. We need a commitment of council to end acceptance of class B sludge or pollutants. We need a commitment by Hammonton not to dump our sludge in our own back yard. He spoke to a representative from another town who is having a similar problem and found that they must apply for a 404 permit which requires much broader testing

prior to receiving permits for same. There is a lot of pollution coming out of this in air and ground. Also, there is a fly problem bringing in other organisms to your property.

Mayor DiDonato stated just for clarification there is no local sludge going to the Turf Farm. Our sludge is going to Atlantic County Utility Authority.

Councilperson Falcone questioned how frequently do residents test their wells out there and what are the results?

Ms. Torcato responded her water testing is negative but she has her own water treatment system.

Councilperson Bertino and Councilperson Falcone both stressed to this council that Tuckahoe Turf has made good faith gestures in the past and have not followed through.

Mayor DiDonato advised Tuckahoe Turf pulled an application for 1.8 million gallon tank and he believes this is a good faith gesture.

Mayor DiDonato requested a committee be formed together with residents in the Myrtle Street area and Council. Councilpersons S. Lewis, Bertino and Wuillermin volunteered for this committee along with Vincenzo Penza and two other residents of Myrtle Street.

Councilperson Falcone suggested that Tuckahoe Turf fund the sampling as a gesture of good faith.

RESUME REGULAR ORDER OF BUSINESS

PUBLIC HEARD FOR AGENDA ACTION ITEMS

Jerry Barberio - Recreation Advocate - Mayor's Action Team

Mr. Barberio asked if Mayor and Council had any questions concerning Resolutions numbered 149, 150 151 which appear on agenda this evening. He advised that the resolution is a commitment of Mayor and Council to make application for open space and recreation.

Councilperson Bertino questioned if these resolutions are the same as approved at Park Commission?

Mr. Barberio stated yes.

Mayor DiDonato questioned funding for same?

Mr. Barberio stated county has funded portions in past but this year we are asking for 100 percent county funding. He stated this could possibly be our largest grant application since we started this project. We must be specific as to use of property such as recreation, open space, dog park, outdoor classroom, etc.

COMMITTEE REPORTS

Councilperson Bertino

- Highway Dept curbside leaf pickup to begin
- Extend sympathy to family of Juan Figueroa
- Repair storm inlet on Boyer Avenue
- Request two part time worker for curbside leaf season only

Motion by Councilperson Bertino, seconded by Councilperson Falcone, authorize Clerk to advertise to hire 2 full time temporary employees for leaf season only (for an 8 week period) and to hire between meetings with approval of public works committee.

ROLL CALL:

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

Mayor DiDonato declared the motion carried.

Councilperson S. Lewis

Senior Citizen Discount Card Update

Advised public of ballot question November 7 election will not raise taxes
Clean Flow and Solarbee proposals and testimony as to the use
(request Clerk to copy M&C and place on Nov 20th agenda for approval)
Parks & Rec Communications regarding proposed 2007 budget allocations
Also letter requesting letters to residents regarding lowering of lake
(request Clerk to forward letters to residents)

Councilperson Falcone

Councilperson Falcone advised he has no report from his one and only
committee.

Councilperson Wuillermin

Central Avenue water main project status

Egg Harbor Road project status - Phase IIA began today
Pleasant Street project status - complications requiring change order
Quotes over and under voltage for Well #3 to eliminate future power surges
Downtown sidewalk and curb project being bid and awarded on November 20th
Planning Board assisted living facility request B2 zone

Councilperson Massarelli

Fri Oct 27 Chamber Economic Dev Comm to discuss proposed State office building
New Businesses to be welcomed by local newspapers
Encouraged local businesses to consider joining Chamber of Commerce
Recording equipment & newly formatted local television station report
Commend Nick DeStefano on his work and professionalism
Support confirmation of April Boyer Maimone, Assistant Municipal Clerk

Councilperson Colasurdo

Advise on various Town of Hammonton grants
Emergency fire department drill
Commend Town of Hammonton Fire Department
Advise public on voting district #9 and #5

ENGINEER REPORT

PUBLIC WORKS - ACTION ITEMS

1. Atlantic County Recreation and Open Space Round #7 (11-01068):

The County is requesting the Mayor and Town Council pass a resolution
authorizing the Mayor to sign the required agreements to provide for
the acquisition for each of the following parcels:

Grand Street Parcel noted as Block 3706, part of Lot 4, consisting of
approximately 60 acres. A portion of the Saint Martin dePorres
property noted as Block 3001, Lot 41 consisting of approximately 3
acres.

Refer to New Business for resolution.

2. Egg Harbor Road Downtown Sidewalk Brick Pavers (11-40011-07):

As authorized last meeting we requested price quotes to complete the
installation of brick pavers for approximately 320 lineal feet along a
portion of Egg Harbor Road between Bellevue Avenue and Vine Street.
Prices were requested from the following contractors.

- Charles Marandino LLC of Vineland, NJ.
- Marandino Concrete of Vineland, NJ
- Bud Concrete of Sewell, NJ

Only Charles Marandino LLC of Vineland, NJ responded with a price quote
totaling \$9,872.00. We have supplied a copy of the price received
Charles Marandino LLC to the Clerk. Since the Mayor and Council
approved an award last meeting subject to the following conditions, a
purchase order was issued to Charles Marandino LLC of Vineland, NJ:

- Cost of work could not exceed \$21,500.00.
- Approval of the award from the Public Works Committee
- Certification of available funds.

Motion by Councilperson Colasurdo, seconded by Councilperson Bertino,
award contract for the brick paver installation along a portion of Egg
Harbor Road to Charles Marandino LLC of Vineland, NJ, for a price of
\$9872.00.

ROLL CALL:

Councilpersons:

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

Mayor DiDonato declared the motion carried.

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

Phase I:

Since the last reporting period, it has been determined that the site lighting for the Town Hall project will be the Traditionaire style of fixture, consistent with existing lights used throughout the Downtown area. Our office has made contact with Atlantic City Electric regarding the project. During the phase I portion of the project there is only one location on the site that lights can be installed. The location is along the back property line. Atlantic Electric has submitted a quote to install two cobra fixtures on the two existing utility poles at the rear of the site. The value of the quote is \$394.09 for the initial installation and \$20.24 per month for maintenance.

Additionally the electric company will be supplying a quote to complete the installation of the remainder of the site lighting, which will be coordinated after the phase I contract is complete.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, authorize Atlantic Electric to complete the installation of two lights on the Town Hall site.

ROLL CALL:

Councilpersons:

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

Mayor DiDonato declared the motion carried.

4. Atlantic County Recreation & Open Space Round 8 (11-01070):

We have submitted the application to the County for Round #8 Recreation and Open Space Funding program as authorized last meeting. The County has requested that a subsequent resolution to Resolution #135-2006 be adopted by the Mayor and Town Council. We have attached a copy of a resolution which lists each parcel and funding requests for Council's consideration.

Refer to New Business for Resolution.

5. Boat Ramp Modifications (11-75000):

At the last Council Meeting, it was requested that our office investigate the scope involved in completing modifications to the boat ramp entering the Hammonton Lake. It has been requested, to lengthen the end of the ramp to eliminate the drop off at the end of the ramp. Currently this drop off is handled with the use of a stone apron, which tends to migrate away from the ramp and lead to ongoing maintenance and the potential for boats to bottom out. In order to determine the extent of the work required and to obtain quotes for the modifications, our office has prepared a proposal for Mayor and Council to consider. The proposal has been attached to this report totaling \$4,600.00 for both phases of work.

Councilperson S. Lewis advised Parks and Recreation Committee asked that no action be taken on this item at this time as they have found a volunteer to perform necessary work on boat ramp.

6. Basin Road Subdivision (11-20143):

The Developer for the noted project has requested release of his Maintenance Guaranty posted with the Town of Hammonton. Upon review, it appears as though all necessary improvements have been satisfactorily installed. However, there are insufficient funds within the Developer's escrow to cover professional service fees which must be satisfied. Therefore, although we are suggesting approval to release the Maintenance Guaranty, the Bond or Letter of Credit for this project

subject to all outstanding bills being satisfied and written authorization from our office is provided to the Town related to said release is provided.

Discussion on Items #6 through #9 Bond Reduction/Release Requests

Mayor DiDonato stated that he feels since we have had problems with retention ponds working properly in the past, it is his feeling that Mayor and Council NOT release future maintenance guaranties until the ponds at these projects are proven to be working properly.

Councilperson Colasurdo stated he is in favor of placing a moratorium on all bond reduction/releases until project is complete.

Councilperson Bertino agreed with Councilperson Colasurdo and stated the retention ponds are supposed to empty within 72 hours and he views many that do not.

Mr. Vettese advised the Design Engineer provides certification to the town that the basin has been constructed properly and is working properly. However, the Engineer office has gone in to investigate further on occasion and has denied release of bonds in the past.

Councilperson Wuillermin questioned how bond amounts are determined and how release of portions of bonds are determined?

Mr. Vettese responded bond amounts are required by Engineer at time of project approval and bond reductions/releases are contingent upon portion of project completed satisfactorily. Performance bond is posted for 2 years and maintenance is posted for 2 years, normally. He advised it is Mayor and Council's decision as to whether a bond is reduced or released or not.

Councilperson Falcone suggested a committee of council be formed to investigate and recommend reduction/release of these bonds from this point on.

Councilperson Colasurdo also suggested that when this committee meets that the head of the homeowners association where the basin is located be present also.

Mayor DiDonato requested the Engineer make a recommendation to Quality of Life Committee and Quality of Life Committee then makes recommendation to entire council on all bond reduction/releases in the future.

7. Valley Avenue Subdivision (11-20174):

The Developer for the noted project has requested release of his Performance Guaranty posted with the Town of Hammonton. Upon review, we would **not** suggest that the applicant be released of his Performance responsibilities. There still remain some questions as to the functionality of the stormwater management facility of which the design engineer must certify to. In addition, there are some areas that need to be striped with traffic paint. This being the case, we would be willing to recommend that the Performance Guaranty be reduced to the maximum permitted by the Municipal Land Use Law or thirty percent of the overall bond. In this instance, Bond # 2003-09 could be reduced from \$155,125.32 to \$100,268.70. Therefore, we are suggesting approval to reduce the Performance Guaranty subject to the applicant satisfying all outstanding invoices and receipt of written authorization from our office is provided to the Town.

8. Walnut Street Subdivision (11-20184):

The Developer for the noted project has requested reduction to his Performance Guaranty posted with the Town of Hammonton. Upon review, a majority of the improvements for the Phase I portion of the project have been completed. We would therefore suggest a reduction of the Performance Guaranty (Letter of Credit #2005-24) from the original amount of \$328,133.00 to \$211,210.20. Therefore, we are suggesting approval to reduce the Performance Guaranty, subject to the applicant satisfying all outstanding invoices and receipt of written authorization from our office is provided to the Town.

9. Hammonton Ford Site Plan (11-20169):

The Developer for the noted project has requested Release of his Performance Guaranty posted with the Town of Hammonton. Upon review, it appears as though all outstanding items such as landscaping and fencing have been addressed. We would therefore suggest a release of

the Performance Guaranty (Letter of Credit #S-09620) in the original amount of \$388,500.00. However, there are insufficient funds within the Developer's escrow to cover professional service fees. Therefore, although we are suggesting approval to release the Performance Guaranty, notification of any such approval and release of the Performance Bond should not be provided to the Developer until written authorization from our office is provided to the Town and a approved Maintenance Bond in the amount of \$58,275.00 is provided to the Town.

Bob Vettese of ARH to forward Engineer items numbered 6 -9 to Quality of Life Committee for their review and approval prior to coming before Mayor and Council.

SEWER & WATER INFORMATION ITEMS

10. Well #7 (11-30131):

The Sub-Committee continues its negotiations with South Jersey Gas. A letter was forwarded to SJG representatives in response to the latest discussion. Progress is being achieved to address the immediate, intermediate and long term water needs of the Town. Once SJG representatives review the summary of the issues, it is the intent to reconvene with them prior to the Council meeting. We will report the outcome of the latest exchange of correspondence and meetings.

11. NJDEP Surface Water Permit (11-50047):

On October 3, 2006, representatives from NJDEP and the Town of Hammonton participated in a scheduled settlement conference call. Attached is a summary of the meeting and the pending issues associated with the discussion.. The noteworthy item is that the appeal hearing was postponed from October to March 22, 2007.

12. Water Allocation (11-30088):

Firm Source Calculation

Prior to the last meeting, we reconciled with the NJDEP regarding firm source and monthly allocation. We reported that a slight discrepancy as it relates to the annual diversion calculation appeared to exist. NJDEP remains firm in their calculation regarding the degree of the exceedence in this category. Notwithstanding the annual exceedence, we appealed to the NJDEP with regard to a project that can be serviced under the firm source and monthly calculation, but not under the annual category. We are awaiting a formal response from NJDEP on this last project. All other projects following this last application will be denied until the efforts as authorized earlier (increase in monthly/annual diversion and increase in firm source) can be approved by the NJDEP.

Major Modification Application:

As a reminder, ARH was authorized to initiate the request for an increase in the monthly allocation from 77.5 MG to approximately 113 MG which can possibly be achieved by operating our wells within the range of 14 to 16 hours per day. Additionally, our application would include a request to increase to the annual allocation of 603 MG to some projected factor that parallels the monthly request for increase.

The well search required from NJDEP has been requested and will serve as the basis of our report that needs to be filed. NJDEP originally reported that due to a backlog, the release of the well search information would not be available for several months. We convinced the NJDEP of the urgency of this matter and they consented to provide the information within a few weeks time period. We are awaiting this report before proceeding further in the analysis.

It is reminded that subsequent to the filing of the impact report, we will need to perform certain testing on the existing wells that will assure the NJDEP of our ability to meet the desired increase in diversion for each of the wells.

A impact report can only be filed once the well search data from the State is received. Obviously, this matter is critical to the Town's ability to accommodate future development plans.

Minor Modification Application:

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

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

The draft of the revised agreement was provided to the Solicitor for final configuration before the execution by the Triad and Town Officials.

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

ARH has issued the Notice to Proceed to the Contractor, Crown Pipeline to commence with the project construction. The Notice directed the Contractor to begin work on or before October 3, 2006. As of the date of this report, construction has not commenced but should begin this week. Updates will be provided as work progresses.

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

The Contractor, P&A Construction, begun work on October 9th and as of the date of this report has completed a majority of the wet taps required on the project. The Contractor will begin installing the 12" CLDIP at Bellevue Avenue and continue to Grape Street. He will then complete the required work along Third Street between Bellevue Avenue and Peach Street so that this section can be paved through the winter months. As weather permits, the contractor will continue to work between Grape Street and Golf Drive.

A change to the design plans will be required at the Central Avenue - Allen Lane intersection. A 2" water main was discovered at this location as opposed to the 4" originally thought to service Allen Lane. Because of pressure differentials, the new 12" CLDIP main within Central Avenue cannot be connected to the 2" line. Therefore, a 12" x 6" Tee will be installed at this intersection to allow for future extension.

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

We are still awaiting as-built plans, Maintenance Bond, and final payment request from the Contractor. The Contractor has been contacted to provide this information so that closeout of the project can proceed.

PUBLIC WORKS - INFORMATION ITEMS

17. Kramer Beverage Retention Basin (11-01000):

As previously reported in prior months the remediation of the Kramer Beverage basin, which the Town and the Owner jointly use, will be the subject of a trial program. Among the following alternatives, it was decided to select alternative 2.

1. Complete the task during the fall of 2006 using non-composted leaves during the collection period (mid October through mid November).
2. Complete the task during spring of 2007 using stockpiled (composted) leaves.
3. Complete the task in the summer 2007 without the use of any leaf (composted) materials.

A permit from NJDEP to stockpile leaves adjacent to the 11th Street ball fields for use at the applicable time was filed. We received verbal feedback from NJDEP that they could issue the permit. We are seeking the reasons behind the NJDEP decision since it does not appear reasonable in reaction to what are attempting to accomplish.

Per Councilperson Massarelli question Bob Vettese to look into and clarify for Mayor and Council.

18. Downtown Parking Areas (11-01000-92):

As authorized last meeting our survey crews have gathered a majority of the field locations and elevations for the project areas. We should have a base plan ready for review later this month. There will be additional information needed to gather once the plottings are complete. We will keep Council, Main Street and the Downtown Advocate informed of further progress.

19. Boyer Avenue Recreation (11-50099):

Phase II

Construction:

At this juncture there are punch list items that will be addressed by the Contractor. Additionally a final inspection, including a walk thru with the Recreation Committee, will be taking place, likely before the next reporting period.

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

Subsequent to the last meeting of Mayor and Council, ARH has advertised the "Downtown Sidewalk" project for bid. The following timeline will be adhered to for this project:

October 25	Mandatory Pre-Bid Meeting 10AM @ Town Hall
November 16	Receive Bids 10AM @ Town Hall
November 20	Award Contract @ Council Meeting

We have also met with representatives of Council, Main Street Hammonton and the Downtown Advocate to discuss additional scope of work to be completed in conjunction with this project. It should be noted that an agreement will need to be executed on behalf of the Town officially accepting the Grant Funds. Once we receive the agreement information, it will be forwarded to the Mayor for processing.

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

Construction has commenced and is progressing with the Sanitary Sewer improvements complete from Packard Street to Tilton Street. All the trees scheduled for removal have removed and concrete crews have begun installing curb and driveway aprons. The contractor has submitted payment request #1 and appears on this month's bill list for consideration.

It should be noted that Change Order #1 will be forthcoming. While installing the Sanitary Sewer Main, a conflict arose with an existing 6" CLDIP service line running across Pleasant Street which service the old Kessler Clothing factory. Apparently the existing sewer system was installed in such a way to bend under the water service line. As a result of the conflict, the Contractor was directed to lower the 6" water service so that the sewer run could be continued at the slope indicated on the design plans.

Additionally, G-Boys Excavating has completed the installation of the 4" water main and associated roadway restoration. An application for payment to G-Boys Excavating Associates with their work also appears on this month's bill list for consideration.

PENDING ISSUES:

- Boyer Avenue Land Application - Pinelands/USGS Study
- Sludge Management
- Storm Water Management Plan and Ordinance Revisions
- Recreation and Open Space Master Plan ANJEC Grant
- Hammonton Lake Management
- Pine, Basin Oak Road Well Contamination

Designate Peach Street as a 2 way street - temporarily

Motion by Councilperson Colasurdo, seconded by Councilperson Wuillermin, per Chief Ingemi's suggestion authorize Peach Street as a 2 way street temporarily only when police officer is present as a traffic diversion during Central Avenue construction.

ROLL CALL:

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

Mayor DiDonato declared the motion carried.

Third Street Roadway Project

Mr. Vettese advised this project will take place this coming week.

Request Letter Third and Pratt

Councilperson Bertino requested a letter be forwarded per Engineer report of July 2006.

Engineer office to prepare letter.

SOLICITOR REPORT

None.

MAYOR REPORT

Friday evening a person came up to me and said in the past 9 months he has seen this council take on a lot of tough issues and has also seen more action going on in this town then he has ever seen. However he had a question, can the town afford al this road work?

Thanks to the newly formed Fiscal Oversight Committee, who helped take a projected 19 cent municipal tax increase at the beginning of the year down to zero-yes we can.

One of the most important issues in this town are the families struggling to make ends meet and the Seniors living on fixed incomes. What we did first was freeze spending and prioritize projects moving forward. Over the past several years, we have seen our town roads and infrastructure deteriorate. Today, because of this council prioritizing projects, receiving grants, and scrutinizing every penny spent - we are undertaking one of the most massive infrastructure improvement projects since World War II, while holding the line on taxes. As you can see the wave of progress includes; Egg Harbor Road, Central Ave, Pleasant Street, Elm Street, Cottage Street, Horton Street, Packard Street, an Airport Project, Downtown Sidewalks, a relocated Historical/Community center, and a New Town Hall are all underway, or days from going out to bid.

We ask that during this wave of progress you drive slowly and follow detour signs.

TOWN CLERK/ADMINISTRATOR REPORT

Confirm CS Appointment April Boyer Maimone-Assistant Municipal Clerk

Motion by Councilperson Massarelli, seconded by Councilperson Falcone, approve April Boyer Maimone permanent position of Assistant Municipal Clerk.

ROLL CALL:

Councilpersons:

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

Mayor DiDonato declared the motion carried.

Thank you - DJ Plumbing

The Clerk recognized Dennis LaSassa donation of Town Hall boiler room repairs.

For Information Only:

2006 BUDGET APPROPRIATIONS/BALANCES AS OF OCTOBER 17, 2006			
BUDGET ACCOUNT	APPROPRIATIONS	EXPENDED	BALANCE
Administration SW	362,315.11	249,433.47	112,881.64
Administration OE	37,850.00	35,474.51	2,375.49
Elections	2,800.00	2,800.00	.00
Finance SW	167,635.85	111,585.11	56,050.74
Finance OE	12,000.00	9,384.41	2,615.59
Assessment Tax SW	97,900.00	74,538.60	23,361.40
Assessment Tax OE	15,735.00	7,476.78	8,258.22
Collection Tax OE	15,100.00	14,130.49	969.51
Legal Services SW	65,000.00	50,000.00	15,000.00
Legal Services OE	34,050.00	32,622.54	1,427.46
Engineer	17,500.00	13,385.83	4,114.17
Historical Soc. SW	700.00	.00	700.00
Historical Soc. OE	800.00	.00	800.00
Economic Development	64,000.00	.00	64,000.00
Computer SW	45,400.00	36,692.40	10,707.60
Computer OE	7,200.00	6,401.02	798.98
Planning Board SW	42,160.00	32,239.51	9,920.49
Planning Board OE	3,200.00	3,128.41	71.59
Bd. of Adjustment SW	3,700.00	2,846.20	853.80
Bd. of Adjustment OE	1,300.00	692.52	607.48
Rent Control SW	1,200.00	923.00	277.00
Rent Control OE	200.00	86.27	113.73

Shade Tree SW	1,200.00	900.00	300.00
Shade Tree OE	400.00	187.97	212.03
Construction SW	199,540.00	138,834.49	60,705.51
Construction OE	9,275.00	6,889.72	2,385.28
Other Code Enforce SW	8,800.00	8,596.93	203.07
Other Code Enforce OE	1,000.00	728.09	271.91
Group Insurance	1,145,569.03	926,535.96	219,033.07
Insurance	32,000.00	27,458.51	4,541.49
Fire	75,000.00	69,986.98	5,013.02
Uniform Fire SW	23,700.00	16,996.33	6,703.67
Uniform Fire OE	15,691.20	12,074.60	3,616.60
Police SW	2,446,564.81	1744,586.73	701,978.08
Police OE	233,400.00	182,480.67	50,919.33
Spec. Services OE	5,500.00	.00	5,500.00
Radio SW	240,900.00	181,812.62	59,087.38
Radio OE	9,075.00	7,866.68	1,208.32
Rescue Squad	4,500.00	.00	4,500.00
Bldgs. & Grounds SW	39,189.66	21,117.24	18,072.42
Bldgs. & Grounds OE	36,050.00	22,361.15	13,688.85
Highway SW	779,493.81	573,938.70	205,555.11
Highway OE	779,797.00	651,321.09	128,475.91
Environmental SW	1,200.00	900.00	300.00
Environmental OE	1,040.00	711.00	329.00
Dog Regulations OE	7,140.00	6,892.74	247.26
Registrar	3,100.00	2,900.20	199.80
Parks SW	1,200.00	700.00	500.00
Parks OE	1,000.00	909.12	90.88
Recreation SW	50,875.00	39,655.71	11,219.29
Recreation OE	8,100.00	4,980.00	3,120.00
Holiday Observance	1,000.00	.00	1,000.00
Advertising	55,000.00	41,287.45	13,712.55
Airport SW	3,000.00	2,307.80	692.20
Airport OE	3,100.00	1,257.71	1,842.29
Gasoline	140,000.00	134,187.40	56,971.30
Natural Gas	28,000.00	23,718.41	4,281.59
Electric	65,000.00	45,472.95	19,527.05
Street Lighting	299,500.00	247,386.08	52,113.92
Telephone & Telegraph	64,500.00	41,403.27	23,096.73
Municipal Court SW	192,391.81	138,062.94	54,328.87
Municipal Court OE	13,750.00	11,617.29	2,132.71
Water SW	281,094.00	209,982.17	71,111.83
Water OE	698,500.00	512,477.70	186,022.30
Sewer SW	326,530.00	229,162.80	97,367.20
Sewer OE	1,235,952.00	926,049.11	309,902.89

APPROVAL BILL LIST/PAYROLL/OVERTIME-ATTACHED

Add on Manual Check: Atlantic Co. JIF 4th qtr pay't \$137,092.00

Motion by Councilperson Wuillermin, seconded by Councilperson S. Lewis, approve bill list, payroll and overtime with add on manual check to Atlantic County JIF \$137,092.00 as recorded by the Clerk.

ROLL CALL:

Councilpersons:

Bertino - Y (Abstain on photo lab bills)

Colasurdo - Y

Falcone - Y

Massarelli - Y

S. Lewis - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

COMMUNICATIONS

Informational Items Only (no action necessary):

1. From JIF reminder e mail Clerk which class M&C wish to attend 11/29 or 1/29

Action Items (take all together):

1. From EVELYN CASSIDY resigning effect. 12/31/06
2. From LANCE SCHIERNBECK request add'l \$5000 emergency o.t.
3. From FIRE CO. #2 accept Jr. Member John Valerio
4. From KRISTY MOSCHELLA resigning effective 10/16/06 & re-advert
5. From MARYJOAN WYATT req. attend seminar 10/26 & reimb.
6. From S. ODDO, A. MAIMONE, K. VELARD seminar 11/14/06
7. From S. ODDO, A. MAIMONE seminar 10/25 & 10/26
8. From S. ODDO, A. MAIMONE, K. VELARDI seminar 10/27
9. From John Aloisio advising of new retirement date
10. From John Woods advising of add'l Front Street Pavilion concert 10/21

Motion by Councilperson Wuillermin, seconded by Councilperson Falcone, authorization be granted for above listed Communication Action Items.

ROLL CALL:

Councilpersons:

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

Mayor DiDonato declared the motion carried.

REPORTS-September-2006

- Town Clerk
- Registrar
- Construction Official

Ordered received and filed.

UNFINISHED BUSINESS

None.

NEW BUSINESS-ORDINANCES

Ordinance #20-2006 Update Employee Handbook

ORDINANCE # 20-2006

AN ORDINANCE AMENDING ORDINANCE #29-2004 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 Wuillermin, seconded by Councilperson S. Lewis, the ordinance be taken up for first reading, pass first reading and given legal publication.

ROLL CALL:

Councilpersons:

- Bertino - Y

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

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R139-2006 Amend JIF Bylaws

RESOLUTION #139-2006

RESOLUTION TO ACT UPON THE PROPOSED AMENDMENTS TO THE ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND BYLAWS IN ACCORDANCE WITH N.J.S.A. 40A:10-36 ET SEQ. AND N.J.A.C. 11:15-2.1 ET SEQ.

WHEREAS, the Town of Hammonton, hereinafter referred to as "MUNICIPALITY", is a member of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as "FUND"; and

WHEREAS, the MUNICIPALITY has received notification from the FUND that two amendments are being proposed to the FUND Bylaws; and

WHEREAS, the MUNICIPALITY is aware that the Revised Bylaws were reviewed by the Executive Committee of the FUND, and the Member Municipalities' respective Fund Commissioners to the FUND at the Executive Committee Meeting of September 20, 2006, prior to being conditionally adopted by the Executive Committee of the FUND; and

WHEREAS, the MUNICIPALITY understands that the Bylaws of the FUND can not be fully adopted by the Executive Committee of the FUND without first receiving a corresponding affirmative adoption by at least 75% of the membership's respective Member Municipalities, and then receiving approval of the revised Bylaws by the Department Of Banking and Insurance and the Department of Community Affairs, and

WHEREAS, the MUNICIPALITY has reviewed the Revised Bylaws of the FUND, and

WHEREAS, the MUNICIPALITY has the right and duty as a member of the FUND to pass a resolution either in support of or rejection of any proposed revisions to the FUND's Bylaws,

NOW THEREFORE, BE IT RESOLVED that the MUNICIPALITY votes to:

Support the actions of the FUND Executive Committee to adopt Article III entitled "Membership", Section H entitled "Termination and/or Withdrawal of Fund Members".

Support the actions of the FUND Executive Committee to adopt Article IV entitled "Organization", Section B entitled "Officers", subparagraph 1 (b) entitled "Secretary".

#R140-2006 Authorize Our Lady of Guadalupe Procession 12/10

RESOLUTION # 140-2006

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, Sunday, December 10, 2006 at 2:00 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 Sunday, December 10, 2005 Lady of Guadalupe Spanish Procession is acknowledged and endorsed by the Town of Hammonton contingent upon the following:

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

#R141-2006 Amend Budget to Accept Recycling Grant \$12,884.79

#R 141-2006

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

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

WHEREAS, the Town has received **\$12,884.79 from NJ State Recycling Fund**, and wishes to amend its Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the **2006 Budget in the sum of \$12,884.79** 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 State Recycling Fund"

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

#R142-2006 Tax Resolution October

#R 142-2006

R E S O L U T I O N

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

Block	Lot	INCORRECT	CORRECTION	NAME	PER	ACCT/REASON
2811	8.1		<70.50>	POST OFFICE AUDREY		WATER/TRANSFER PAYMENT
2811	8		70.50	POST OFFICE AUDREY		WATER/TRANSFER PAYMENT
2104	11		<1,119.75>	FIRST AMERICAN		TAX/PAYM'T ERROR

ALL CORRECT BILLS ARE DUE TO READING ERRORS.

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

#R143-2006 Professional Services Polymer

#R 143 -2006

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH **POLYDYNE INC.**, ATLANTA, GEORGIA, FOR SUPPLY OF **POLYMER**, AT THE WWTP OF THE TOWN OF HAMMONTON, ATLANTIC COUNTY, STATE OF NEW JERSEY

WHEREAS, there exists a need for supply of Polymer for the Town of Hammonton WASTEWATER TREATMENT PLANT for the **year 2007**; and

WHEREAS, the WWTP SUPERINTENDENT has recommended that a professional services contract be awarded to **POLYDYNE INC., PO BOX 930894, ATLANTA, GA, 31193-0894**; and

WHEREAS, funds are available under the sewer appropriation; and

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

NOW, THEREFORE, BE IT RESOLVED that a professional services contract be entered into with POLYDYNE, INC., ATLANTA, GA for supply of Polymer in the amount of **\$22,000.00**.

BE IT FURTHER RESOLVED that the contract is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services to be rendered or performed require knowledge of an advanced type in a field of specialized instruction distinguished from general academic instruction of apprentice and training; and

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

#R144-2006 No Passing Zone S. First Road

RESOLUTION #144-2006

RESOLUTION REQUESTING THE ATLANTIC COUNTY BOARD OF CHOSEN FREEHOLDERS TO ESTABLISH A NO PASSING ZONE ON SOUTH FIRST ROAD (CR 688) AT ALL EXISTING INTERSECTIONS AND PARTICULARLY AT THE INTERSECTION OF SOUTH FIRST ROAD AND EIGHTH STREET

WHEREAS, South First Road (CR 688) is a County roadway within the Town of Hammonton which extends from Twelfth Street (Route 54) to Weymouth Road (Route 640); and

WHEREAS, jurisdiction for South First Road (CR 688) is within the Atlantic County Board of Chosen Freeholders; and

WHEREAS, it has been determined in the interests of the public safety and welfare that a No Passing Zone be established for the entire length of South First Road (CR 688) due to its width and number of intersecting local streets and roads.

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 Atlantic County Board of Chosen Freeholders is hereby petitioned to adopt appropriate legislation establishing a No Passing Zone along the entire length of South First Road (CR 688) from Twelfth Street (Route 54) to Weymouth Road (Route 640).

BE IT FURTHER RESOLVED that upon approval or adoption by the Atlantic County Board of Chosen Freeholders that the County of Atlantic direct appropriate signage to be installed in accordance with the regulations established.

#R145-2006 Renew 2006-07 Liquor License - Ricca

R# 145-2006

RENEW LIQUOR LICENSES 2006-07

Resolution of the Mayor and Common Council of the Town of Hammonton, Atlantic County, New Jersey, relating to the issuance of license for the sale of Alcoholic Beverages in the Town of Hammonton, Atlantic County, for the license year beginning July 1, 2006 and expiring June 30, 2007.

WHEREAS, it is a requirement of the State of New Jersey Division of Alcoholic Beverage Control, that in the matter of the authorization and issuance of license of the sale of Alcoholic Beverages, a resolution must be adopted, which resolution shall specifically determine and name the person, firm or corporation adjudged by such resolution to be entitled to such license as adjudged to be issued, and further such resolution must also fix the name and the licensed premises; and

WHEREAS, such resolution shall order the issuance and delivery of such license, by such Municipal Officer or agent, as the issuing authority

shall be resolution designate to sign and deliver such license in its behalf; and

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

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

	<u>2006-2007 LIQUOR LICENSE PLENARY RETAIL DISTRIBUTION</u>	
D-1	0113 44 004 006	Est. of Cosimo Ricca Sr. t/a Fairview Liquors & Deli Inc. (Pocket)

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

AND BE IT FURTHER RESOLVED that for the issuance and delivery of such licenses as have hereinbefore by this resolution been granted and authorized issued, that the Town Clerk of the Town of Hammonton be and such Clerk hereby is Designated as the Official Agent of the Town of Hammonton, to sign and deliver such licenses in its, the said Town's behalf.

AND BE IT FUTHER RESOLVED that in each license as issued after authorization, for the sale of Alcoholic Beverages during the license year that "immediately following the line in such license providing for "Special Conditions if any" is set out, the following phrase be added: Rules and Regulations as may be adopted by Council from time to time.

#R146-2006 Professional Services - Labor Attorney

Advert legal
#R 146-2006

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR LABOR ATTORNEY
UTILIZING THE NON-FAIR AND OPEN OPTION

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

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

WHEREAS, the anticipated term of this contract is one (1) year and total amount of \$25,000.00 for year 2006; and

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

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

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

BE IT FURTHER RESOLVED that a copy of this Resolution be published in the Town's legal newspaper.

ON THE QUESTION:

Councilperson Bertino questioned the awarding of the labor attorney contact in October? Also, he questioned the amount being paid to the labor attorney as he is not aware of the type of work the labor attorney has been authorized to perform on behalf of the Town.

Mayor DiDonato stated that this contract was approved 1/1/06 but has since approached the allowable \$17,500.00.

Solicitor advised this is non fair and open contract now as Labor Attorney services are exceeding the Pay to Play law threshold.

Councilperson Wuillermin stated this council cannot comment on how previous council's handled their contract negotiations. However, this council felt that labor was a critical component in negotiations and labor matters and wanted a professional who specializes in this to handle those matters.

Solicitor advised if Councilperson Bertino compares prior year totals spent on attorney's, he will probably find the numbers are quite comparable.

Councilperson Bertino stated he is fully aware of prior year's totals and he disagreed with Solicitor.

#R147-2006 Taxi Cab License

#R147-2006

RESOLUTION

WHEREAS, it is a requirement of the Mayor and Common Council of the Town of Hammonton, County of Atlantic and State of New Jersey that in the matter of the authorization and issuance of **Taxicab License**, a resolution be adopted, which resolution shall specifically determine and name the person adjudged by such resolution to be entitled to such license as adjudged to be issued.

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 following named person be and are hereby adjudged, each and everyone, to be entitled to a **Taxicab License**, said license to commence October 24, 2006 and expire December 31, 2006.

Dorset Camper

BE IT FURTHER RESOLVED that the Town Clerk be and is hereby authorized to issue such licenses.

#R148-2006 Taxi Operators License

#R148-2006

RESOLUTION

WHEREAS, it is a requirement of the Mayor and Common Council of the Town of Hammonton, County of Atlantic and State of New Jersey that in the matter of the authorization and issuance of **Taxi Operators License**, a resolution be adopted, which resolution shall specifically determine and name the person adjudged by such resolution to be entitled to such license as adjudged to be issued.

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 following named person be and are hereby adjudged, each and everyone, to be entitled to a **Taxi Operators License**, said license to commence October 24, 2006 and expire December 31, 2006.

Dorset Camper

BE IT FURTHER RESOLVED that the Town Clerk be and is hereby authorized to issue such licenses.

#R149-2006 Open Space St. Martin de Porres

RESOLUTION #149-2006

ATLANTIC COUNTY RECREATION AND OPEN SPACE
GRANT PROGRAM FOR A PORTION OF THE SAINT MARTIN DE PORRES PARCEL

WHEREAS, the Atlantic County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the governing body of the Town of Hammonton desires to obtain County Open Space Trust funds in the amount of \$58,000.00, to fund the acquisition and a portion of the survey, legal and appraisal costs for the Saint Martin de Porres property noted as Block 3001, part of Lot 41 consisting of approximately 3 acres.

WHEREAS, the total cost of the project, including all matching funds if \$70,000.00±; and

WHEREAS, the Town of Hammonton will be holder of any interest acquired with County Open Space Trust Funds.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Hammonton that

Mayor John DiDonato is authorized to (a) make an application to the County of Atlantic for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the principal contact person and correspondent of the above named municipality; and

The Town of Hammonton, is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and

If the County of Atlantic determines that the applicant is complete and in conformance with the Atlantic County municipal Open Space Program and the Policy and Procedures manual for the Municipal Grant Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state and local government rules, regulations and statutes thereto; and

Mayor John DiDonato is hereby authorized to sign and execute any required documents, agreements and amendments thereto with the County of Atlantic for the approved Open Space Trust Funds; and

This resolution shall take effect immediately.

#R150-2006 Open Space Grand Street

RESOLUTION #150-2006
ATLANTIC COUNTY RECREATION AND OPEN SPACE
GRANT PROGRAM FOR GRAND STREET PROPERTY

WHEREAS, the Atlantic County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the governing body of the Town of Hammonton desires to obtain County Open Space Trust funds in the amount of \$189,750.00, to fund the acquisition and a portion of the survey, legal and appraisal costs for the Grand Street property noted as Block 3706, PART OF Lot 4 consisting of approximately 60 acres.

WHEREAS, the total cost of the project, including all matching funds if \$210,000.00±; and

WHEREAS, the Town of Hammonton will be holder of any interest acquired with County Open Space Trust Funds.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Hammonton that

Mayor John DiDonato is authorized to (a) make an application to the County of Atlantic for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the principal contact person and correspondent of the above named municipality; and

The Town of Hammonton, is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and

If the County of Atlantic determines that the applicant is complete and in conformance with the Atlantic County municipal Open Space Program and the Policy and Procedures manual for the Municipal Grant Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state and local government rules, regulations and statutes thereto; and

Mayor John DiDonato is hereby authorized to sign and execute any required documents, agreements and amendments thereto with the County of Atlantic for the approved Open Space Trust Funds; and

This resolution shall take effect immediately

#R151-2006 Grant Application Open Space

Resolution 151-2006
GRANT APPLICATION

WHEREAS, the County of Atlantic has established a "County Open Space, Recreation and Farmland and Historic Preservation Trust Fund" through voter approval in 1990 and provides a source of funds for the acquisition and development of open space in Atlantic County; and

WHEREAS, the County of Atlantic has established a Municipal Open Space Financial Assistance Program to provide grants to municipalities for the acquisition of open space; and

WHEREAS, The County of Atlantic has established general criteria along with an application format for applying for grant funds;

WHEREAS, the Town of Hammonton has identified the following project(s) which meet the goals and objectives of the County Municipal Open Space Financial Assistance Program:

Block 4204, Lot 28	\$150,000.00
Block 4204, Lots 26 & 27	\$ 8,500.00
Block 3505, Lot 11	\$ 12,500.00
Block 3301, Lots 68(Portion)&70	\$275,000.00
Block 801,Lots 1 thru 6 & 10	\$180,000.00
Block 4009, Lots 5, 6 & 7	\$ 90,000.00
Block 4012, Lot 10	\$ 75,000.00
Total	\$791,000.00

WHEREAS, the projects listed above are consistent with the goals and objectives of the Municipal Master Plan or Municipal Open Space Plan; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF HAMMONTON THAT:

1. The Town of Hammonton Council has reviewed the application package and authorizes the submission of the grant application to the County.
2. The Town of Hammonton is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-County funds as required; and
3. The Municipality is willing to use the approved County Open Space Trust Funds in accordance with such policies and procedures, and applicable Federal, State, and local government rules, regulations, and statutes thereto; and
4. Mayor DiDonato is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Atlantic for the approved County Open Space Trust Funds; and
5. This resolution shall take effect immediately.

Motion by Councilperson Wuillermin, seconded by Councilperson S. Lewis, the following resolutions be adopted.

ROLL CALL Resolutions 139-151 (with exceptions 146, 147, 148):

Councilpersons:

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

Mayor DiDonato declared the motion carried.

ROLL CALL Resolution 146:

Councilpersons:

- Bertino - N
- Colasurdo - Y
- Falcone - N
- Massarelli - Y
- S. Lewis - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

TABLE RESOLUTIONS 147 AND 148

Motion by Councilperson Wuillermin, seconded by Councilperson Falcone, Table resolutions 147 and 148 pending police approval at which time the Clerk will place on agenda once again for Mayor and Council approval. Motion carried.

LICENSE APPROVAL

Kessler Hospital	1/26/07
Sons of Italy	12/9/06
Hammonton Chapter of Deborah	1/3/07

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

PUBLIC HEARD

Mayor Anthony Clark - Waterford Township

Mayor Clark of Waterford Township stated Mayor DiDonato invited him to speak many months ago but he always had conflicting schedules. However, he was available this evening and decided to stop in. He advised it's his fourth time serving as Mayor. He is fully aware of the challenges each governing body faces and advised that governing body's will not always be able to make everyone happy. He advised he will do whatever he can to be of assistance to this Council. He enjoyed listening to the discussion on the Turf Farm as he is interested in issues of surrounding municipalities. He thanked Mayor and Council and the citizens of Hammonton for their kindness.

Mayor DiDonato thanked Mayor Clark for coming out tonight as he has spoken with him on several issues concerning Waterford/Hammonton school students.

Richard Jacobus - Golf Drive

Mr. Jacobus stated he originally felt this Mayor and Council were serious about saving tax dollars. He advised of the potential the tax dollars that can be spent during a KKK demonstration. He also mentioned the tax dollars that will be spent in Council's attempt to dismiss Chief Ingemi. He commended Chief Ingemi for his job.

Solicitor stated to public that they may comment on the issue of Chief Ingemi however due to it being a personnel issue Mayor and Council cannot respond to their comments. Also, if the comments become too personal, he will have to advise them of same.

Ralph Glorioso - 10th Street

Mr. Glorioso stated the people of Hammonton support Chief Ingemi.

Joseph Bednarsky - KKK

Mr. Bednarsky questioned comment allegedly made by Councilperson Falcone in a local newspaper and read the comment to the public.

Councilperson Falcone advised the alleged comment made by himself is true and he will not apologize for same.

Mr. Bednarsky further stated that Councilperson Colasurdo allegedly stated that KKK planted asbestos at Hammonton Historic Building site. He stated, defending the KKK, that they are not a hate group and they are prepared to take this matter to the highest court.

Mr. Bednarsky then read an article from Atlantic City Press in where Chief Ingemi advised the Atlantic City Press representative that Councilperson Colasurdo requested Chief Ingemi to investigate the matter of asbestos allegedly placed at Historic Building site by KKK.

Councilperson Colasurdo stated that he made no statement to any newspaper but if he had he certainly would not apologize for it.

Solicitor discouraged Mr. Bednarsky from reading any e mail that we do not know where it came from.

Daniel Santora - Old Forks Road

Mr. Santora advised of continuing water problem in the area of Puerto Rican Civic Association and presented a picture of same to council for them to view. He once again went over the retention pond problem and placed blame on those council members that allowed the original reduction of the performance bond.

Mr. Santora also complained of a party that got out of hand at the Puerto Rican Civic Club in where someone drove over his mother's property and presented a picture of same to Mayor and Council. He further stated there are no restrooms at these event and people are urinating in public. He also mentioned other incidents that he was not happy about. He also accused a police officer of driving his police vehicle onto their property to run over political signs.

Mark Santora - Old Forks Road

Mr. Santora thanked Mayor and Council for the opportunity to address them this evening. He asked that they check into the August 2005 paperwork where monies were released for Phase III which was not complete at that time. He is not certain if this is a misprint or if funds were released improperly. He stated the basin near his mothers property does not drain in 72 hours as required and does not drain in that amount of days either. He would like R&V representatives to appear before this council and would like this Mayor and Council to appear on site to view same.

Mayor and Council stated they would be happy to accommodate Mr. Santora and would like to include the PR Civic Association as well.

Lynn Mazzeo Amarillo - Wilbur Avenue

Mrs. Amarillo stated this is the first council meeting she is attending. She stated that recently it has come to her attention through the newspapers that Hammonton has become a disgrace. She believes council should set aside personal vendetta's and move forward. She personally does not have children but she believes if council continues with the Chief Ingemi situation it will leave the children of this town in debt.

Jim McClane - Bellevue Avenue

Mr. McClane stated our police department is an asset to this Town. He commended Police Chief Frank Ingemi and stated he is a man who will stand up for what he thinks is right and speak up for what he thinks is wrong. He reminded council of their slogan "For the people not the politics."

Sam Giordano - Gerry Lane

Mr. Giordano invited Mayor's and Council's and Engineer's past and present to meet with residents of this area some time next week.

Mayor and Council to meet at Pulte Development Club House with all those interested next Thursday November 2, 2006 at 7:00 p.m.

Clerk directed to forward letter to Mr. Cantwell of R&V requesting him to also attend this meeting.

Tom Santone - Peach Street

Mr. Santone asked Mayor and Council to reconsider the charges against the Police Chief which seem to him to be frivolous. He stated Chief Ingemi is a great cop and a good person.

#R152-2006 Resolution Enter Into Executive Session 10:05 p.m.

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 Wuillermin, seconded by Councilperson Bertino, the resolution be adopted.

ROLL CALL:

Councilpersons:

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

Mayor DiDonato declared the motion carried.

Resume Regular Order of Business

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

Authorize Representation - Town Employee

Motion by Councilperson Bertino, seconded by Councilperson Falcone, authorize Town Solicitor to represent Highway Department Employee in Vineland Municipal Court due to a ticket received for failing to stop due to a brake problem.

ROLL CALL:

Councilpersons:

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

Mayor DiDonato declared the motion carried.

Authorize Representation - Disciplinary Action - Police Chief

Motion by Councilperson Wuillermin, seconded by Councilperson S. Lewis, authorize Bill Blaney of Gruccio, Pepper, DiSanto and Ruth to represent Town of Hammonton in disciplinary action involving Police Chief Frank Ingemi.

ROLL CALL:

Councilpersons:

- Bertino - Y
- Colasurdo - Recused
- Falcone - Y
- Massarelli - Y
- S. Lewis - Y
- Wuillermin - Y
- Mayor DiDonato - Recused

Mayor DiDonato declared the motion carried

Authorize Retired Judge-Hearing Officer

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino, authorize retired Superior Court Judges Williams, Gibson, or Weinstein as hearing officer in Police Chief Ingemi's case.

ROLL CALL:

Councilpersons:

- Bertino - Y
- Colasurdo - Recused
- Falcone - Y
- Massarelli - Y
- S. Lewis - Y
- Wuillermin - Y
- Mayor DiDonato - Recused

Mayor DiDonato declared the motion carried

Clarification Chief Uniform

Motion by Councilperson Colasurdo, seconded by Councilperson Wuillermin, Clarification Class A Uniform to be worn by the Police Chief during his Regular Routine Duty. Clerk to notify Chief to obtain proper attire by October 30th.

ROLL CALL:

Councilpersons:

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

Mayor DiDonato declared the motion carried

MEETING ADJOURNED at 11:40 p.m.

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

Minutes Prepared by April Boyer Maimone, Deputy Clerk

Minutes Approved by Susanne Oddo, Town Clerk/Adm.