

Minutes
REGULAR MEETING OF COUNCIL
Held in Town Hall Council Chambers
100 Central Avenue, Hammonton, N.J.
Monday, November 20, 2006 at 7:00 P.M.
Minutes can be viewed at www.townofhammonton.org

MEETING CALLED TO ORDER BY MAYOR DIDONATO

ROLL CALL

Mayor DiDonato - P
Councilpersons:
Bertino - A
Colasurdo - P
Falcone - P
Massarelli - P
S. Lewis - 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 Colasurdo, seconded by Councilperson S. Lewis, the minutes of the Regular Meeting of October 23, 2006 be approved as recorded by the Clerk. Motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

Financing Presentation Ron Ianoale - McManimon & Scotland - Bond Counsel

Mr. Ianoale introduced himself and advised Mayor and Council of the details of his recommendation to sell municipal bonds. He further advised Mayor and Council of the benefits of this sale. He explained in detail the five resolutions proposed for Mayor and Council consideration this evening and recommended their adoption.

Mayor DiDonato clarified for viewers that the adoption of these proposed resolutions by Mayor and Council and the authorization to sell municipal bonds is not related to the Town Hall issue and will not incur additional debt.

Mayor DiDonato opened presentation to public.

Mr. Volpi stated once again stated this action is not authorizing new debt.

After a discussion between Mr. Ianoale and Mayor and Council it was on motion by Councilperson Wuillermin, seconded by Councilperson S. Lewis, resolutions numbered 159 thru 163 appearing under New Business on this evenings agenda be adopted.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Presentation Pulte Drainage Basin Problem & Residents Input

Mayor DiDonato recognized the following representatives present this evening:

Joe D'Abundo, Engineer of Atlantic County

Elizabeth Henshaw of Pulte Homes
Anthony Pagano, Attorney with Atlantic County
John Cantwell of Remington and Vernick
Anthony Donofrio R&V
Mr. Lindsey of Triad

Mr. Giordano - Jerry Lane

Mr. Giordano questioned the amount of bonds the Town of Hammonton is holding on Pulte Development to date?

Solicitor responded \$1.6 million in bonds are being held..

Mr. Giordano questioned who granted easement to direct water to detention basin?

Mr. D'Abundo advised Mayor and Council of the allowable flow of water per county law. He advised that the county only gives approval to the extent that the plan prevents water from flooding county roadway.

Councilperson Colasurdo questioned was it their intention to connect the two existing ponds?

Mr. D'Abundo stated only as a means of overflow.

Councilperson Colasurdo stated he was onsite and he saw concrete blocking the drain and stated he believes this concrete may be causing the problem as there is no flow in this area.

Mr. D'Abundo stated this was not approved by the county and he cannot imagine why this occurred.

Mr. Vettese advised the pipe is supposed to be concreted to stop the overflow from occurring.

Mr. Cantwell of R&V agreed the basin was only supposed to be for overflow.

Mr. Giordano stated that he felt the detention basin is supposed to take on the development's water, not the county water.

Mr. D'Abundo advised Mr. Giordano that he is incorrect and the development is supposed to take on the water in order to keep it from flooding county roadway. The problem is not the natural flow and where the water wants to go. The problem is that there exists a failed basin at Pulte that is not taking on the water it was supposed to take on. The basin does not perc. That is also why you have an overflow that goes along Old Forks Road, in case the basin does not perc.

Mr. Pagano, Attorney for Atlantic County, stated this is not county water per say. The principle is where is the water supposed to go and perc?

Mr. Giordano questioned the liability in case of a contamination spill? Who picks up the liability?

Mr. Pagano advised the liable party is the one who spills and there is an entire mechanism to address the spill and another party who is responsible for cleaning up same. Getting back to the issue is the question why is the basin not working. This is not the first basin that is not doing what it was proposed to do on paper. In his experience these projects do get worked out. There is a town government that cares and county government also here tonight that is concerned. He also advised there are several officials in attendance this evening who also want to resolve this issue. Town Solicitor has advised there are bonds held for this purpose and everyone has to work together to make sure the right thing happens and this problem is corrected.

Mr. Giordano questioned why does the county not pipe the water over so it does not spill on the properties?

Mr. D'Abundo stated if there basin is full they are no longer absorbing their own water in their development and therefore the developer is not meeting drainage requirements.

Councilperson Colasurdo questioned who can help to get the waterway cleaned out?

Mr. D'Abundo once again responded that is not the problem, the problem is the drainage basin in not working properly.

Councilperson Colasurdo stated he realizes this but wants to alleviate the problem for the residents.

Mr. D'Abundo stated until this basin is corrected and drains properly Pulte is in violation and at this time the only entity the residents can come to is this Mayor and Council as the water has not drained onto county roadway yet.

Councilperson Colasurdo agreed but requested help from the county in this regard. He still believes the natural stream is plugged up even though Mr. Vettese has advised that the pipe is supposed to be blocked by concrete.

Mr. Pagano advised of a program under DEP for restoring natural stream corridors. He will look into this in an attempt to aid the Town of Hammonton. He will forward the information to the Town Engineer.

Mr. Cantwell advised he understand Triad did some test pits to investigate why the basin is not draining. He stated it appears that the basin can work. Dry wells can also be added. These are issues that can be resolved when the development is complete. Pulte does not want to attempt to correct the problem until the development is complete as the building may cause additional silt to go into basin and create additional problems.

Mr. Lindsey of Pulte Development stated they undercut basin by two feet to accept additional silt during course of construction. There are some pockets of clay. Mr. Lindsey advised that Pulte is proposing to complete development and then in spring 2007 when complete take silt and pockets of clay out of basin and bring in two feet of pourous material to fill bottom of basin.

Mr. D'Abundo questioned if Pulte in this process took away the allowable two feet approved by the county.

Mr. Lindsey responded, no.

Mr. Donofrio of R&V stated there are a lot of approaches to resolve this matter. He thought the remedy to basin in spring of 2007 was agreed upon by all after last meeting. He questioned the citizens and Mayor and Council, do you want us to direct contractor to continue building and Pulte to fix basin now and risk more silt getting into the basin?

Councilperson Colasurdo stated he also felt they all agreed to complete the project and then resolve the drainage problem.

Councilperson Falcone questioned what if anything can be done in the meantime to give the residents of this area some relief?

Solicitor requested in the meantime can the representatives give the people some kind of assurance that they will not incur additional water?

Mr. Donofrio responded, no. He agrees with Mr. D'Abundo in that the drainage is supposed to stay onsite. The officials here this evening cannot do anything additional to help in this matter other than have Pulte developer fix this drainage basin so it drains.

Mr. D'Abundo suggested a small pump be placed in the meantime.

Mr. Santora stated from the audience this remedy has already been tried and failed.

Mr. Giordano stated Pulte Development is private property but you are sending the water to the other side of Old Forks Road and the stream is not natural there.

Mr. D'Abundo stated yes the stream is natural there. The municipal and county land use law are both very clear on that. If you happen to be on the uphill side of it then you are ok but if you happen to be on the downhill side where the water ends up then you are not going to be happy. The basin was not designed to hold the water from the development only.

Mr. Silipina - N. Third Street

Mr. Silipina questioned the pipe under Old Forks Road? He stated the drain was placed for a farmer years ago and stated that is not a natural drain.

Mr. D'Abundo stated he cannot speak solely on the existence of the pipe but it is a natural drain.

Mr. Vettese stated if you take all the roadways out of the area and look at the original area map for drainage this is the way the water wants to go.

Mr. Lindsey stated the small basin has not been finished yet because they have not received word on the issue from the PR Civic Assoc.

Mr. Farinella - Blueberry Ridge

Mr. Farinella referring to document from R&V from July 2004 stated this problem dates back to the year 2004 and has not been remedied yet. He strongly encouraged officials to do so as soon as possible. He also wants to be certain there is adequate bonding held so we don't get stuck with a defective drainage problem.

Mr. Dan Santora - Old Forks Road

Mr. Dan Santora questioned who owns the parcel adjacent to the PR Civic Center?

Mr. Lindsey responded that is Triad property. They own 4.2 acres in Hammonton and then other acreage in Winslow.

Mr. Santora suggested Triad use the additional property for additional drainage basin and place a fence around it so no one drowns.

Mr. Pagano advised he did take samples that proved that the basin did work.

Mr. Santora once again requested Triad contain their own water on their property. Also if and when any excavating is done in the future, he would like his family to be notified and would like the excavation to be contingent upon his families written approval prior to same. He noted the last time excavating was done, it damaged the Santora property.

Mr. Mark Santora - Old Forks Road

Mr. Santora thanked the representatives for coming out tonight. He has been involved in this project for several years and can attest that the original proposed project has grown immensely. He doesn't believe the design in place today is exactly the design originally approved. He stated he is not an engineer but there is a lot of clay in the ground. Clay does not drain. He does not know if they will be able to correct the situation. We need to be realistic and admit we have a problem out there. They need to get this basin working. The choice is if they try to fix it now it can resilt. If they wait until spring 2007 and it cannot be fixed then Triad would have used all the property that they could have place an additional drainage basin on. He questioned has the town checked the Impervious service as opposed to cubic feet?

Mr. D'Abundo stated the county only checks to be sure that the water will not drain onto the county roadway. The Town is responsible for the other portions of the project.

Solicitor questioned what if the basin cannot be fixed?

Mr. Pagano stated he does have concerns about the soil. The fact of the matter is the Pinelands and Town require it to perc at a certain rate and the Town has the bonds so someone will be accountable no matter what.

Councilperson Colasurdo requested the citizens of this area now allow the representatives to do their job. Let them pump temporarily and fix it in the spring. The Town has the bonds. All approvals County and local were given with intent of water to drain in the direction it is going. He promises this council is holding the responsible parties to their agreement.

Mr. Santora also questioned if Planning Board minutes can be reviewed 6/6/91 and 12/16/98 to discover the answers to some of the questions this evening?

Mayor DiDonato stated Mayor and Council do understand everyone's frustration with this project.

Ms. Elizabeth Henshaw of Pulte Development addressed bonding issue and advised only \$450,000 is Pullet's responsibility.

Mr. Cantwell of R&V assured everyone that this problem will be remedied.

Mayor DiDonato thanked everyone for their input and closed the hearing.

Ordinance #20-2006 entitled "AN ORDINANCE AMENDING ORDINANCE #29-2004 ADOPTING THE TOWN OF HAMMONTON EMPLOYEE HANDBOOK AS THE OFFICIAL POLICIES AND PROCEDURES OF THE TOWN OF HAMMONTON," was read by title only.

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

No one desired to be heard.

Motion by Councilperson Falcone, seconded by Councilperson Colasurdo, the hearing be closed, the ordinance pass second reading and be adopted and the Clerk advertise same per law.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

Present Plaque Atlantic County Library System-Kitty Ostrom

Mayor DiDonato presented a plaque in recognition of the 25th anniversary of Atlantic County Library Hammonton Branch.

Ms. Ostrom thanked Mayor and Council and was excused.

RESUME REGULAR ORDER OF BUSINESS

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard.

COMMITTEE REPORTS

Councilperson S. Lewis Report

2007 Smart Growth Grants
Environmental Commission Meeting - Truck Masters
Continisio Basin Road Subdivision Projects Inspection
Park Commission Meeting

Councilperson Falcone Report

Request Clerk office look into concerns with Highway Dept. & Airport with regards to Election Districts relocation

Councilperson Wuillermin Report

Update Road Construction Projects-Detours
Water Main Improvement Projects-Updates
Third Street Curb Work
Downtown Sidewalk & Curb Project
Unfreeze Sewer Utility Budget
Mainstreet Request Carriage Rides at Tree Lighting Event 12/1

Councilperson Massarelli Report

Chamber of Commerce Report "Welcome New Members"
Reminder of Firemen Christmas Parade
EDC Committee Request Open Forum Meeting re: State Building Project

Motion by Councilperson Colasurdo, seconded by Councilperson Wuillermin, Chamber of Commerce to conduct meeting with State of New Jersey concerning proposed State Building and Chamber to forward notices to residents and advertise in newspapers.

All present members of council voted in the affirmative. Motion carried.

Councilperson Colasurdo Report

Bond Reduction Requests Investigation and Report
Thanked Councilperson Lewis and Falcone for their time on council
Welcomed Anthony Marino and Jerry Vitalo to council

ENGINEER REPORT

PUBLIC WORKS - ACTION ITEMS

1. Atlantic County Recreation and Open Space Round #6 (11-01064):

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 the following parcel:

Walmer Street ~ Wescoat Estate Tract Parcel noted as Block 3001, part of Lot 42, consisting of approximately 7.2± acres. We have included a copy of the proposed resolution for Council's consideration. Also after discussion with the Atlantic County representatives, it was advised that the next step would be to request price quotes to complete an appraisal for this property prior to completing any survey work or Phase I study. The appraisal must be completed by a certified Green Acres approved individual or firm. For budgetary purposes, we would estimate the cost to complete the appraisal work for the Walmer Street, Wescoat Estate parcel to be as follows:

Appraisal	\$5,000.00
ARH	\$550.00

Bob Vettese to investigate through county the correct procedure in first ascertaining if the property owner wishes to sell their property, prior to town paying for appraisal of same.

1. Required adoption of a resolution for each of the parcels noted above. A copy of the resolution is attached.

No action taken.

2. Atlantic County Recreation and Open Space Round #7 (11-01064-68):

Similar to the request for Round #6, after discussion with the Atlantic County representatives, it was advised that the next step would be to request price quotes to complete an appraisal for both properties noted below prior to completing any survey work or Phase I study. The appraisal must be completed by a certified Green Acres approved individual or firm. For budgetary purposes, we would estimate the cost to complete the appraisal for two parcels to be as follows:

Block 3706, Lot 4 - Grand Street - 60 Acres±	
Appraisal	\$7,000.00±
ARH	\$700.00

Block 2001, Lot 41 - Part of St. Martins property	
Appraisal	\$4,500.00±
ARH	\$450.00

Refer to New Business

3. Safe Routes to Schools (11-01000):

We have received notice from the NJDOT related to a new program for the placement of sidewalks, bikeways, etc. to provide safe passage to schools. We have attached a copy of the letter to this report. In the past, the Town has applied for funding of a similar type program, but have not been approved for funding. As noted, should the Town wish to submit an application. The deadline for submission is December 29, 2006. If desired, we could meet with the Town, School and Police Department representatives to review areas for consideration to include in an application for funding consideration. We would estimate a cost to complete work required to submit the application resolution, meetings, maps, estimates, etc. for NJDOT consideration to be \$3,200.00. We will wait for Councils direction related to this matter.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, authorize ARH to complete all work required to submit an application to the NJDOT associated with the Safe Routes to Schools Program for a fee not to exceed \$3,200.00

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

4. Basin Road Subdivision (11-20143):

The Developer for the above 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. Also, it would be subject to approval by the Quality of Life Committee. We are scheduled to meet with the Committee on Saturday, November 18, 2006.

Motion by Councilperson Colasurdo, seconded by Councilperson S. Lewis, approve release of the Maintenance Guaranty subject to the Developer satisfying all outstanding professional service invoices and subject to approval by the Quality of Life Committee. No approval letter or release of the Bond should be granted until written notice is received by ARH.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

5. Valley Avenue Subdivision (11-20174):

The Developer for the above noted project has requested release of a portion of the Performance Guaranty posted with the Town of Hammonton. Upon review, we would suggest that the applicant be released of a portion of the Performance Bond responsibilities. There still remains 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 to the amounts noted subject to the applicant satisfying all outstanding invoices and receipt of written authorization from our office related to the release is provided to the Town. Also, it would be subject to approval by the Quality of Life Committee. We are scheduled to meet with the Committee on Saturday, November 18, 2006.

Motion by Councilperson Colasurdo, seconded by Councilperson S. Lewis, approve reduction of the Performance Guaranty as noted above subject to the Developer satisfying all outstanding professional service invoices and subject to approval by the Quality of Life Committee. No approval letter should be granted until written notice is received by ARH.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

6. Walnut Street Subdivision (11-20184):

The Developer for the above 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 to the amount noted, subject to the applicant satisfying all outstanding invoices and

receipt of written authorization from our office related to the release. Also, it would be subject to approval by the Quality of Life Committee. We are scheduled to meet with the Committee on Saturday, November 18, 2006.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, approve reduction of the Performance Guaranty subject to the Developer satisfying all outstanding professional service invoices and subject to approval by the Quality of Life Committee. No approval letter should be granted until written notice is received by ARH.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

7. 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 posted with the Town. Also, it would be subject to approval by the Quality of Life Committee. We are scheduled to meet with the Committee on Saturday, November 18, 2006.

Motion by Councilperson S. Lewis, seconded by Councilperson Colasurdo, approve release of the Performance Guaranty subject to the Developer satisfying all outstanding professional service invoices and subject to approval by the Quality of Life Committee and providing an approved Maintenance Guaranty for said improvements. No approval letter should be granted until written notice is received by ARH.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

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

Subsequent to the last meeting of Mayor and Council, ARH has conducted a mandatory pre-bid meeting with prospective contractors. We have also met with those same contractors and entered the basements that extend beneath the sidewalk area to determine the exact extent of work to be completed. On Thursday November 16, bids for the project will be received. A separate award recommendation and resolution will be provided for review and approval by the time of the 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. Once a Contractor is chosen, he along with other contractors will be asked for prices to complete additional work such as installation of drip irrigation controls and the potential of banner poles under a separate contract. Additionally, an agreement for the release of Grant funds has been forwarded to the Clerk and Solicitor for review and execution.

Refer to New Business with knowledge that ordinance must be unfroze.

SEWER & WATER INFORMATION ITEMS**9. Well #7 (11-30131):**

As reported at the last meeting, the Sub-Committee continues its negotiations with South Jersey Gas. We are awaiting a response to our latest letter which was forwarded to SJG representatives subsequent to our last meeting. We reported that progress was achieved to address the immediate, intermediate and long term water needs of the Town. It is our goal to meet with SJG representatives prior to the night of the meeting and report our latest discussions on this matter.

10. Water Allocation (11-30088):**Firm Source Calculation**

Since August 2006 became the Town's newest peak month, we are awaiting a formal report from NJDEP as to the status of Firm Source Capacity according to their records. A minor modification application is in the process of being filed to construct a second 1,500 gpm well at the Well #5 site.

Major Modification Application:

Aquifer test proposal has been submitted to NJDEP for the protocol that will demonstrate the ability to increase the monthly allocation from 77.5 MG to approximately 113 MG. This 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.

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. We should have a clearer idea of the testing requirements once the aquifer test proposal has been reviewed and comments received. At that point, an additional proposal for the services required will be presented.

Incorporated in this endeavor is the completion of the build-out analysis which will provide a projection to the ultimate water supply needs for the Town. The build-out analysis will present the ability to meet growth with the interim plan and demonstrate when a new well will be needed.

Minor Modification Application:

As mentioned above, we are simultaneously seeking permission for 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. The outcome of the aquifer test proposal will determine the timeframe for this minor modification as well.

11. 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.

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

The Contractor has commenced work on the water main portion of the project and by the date of the meeting, will have connected the lake park with 9th Street. Sanitary sewer work will then begin and continue to Victory Bible Church. Payment Application #1 should appear on this months bill list for consideration.

It should be noted that NJ Transit will be completing work to the Weymouth Road bridge in the area of 8th Street. Work is scheduled to commence on or about November 20th. Please note that the work should be completed in approximately 2 weeks and during that time, traffic will be diverted down 1st Road to 9th Street.

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

As noted last month, the Contractor has mobilized and has commenced with the water main installation. Currently the Contractor has installed the portion of utilities between Bellevue Avenue and roughly Locust Street. The water services have also begun to be installed along this section.

The concrete portion of 3rd Street which is scheduled to be reconstructed has been removed along with the concrete curb and a portion of the sidewalk along this route. Weather dependent, the

Contractor has indicated that curb crews will be mobilized on November 13 and road crews to follow. It is hoped that at the time of the meeting, the base course of paving and concrete curb will have been installed. We are also discussing with the contractor, Mayor, along with the Sewer and Water Committee the possibility and cost to replace all the sidewalk along the section of Third Street extending between Bellevue Avenue and Vine Street. We will keep Council informed of further progress.

PUBLIC WORKS - INFORMATION ITEMS

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

As Council is aware, the remediation of the Kramer Beverage basin, which the Town and the Owner jointly use, will be the subject of a trial improvement program. Among the following alternatives, it was decided to select alternative 2.

- A. Complete task during fall 2006 using non composted leaves during collection period mid Oct thru Nov.
- B. Complete task during spring 2007 without use of leaves.
- C. Complete task in summer 2007 without use of leaves.

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 under the format requested. Instead, we were given the opportunity to file for this type of use under the Beneficial Use Project Approval Process. This will allow the desired activity to occur since the NJDEP understands the reasons and the interim nature of the stockpile. This procedure also eliminates the need for sampling. However, in order to gain formal permission we must file an application fee of \$534.00 with the NJDEP. Kramer Beverage provided the fee to expedite matters so we can get the application filed and subsequently meet with the subcommittee to further explain the protocol.

Obviously, the Public Works Superintendent cannot divert the leaf delivery to the 11th Street complex unless a formal approval has been granted by the NJDEP. As you are aware, the leaf collection is in full swing and it is anticipated that a permit will be received in sufficient time to allow for the quantity needed to be achieved through the latter months of the leaf collection operation.

Once the permit is received, we will have a meeting with the subcommittee and initiate the procedure that we have outlined to the State. It is anticipated that we will hear back from NJDEP in time to address this issue in the early parts of December.

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

Charles Marandino Concrete has completed the brick paver installation along the portion of Egg Harbor Road extending between Bellevue Avenue to Vine Street in conjunction with the County roadway reconstruction project as authorized last meeting. We have placed the first payment request on the bill list for Council's consideration.

16. 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 Main Street's and the Downtown's Advocate review soon. 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.

17. Hammonton Lake Lowering (11-90026):

The lake lowering program has started and will be completed over the next month to reach the design release level. While the lake is drained, it would be an ideal time for residents to clean the area adjacent to their properties if desired. The lake will be returned to normal level this spring.

18. Boyer Avenue Recreation (11-50099):

Phase II

Construction:

A final walk thru by the Recreation Committee has taken place. There were some minor items added to the punchlist as a result of the walk thru. The contractor has been on site recently completing the punchlist. Once complete the Town will be responsible to maintain the site.

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

Phase I:

Since the last reporting period, a bid date has been set. Our office has given our plans to the architect for inclusion in the bid set. We will be contacting Atlantic Electric to get an update on when the previously authorized lighting improvements will be completed.

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

To date, all sanitary sewer improvements have been installed in accordance with the design plans. Concrete crews have completed all curb, sidewalk, and apron installation from Packard Street to 2nd Street. By the date of the meeting, all concrete work should be completed including the small portion of Packard Street which was requested to be repaired. Base paving has also been installed between Packard and Tilton Streets with the expectation that the remaining portion will be completed by the date of the meeting. Payment application #2 should be on the bill list for consideration by Mayor and Council. It should be noted that Change Order #1 noted in the previous report does not appear in payment application #2.

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
- NJDEP Surface Water Permit - Hearing rescheduled to March 22, 2007
- Tuckahoe Turf Permit Response

Authorize Change Order Central Avenue Water Main Extension

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, authorize change order to P&A Construction in the amount of \$17,200.00.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

Mayor DiDonato thanked ARH for their prioritization of projects such as Town Hall, Downtown Sidewalks, Central Avenue. Mayor also thanked public for their patience during construction and advised that Council put a rush on these projects so the Town would not lose the funding for same.

SOLICITOR REPORT

- St. Joseph tax exemption resolution
- Pulte
- Police Rules and Regulations

MAYOR REPORT

- Meet with the Mayor live broadcast 12/4
- Town Hall project bid tomorrow
- Downtown Revitalization
- Congratulate Anthony Marino and Jerry Vitalo
- Thank you Arawak paving community center at no cost to Town
- Kessler Hospital Update

Mayor DiDonato stressed the urgency of the Kessler Hospital matter. He mentioned several ways citizens can participate in assuring the hospital remains open for the citizens of Hammonton who have benefited greatly from same. He welcomed citizens input at the "Meet with the Mayor" on 12/4/06.

TOWN CLERK/ADMINISTRATOR REPORT

2006 BUDGET APPROPRIATIONS/BALANCES AS OF November 14, 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

Clerk Action Items:

- 1 Confirm Hiring FT Temporary Laborer Highway Dept 8 weeks effect 11/13
Rinaldo Ruiz \$10.00 hour
- Angel Pagan \$10.00 hour
- 2 Request Permission to ReAdvert and Hire School Crossing Guard between meetings
- 3 Hire Anthony Zozone - Convenience Station \$12.00 hour to begin 11/25
- 4 Authorize Additional Attendance League of Municipalities 11/15
John Aloisio
Frank Domenico
Andrea Effinger

Motion by Councilperson Colasurdo, seconded by Councilperson Massarelli, approve Clerk Action Items as listed above.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

Clerk Information Items Only:

Advised of Notice to Contractors - Bid Municipal Complex

Ordered received and filed.

Thank You Louis Pinto

Winterize park at no cost to Town

BILLS

#R152A-2006 Transfer Resolution

#R152A-2006

RESOLUTION PROVIDING FOR THE TRANSFER OF FUND
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 2006:

FROM: IN CAP	
Economic Development OE (6-01-20-11B-29P)	3,227.73
TO: IN CAP	
Legal OE (6-01-20-106-218)	1,861.23
Rescue Squad OE (6-01-25-122-261)	225.00
Shade Tree OE (6-01-21-112-273)	1,141.50

*APPROVAL BILL LIST/PAYROLL/OVERTIME-ATTACHED

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, approve transfer resolution and bill list, payroll and overtime payments as recorded by the Clerk.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

COMMUNICATIONS

Communications Information Items Only:

- 1 Request Hire Carmela Santora FT at Highway Department
Refer to Committee for investigation
- 2 Acknowledge Receipt of Employee Letters Request to Negotiate
Rosemarie Jacobs
MaryJoan Wyatt
Steward Mazza
Debbie Camorata
Susanne Oddo
James Massara
Lou Rodio
Lance Schiernbeck
Frank Ingemi
April Boyer Maimone
Audrey Boyer and Joann Domenico (White Collar Assoc.)
Robert Butkowski (WWTP Assoc.)
Michael Maimone (Water Assoc.)
Donna Bakley (United Workers Union Public Works/Dispatch)

Ordered received and filed.

Communications Action Items Only:

1 Authorize Attendance School

Kathy Velardi Nov 20 Shared Service Record Mgt.
James Massara Jan 18 Safe Drinking Water \$122.50

2 Authorize Refund Escrow Account

Kramer Beverage Co. \$218.94

3 From Fire Co. #1

Accept Resignation Dominic Napoli Nov 15
Accept new member James Mack Nov 15

4 Add on carriage ride request formerly approve Resol 130 tree lighting

Motion by Councilperson Colasurdo, seconded by Councilperson Wuillermin, approve Communication Action Items as recorded by the Clerk.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

REPORTS-October 2006

- Town Clerk
- Registrar
- Construction Official

Ordered received and filed.

UNFINISHED BUSINESS

None.

NEW BUSINESS-ORDINANCES

ORDINANCE 21-2006 AMENDING CHAPTER 16 ELECTION DISTRICTS

Ordinance # 21-2006

**ORDINANCE AMENDING Chapter 16 of the Code of the Town of Hammonton
Entitled "Election Districts"**

PURPOSE:

Pursuant to Declaratory Judgement Regarding Redistricting Pursuant to N.J.S.A. 19:4-13, the Mayor and Council of the Town of Hammonton are authorizing the following amendment to Chapter 16-1 and 16-2:

16-1 Creation of Districts. There be and are hereby created eight (8) election districts in the Town of Hammonton.

Further pursuant to Declaratory Judgement Regarding Redistricting; the Mayor and Council of the Town of Hammonton are authorizing the following amendment to Chapter 16-2:

16-2 Districts described and defined. The said districts be and the same are hereby described and defined as follows:

District One (1): Beginning at the southwest corner of Twelfth Street and Grand Street westerly on the South side of Twelfth Street to the southeast corner of Third Road; southerly on the east side of Third Road to Hamilton Township line; easterly along Hamilton Township line to Mullica Township line; easterly along Mullica Township line to the New Jersey Transit; northerly along the west side of New Jersey Transit to Eleventh Street; westerly on the south side of Eleventh Street to Grand Street; northerly on the west side of Grand Street to Twelfth Street.

District Two (2): Beginning at the northwest corner of Twelfth Street and Grand Street; westerly on the north side of Twelfth Street to Third Road; northerly along the east side of Third Road to Camden County line; easterly along Camden County line to the New Jersey Transit; southerly along the west side of the New Jersey Transit to Thirteenth Street; westerly along the north side of Thirteenth Street to Messina Avenue; southerly on the west side of Messina Avenue to Pleasant Street; westerly on the north side of Pleasant Street to Grand Street; southerly on the west side of Grand Street to Twelfth Street.

District Three (3): Beginning at the intersection of the northeasterly line of Grand Street with the northwesterly line of Eleventh Street, and runs thence; along said line of Eleventh Street, a northeastward direction to the southwesterly line of Egg Harbor Road; thence along said southwesterly line of Egg Harbor Road, a northwestward direction to the extension of the northwesterly line of Grape Street; thence along said line of Grape Street, a northeastward direction to the southwesterly line of Valley Avenue; thence along said line of Valley Avenue, a northwestward direction to the southeasterly line of Bellevue Avenue; thence along said line of Bellevue Avenue, a southwestward direction to the extension of the southwesterly line of Fourth Street; thence along said line of Fourth Street, a northwestward direction to the southeasterly line of Pleasant Street; thence along said line of Pleasant Street, a southwestward direction to the southwesterly line of Egg Harbor Road; thence along said line of Egg Harbor Road, a northwestward direction to the southeasterly line of Thirteenth Street; thence along said line of Thirteenth Street, a southwestward direction to the northeasterly line of Messina Avenue; thence along said line of Messina Avenue, a southeastward direction to the southeasterly line of Pleasant Street; thence along said line of Pleasant Street, a southwestward direction to the northeasterly line of Grand Street; thence along said line of Grand Street, a southeastward direction to the northwesterly line of Eleventh Street and point and place of beginning.

District Four (4) 'Formerly District Nine (9)': Beginning at the southeast corner of New Jersey Route 206 and the White Horse Pike and proceeding thence eastwardly along the south side of New Jersey Route 206 to the Burlington County line; thence south along the Burlington County line to the Mullica Township line; thence west along the Mullica Township line to Sewell Avenue; thence north on the east side of Sewell Avenue to the White Horse Pike; thence north along the east side of White Horse Pike to Route 206.

District Five (5): Beginning at the southeast corner of Egg Harbor Road and Grape Street; easterly on the south side of Grape Street to Valley Avenue; southerly on the west side of Valley Avenue to Broadway; westerly on the north side of Broadway to Central Avenue; southeasterly on the west side of Central Avenue to White Horse Pike; westerly along White Horse Pike to Sewell Avenue; southeasterly on Sewell Avenue to Mullica Township line; westerly along Mullica Township line to New Jersey Transit; northerly along New Jersey Transit to Eleventh Street; easterly on south side of Eleventh Street to Egg Harbor Road; northerly on east side of Egg Harbor Road to Grape Street.

District Six (6): Beginning at the northeast corner of Egg Harbor Road and Pleasant Street; easterly on the north side of Pleasant Street to Fourth Street; northerly on the west side of Fourth Street to Fairview Avenue; westerly on the south side of Fairview Avenue to Third Street; northerly on the west side of Third Street to Wilsey Mill Road; thence northeasterly along the west side of Wilsey Mill Road to Camden County line; westerly along Camden County line to New Jersey Transit; southerly along New Jersey Transit to Thirteenth Street; easterly on Thirteenth Street to Egg Harbor Road; thence from the southeast corner of Fairview Avenue and Egg Harbor Road southerly on the east side of Egg Harbor Road to Pleasant Street.

District Seven (7): Beginning in the southeast corner of Valley and Bellevue Avenue and proceeding thence easterly on the south side of Bellevue Avenue to the White Horse Pike; thence south along the west side of the White Horse Pike to Central Avenue; thence north on the east side of Central Avenue to Broadway; thence east on the south side of Broadway to Valley Avenue; thence north on the east side of Valley Avenue to Bellevue Avenue.

District Eight (8): Beginning at the northeast corner of Fourth Street and Bellevue Avenue; easterly on the north side of Bellevue Avenue to Main Road (White Horse Pike); thence from the northeast corner of White Horse Pike and Route 39 (New York Road), easterly along north side of New York Road to Burlington County line; northerly along Burlington County line to Camden County line; westerly along Camden County line to Wilsey Mill Road; southwestwardly along the east side of Wilsey Mill Road to Third Street; southerly on the east side of Third Street to Fairview Avenue; easterly on the north side of Fairview Avenue to Fourth Street; southerly on the east side of Fourth Street to Bellevue Avenue.

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

Mayor DiDonato opened the ordinance for public opinion even though that is not normal procedure at introduction. No one desired to be heard.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Ordinance #22-2006 Tax Exemption St. Joseph

Ordinance #022-2006

**AN ORDINANCE PROVIDING FOR
TAX EXEMPT STATUS ON PROPERTY PURSUANT
TO NJSA 54:4-3.6E
TOWN OF HAMMONTON**

WHEREAS, P.L.1981, CHAPTER 539, NJSA 54:4-3.6E provides that the governing body of each municipality may return all taxes collected on property owned by an association organized for religious purposes, and

WHEREAS, the properties located at Block 2708 lot 7; Block 2813 Lot 4, and Block 2816 Lot 23, owned by St. Joseph's Church, are tax exempt properties pursuant to NJSA 54:4-3.6 et seq. and

WHEREAS, good cause being established for the failure to timely file application for tax exempt status, and

BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HAMMONTON, as follows:

The properties located at Block 2708 Lot 7, Block 2813 Lot 4, and Block 2816 Lot 23, are entitled to tax exempt status pursuant to NJSA 54:4-3.6 et seq. And any tax delinquencies are vacated and set aside.

Be it further Ordained that the Certificate of Tax Sale for Block 2708 Lot 7 executed January 5, 2006 recorded January 18, 2006 as Instrument 2006005720, Certificate No. 05-087 is hereby declared null and void, and the monies paid by the third party lienholder are to be refunded by the Town of Hammonton pursuant to NJSA 54:4-3.6E.

All ordinances or parts of ordinances inconsistent with the terms hereof are hereby repealed to the extent of such inconsistency only.

This ordinance shall take effect immediately upon its final passage and publication as provided by law.

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

ROLL CALL

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

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R153-2006 Tax Resolution November

#R 153-2006
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
4501	42		<16,101.05>	RESTUCCIO	ROSIE	TAX/OVERPAYMENT
3505	13		<10.00>	DIPAOLA	ROSIE	FREON PERMIT/ RETURNED
1001	73		<571.42>	BARTOLONE	ROSIE	TAX/OVERPAYMENT
4501	42	16,849.85	<16,849.85>	RESTUCCIO	COUNTYBRD	TAX/REMOVE BILL
1001	2Q		<58.24>	LIVING STON	MARYJOAN	TAX/REMOVE BILL

WHEREAS, all balances on tax, water and sewer for \$5.00 and under after November 10th shall be deleted.

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.

#R154-2006 Authorize Taxicab/Operator License

#R 154-2006

RESOLUTION AUTHORIZING A TAXICAB/TAXIOPERATOR LICENSE
IN THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY

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** and **Taxi Operator License**, a resolution be adopted, which resolution shall specifically determine and name the person(s) adjudged to be entitled to such licenses.

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(s) be and are hereby adjudged to be entitled to a **Taxicab License**:

Dorset Camper

AND BE IT FURTHER 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(s) be and are hereby adjudged to be entitled to a **Taxi Operator License**:

Dorset Camper
Jerry John DeLuca III

AND BE IT FURTHER RESOLVED that the Town Clerk/Administrator be and is hereby authorized to issue such licenses effective November 21, 2006 through December 31, 2006.

#R155-2006 Authorize Tax Sale

#R 155-2006

RESOLUTION AUTHORIZING TAX SALE

WHEREAS, the Town of Hammonton is the holder of certain tax sale certificates acquired under and by virtue of N.J.S.A. 54:5-34; and

WHEREAS, it is deemed financially beneficial to and in the best interests of the municipality to sell such tax sale certificates;

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that on the 18th day of December, 2006, Rosemarie Jacobs, Tax Collector/Treasurer is authorized to sell by assignment the various tax sale certificates.

BE IT FURTHER RESOLVED that Mayor and Council hereby authorize Rosemarie Jacobs to make, execute and deliver all assignment forms or other legal documents which may be necessary or desired to effectuate the various sales permitted by this resolution.

#R156-2006 Amend Budget Safety Belt Performance Grant

#R 156-2006

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

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the **2006 Budget in the sum of \$2,000.00** which is now available as a revenue from:

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

Safety Belt Performance Grant

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

#R157-2006 Cancel \$25,000 Capital Improvement Fund

RESOLUTION # 157-2006

WHEREAS, it is the desire of the Governing Body to cancel \$25,000 of Capital Improvement Fund that was appropriated for preliminary expenses for engineering and legal expenses; and

WHEREAS, the unexpended balance may be returned to the Capital Improvement Fund of the General Capital Fund;

BE IT RESOLVED, by the Council of the Town of Hammonton, that the unexpended balance of said resolution be cancelled and that the Treasurer's Office record this action in the books and records of the Town of Hammonton.

#R158-2006 Rec Open Space

RESOLUTION #158-2006

**ATLANTIC COUNTY RECREATION AND OPEN SPACE
GRANT PROGRAM FOR WALMER STREET
WESCOAT ESTATE PROPERTY (Round 6)**

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 \$57,000.00, to fund the acquisition and a portion of the survey, environmental assessment and appraisal costs for the Walmer Street Wescoat Estate property noted as Block 3001, PART OF Lot 42 consisting of approximately 7.25± acres; and

WHEREAS, the total cost of the project, including all matching funds is \$65,000.00±; and

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

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

#R159-2006

#R159-2006

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF \$12,406,000 GENERAL OBLIGATION BONDS CONSISTING OF \$6,400,000 GENERAL IMPROVEMENT BONDS, \$2,278,000 SEWER UTILITY BONDS AND \$3,728,000 WATER UTILITY BONDS OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY AND PROVIDING FOR THEIR SALE.

BE IT RESOLVED BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY AS FOLLOWS:

Section 1. The \$6,400,000 General Improvement Bonds of the Town of Hammonton, in the County of Atlantic (the "Town"), referred to and described in the resolution adopted by the Town Council pursuant to the Local Bond Law of the State of New Jersey on November 20, 2006 and entitled, "Resolution Providing for the Combination of Certain Issues of General Improvement Bonds of the Town of Hammonton, in the County of Atlantic, New Jersey into a Single Issue of Bonds Aggregating \$6,400,000 in Principal Amount," shall be issued as General Improvement Bonds (the "General Improvement Bonds"). The Bonds shall mature in the principal amounts on February 1 in each of the years as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2008	\$150,000	2015	\$550,000
2009	200,000	2016	600,000
2010	250,000	2017	650,000
2011	300,000	2018	700,000
2012	400,000	2019	800,000
2013	450,000	2020	850,000
2014	500,000		

The General Improvement Bonds shall be subject to redemption prior to maturity in accordance with the terms of the Notice of sale authorized herein. The Bonds shall be thirteen in number, with one certificate being issued for each year of maturity and shall be numbered GI-1 to GI-13, inclusive.

Section 2. The \$2,278,000 Sewer Utility Bonds of the Town, referred to and described in the resolution adopted by the Town Council pursuant to the Local Bond Law of the State of New Jersey on November 20, 2006 and entitled, "Resolution Providing for the Combination of Certain Issues of Sewer Utility Bonds of the Town of Hammonton, in the County of Atlantic, New Jersey into a Single Issue of Bonds Aggregating \$2,278,000 in Principal Amount," shall be issued as Sewer Utility Bonds (the "Sewer Utility Bonds") The Bonds shall mature in the principal amounts on February 1 in each of the years as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2008	\$50,000	2015	\$250,000
2009	50,000	2016	250,000
2010	50,000	2017	250,000
2011	73,000	2018	250,000
2012	75,000	2019	250,000
2013	240,000	2020	250,000
2014	240,000		

The Sewer Utility Bonds shall be subject to redemption prior to maturity in accordance with the terms of the Notice of sale authorized herein. The Bonds shall be thirteen in number, with one certificate being issued for each year of maturity and shall be numbered SU-1 to SU-13, inclusive.

Section 3. The \$3,728,000 Water Utility Bonds of the Town, referred to and described in the resolution adopted by the Town Council pursuant to the Local Bond Law of the State of New Jersey on November 20, 2006 and entitled, "Resolution Providing for the Combination of Certain Issues of Water Utility Bonds of the Town of Hammonton, in the County of Atlantic, New Jersey into a Single Issue of Bonds Aggregating \$3,728,000 in Principal Amount," shall be issued as Water Utility Bonds (the "Water Utility Bonds") The Bonds shall mature in the principal amounts on February 1 in each of the years as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2008	\$200,000	2015	\$300,000
2009	200,000	2016	300,000
2010	238,000	2017	350,000
2011	250,000	2018	350,000
2012	250,000	2019	350,000
2013	250,000	2020	390,000
2014	300,000		

The Water Utility Bonds shall be subject to redemption prior to maturity in accordance with the terms of the Notice of sale authorized herein. The Bonds shall be thirteen in number, with one certificate being issued for each year of maturity and shall be numbered WU-1 to WU-13, inclusive.

Section 4. The General Improvement Bonds, the Sewer Utility Bonds and the Water Utility Bonds are sometimes referred to herein as the "Bonds".

Section 5. The Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of Bonds maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York, which will act as securities depository (the "Securities Depository"). The certificates will be on deposit with The Depository Trust Company. The Depository Trust Company will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records regarding the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of any multiple of \$1,000 (with a minimum purchase of \$5,000 required) through book-entries made on the books and records of The Depository Trust Company and its participants.

The Bonds will bear interest payable semiannually on the first day of February and August in each year until maturity or earlier redemption, commencing on August 1, 2007, at a rate or rates per annum, expressed in a multiple of 1/8 or 1/20 of 1% and proposed by the successful bidder in accordance with the Notice of Sale authorized herein.

The principal of and the interest on the Bonds will be paid to the Securities Depository by the Town on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of each next preceding January 15 and July 15 (the "Record Dates" for the Bonds). The Bonds shall be executed by the manual or facsimile signature of the Mayor and Chief Financial Officer of the Town under the official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Clerk of the Town. The following matters are hereby determined with respect to the Bonds:

Date of Bonds: January 1, 2007

Interest Payment Dates: Each February 1 and August 1, until maturity or earlier redemption, commencing on August 1, 2007

Section 6. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Town to deliver and to market the Bonds in accordance with the requirements of The Depository Trust Company and the final terms of sale:

#R160-2006

#R160-2006

RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF SEWER UTILITY BONDS OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY INTO A SINGLE ISSUE OF BONDS AGGREGATING \$2,278,000 IN PRINCIPAL AMOUNT.

BE IT RESOLVED BY THE TOWN COMMITTEE OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY AS FOLLOWS:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Bonds of the Town of Hammonton, in the County of Atlantic, New Jersey authorized pursuant to the bond ordinances of the Town heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of Sewer Utility Bonds in the principal amount of \$2,278,000.

Section 2. The principal amount of Bonds authorized by each ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Principal Amount of Bonds	Number of Ordinance	Description of Improvement and Date of Adoption of Ordinance	Useful Life
\$30,000	31-02	Various sewer utility improvements, finally adopted 7/22/02	7.1 years
\$72,000	4-03	Sewer utility improvements, finally adopted 5/27/03	15 years
\$434,000	20-03	Sewer utility improvements, finally adopted 8/25/03	15 years
\$107,000	28-03	Reappropriation of proceeds, finally adopted 11/17/03	40 years

Principal Amount of Bonds	Number of Ordinance	Description of Improvement and Date of Adoption of Ordinance	Useful Life
\$51,400	9-04, as supplemented by 17-05	Various sewer utility improvements, finally adopted 5/24/04, as supplemented on 5/23/05	25 years
\$1,029,600	17-06	Reappropriation of proceeds, finally adopted 8/7/06	25 years
\$454,000	14-05	Various sewer utility improvements, finally adopted 5/23/05	40 years
\$100,000	8-06	Sewer utility improvements, finally adopted 5/22/06	15 years
<u>\$2,278,000</u>			

Section 3. The following matters are hereby determined with respect to the combined issue of Bonds:

a. The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average period of usefulness therein determined, is not less than 25.79 years.

b. The Bonds of the combined issue shall be designated "Sewer Utility Bonds" and shall mature within the average period of usefulness herein determined.

c. The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

a. None of the Bonds described in Section 2 hereof has been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2.

b. The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement.

#R161-2006

#R161-2006

RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF WATER UTILITY BONDS OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY INTO A SINGLE ISSUE OF BONDS AGGREGATING \$3,728,000 IN PRINCIPAL AMOUNT.

BE IT RESOLVED BY THE TOWN COMMITTEE OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY AS FOLLOWS:

Section 5. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Bonds of the Town of Hammonton, in the County of Atlantic, New Jersey authorized pursuant to the bond ordinances of the Town heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of Water Utility Bonds in the principal amount of \$3,728,000.

Section 6. The principal amount of Bonds authorized by each ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Principal Amount of Bonds	Number of Ordinance	Description of Improvement and Date of Adoption of Ordinance	Useful Life
\$433,000	05-03, as supplemented by 13-05	Water utility improvements, finally adopted 5/27/03, as supplemented on 5/23/05	15 years
\$800,000	8-04	Various water utility improvements, finally adopted 5/24/04	40 years
\$1,232,000	15-04 as supplemented by 12-05	Various water utility improvements, finally adopted 7/26/0 as supplemented on 5/23/05	40 years
\$1,115,000	16-05 as reappropriated by 18-06	Various water utility improvements, finally adopted 5/23/05, as reappropriated on 8/7/06	39.24 years
\$148,000	07-06	Various water utility improvements, finally adopted 5/22/06	18.37 years
<u>\$3,728,000</u>			

Section 7. The following matters are hereby determined with respect to the combined issue of Bonds:

a. The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average period of usefulness therein determined, is not less than 35.68 years.

b. The Bonds of the combined issue shall be designated "Water Utility Bonds" and shall mature within the average period of usefulness herein determined.

c. The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

Section 8. The following additional matters are hereby determined, declared, recited and stated:

a. None of the Bonds described in Section 2 hereof has been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2.

b. The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement.

#R162-2006

#R162-2006

RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF GENERAL IMPROVEMENT BONDS OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY INTO A SINGLE ISSUE OF BONDS AGGREGATING \$6,400,000 IN PRINCIPAL AMOUNT.

BE IT RESOLVED BY THE TOWN COMMITTEE OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY AS FOLLOWS:

Section 9. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Bonds of the Town of Hammonton, in the County of Atlantic, New Jersey authorized pursuant to the bond ordinances of the Town heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of General Improvement Bonds in the principal amount of \$6,400,000.

Section 10. The principal amount of Bonds authorized by each ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Principal Amount of Bonds	Number of Ordinance	Description of Improvement and Date of Adoption of Ordinance	Useful Life
\$17,400	18-01, as supplemented by 16-02	Various Improvements, finally adopted 4/23/01, as supplemented 4/22/02	10 years
\$136,000	35-01	Purchase of a Fire Department tanker truck, finally adopted 11/19/01	10 years
\$130,100	10-02	Various improvements, finally adopted 3/25/02	9.85 years
\$634,700	26-02, as amended by 20-04	Various improvements, finally adopted 6/17/02, as amended by August 23, 2004	15.82 years
\$3,000	36-02	Acquisition of real property, finally adopted 10/28/02	40 years
\$711,300	3-03, as amended by 10-05 reappropriating \$142,500 from this ordinance	Various improvements, finally adopted 5/27/03, as amended by 5/23/05 reappropriation ordinance	8.17 years
\$15,200	13-03	Purchase of firefighting turnout gear, finally adopted 7/28/03	5 years
\$415,025	22-03 as amended by 18-05 as further amended by 35-05	Acquisition of land for construction of a New Municipal Complex, finally adopted 10/27/03 as amended 5/23/05, as further amended 9/26/05	40 years
\$1,480,875	7-04 as amended by 10-05 reappropriation as further supplemented by 11-05 as	Various improvements, finally adopted 5/24/04 as amended by reappropriation on 5/23/05 as further supplemented 5/23/05	11.59 years
\$156,750	5-05	Purchase of a trash truck, finally adopted 4/25/05	5 years
\$1,583,650	15-05	Various capital improvements, finally adopted 5/23/05	12.62 years
<u>\$1,116,000</u>	6-06	Various improvements, finally adopted 5/22/06	10 years
<u>\$6,400,000</u>			

Section 11. The following matters are hereby determined with respect to the combined issue of Bonds:

a. The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average period of usefulness therein determined, is not less than 13.21 years.

b. The Bonds of the combined issue shall be designated "General Improvement Bonds" and shall mature within the average period of usefulness herein determined.

c. The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

Section 12. The following additional matters are hereby determined, declared, recited and stated:

a. None of the Bonds described in Section 2 hereof has been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2.

b. The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement.

#R163-2006

#R163-2006

RESOLUTION OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-26(e)

WHEREAS, the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") desires to make application to the Local Finance Board pursuant to N.J.S.A. 40A:2-26(e) for its approval of a non-complying maturity schedule for the proposed \$12,406,000 General Obligation Bonds of the Town; and

WHEREAS, the Town believes that:

(a) it is in the public interest to accomplish such purpose;

(b) the purpose is for the health, the welfare, the convenience or the betterment of the inhabitants of the Town;

(c) the amounts to be expended for the purpose or the improvements are not unreasonable or exorbitant; and

(d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Town and will not create an undue financial burden to be placed upon the Town;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY as follows:

Section 1. The application to the Local Finance Board is hereby approved, and the Town's Bond Counsel and the Town's auditor, along with other representatives of the Town, are hereby authorized to prepare such application and to represent the Town in matters pertaining thereto.

Section 2. The Clerk of the Town is hereby directed to prepare and to file a certified copy of the resolution authorizing the Bonds with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to

record its findings and approval as provided by the applicable New Jersey Statute.

#R164-2006 Award Bid Downtown Sidewalk

Resolution #164-2006
RECOMMENDATION OF AWARD
FEDERAL AID PROJECT

BE IT RESOLVED that **Mayor and Town Council of the Town of Hammonton** hereby recommends to the New Jersey Department of Transportation (NJDOT) that the contract for the **Train Station and Historic Downtown Pedestrian Link, Phases II & IV in the Town of Hammonton, County of Atlantic** be awarded to **Marandino Concrete Company of Vineland, New Jersey** whose base bid and alternate total **\$1,261,910.00** subject to the review and approval of the NJDOT.

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

That the clerk of this body be and is hereby directed to seal said contract with the corporate seal of this body and attest to the same that the NJDOT has or will allot **\$579,632.00** for the construction of this project.

Subject to the following conditions:

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

Motion by Councilperson Wuillermin, seconded by Councilperson S. Lewis, be adopted with exception of resolutions 159-163 taken up earlier in meeting.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

LICENSE APPROVAL

Hammonton Band Boosters 12/21/06

Motion by Councilperson Falcone, seconded by Councilperson Wuillermin, licenses be approved as recorded by the Clerk. Motion carried.

PUBLIC HEARD

Mr. Melendez - Old Forks Road

Mr. Melendez handed out a written response that he read to respond to Mr. Dan Santora's allegations against the PR Civic Assoc. members at the October 2006 regular meeting of council.

Councilperson Falcone commented that in his experience he has never had any problems with the PR Civic Assoc. members. He commended Mr. Melendez for his volunteerism to this community.

Terry DiNatale - Mayslanding NJ

Ms. DiNatale was present for Onsite Storage application to various board and stated they have complied with all requirements of the Town of Hammonton and questioned what department would oversee a tree issue?

Solicitor stated he believes in this case the Environmental Commission would oversee the illegal tree removal.

Ms. DiNatale stated she has paid her fine for illegal tree removal and is requesting Mayor and Council to permit her to proceed with her development prior to December Environmental Commission meeting.

Solicitor advised Mayor and Council on the status of this application and fine.

Councilperson Wuillermin questioned would Ms. DiNatale sign to her agreement to Environmental Commission restitution plan per town ordinance tonight and fully comply with same if this Mayor and Council authorize her to go forward with her development?

Ms. DiNatale responded, it depends on what Environmental Commission requires.

Councilperson Wuillermin stated then this Mayor and Council cannot give her the go ahead. He also noted there have been many Environmental Commission meetings between the time of the illegal tree removal findings and the meeting this evening, and suggested Ms. DiNatale could have attended same. He also reminded her that her husband was present at the Town Council Meeting also.

Ms. DiNatale stated for the record she doesn't have any problem with tree replacement but she does not want to pay additional fines.

Motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, advise applicant to go back to Environmental Commission as previously approved for Hold Harmless Agreement in the form of a restitution plan being agreed to by applicant and if so Town will release hold harmless.

On the question

Mr. Vettese advised it would be a footing permit and not a foundation permit.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

#R 165-2006 Resolution Enter Into Executive Session at 11:00 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 Colasurdo, seconded by Councilperson S. Lewis, the resolution be adopted.

ROLL CALL

Councilpersons:
Bertino - A
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 Wuillermin, seconded by Councilperson Falcone, resume the regular order of business. Motion carried.

Approve Cingular Agreement Lease

Motion by Councilperson Wuillermin, seconded by Councilperson Falcone, approve Solicitor to prepare Cingular Agreement Lease.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

McCloud Group

Motion by Councilperson Wuillermin, seconded by Councilperson S. Lewis authorize change order Pre-Construction Manager Contract in the amount of \$19,475.68.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

MEETING ADJOURNED at 12:15 a.m.

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

Minutes Recorded by April Boyer Maimone, Assistant Municipal Clerk

Minutes Approved by Susanne Oddo, Town Clerk/Administrator